



**DATE:** Tuesday, January 16, 2024  
**TIME:** 7:00 PM  
**PLACE:** 400 South Vine Street, Urbana, IL 61801

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## AGENDA

Chair: *Maryalice Wu, Ward 1*

**A. Call to Order and Roll Call**

**B. Approval of Minutes of Previous Meeting**

1. 11-06-2023 Minutes
2. 11-20-2023 Minutes

**C. Additions to the Agenda**

**D. Presentations and Public Input**

1. **Presentation: FY 2023 Annual Comprehensive Financial Report**

**E. New Business**

1. **Resolution No. 2023-12-096R:** Resolution Approving and Authorizing the Execution of an Economic Development Agreement (Champaign County Economic Development Corporation, Fiscal Year 2023-2024) - CD
2. **Resolution No. 2023-12-097R:** Resolution Approving and Authorizing the Execution of an Economic Development Agreement (Experience Champaign Urbana, Fiscal Year 2023-2024) - CD
3. **Resolution No. 2024-01-001:** A Resolution Approving Amendment No. 1 to a City of Urbana and Urbana HOME Consortium Subrecipient Agreement (Champaign County Regional Planning Commission TBRA Agreement FY 2021-2022) - CD
4. **Ordinance No. 2024-01-002:** An Ordinance Approving a Major Variance (Chen/Tan Duplex at 312 West Illinois Street / Case No. ZBA-2023-MAJ-03) - CD
5. **Ordinance No. 2024-01-003:** An Ordinance Approving a Major Variance (Chen/Tan Duplex at 312 West Illinois Street / Case No. ZBA-2023-MAJ-04) - CD

**F. Staff Report**

1. **Fire Station Design (Final Programming)**

**G. 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/uptv>

## H. 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](mailto: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](mailto:CityClerk@urbanaininois.us)



City of Urbana  
400 S. Vine Street, Urbana, IL 61801  
[www.urbanaininois.us](http://www.urbanaininois.us)

## MEMORANDUM TO THE MAYOR AND CITY COUNCIL

**Meeting:** January 16, 2024 Committee of the Whole

**Subject:** FY2023 Annual Comprehensive Financial Report

### Summary

#### *Action Requested*

The City Council is asked to review the reports linked below under “Attachments.”

#### *Brief Background*

Jamie Wilkey, who is a partner with Lauterbach & Amen, LLP will attend the Monday, January 16 Committee of the Whole meeting to present the City’s Annual Comprehensive Financial Report (ACFR) and related documents.

### Relationship to City Services and Priorities

#### *Impact on Core Services*

None.

#### *Strategic Goals & Plans*

None.

#### *Previous Council Actions*

The City Council reviews the ACFR and related reports annually.

The City Council approved engagement of Lauterbach and Amen for auditing services for fiscal years ending June 30, 2022 through June 30, 2026 in [Resolution 2022-02-021R](#).

### Discussion

#### *Additional Background Information*

The City’s financial reports are prepared in accordance with generally accepted accounting principles. The City’s auditor has expressed the opinion that the City’s financial report fairly presents the financial position of the City, in all material respects, in conformity with generally accepted accounting principles. This is generally referred to as a “clean opinion.”

The City received a Certificate of Achievement for Excellence in Financial Reporting from the GFOA for the FY2022 ACFR. Staff believes the FY2023 ACFR continues to meet those high standards and has submitted it for review.

The ACFR has been posted to the City’s website. Other, related reports, such as audit reports for the Police and Fire Pension Funds, and the Library have also been posted to the City’s website.

*Policy or Statutory Impacts*

None.

*Recommendation*

The City Council is asked to review the linked reports.

*Next Steps*

None. Staff will begin work on the FY2024 audit in the spring, prior to the end of the fiscal year.

**Attachments**

1. [City’s Annual Comprehensive Financial Report and Communication to Those Charged with Governance](#)

Originated by: Elizabeth Hannan, HR & Finance Director / CFO

Reviewed: Kris Francisco, Financial Services Manager

Approved: Carol Mitten, City Administrator

As Authorized by City of Urbana Resolution No. \_\_\_\_\_

## **ECONOMIC DEVELOPMENT AGREEMENT**

This Economic Development Agreement (hereinafter, "Agreement") is entered into by and between the City of Urbana (hereinafter, the "City") and the Greater Champaign-Urbana Economic Partnership DBA Champaign County Economic Development Corporation (hereinafter, "EDC") (collectively, the "Parties").

WHEREAS, the City is a home rule unit of local government pursuant to Section 6 of Article VII of the State of Illinois Constitution of 1970; and

WHEREAS, EDC is an Illinois not-for-profit corporation which has been granted tax- exempt status by the Internal Revenue Service pursuant to Section 501(c)(6) of the Internal Revenue Code (26 U.S.C. § *et seq.*) and which is certified by the Illinois Department of Commerce and Economic Opportunity as both the Illinois Small Business Development Center (hereinafter, "SBDC") and the International Trade Center (hereinafter, "ITC") for Champaign County; and

WHEREAS, the City seeks to provide financial support for ongoing economic development, business development, and workforce development activities in the City of Urbana and Champaign County, as conducted by the EDC; and

WHEREAS, EDC seeks to promote Champaign County as an epicenter of entrepreneurship, innovation, and talent in Central Illinois and the Midwest; and

WHEREAS, EDC is experienced in the development of relationships between governments, businesses, employers, and educational/research institutions in Champaign County to promote new business startups and business growth; retention and expansion of existing employers; improvements in the available workforce by working with schools, Parkland College, the University of Illinois, and employers; and promoting the economic and physical growth of Champaign County; and

WHEREAS, EDC is also experienced in the marketing and promotion of Champaign County to geographic areas and populations outside of Champaign County by utilizing existing communication tools, such as the You're Welcome CU website, specifically designed marketing campaigns and initiatives, such as the IFLYCU.com Willard Airport marketing program, and experienced in developing awareness campaigns within Champaign County such as "Made in Champaign County", recurring programs such as CATALYZE, and annual celebrations such as Innovation Celebration; and

WHEREAS, EDC is experienced in coordinating and disseminating site selection RFPs and inquiries to local real estate developers and brokers, and managing real estate regional and site data to provide information to the public and professionals about development opportunities in Champaign County and to perform regional analysis that will inform decision makers and businesses about growth, employment, and development options; and

WHEREAS, EDC is host to and manages the Small Business Development Center and International Trade Center supported by grants from the federal SBA and state DCEO to provide small business advising, promote start up and growth of small businesses in the county, and promote and support the creation of businesses with international sales capabilities; and

WHEREAS, EDC is recognized as the regional point of contact for economic development in Champaign County; and

WHEREAS, the City and EDC seek to form a mutually beneficial arrangement whereby EDC undertakes the foregoing economic development activities for the benefit of Urbana as a key part of the county economy and coordinates such activity with the other municipalities, villages and county government as well as the University of Illinois to expand the regional marketplace for jobs and commerce, and strengthen the economy of the City and Champaign County.

NOW for good, valuable, and mutual consideration which each Party acknowledges as having in hand received and for the mutual exchange of the covenants, terms, and conditions contained in this Agreement, the Parties agree as follows:

**A. CITY OBLIGATIONS TO EDC:**

**1. City Funding and In-Kind Services to EDC:**

a **City Monetary Funding to EDC:** The City shall provide EDC with certain funding which EDC may use to operate its business and also perform its duties as the SBDC and ITC for Champaign County. The amount of funding which the City shall provide to EDC for such purpose shall commence of July 1 and end on June 30 shall be:

Fiscal Year 2023-2024: \$33,763

b **City In-Kind Services to EDC:** Separate and apart from the funding provided for in Sub-Paragraph A(1)(a) of this Agreement, the City may at its discretion provide in-kind services at no cost to EDC, but is under no obligation to provide any such in-kind services. The City shall value any in-kind services which it provides to, for, or for the benefit of EDC based on the rates which the City customarily charges for the provision of the same or similar services in connection with special public events held within the City’s corporate limits as described in Section 10.2 of the City of Urbana Policy & Procedure Manual.

c **Collective City Funding:** Unless the context of any Paragraph or Sub Paragraph in this Agreement provides or suggests otherwise, reference to “City Funding” or “City Funds” shall mean and include the monetary funding and any in-kind services provided for in Sub-Paragraphs (A)(1)(a) and (A)(1)(b) of this Agreement.



**2. Disbursement of Funds:** The Parties recognize and agree that it shall be a goal of EDC that, during the term of this Agreement, EDC shall undertake efforts within its own operations, marketing and other activities, as provided for in Sub-Paragraphs B(1) through B(5), to expand its services to businesses. Thus, the Parties intend that EDC's receipt of City Funding shall be based in whole or in part on EDC's performance during the term of this Agreement. However, nothing herein shall be deemed or construed as barring the Parties from entering into one or more other written agreements for other EDC services, which benefit the City and/or its business community and the City from compensating EDC on covenants, terms and/or conditions separate and apart from those provided for in this Agreement. To this end, EDC shall submit invoices to the City on a quarterly basis on or about July 1<sup>st</sup>, October 1<sup>st</sup>, January 2<sup>nd</sup> and April 1<sup>st</sup> with each invoice representing one-fourth (1/4<sup>th</sup>) of the City Funds due in the City Fiscal Year. The City shall disburse City Funds to EDC within thirty (30) days of the City's receipt of an invoice from EDC within the term of this Agreement.

Notwithstanding anything to the contrary provided for in Sub-Paragraphs A(1) of this Agreement, EDC shall not use or expend any City Funds, whether as staff funding and/or operational funding, for political purposes and activities including, but not necessarily limited to, funding of any political action committee, funding any organizations, candidates, or public office-holders political campaign, lobbying activities, or other activities which are or may be contrary to EDC's IRS Section 501(c)(6) tax-exempt status. Nothing herein shall be deemed, construed or interpreted as prohibiting EDC from engaging in any of the aforesaid political activities or lobbying activities where such activities are clearly and plainly intended to benefit the City or Champaign County as whole rather than any particular political constituency.

**3. Limits on City Funding:** Nothing in this Sub-Paragraph shall be deemed, construed or interpreted as limiting the amount of additional funding, if any, which the City may, in its sole discretion, provide to EDC for any purpose, whether specific or general in nature and whether or not pursuant to one or more separate agreements entered into and executed by and between the Parties.

**B. EDC'S OBLIGATIONS TO THE CITY:**

**1. Promotional, Marketing, and Sponsoring Activities:** EDC shall undertake such efforts as reasonably possible and within the limits of funding provided by the City to promote and market the City as a vital part of the Champaign County economy and to coordinate and plan specific activities, events, and materials that promote the City as a unique destination in Champaign County in concert with Urbana businesses and city staff. Such activities shall include but shall not be limited to: support of and participation in City and Urbana business events, promotion and support of businesses located within the City, planning and attending visits to employers identified by the City, holding promotional activities in Urbana businesses, planning and attending business openings or receptions, and including City programs, incentives and events on the EDC website, emails, social media posts, and printed promotional pieces. Such efforts shall also be complimentary to and consistent with EDC's regional efforts to promote all of Champaign County and improve the region's businesses, institutions and industries as a whole.

Notwithstanding anything to the contrary contained in this Sub-Paragraph B(1), all EDC promotional, marketing, staging, or sponsorship activities shall be undertaken in a manner which

- a presents the City, its officials, and its business community in a favorable light;
- b is presented in good taste and in such manner as to avoid offending the overall City residential and business community;
- c does not promote any particular religious or political positions or persuasions;
- d is presented or conducted in a manner so as not to endanger human life, health or safety.

EDC shall comply with all federal, state and City laws, rules and regulations in connection with any and all EDC activities.

**2. Board Representation:** The City shall designate one person and one alternate to sit on the EDC Board of Directors with full voting authority during the term of this Agreement as is consistent with the EDC bylaws.

**3. EDC Budget:** EDC shall submit to the City an annual budget approved by the EDC Board of Directors. In the event EDC amends the aforesaid budget, EDC shall provide a copy of each such budget amendment to the City along with a statement of the reason therefor within seven (7) days of when EDC's Board of Directors approval of such amendment.

**4. EDC Reports to City Council:** EDC shall submit to the City, within ninety (90) days following the close of the City Fiscal Year, its written annual partnership report which shall (i) describe the activities which EDC has undertaken for, on behalf of and/or for the benefit of the City, of businesses located within the City, and of events located within the City during the immediate past City Fiscal Year; (ii) provide a summarized accounting of all funds received by EDC during the aforesaid City Fiscal Year, including but not limited to the City Funds provided for in Sub-Paragraph A(1) of this Agreement; and (iii) provide a summarized accounting of all expenditures and disbursements made by EDC during the aforesaid City Fiscal Year.

EDC shall annually provide a representative of EDC to present the aforesaid annual partnership report to and address questions from the City Council at such time as the City may direct. All reports and accountings provided in this Sub-Paragraph B(5) shall be in writing and shall appear on the letterhead of EDC.

**5. Dissolution of EDC:** In the event that EDC should dissolve or elect to cease operations for any reason after any payment provided for in Sub-Paragraphs A(1)(a) and A(1)(b) of this Agreement has been made for a City Fiscal Year not then completed, then EDC shall notify the City at least ninety (90) calendar days before ceasing operations and work in good faith with the City on a written plan for dissolution of the EDC. Such a plan shall be mutually agreed to by the Parties in writing and shall account for the payment of all just debts and obligation of the EDC including any refund to the City as may be agreed to by the Parties.

If within at least sixty (60) calendar days after ceasing operations the Parties do not mutually agree on such a written plan for dissolution as herein described, then EDC, after its payment of all just debts and obligations, shall refund to the City so much of the amount which the City provided to EDC in the City Fiscal Year when it dissolves computed as a percentage of days within said City Fiscal Year which have passed expressed as a fraction or percentage of the total number of days in the said City Fiscal Year. – i.e., 365 or 366 depending on whether the year of dissolution is a “leap-year.” For example and by way of example only, in the event that the City provided EDC with \$10,000 in the City Fiscal Year 2022-2023 and EDC elects to dissolve on February 29, 2023, then the amount refunded to the City shall be computed as follows:  $(\$10,000) \times (244 \div 366) =$  \$6,666.67. However, EDC shall be relieved of its obligation to tender such refund should it be determined that state and/or federal law, rules, or regulations bar the making of such refund. Separate and apart from the refund provided for in this Sub-Paragraph, in the event that EDC announces its intent to dissolve or cease operations, the City may, at its sole election and discretion cease to provide additional funds to EDC.

**C. MISCELLANEOUS TERMS:**

**1. Term of Agreement:** This Agreement shall commence on July 1, 2023 and shall expire at 11:59 p.m. on June 30, 2024.

**2. Default and Opportunity to Cure:** In the event that either Party believes that the other Party has defaulted on any covenant, term or condition contained in this Agreement, the non-defaulting Party shall provide written notice to the other Party of such default. The aforesaid written notice shall state or describe the nature of the default, whether by act or omission, and the Paragraph and/or Sub-Paragraph, as the case may be, which governs the obligation which is alleged to be in default. Within ten (10) calendar days of the effective date of such notice of default (as defined by Sub-Paragraph C(6) below), the recipient of such notice shall (i) cure the default and provide documented evidence of the nature and/or manner of such cure; (ii) respond in writing to such notice which writing shall advise that the recipient reasonably believes that it is not in default and which describes the reasons for such belief; or (iii) provides a written plan of cure in those instances where cure of a default cannot be completed within the aforesaid ten (10) calendar day period.

**3. Dispute Resolution:** In the event that the Parties cannot resolve any dispute between them, they shall submit to mediation in an effort to resolve any such dispute. The Parties shall agree on the selection of the mediator and that mediator’s rules and/or procedures shall govern any such mediation. The Parties shall share equally in the cost of the mediation. In the event that the Parties fail to resolve their dispute through mediation, then either or both Parties shall be free to initiate and maintain an action to construe, interpret and/or enforce this Agreement in the Circuit Court for the Sixth Judicial Circuit, Champaign County, Illinois.

**4. Termination:**

- a This Agreement may be terminated by the City immediately and without written notice if EDC –

- (i) defaults on this Agreement without reasonable cure as provided for in Sub-Paragraph C(2) and which default/dispute is not resolved through mediation;
- (ii) files a petition or is the subject of an involuntary petition for bankruptcy filed in a United States Bankruptcy Court;
- (iii) files a notice of intent or other paper with the Secretary of State for the State of Illinois which evidences an intent to liquidate or dissolve;
- (iv) loses its IRS 501(c)(6) status as a tax-exempt business league by reason of any act or omission on the part of EDC;
- (v) loses its Illinois Department of Commerce and Economic Opportunity certification as either the SBDC or the ITC for Champaign County;
- (vi) becomes involuntarily dissolved for any reason by the Secretary of State of the State of Illinois and where EDC fails to apply for reinstatement within ten (10) business days of notice of such involuntary dissolution;
- (vii) enters into any arrangement with creditors which could reasonably be deemed, construed, or interpreted as a common law composition with creditors;
- (viii) is placed in receivership by a lawful court order;
- (ix.) acts or fails to act in such a manner as would injure or likely injure the City in any way, or cast the City or any business located within the City in a negative light unless, in the case of a business, such negative light is reasonably supported by evidence (e.g. an announcements that a business has closed or moved from the City when in fact such business has moved or closed); and/or
- (x) acts or fails to act in a manner which threatens or which may reasonably threaten human life, health or safety.

In the event that the City elects to terminate this Agreement for any one or more of the reasons provided in this Sub-Paragraph, the City's obligation to provide funding to EDC shall automatically cease and become wholly null and void. In addition to any other remedy which the City may have as a matter of law or right, the City shall be entitled to seek, obtain and recover a refund from EDC in an amount calculated as if EDC elected to dissolve as provided in Sub-Paragraph B(6) of this Agreement.

- b This Agreement may be terminated by either Party by giving written notice to the other Party of its intent to terminate and such termination shall be deemed effective thirty (30) days after the effective date of such written notice (as defined by Sub-Paragraph C(7) below). Any Party providing such notice of termination shall offer the other Party an opportunity to

meet and discuss such termination prior to the effective date hereunder. In the event of such termination, EDC shall refund to the City so much of those funds which the City has provided to EDC in the fiscal year in which the termination occurs computed in the manner provided for in Sub-Paragraph B(6) of this Agreement.

**5. Refund of Funds:** If any event arises which triggers EDC's obligation to refund any moneys to the City as provided elsewhere in this Agreement, EDC shall tender to the City such refund in the amount provided for in this Agreement within sixty (60) calendar days of when the aforesaid event occurred. In the event EDC fails to tender such refund to the City within the timeframe provided herein, the City shall be entitled to interest on the said refund at the rate of nine percent (9%) per annum with interest commencing to run on the date when the City was first entitled to said refund.

**6. Indemnification:** EDC agrees to and will indemnify, defend and hold harmless the City, its elected and appointed officials, employees, agents, and assigns from and against any and all claims, suits, actions, causes of action, judgments, decrees, orders, liabilities, and defenses which arise or which may arise out of or which are or may be the direct or proximate result of any unlawful intentional, willful, wanton, grossly negligent, or negligent act or omission by EDC and/or any of its directors, officers, employees, agents, contractors, or representatives. Nothing herein shall require EDC to indemnify, defend and hold harmless the City, its elected and appointed officials, employees, agents, and assigns from and against any and all claims, suits, actions, causes of action, judgments, decrees, orders, liabilities, and defenses which arise or may arise out of or which are or may be the direct or proximate result of any intentional, willful, wanton, grossly negligent, or negligent act or omission by the City or any of its elected or appointed officials, employees, agents, or assigns.

**7. Notices:** All notices required to be given shall be in writing, and such notices shall be deemed proper and effective as hereinafter provided:

- a If by First Class U.S. Mail: All such notices shall be sent by registered or certified mail with a return receipt requested. If any such notice is placed in an envelope properly addressed to the intended recipient and bearing proper postage, such notice shall be deemed effective four (4) days from the date of placement with the United States Postal Service.
- b If by facsimile: All such notices shall be deemed effective if transmitted to the intended recipient's facsimile machine and the same shall be deemed effective on the next business day following transmission if the sender's facsimile machine provides a printed recipient that the facsimile was received by the intended recipient's facsimile machine. If no such printed receipt is provided, then the notice shall be deemed effective four (4) days after its transmission.
- c If by overnight courier: All such notices shall be deemed effective if placed in a properly addressed overnight courier envelope properly addressed to the intended recipient with delivery charges to be paid by the sender of such notice, and such notice shall be deemed effective the next business day following delivery of such notice.
- d If by personal delivery: All such notices shall be deemed effective if hand delivered by an employee of the sender to an employee of the intended

recipient, and such notice shall be deemed effective on the next business day following delivery of such notice.

- e. No other form of notice, including e-mail notice, shall be deemed effective whether or not such notice was in fact received by the intended recipient.

Notices shall be delivered to the following locations unless a Party informs the other Party in writing of a different location to where notices should be directed:

**TO THE CITY:**

Stepheny McMahon  
Economic Development Supervisor  
City of Urbana  
400 S. Vine St.  
Urbana, IL 61801

**TO EDC:**

Carly McCrory McKay  
Champaign County Economic  
Development Corporation  
1817 South Neil Street, Suite 100  
Champaign, IL 61820

**8. Waiver:** The failure of any Party to enforce any covenant, term or condition contained in this Agreement or to take action to enforce the same shall not be deemed to constitute a waiver of that Party's right to enforce or take action to enforce such covenant, term or condition. Notwithstanding the foregoing, if a Party fails to enforce or undertake any action to enforce any covenant, term or condition contained in this Agreement and knows that the other Party has relied on such forbearance to its financial detriment, then such knowledge shall constitute a waiver by the Party which has or had the right to enforce or initiate an action to enforce such covenant, term or condition.

**9. Assignment:** Neither Party shall have the right to assign or otherwise transfer to any third person the Party's obligation to perform or the right to receive performance of any covenant, term or condition in this Agreement without the written consent of the non-assigning Party. If either Party consents to allow the other Party to assign or otherwise transfer its obligation to perform any covenant, term or condition contained in this Agreement or the right to receive the benefit of performance of any covenant, term or condition contained in this Agreement to or from a third person, then this Agreement shall be binding upon such third person as if such third person was a signatory to this Agreement, and such third person shall be deemed a "Party" as referred to in this Agreement.

**10. Human Rights:** EDC, in all respects, shall comply with the City's Human Rights Ordinance and, if requested in writing by the City, EDC shall provide such hiring information as requested by the City as if requested pursuant to the City's Equal Opportunity in Purchasing Ordinance.

**11. Representations and Warranties:** Each Party represents and warrants that the individual executing this Agreement is duly authorized to do so.

**12. Sole Agreement of the Parties:** This Agreement shall supersede and replace any and all agreements respecting the subject matter of this Agreement, whether oral or in writing, entered into by and between the Parties heretofore.

[ END OF AGREEMENT, SIGNATURES FOLLOW. ]

**FOR THE CITY:**

**FOR EDC:**

\_\_\_\_\_  
Diane Wolfe Marlin, Mayor

\_\_\_\_\_  
Carly McCrory McKay, Executive Director

ATTEST:

ATTEST:

\_\_\_\_\_  
Darcy Sandefur, City Clerk

\_\_\_\_\_  
John Walsh, Board of Directors Chair

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AN  
ECONOMIC DEVELOPMENT AGREEMENT  
(CHAMPAIGN COUNTY ECONOMIC DEVELOPMENT CORPORATION,  
FISCAL YEAR 2023-2024)**

**WHEREAS**, the City of Urbana (“City”) is a home rule unit of local government pursuant to Article VII, Section 6, of the State of Illinois Constitution of 1970; and may exercise any power any function pertaining to its government and affairs, and the passage of this Resolution constitutes an

**WHEREAS**, the City of Urbana has determined that supporting regional economic development coordination and initiatives across Champaign County provides a benefit to the City; and

**WHEREAS**, the Champaign County Economic Partnership DBA Champaign County Economic Development Corporation (“EDC”) is well positioned to provide those regional economic development services for the City and the Champaign County region; and

**WHEREAS**, the City and the EDC have previously held a relationship related to regional economic development services; and

**WHEREAS**, the City and EDC believe that it would be mutually beneficial to the City and EDC to renew their agreement whereby EDC would provide regional economic development services for and on behalf of the City and the City would reasonably compensate EDC for such services.

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

Section 1.

An Economic Development Agreement by and between the City of Urbana, a Municipal Corporation, and the Champaign County Economic Partnership DBA Champaign County Economic Development Corporation, a 501c.6 Not-For-Profit Corporation, in substantially the form of the copy of said Agreement attached hereto and hereby incorporated by reference, be and the same is hereby authorized and approved.



Section 2.

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 hereby authorized to attest to said execution of said Agreement as so authorized for and on behalf of the City of Urbana, Illinois.

**PASSED BY THE CITY COUNCIL** this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

AYES:

NAYS:

ABSTENTIONS:

\_\_\_\_\_  
Darcy Sandefur, City Clerk

**APPROVED BY THE MAYOR** this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Diane Wolfe Marlin, Mayor

# COVID-19 RECOVERY: **URBANA SMALL BUSINESS MICROLOAN FUND**

**Eligible businesses located in the City of Urbana  
can access small business loans up to \$50,000**

- AIMS:**
- Help disadvantaged entrepreneurs and small businesses in Urbana gain access to affordable financial services
  - Assist new and existing businesses and entrepreneurs in Urbana, focusing on those who do not qualify for traditional lending



## **CONTACT**

### **Tristan Brown**

Illinois Operations Manager  
Justine PETERSEN

**tbrown@justinepetersen.org**  
**217-494-0884**



**Justine PETERSEN** is housed within the Champaign County Economic Development Corporation office, located at **1817 S. Neil Street, Suite 100, Champaign.**



new to the  
*Champaign-Urbana*  
area



We're here to help you feel right at home.

*Get connected to a local community ambassador today.*

**CHAMBANAWELCOME CREW**



[makeitcu.com/cwc](http://makeitcu.com/cwc)

# CHAMBANA WELCOME CREW

Item E1.

**We get it. Moving to a new community can be intimidating. Let us make it easier for you!**

The Chambana Welcome Crew is a diverse group of community ambassadors representing all walks of life, with different interests and a variety of experiences within the Champaign-Urbana area. They're ready to connect with you based on your passions and interests so you can start to enjoy all this community has to offer.

Our ambassadors have a strong network and knowledge of the Champaign-Urbana area and stand ready to answer your questions, share experiences, and ensure a smooth transition into our community.

**MEET THE CREW & GET CONNECTED**

**[makeitcu.com/cwc](http://makeitcu.com/cwc)**

A program by



**I** ILLINOIS

20

# CHAMPAIGN-URBANA JOB BOARD



## FULL-TIME, PART-TIME, AND REMOTE OPPORTUNITIES

Features Champaign-Urbana area employers across various industries

Filter and sort by industry, job type, company, and location

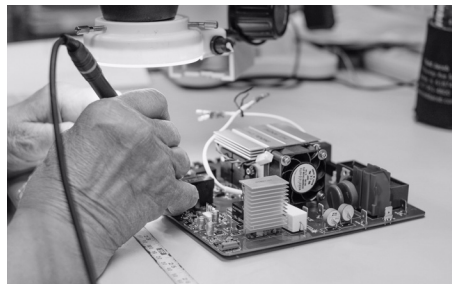


### CONTACT US

[edc@champaigncountyedc.org](mailto:edc@champaigncountyedc.org)

### SEARCH FOR JOBS

[makeitcu.com](http://makeitcu.com)



# CHAMPAIGN-URBANA

Whether you want to find a job or show your community pride, we're here to get you connected to all things C-U. New to the community? Get connected to a community ambassador and join an upcoming mixer to network with other newcomers.

## BRILLIANT.



[makeitcu.com](https://makeitcu.com)

## PLUG INTO

- // **Chambana Welcome Crew**—Connecting new residents to a community ambassador.
- // **Community Job Application**—Simplifying your move to the C-U area.
- // **New to CU Mixers**—Quarterly events to meet new residents.
- // **CU Job Board**—Simplifying your local job search.
- // **Chambana Proud Podcast**—Connecting you to all things local.
- // **Chambana Proud Shop**—Tees, totes, stickers and more!



**MAKE IT  
CHAMPAIGN  
URBANA**

# ENGAGE

2020-2023

## Champaign County Economic Development Corporation **STRATEGIC PLAN**



# OUR MISSION

## The Champaign County Economic Development Corporation:

- is a public-private partnership dedicated to fostering a cooperative, county-wide approach to economic development,
- works to improve the economic well-being of all Champaign County through efforts that entail job creation, job retention, tax base enhancements, small business development, and promotion of quality of life, and
- brings together community partners to support economic development by aligning interests through productive relationships, open dialogue, and advocacy efforts.

## The Champaign County Economic Development Corporation accomplishes its mission with the following principles in mind:

- Listen, engage, and adapt.
- Communicate and connect.
- Be trustworthy and transparent.
- Provide excellent customer service.

## 2020-2023 STRATEGIC OBJECTIVES

- Business Outreach & Industry Engagement
- Workforce Development
- Regional Promotion & Talent Attraction
- Transportation & Logistics
- Small Business Development
- Regional Collaboration
- Economic Development in Minority Communities





# BUSINESS OUTREACH & INDUSTRY ENGAGEMENT STRATEGIES

- Conduct business outreach visits with local employers
  - Visit non-retail companies annually to identify opportunities, challenges and workforce needs; involve other partners as requested and strategically appropriate
  - Connect company leadership to local service partners, business opportunities
  - Increase awareness of opportunities available through Workforce Innovation and Opportunity Act (WIOA)
- Conduct industry roundtables that create peer-to-peer relationships and dialogue leading to collaborative efforts
  - Host roundtables annually, based on geographical locations and/or industry needs
  - Be intentional about identifying and including minority-owned businesses
- Assist businesses in accessing public and private financial assistance and local, state, and federal grants
- Provide technical assistance to navigate regulatory processes and enter new markets
- Help new businesses find sites and recruit workers
  - Identify and pursue companies each year that would fill gaps in our supply chain
  - Identify and pursue companies each year that would benefit from our transportation logistics
  - Promote the county as a great place to work in multiple industries
  - Identify job skills needed for company's workforce and collaborate with partners to recruit workers and provide necessary training
- Compile, update, and advertise sites and buildings in Champaign County; build quick, flexible data presentation capabilities to differentiate our advantage in the site selection process
  - Incorporate geographical information systems (GIS) into the database management process
  - Create a bi-weekly reporting system for local brokers and property owners
  - Host a bi-monthly meeting for local brokers and property owners to stay engaged with properties and projects, create opportunity for communication and collaboration
  - Lead county responses to inquiries regarding site selection criteria and expansion opportunities for local businesses



*A diverse economy is not just a lofty goal, but a must-have for ongoing regional prosperity.*

# BUSINESS OUTREACH & INDUSTRY ENGAGEMENT STRATEGIES

## CONTINUED

- Identify local industry clusters, local challenges to business growth, attraction opportunities, and talent development in the identified growth sectors of AgTech, MedTech, FinTech, Defense, Data Sciences, and Manufacturing
- Host public and private job fairs as necessary with regional partners to meet the needs of companies and promote the hiring of a diverse local workforce
- Work closely with municipalities to identify best practices and benchmark Champaign County for the creation and management of economic development incentives at the local level
- Identify shared skill needs to prepare joint workforce development and training programs to serve industry clusters, including technical talent recruitment and mid-level management needs
- Be the go-to source for workforce data and reports, including industry and occupation data related to jobs, growth, earnings, demographics, and more
  - On a quarterly basis, publish the following reports, available to investors and community stakeholders: Economy Overview, Highest Ranked Occupations, Gross Regional Product, and Job Posting Analytics
  - Publish the Top Employers Directory on an annual basis
  - Benchmark Champaign County on an annual basis using available tools and industry feedback, including demographic, social, industry, and occupation data
- Identify and work with partners to secure grant funding to support infrastructure, site development, workforce training, and other community/business assets
- Serve as the one-stop office for coordination of economic development projects in Champaign County
- Through the Economic Development Council, host quarterly meetings to share updates on economic development projects, including community partners of the EDC, and hear presentations from businesses, industry, and workforce development partners in Champaign County
- Create a **Business Outreach & Industry Engagement Task Force** that meets quarterly to share ideas, make connections, and hear updates on key programs from one another
- Programs / events / engagement:
  - National Manufacturing Day / Illinois Manufacturing Month
  - CATALYZE, A Professional Networking Event
  - University of Illinois – Chancellor’s Economic Development Advisory Council

# WORKFORCE DEVELOPMENT STRATEGIES

*Access to a skilled workforce is the most important factor cited by businesses when making a decision on where to locate or expand.*

- Work in conjunction with community partners to support a robust, diverse and resilient talent pool for existing and future businesses
- Engage with businesses to know their current and future talent demand as well as local and national trends; work with educational institutions to turn that information into training programs
  - Identify the most critical job needs in the region and appropriate learning pathways for those jobs, communicate those opportunities with students, parents, educators, and community organizations
  - Explore the implementation of a soft skills certificate program that is recognized as a standard in the county
  - Partner with agencies to increase minority employment in full-time jobs with benefits
- Partner with workforce agencies to develop policies that support businesses and workers alike
- Work with the Chancellor's ED Group Coding Bootcamp Work Team to develop a local coding academy to address the hiring needs of technical talent locally
- Create copy and materials that clearly identify career pathways through educational and workforce programs that exist in Champaign County
- Work closely with partners like the New American Welcome Center and Champaign County Black Chamber of Commerce to ensure that Champaign County is a place where newcomers, immigrants and minority-owned enterprises can thrive and flourish
  - Launch and build upon the Welcoming Economies Technical Assistance Pilot
- Create a Workforce Development Task Force that meets quarterly to share ideas, make connections, and hear updates on key programs from one another
- Programs / events / engagement:
  - #CTEInIL
  - Early College & Career Academy
  - ICATT Apprenticeship Program
  - New American Welcome Center
  - Workforce Innovation Board of East Central Illinois



# REGIONAL PROMOTION & TALENT ATTRACTION STRATEGIES

- Develop and execute marketing and attraction strategies and campaigns to market Champaign County to existing and potential businesses and talent
- Explore collaboration opportunities with Parkland College and the University of Illinois to attract alumni back to the community, as well as retention opportunities while students are on campus
- Promote assets and programs/policies of Champaign County for the improvement of the county's image locally, national, and internationally
- Create a new suite of open source digital materials, including videos, to showcase the more traditional economic development assets of Champaign County as a tool for business retention and attraction
- Expand Chambana Proud program in partnership with Visit Champaign County (VCC) - and other appropriate community organizations - to include additional community promotional items to build community pride, create a newcomer program for newly-established community residents and remote workers, and continue to build the Champaign County Recruiters network of local HR professionals
  - In partnership with VCC, create and publish the Community Checklist on a quarterly basis for the Champaign County Recruiters network, which is geared towards new hires
  - Host roundtables and events for the Champaign County Recruiters network
  - Create a Welcome to Champaign County orientation session as part of the newcomer program, to take place twice per year
- Work with municipalities and other interested parties to create a unique incentive program to retain college graduates and attract new talent to the community
- Attend economic development and industry trade shows and conferences to build relationships and market Champaign County for business attraction
- Create a marketing strategy to promote Champaign to Decatur as the I-72 AgTech Corridor, highlighting our ag assets as a region; identify how we can work together more closely to not only collaborate with the existing resources we have, but increase opportunities for workforce training, business and talent attraction, and a general awareness of what's possible here through marketing and branding strategies



*Marketing our region and attracting top talent is essential in fostering long-term employment growth.*

# REGIONAL PROMOTION & TALENT ATTRACTION STRATEGIES CONTINUED

- Support activities for individual and business recognition and celebration
- Create a Regional Promotion & Talent Attraction Task Force that meets quarterly to share ideas, make connections, and hear updates on key programs from one another
- Programs / events / engagement:
  - Innovation Celebration
  - TechMix
  - Made in Champaign County
  - You're Welcome CU
  - Chambana Proud
  - Champaign-Urbana AgTech Week



## FAQs

### What is Economic Development?

Economic development is defined by the International Economic Development Council as the intentional practice of improving a community's economic well-being and quality of life. It includes a broad-range of activities to attract, create, and retain jobs, and to foster a resilient, pro-growth tax base and an inclusive economy. The practice of economic development is comprised of a collaborative effort involving industry, government and myriad community stakeholders.

### Why invest in Economic Development in Champaign County?

Economic development is the core of well-being and quality of life for communities across the United States. It encompasses policies, programs, and activities that seek to create and retain jobs and ultimately facilitate economic growth. The Champaign County EDC works diligently every day to make our county's economic future as bright as it can be through robust, resilient, and inclusive actions that strengthen our local economy and quality of life.

# TRANSPORTATION & LOGISTIC STRATEGIES

*Enhance regional assets that move people and freight to make our region more competitive.*

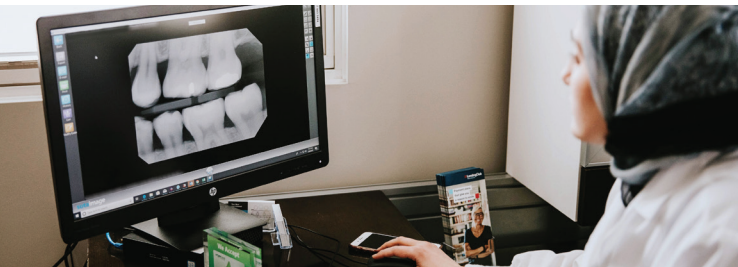
- Create an infrastructure network map to assist businesses needing to locate main transportation routes, fiber optic cable lines, electricity grids, and more
- Identify and support business opportunities as a result of the new port of entry located at Flightstar
- Work closely with Willard Airport staff, University of Illinois leadership, and community businesses to attract new air service development and enhance the visitor experience inside the airport terminal; grow community support of Willard Airport through local pledge campaign
- Focus on addressing challenges and taking advantage of opportunities identified in the Champaign County RPC's Champaign-Urbana Region Freight Plan, including the need for increased rail access, signage for freight routes across the county, and solutions for short-and long-term freight parking
- Support efforts to position Champaign County as a leader in autonomous vehicle research and development
- Continue work with regional partners to address passenger rail challenges of on-time performance, keep a focus of increased daily service routes
- Explore opportunities to enhance the airline industry resources that exist in Champaign County
- Programs / events / engagement:
  - Willard Airport – Executive Committee, Advisory Committee, Marketing Committee
  - Long Range Transportation Plan Steering Committee (Champaign County RPC)
  - Champaign County First



# SMALL BUSINESS DEVELOPMENT STRATEGIES

*More than half of Americans either own or work for a small business, and they create about two out of every three new jobs in the U.S. each year.*

- Host and work to expand the Illinois Small Business Development Center, including the International Trade Center; continue relationship with Bradley University to offer PTAC services
- Assist businesses in accessing public and private financial assistance and local, state, and federal grants
- Work closely with municipalities and community partners to develop, manage, and provide resources to small business programs that support women and minority entrepreneurs



- Advocate for the state of Illinois to implement a matching grant program for SBIR and STTR grants, and other programs that would support the growth of small businesses in our region
- Develop training and workshops around small business needs locally, as well as state and national trends
- Work with partner agencies to develop more opportunities for access to capital for small business owners
- Expand access to SBDC advisors, implement technology solutions to better accommodate schedules and client sessions
- Transition the First Friday Group into a One Million Cups chapter in partnership with community partners engaged in entrepreneurship
- Create a Small Business Task Force (with SBDC Advisory Board) that meets quarterly to share ideas, make connections, and hear updates on key programs from one another
- Programs / events / engagement:
  - Illinois Small Business Development Center at Champaign County EDC
  - National Small Business Week
  - Small Business Saturday
  - First Friday
  - Bridge, Champaign County's Virtual Incubator

# REGIONAL COLLABORATION STRATEGIES

*Economic development is a team sport.*

- Restructure and launch Illini Angels (previously the Urbana-Champaign Angel Network); mobilize network of angel investors, including alumni, who engage regularly and listen to presentations from local companies seeking investment
- Create a regional trailing partner (+1) program with regional EDO partners to assist talent in locating in our region and support employers who have a large regional presence



- Work with regional partners to enhance and expand broadband access in order to support business development, job growth, and economic opportunity
- Advocate for policies and programs through the state of Illinois that better align with workforce needs and business retention and attraction challenges and opportunities in order to better compete against other states for talent and projects
- Collect, strategize, and report the top five economic development priority projects from each municipality on an annual basis in order to be prepared for funding opportunities at the state and federal level
- Work with regional EDO partners to host foreign delegations to highlight our region's business strengths and opportunities for investment
- Champaign County First - Champaign County First is a united countywide effort to identify projects and/or initiatives that, when successfully completed, will greatly benefit the citizens of Champaign County; spur economic development; and improve the quality of life in Champaign County. Champaign County First partners are committed to advocating on behalf of the identified projects at the local, state and/or federal level with one voice in order to transform Champaign County.
- Programs / events / engagement:
  - Illinois Department of Commerce & Economic Opportunity
  - Regional EDO Group
  - Intersect Illinois
  - Cost of Living Index



# ECONOMIC DEVELOPMENT IN MINORITY COMMUNITIES

*Champaign County's economy is most successful when it benefits all members of our community. As such, we will be intentional in ensuring that community members who may not have benefited in the past are incorporated and supported in our collective efforts to grow the regional economy.*

- In the Strategic Objective areas of Business Outreach and Industry Engagement, Workforce Development, Small Business Development Strategies, and Regional Promotion and Talent Attraction, promote and support intentional efforts for minority participation and inclusion through communication, collaboration and engagement with high growth business and industry sectors
- Encourage and support minority entrepreneurship, with a focus on high growth sectors, through collaborations and engagement with entities such as the U of I Research Park to gain exposure, identify mentors, secure internships, develop workshops, and facilitate access and engagement with the entrepreneur startup ecosystem in Champaign County



- Partner with local and regional financial institutions and governmental agencies to host and co-sponsor activities to increase access to startup capital, working capital and work to overcome barriers minority businesses experience in gaining access to capital for growth and expansion
- Advocate for and support the development of programs to promote procurement of goods and services based on separate goals for minority, women and veteran's business enterprises in the public sector
- Collaborate with the twenty largest private sector employers in Champaign County to plan and co-host a semi-annual minority-majority business-to-business match-making procurement event. Ensure all categories of operational and capital spending are eligible

**Champaign County Economic Development Corporation**

[www.champaigncountyedc.org](http://www.champaigncountyedc.org)

(217) 359-6261

1817 S. Neil Street, Suite 100, Champaign, Illinois 61820





City of Urbana  
400 S. Vine Street, Urbana, IL 61801  
[www.urbanainillinois.us](http://www.urbanainillinois.us)

## MEMORANDUM TO THE MAYOR AND CITY COUNCIL

**Meeting:** January 16, 2024 Committee of the Whole  
**Subject:** A Resolution Approving and Authorizing the Execution of an Economic Development Agreement (Champaign County Economic Development Corporation, Fiscal Years 2023-2024)

### Summary

Pursuant to the City Council's inclusion of funding for the Champaign County Economic Development Corporation (EDC) in the planned City Budget for Fiscal Year 2023-2024, staff has prepared a renewed agreement for the provision of regional economic development services by the EDC for the benefit of the City and the regional economy.

The City Council is asked to consider a resolution adopting an Economic Development Agreement for funding EDC. This proposed agreement covers activities in this Fiscal Year, from July 1, 2023 to June 30, 2024, and a contribution by the City of Urbana of \$33,763. The amount represents approximately 6.5% of their core budget, and about 3% of their total budget with annual grants factored in, though grant numbers fluctuate annually

EDC has brought together community leaders to support economic development in Champaign County since its founding in 2001. During this time, the organization has sought to undertake activities and form public-private partnerships that benefit Champaign County businesses and the local economy. EDC's activities have included direct technical support to local businesses by operating the Illinois Small Business Development Center (SBDC) and International Trade Center (ITC), promoting local manufacturers through the Made in Champaign County program, highlighting the AgTech industry through the annual Champaign-Urbana AgTech Week, supporting the growth of University of Illinois-Willard Airport and work on air service development, and promoting the region as a home of creative talent to young professionals with the Make It Champaign-Urbana marketing initiative, one of their many talent attraction and retention efforts.

EDC and SBDC staff provide a number of direct services that support Urbana's overarching economic development goals. These services include business visits with major employers, business advising, and confidential consultation with City staff, developer/business lead generation, coordination with state agencies, and regional public-private coordination. The 2022 center metrics for the SBDC business support are as follows:

- 1,205 jobs supported
- 154 jobs created or retained
- 40 business starts
- \$940,000 of capital infusion
- 255 clients advised
- 87 new clients
- 139 training sessions with 631 attendees
- 771 advising hours
- \$8.9 million in export sales
- 11 ITC training sessions

The EDC is proactive in sharing information on state and federal financial resources through numerous webinars and online posts, applying for and assisting communities in applying for funds, and guiding businesses in need throughout the county on how to apply for essential funding.

In 2021, the Champaign County EDC was approved by the State of Illinois to become a Community Navigator Hub which comes with funding to assist small, and minority owned businesses in finding resources to overcome the economic hardship caused by the pandemic. The Community Navigator program is a hub-and-spoke model, whereby regional partners (“hubs”) partner with sub-grantees that are community-based organizations (“spokes”). The Hub and Spokes perform intensive outreach to ensure that small and hard-to-reach businesses are aware of economic relief funds available. Additionally, navigators provide one-on-one technical assistance to support businesses in understanding how to access relief.

Last year the EDC formalized a relationship with Justine Petersen (JP), a leading community development financial institution. The organization began in St. Louis, but has since extended to Illinois. Justine PETERSEN offers financial counseling and financial products to individuals and businesses who are working to improve their financial literacy and credit scores. The EDC offered an office for JP manned by Illinois Operations Manager, Tristan Brown. In early 2023, Director, Carly McCrory McKay applied for and was awarded ARPA funds from the City of Urbana and worked with Justine PETERSEN and City staff to establish a loan fund for Urbana businesses. This is following the loan fund previously funded and established by Champaign County. To date, Justine PETERSEN has issued 28 loans to Urbana businesses at an average loan rate of \$14,987. The total amount loaned to date to Urbana businesses equals \$419,636.05 with 95% being loaned to Black or African American applicants. All of the initial loans came from the Champaign County JP Fund. Urbana’s own \$250,000 fund was rolled out in late October for which there have been an additional 15 applicants, five of which are set to close in the first month of 2024. To ensure business success, JP clients are offered no-cost, confidential wraparound services via the SBDC.

Earlier this year, Carly took the lead when Dart announced their impending closure and worked closely with their HR department, local employers, and rapid response services to host on-site jobs fairs bringing potential hiring employers to Dart employees who wanted to stay in the area. Carly will also be coordinating with Dart when the facility is ready for sale or repurposing.

### **Relationship to City Services and Priorities**

Increases capacity of outside consulting and resources for Urbana businesses.

Strongly supports and connects resources for economic development initiatives in Urbana.

Urbana has contributed partnership funds to the EDC since 2018.

### **Discussion**

The proposed agreement includes reporting requirements to staff and City Council including the submittal of the current strategic plan: Engage 2020-2023 (Exhibit A: EDC Engage 2020-2023 Strategic Plan) and annual EDC Budget (to be provided upon approval by the EDC Board of Directors in January/February). A new strategic plan development will begin in early 2024. The agreement would require EDC to make an annual presentation to the Mayor and City Council, and provide the City with the updated aforementioned documents.

Urbana's Senior Advisor for Integrated Strategy Development, Andrea Ruedi, serves as the City's representative on the EDC Board.

The City Council has the following options with respect to this proposed agreement:

1. Forward the Resolution to City Council with a recommendation for approval as part of the consent agenda.
2. Forward the Resolution to City Council with a recommendation for approval with suggested changes.
3. Do not forward the Resolution to City Council

Staff recommends that the City Council forward the Resolution to City Council with a recommendation for approval as part of the consent agenda.

### **Attachments**

1. EDC 2020-2023 ENGAGE Strategic Plan
2. CU General Flyer
3. Urbana Micro Loan Fund Flyer
4. CU Job Board Post Card
5. CWC Recruit Post Card

Originated by: Stepheny McMahon, Economic Development Supervisor

Reviewed: Kimberly Smith, Community Development Services Director

Approved: Carol Mitten, City Administrator

As Authorized by City of Urbana Resolution No. \_\_\_\_\_

**COMMUNITY PARTNERSHIP AGREEMENT**

This Community Partnership Agreement (hereinafter, “Agreement”) is entered into by and between the City of Urbana (hereinafter, the “City”) and the Champaign County Convention and Visitors Bureau DBA Experience Champaign Urbana (hereinafter, “ECU”) (collectively, the “Parties”).

WHEREAS, the City is a home rule unit of local government pursuant to Section 6 of Article VII of the State of Illinois Constitution of 1970; and

WHEREAS, ECU is an Illinois not-for-profit business league that has been granted tax-exempt status by the Internal Revenue Service pursuant to Section 501(c)(6) of the Internal Revenue Code (26 U.S.C. § *et seq.*) and is certified by the Illinois Office of Tourism as the Local Tourism and Convention Bureau for Champaign County; and

WHEREAS, the City seeks to grow its tourism industry by entering into one or more arrangements with other persons or entities to promote and market the City as a destination, to assist in the promotion and marketing of tourism-related businesses and events located in the City, to expand the sales of existing tourism-related businesses within the City, to organize or attract major public and special events in Champaign County and assist in their promotion and marketing, and to attract new visitors to Champaign County from locations over fifty miles from Champaign County including from other nations; and

WHEREAS, ECU seeks to promote Champaign County as an overnight visitor destination and to make Champaign County the premiere destination in Central Illinois; and

WHEREAS, ECU is experienced in the promotion and marketing of Champaign County as a destination to audiences located over fifty miles from Champaign County including other nations, the organization and attraction of major public and special events in Champaign County including assistance in the promotion and marketing, the expansion of sales of existing tourism-related businesses within Champaign County, and the promotion and marketing of tourism related businesses and events within Champaign County, all of which are intended to grow the regional tourism industry; and

WHEREAS, the City and ECU seek to form a mutually beneficial arrangement whereby ECU undertakes certain promotion, marketing, recruitment, sponsoring, and staging of various tourism-related activities, events, destinations, businesses, and partnerships within and for the benefit of the City and its tourism industry, and whereby the City shares in the support of ECU’s regional efforts to promote all of Champaign County and improve the region’s tourism industry as a whole.

NOW, THEREFORE, for good, valuable and mutual consideration that each Party acknowledges as having in hand received and for the mutual exchange of the covenants, terms, and condition contained in this Agreement, the Parties agree as follows:

CITY OBLIGATIONS TO VCC:

**1. City Funding and In-Kind Services to ECU:**

- a. **City Monetary Funding to ECU:** The City shall provide ECU with certain funding, which ECU may use to operate its business and also perform its duties as the Local Tourism and Convention Bureau for Champaign County as certified by the State Office of Tourism. The amount of funding that the City shall provide to VCC for such purpose shall commence of July 1 and end on June 30 shall be:

Fiscal Year 2023-2024:      \$15,000

- b. **City In-Kind Services to ECU:** Separate and apart from the funding provided for in Sub-Paragraph A(1)(a) of this Agreement, the City may at its discretion provide in-kind services at no cost to ECU, but is under no obligation to provide any such in-kind services. The City shall value any in kind services that it provides to, for, or for the benefit of ECU based on the rates which the City customarily charges for the provision of the same or similar services in connection with special public events held within the City's corporate limits as described in Section 10.2 of the City of Urbana Policy & Procedure Manual.
- c. **Collective City Funding:** Unless the context of any Paragraph or Sub Paragraph in this Agreement provides or suggests otherwise, reference to "City Funding" or "City Funds" shall mean and include the monetary funding and any in-kind services provided for in Sub-Paragraphs (A)(1)(a) and (A)(1)(b) of this Agreement.

**2. Disbursement of Funds:** The Parties recognize and agree that it shall be a goal of ECU that, during the term of this Agreement, ECU shall undertake efforts within its own operations, marketing, and other activities, as provided for in Sub-Paragraphs B(1) through B(5), to increase the representation of tourism-related events, activities, and businesses located within the City as well as to increase tourism-related sales for businesses within the City. Thus, the Parties intend that ECU's receipt of City Funding shall be based in whole or in part on ECU's performance during the term of this Agreement. However, nothing herein shall be deemed or construed as barring the Parties from entering into one or more other written agreements for other ECU services that benefit the City and/or its business community and the City from compensating ECU on covenants, terms, and/or conditions separate and apart from those provided for in this Agreement. To this end, the City shall disburse to ECU City Funds within thirty (30) days of the City's receipt of an invoice from ECU within the term of this agreement.

Notwithstanding anything to the contrary provided for in Sub-Paragraph A(1) of this Agreement, ECU shall not use or expend any City Funds, whether as staff funding and/or operational funding, for political purposes and activities including, but not necessarily limited to, funding of any political action committee, funding any organizations, candidates, or public office-holders political campaign, lobbying activities, or other activities that are or may be contrary to ECU's IRS Section 501(c)(6) tax-exempt status. Nothing herein shall be deemed, construed, or

interpreted as prohibiting ECU from engaging in any of the aforesaid political activities or lobbying activities where such activities are clearly and plainly intended to benefit the City or Champaign County as whole rather than any particular political constituency.

**3. Limits on City Funding:** Nothing in this Sub-Paragraph shall be deemed, construed, or interpreted as limiting the amount of additional funding, if any, that the City may, in its sole discretion, provide to ECU for any purpose, whether specific or general in nature and whether or not pursuant to one or more separate agreements entered into and executed by and between the Parties. Any funding paid by the City in its sole discretion to ECU for the sole purpose of contributing toward any Illinois High School Association (IHSA) bid or IHSA tournament shall be held separate and apart from this Agreement.

**B. ECU’S OBLIGATIONS TO THE CITY:**

**1. Promotional, Marketing, and Sponsoring Activities:** ECU shall undertake such efforts as reasonably possible and within the limits of funding provided by the City to promote and market the City as a destination, to assist in the promotion and marketing of tourism-related businesses and events located in the City, to expand the sales of existing tourism-related businesses within the City, to organize or attract major public and special events in Champaign County and assist in their promotion and marketing, and to attract new visitors to Champaign County from locations over fifty miles from Champaign County including from other nations. Such efforts shall include but shall not be limited to promotion, marketing, recruitment, sponsoring, and staging of various tourism-related activities, events, destinations, businesses, and partnerships within and for the benefit of the City and its tourism industry. Such efforts shall also be complementary to and consistent with ECU’s regional efforts to promote all of Champaign County and improve the region’s tourism industry as a whole.

Further, ECU shall –

- a. recognize the City as a “Gold Partner” in all of its activities and capacities in a manner that is fully consistent with ECU’s official description of partnership levels and the treatment of other like organizational, municipal, and jurisdictional partners of ECU (hereinafter “City Partnership Status”);
- b. market and support events held within the City in a manner that is consistent with the City Partnership Status including but not limited to the following events: Urbana’s Market at the Square, the Urbana’s Market IN the Square, and the CU Folk & Roots Festival in Downtown Urbana;
- c. communicate, coordinate, and cooperate in marketing, sales, and promotion efforts with staff and officials of the City in a manner that is consistent with the City Partnership Status, including but not limited to requesting information and materials from the City for inclusion in promotional bags and packets, inviting City representatives to ECU organized or sponsored events, and including City representatives in planning and decision-making teams or committees;
- d. include tourism-related businesses and venues located within the City and their representatives in all relevant promotion and marketing activities of



ECU in a manner that is consistent with the City Partnership Status, including but not limited to participation on planning teams, networking events, trips, tours, site visits, printed materials, informational displays, maps, business listings, emails, and social media postings;

- e. generate sales leads for hotels, venues, and other tourism-related businesses located within the City in a manner that is consistent with the City Partnership Status including but not limited to event attraction, sales blitzes, marketing blitzes, bid packages, networking events, trips, tabling, tours, and site visits;
- f. include representatives of Urbana businesses and the City to participate in hospitality and business planning and networking activities in a manner that is consistent with the City's Partnership Status including but not limited to participation in sales, sports, tourism, or hospitality councils and participation in quarterly meetings of chamber or business association professionals;
- g. recognize Downtown Urbana as a destination in all relevant promotion and marketing activities of ECU, including visitors guide, maps, and business listings, in a manner that is consistent with the treatment of Downtown Champaign;
- h. assist the City in establishing and seeking approvals from the State of Illinois for tourism attraction signs on Interstate 74 for major events and businesses located within the City including but not limited to Urbana's Market at the Square;
- i. create and/or disseminate information to Urbana hospitality businesses as necessary and in regards to community safety requirements for serving customers; and
- j. explicitly promote the area businesses and events located within Urbana's Central TIF District, which includes the City's historic downtown.

Notwithstanding anything to the contrary contained in this Sub-Paragraph B(1), all ECU promotional, marketing, staging, or sponsorship activities shall be undertaken in a manner that:

- k. presents the City, its officials, and its business community in a favorable light;
- l. is presented in good taste and in such manner as to avoid offending the overall City residential and business community;
- m. does not promote any particular religious or political positions or persuasions; and

- n. is presented or conducted in a manner so as not to endanger human life, health, or safety.

ECU shall comply with all federal, state, and City laws, rules, and regulations in connection with any and all VCC activities.

**2. Board Representation:** The City's Communications Specialist or such other person as the City's Mayor may designate shall sit on the ECU Board of Directors with full voting authority during the term of this Agreement as is consistent with the City Partnership Status.

**3. ECU Strategic Plan:** ECU shall develop a strategic plan for each of the City Fiscal Years provided for in Sub-Paragraph A(1)(a) of this Agreement and shall submit each said strategic plan to the City before June 1<sup>st</sup> preceding the start of the respective City Fiscal Year, upon approval by ECU Board of Directors, or upon the effective date of this Agreement, whichever is latest. ECU's strategic plan submitted to the City for any given City Fiscal Year shall include the following: (i) provide an overview of ECU's programmatic and organizational goals for the year; (ii) list specific activities and measurable objectives that ECU intends to complete over the course of the year; and (iii) describe how such activities and objectives benefit the City and other communities being served. In the event, after presentation of each said strategic plan to the City, the ECU Board of Director's amends the strategic plan, ECU shall provide the City with any and all such amendments within seven (7) days after the ECU Board of Directors' adoption of any such plan amendment or amendments.

**4. ECU Budget:** ECU shall submit to the City an annual budget approved by the ECU Board of Directors and said budget shall be submitted at the same time ECU submits the strategic plan provided for in Sub-Paragraph B(3) of this Agreement. In the event ECU amends the aforesaid budget, ECU shall provide a copy of each such budget amendment to the City along with a statement of the reason therefor within seven (7) days of when ECU's Board of Directors approval of such amendment.

**5. ECU Reports to City Council:** ECU shall provide to the City Council, within forty-five (45) days following the close of each quarter of the City Fiscal Year, its written quarterly report. In addition, ECU shall provide to the City Council, within sixty (60) days following the close of the City's FY, its written annual report, which shall describe the activities that ECU has undertaken during the immediate past City FY that are consistent with the work plan provided for in Sub- Paragraph B(3) of this Agreement

In addition, ECU shall submit to the City, within ninety (90) days following the close of the City Fiscal Year, its written annual partnership report, which shall (i) describe the activities that ECU has undertaken for, on behalf of, and/or for the benefit of the City, of businesses located within the City, and of events located within the City during the immediate past City Fiscal Year; (ii) provide a summarized accounting of all funds received by ECU during the aforesaid City Fiscal Year, including but not limited to the City Funds provided for in Sub-Paragraph A(1) of this Agreement; and (iii) provide a summarized accounting of all expenditures and disbursements made by ECU during the aforesaid City Fiscal Year.

ECU shall annually provide a representative of ECU to present the aforesaid annual report and annual partnership report to and address questions from the City Council at such time as the

City may direct. All reports and accountings provided in this Sub-Paragraph B(5) shall be in writing and shall appear on the letterhead of ECU.

**6. Dissolution of ECU:** In the event that ECU should dissolve or elect to cease operations for any reason after any payment provided for in Sub-Paragraphs A(1)(a) and A(1)(b) of this Agreement has been made for a City Fiscal Year not then completed, then, ECU, after its payment of all just debts and obligations, shall refund to the City so much of the amount that the City provided to ECU in the City Fiscal Year when it dissolves computed as a percentage of days within said City Fiscal Year which have passed expressed as a fraction or percentage of the total number of days in the said City Fiscal Year. – i.e., 365 or 366 depending on whether the year of dissolution is a “leap-year.” For example and by way of example only, in the event that the City provided ECU with \$10,000 in the City Fiscal Year 2022-2023 and ECU elects to dissolve on February 28, 2024, then the amount refunded to the City shall be computed as follows:  $(\$10,000) \times (244 \div 366) = \$6,666.67$ . However, ECU shall be relieved of its obligation to tender such refund should it be determined that state and/or federal law, rules, or regulations bar the making of such refund. Separate and apart from the refund provided for in this Sub-Paragraph, in the event that VCC announces its intent to dissolve or cease operations, the City may, at its sole election and discretion cease to provide additional funds to ECU.

**C. MISCELLANEOUS TERMS:**

**1. Term of Agreement:** This Agreement shall commence on July 1, 2023 and shall expire at 11:59 p.m. on June 30, 2024.

**2. Default and Opportunity to Cure:** In the event that either Party believes that the other Party has defaulted on any covenant, term, or condition contained in this Agreement, the non-defaulting Party shall provide written notice to the other Party of such default. The aforesaid written notice shall state or describe the nature of the default, whether by act or omission, and the Paragraph and/or Sub-Paragraph, as the case may be, that governs the obligation that is alleged to be in default. Within ten (10) calendar days of the effective date of such notice of default (as defined by Sub-Paragraph C(6) below), the recipient of such notice shall (i) cure the default and provide documented evidence of the nature and/or manner of such cure; (ii) respond in writing to such notice, that writing shall advise that the recipient reasonably believes that it is not in default and which describes the reasons for such belief; or (iii) provides a written plan of cure in those instances where cure of a default cannot be completed within the aforesaid ten (10) calendar day period.

**3. Dispute Resolution:** In the event that the Parties cannot resolve any dispute between them, they shall submit to mediation in an effort to resolve any such dispute. The Parties shall agree on the selection of the mediator and that mediator’s rules and/or procedures shall govern any such mediation. The Parties shall share equally in the cost of the mediation. In the event that the Parties fail to resolve their dispute through mediation, then either or both Parties shall be free to initiate and maintain an action to construe, interpret, and/or enforce this Agreement in the Circuit Court for the Sixth Judicial Circuit, Champaign County, Illinois.

#### 4. Termination:

- a. This Agreement may be terminated by the City immediately and without written notice if ECU –
- (i) defaults on this Agreement without reasonable cure as provided for in Sub-Paragraph C(2) and which default/dispute is not resolved through mediation;
  - (ii) files a petition or is the subject of an involuntary petition for bankruptcy filed in a United States Bankruptcy Court;
  - (iii) files a notice of intent or other paper with the Secretary of State for the State of Illinois that evidences an intent to liquidate or dissolve;
  - (iv) loses its IRS 501(c)(6) status as a tax-exempt business league by reason of any act or omission on the part of ECU;
  - (v) loses its Illinois Office of Tourism certification as the Local Tourism and Convention Bureau for Champaign County;
  - (vi) becomes involuntarily dissolved for any reason by the Secretary of State of the State of Illinois and where ECU fails to apply for reinstatement within ten (10) business days of notice of such involuntary dissolution;
  - (vii) enters into any arrangement with creditors that could reasonably be deemed, construed, or interpreted as a common law composition with creditors;
  - (viii) is placed in receivership by a lawful court order;
  - (ix) acts or fails to act in such a manner as would injure or likely injure the City in any way, or cast the City or any business located within the City in a negative light unless, in the case of a business, such negative light is reasonably supported by evidence (e.g., an announcement that a business has closed or moved from the City when in fact such business has moved or closed); and/or
  - (x) acts or fails to act in a manner that threatens or that may reasonably threaten human life, health or safety.

In the event that the City elects to terminate this Agreement for any one or more of the reasons provided in this Sub-Paragraph, the City's obligation to provide funding to ECU shall automatically cease and become wholly null and void. In addition to any other remedy that the City may have as a matter of law or right, the City shall be entitled to seek, obtain and recover a refund from ECU in an amount calculated as if ECU elected to

dissolve as provided in Sub-Paragraph B(6) of this Agreement.

- b. This Agreement may be terminated by either Party by giving written notice to the other Party of its intent to terminate and such termination shall be deemed effective thirty (30) days after the effective date of such written notice (as defined by Sub-Paragraph C(7) below). Any Party providing such notice of termination shall offer the other Party an opportunity to meet and discuss such termination prior to the effective date hereunder. In the event of such termination, ECU shall refund to the City so much of those funds that the City has provided to ECU in the fiscal year in which the termination occurs computed in the manner provided for in Sub-Paragraph B(6) of this Agreement.

**5. Refund of Funds:** If any event arises that triggers ECU's obligation to refund any moneys to the City as provided elsewhere in this Agreement, ECU shall tender to the City such refund in the amount provided for in this Agreement within fourteen (14) calendar days of when the aforesaid event occurred. In the event ECU fails to tender such refund to the City within the timeframe provided herein, the City shall be entitled to interest on the said refund at the rate of nine percent (9%) per annum with interest commencing to run on the date when the City was first entitled to said refund.

**6. Indemnification:** ECU agrees to and will indemnify, defend, and hold harmless the City, its elected and appointed officials, employees, agents, and assigns from and against any and all claims, suits, actions, causes of action, judgments, decrees, orders, liabilities, and defenses that arise or that may arise out of or that are or may be the direct or proximate result of any unlawful intentional, willful, wanton, grossly negligent, or negligent act or omission by ECU and/or any of its directors, officers, employees, agents, contractors, or representatives. Nothing herein shall require ECU to indemnify, defend, and hold harmless the City, its elected and appointed officials, employees, agents, and assigns from and against any and all claims, suits, actions, causes of action, judgments, decrees, orders, liabilities, and defenses that arise or may arise out of or that are or may be the direct or proximate result of any intentional, willful, wanton, grossly negligent, or negligent act or omission by the City or any of its elected or appointed officials, employees, agents, or assigns.

**7. Notices:** All notices required to be given shall be in writing, and such notices shall be deemed proper and effective as hereinafter provided:

- a. If by First Class U.S. Mail: All such notices shall be sent by registered or certified mail with a return receipt requested. If any such notice is placed in an envelope properly addressed to the intended recipient and bearing proper postage, such notice shall be deemed effective four (4) days from the date of placement with the United States Postal Service.
- b. If by facsimile: All such notices shall be deemed effective if transmitted to the intended recipient's facsimile machine and the same shall be deemed effective on the next business day following transmission if the sender's facsimile machine provides a printed recipient that the facsimile was received by the intended recipient's facsimile machine. If no such printed

receipt is provided, then the notice shall be deemed effective four (4) days after its transmission.

- c. If by overnight courier: All such notices shall be deemed effective if placed in a properly addressed overnight courier envelope properly addressed to the intended recipient with delivery charges to be paid by the sender of such notice, and such notice shall be deemed effective the next business day following delivery of such notice.
- d. If by personal delivery: All such notices shall be deemed effective if hand delivered by an employee of the sender to an employee of the intended recipient, and such notice shall be deemed effective on the next business day following delivery of such notice.
- e. No other form of notice, including e-mail notice, shall be deemed effective whether or not such notice was in fact received by the intended recipient.

Notices shall be delivered to the following locations unless a Party informs the other Party in writing of a different location to where notices should be directed:

**TO THE CITY:**  
 Bridget Broihahn  
 Communications Specialist  
 City of Urbana  
 400 S. Vine St.  
 Urbana, IL 61801

**TO VCC:**  
 Jayne DeLuce  
 President & CEO  
 Visit Champaign County  
 17 E. Taylor St.  
 Champaign, IL 61820

**8. Waiver:** The failure of any Party to enforce any covenant, term, or condition contained in this Agreement or to take action to enforce the same shall not be deemed to constitute a waiver of that Party’s right to enforce or take action to enforce such covenant, term, or condition. Notwithstanding the foregoing, if a Party fails to enforce or undertake any action to enforce any covenant, term, or condition contained in this Agreement and knows that the other Party has relied on such forbearance to its financial detriment, then such knowledge shall constitute a waiver by the Party that has or had the right to enforce or initiate an action to enforce such covenant, term or condition.

**9. Assignment:** Neither Party shall have the right to assign or otherwise transfer to any third person the Party’s obligation to perform or the right to receive performance of any covenant, term, or condition in this Agreement without the written consent of the non-assigning Party. If either Party consents to allow the other Party to assign or otherwise transfer its obligation to perform any covenant, term, or condition contained in this Agreement or the right to receive the benefit of performance of any covenant, term, or condition contained in this Agreement to or from a third person, then this Agreement shall be binding upon such third person as if such third person was a signatory to this Agreement, and such third person shall be deemed a “Party” as referred to in this Agreement.

**10. Human Rights:** ECU, in all respects, shall comply with the City’s Human Rights Ordinance and, if requested in writing by the City, ECU shall provide such hiring information as

requested by the City as if requested pursuant to the City’s Equal Opportunity in Purchasing Ordinance.

**11. Representations and Warranties:** Each Party represents and warrants that the individual executing this Agreement is duly authorized to do so.

**12. Sole Agreement of the Parties:** This Agreement shall supersede and replace any and all agreements respecting the subject matter of this Agreement, whether oral or in writing, entered into by and between the Parties heretofore.

[END OF AGREEMENT, SIGNATURES FOLLOW.]

**FOR THE CITY:**

**FOR ECU:**

\_\_\_\_\_  
Diane Wolfe Marlin, Mayor

\_\_\_\_\_  
Jayne DeLuce, President & CEO

ATTEST:

ATTEST:

\_\_\_\_\_  
Darcy Sandefur, City Clerk

\_\_\_\_\_  
Annie Easterday, Board of Directors  
Chair





**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AN  
ECONOMIC DEVELOPMENT AGREEMENT  
(EXPERIENCE CHAMPAIGN URBANA, FISCAL YEAR 2023-2024)**

**WHEREAS**, the City of Urbana (“City”) is a home rule unit of local government pursuant to Article VII, Section 6, of the State of Illinois Constitution of 1970; and may exercise any power any function pertaining to its government and affairs, and the passage of this Resolution constitutes an

**WHEREAS**, the City of Urbana has determined that supporting promotion and marketing of the Urbana-Champaign region as a tourist destination provides a benefit to the City, and

**WHEREAS**, Experience Champaign Urbana (“ECU”) is well positioned to provide promotion and marketing services, in addition to dissemination community safety requirements for serving customers for the City and the Urbana-Champaign region; and

**WHEREAS**, the City and the ECU have previously held a relationship related to promotion and marketing services; and

**WHEREAS**, the City and ECU believe that it would be mutually beneficial to the City and ECU to renew their agreement whereby ECU would provide marketing and promotion services for and on behalf of the City and the City would reasonably compensate ECU for such services.

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

Section 1.

A Community Partnership Agreement by and between the City of Urbana, a Municipal Corporation, and Champaign County Convention and Visitors Bureau d/b/a Experience Champaign Urbana, a 501(c)(6) Not-For-Profit Corporation, in substantially the form of the copy of said Agreement attached hereto and hereby incorporated by reference, be and the same is hereby authorized and approved.

Section 2.

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 hereby authorized to attest to said execution of said Agreement 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 Sandefur, City Clerk

**APPROVED BY THE MAYOR** this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Diane Wolfe Marlin, Mayor

## ECU FY24 Budget

07.27.23

<u>General Ledger Account</u>	FY23 Budget Approved	FY24 Budget Approved
<u>Income</u>		
<b><u>Grant Revenue</u></b>		
4610 - LTCB Grant Revenue	634,153.00	665,789.00
4630 - International Grant	0.00	0.00
4640 - Marketing Grant	55,000.00	160,500.00
<b>Total Grant Revenue</b>	<u>689,153.00</u>	<u>826,289.00</u>
<b><u>Partner Revenue</u></b>		
4010 - City of Champaign	335,200.00	419,225.00
4011 - City of Urbana	15,000.00	15,000.00
4012 - Champaign County	10,000.00	10,000.00
4013 - Village of Rantoul	10,000.00	10,000.00
4014 - Village of Savoy	10,000.00	10,000.00
4015 - Village of Mahomet	2,000.00	2,000.00
4016 - Village of St. Joe	700.00	700.00
4030 - University of Illinois	50,000.00	55,000.00
4031 - Public Partners	15,000.00	20,000.00
4031 - Private Partners	33,500.00	33,500.00
4031 - Hotel Partners	20,000.00	2,500.00
<b>Total Partner Revenue</b>	<u>501,400.00</u>	<u>577,925.00</u>
<b><u>Other Income</u></b>		
4085 - Transfer from VCCF	0.00	0.00
4085 - Visitors Guide advertising	16,000.00	18,000.00
4261 - Chambana Proud Sales	8,000.00	2,000.00
4261 - Chambana Welcome Crew Sponsorships	7,500.00	0.00
4085 - Restaurant Week participants	2,000.00	1,000.00
<b>4085 - Sub-total</b>	<u>33,500.00</u>	<u>21,000.00</u>
4700 - Reserves Interest	50.00	8,500.00
4800 - Miscellaneous Income	3,500.00	3,500.00
<b>Total Other Income</b>	<u>37,050.00</u>	<u>33,000.00</u>
<b>Total Income</b>	<u>1,227,603.00</u>	<u>1,437,214.00</u>
<b><u>Expense</u></b>		
5000 - Salaries	532,132.65	543,204.61
5010 - Payroll Taxes	46,684.15	43,148.15

5020 - Retirement	28,467.96	26,987.48
5030 - Health/Group Life Ins	70,444.00	85,940.96
5050 - Insurance - Business	7,000.00	7,625.00
5060 - Office Space Lease	39,625.00	39,625.00
5070 - Depreciation	5,300.00	2,824.00
6010 - Advertising	181,909.00	250,617.50
6015 - Audit	6,950.00	11,890.00
6020 - Brochures/Newsletter	37,650.00	50,650.00
6030 - Building Maintenance	29,000.00	28,000.00
6040 - Board of Directors	1,750.00	1,750.00
6061 - Affiliate Support	22,150.00	24,650.00
6100 - Dues/Subscriptions	37,420.00	38,147.00
6200 - Equip Lease/Maint	11,150.00	8,900.00
6260 - Marketing	87,154.00	101,204.00
6261 - Community team meetings	1,350.00	1,000.00
6262 - External one-time events	15,500.00	0.00
6310 - Postage/Shipping	8,000.00	9,000.00
6320 - Printing	5,000.00	3,500.00
6330 - Professional Fees	24,500.00	27,270.00
6340 - Registration/Education	41,400.00	40,145.00
6360 - Supplies/Copy Charges	2,800.00	3,000.00
6365 - Telephone	1,500.00	1,500.00
6370 - Travel/Business	31,950.00	44,024.00
6414 - Welcome Center	0.00	25,500.00
6500 - Misc Expense	150.00	150.00
<b>Total Expenses</b>	<u>1,276,936.76</u>	<u>1,420,252.70</u>
Net Income	<u>(49,333.76)</u>	<u>16,961.30</u>
Less Non-cash Depreciation	(5,300.00)	(28,324.00)
Net Cash Needed from Reserves	<u>(44,033.76)</u>	<u>45,285.30</u>

# Partnership Levels—Gold Partner

## Gold Partner—\$10,000 and above

- One guaranteed position on the Visit Champaign County Board of Directors
- Representation on Tourism Partner page, including logo with brief listing
- Invitation to all VCC-hosted events in Champaign County
- Listing in all VCC promotional materials, including 70,000 Visitors Guides
- Listing in What's Happening e-newsletter sent to thousands of visitors and residents biweekly, plus performance reports <http://www.visitchampaigncounty.org/reports>
- Recognition in the Champaign County Welcome Center with over 3,000 annual visitors in addition to high visibility from street/sidewalk traffic
- Recognition at annual Toast to Tourism event and every community speaking engagement

# DESTINATION 2023 STRATEGIC PLAN

Outside  
of  
Ordinary

visit **champaign** county

# Destination **VISION**

- The greater Champaign County area will provide energetic and innovative experiences, attracting visitors and potential residents from around the world.

# Organizational **VISION**

- Visit Champaign County will be a connected and collaborative leader in promoting the region as an extraordinary destination to visit, work, and live.

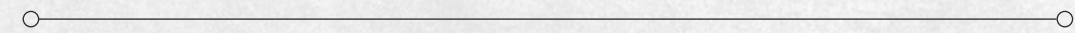
# Organizational **MISSION**

- We promote a welcoming destination experience for visitors to strengthen economic opportunity and enhance the lives of residents.

# Organizational **VALUES**

Item E2.

ENGAGEMENT ○ **COLLABORATION** ○ INTEGRITY  
DEPENDABILITY ○ INNOVATION



# Work Culture **VALUES**

SUPPORTIVE ○ **PASSIONATE** ○ FULFILLING  
ADAPTABLE ○ FOCUSED



# Goals

## 1 ENHANCE THE COMMUNITY AS A DESTINATION

- Advocate for destination-defining development and activities.
- Support initiatives to advance the region's competitive sports and outdoor recreation assets.

Collaboratively advocate for enhanced transportation assets and accessibility around the community.

## 2 STRENGTHEN VISITOR AND RESIDENT EXPERIENCES

- Foster and maintain an inclusive culture of hospitality as a defining aspect of the community.
- Support the expansion of a festival & event culture throughout the community.
- Collaboratively advocate for placemaking banners and signage system throughout the community.





# Goals

## 3 ELEVATE VISIT CHAMPAIGN COUNTY TO BE EMBRACED AS A COMMUNITY-SHARED VALUE

- Enhance community outreach to tell the Visit Champaign County story.
- Build stronger partnerships with other community organizations that share common goals.
- Work to increase and diversify the VCC funding model for promoting the community as a destination to visit, work and live.
- Continue to review and enhance governance policies/procedures.

### WHO WE ARE



### 2019-2020 BOARD OF DIRECTORS

- Laura Bleill**, Chair, University of Illinois Research Park
- Bryan Snodgrass**, Vice Chair, Busey
- Rob Kowalski**, Treasurer, City of Champaign
- Jayne DeLuce**, Secretary (ex-officio), Visit Champaign County
- Lynne Barnes**, Carle
- Angie Brix**, Champaign City Council
- Bridget Broihahn**, City of Urbana
- Annie Easterday**, Pear Tree Estate

- Nathan Escue**, Hamilton Walker's
- Bob Flider**, University of Illinois
- John Hammond**, Candlewood Suites
- Richard Helton**, Village of Savoy
- Mike Ingram**, Champaign County Board
- Shayla Maatuka**, Matuuka Al-Heeti Emkes, LLC
- Dennis Robertson**, Market Place Shopping Center
- Charles Smith**, Village of Rantoul

### VISIT CHAMPAIGN COUNTY TEAM

- Jayne DeLuce**, President & CEO
- Terri Reifsteck**, Vice President of Marketing & Community Engagement
- Caitlyn Floyd**, Director of Sales & International Travel
- Mike Koon**, Director of Sports, Special Events & Film
- Taylor Bauer**, Communications Manager
- Jen Peddycoart**, Office Manager
- Brooke Mayer**, Visitor Experience Coordinator
- Leslie Lundy**, Finance Manager

# Outside of Ordinary



visit **champaign** county

17 E. TAYLOR ST., CHAMPAIGN | 217.351.4133

VISIT **CHAMPAIGN**COUNTY.ORG



City of Urbana  
400 S. Vine Street, Urbana, IL 61801  
[www.urbanaininois.us](http://www.urbanaininois.us)

## MEMORANDUM TO THE MAYOR AND CITY COUNCIL

**Meeting:** January 16, 2024 Committee of the Whole  
**Subject:** A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A COMMUNITY PARTNERSHIP AGREEMENT (Experience CU, Fiscal Year 2023-2024)

### Summary

Pursuant to the City Council's inclusion of funding for the newly branded Experience Champaign Urbana (ECU), formerly Visit Champaign County, in the proposed budget for Fiscal Year 2023-2024, staff has prepared an agreement for the provision of marketing and community support services by Experience CU for the benefit of the City's tourism industry. The proposed agreement follows the format of the Fiscal Year 2022-2023 agreement approved by City Council on October 10, 2022. The City Council is asked to consider a resolution adopting a one-year Community Partnership Agreement for funding ECU. This proposed agreement covers activities in this fiscal year, from July 1, 2023, to June 30, 2024. The total amount proposed for ECU in this fiscal year's budget is \$15,000, which is the amount shown in the City's approved Fiscal Year 24 budget.

ECU, has worked as the official destination management organization to promote Champaign County as a place to visit, work and live since its founding in 1982. During this time, the organization has sought to undertake activities that benefit Champaign County businesses and the local economy. ECU's activities have included attracting and assisting in the organization of major sport events, conferences, and meetings; talent recruitment; producing and distributing the annual Experience Guide, maintaining an informative website; and supporting hospitality-related businesses, including restaurants, hotels, retail, small businesses, and other attractions. These events and activities attract additional visitors to the County, and provide financial gain to the City of Urbana through tax-revenue, direct spending, and generated payroll. The newly updated ECU website, [experiencecu.org](http://experiencecu.org), serves as a point of contact for residents and visitors from outside the County, including international visitors.

ECU offers organizational sponsorship through an increasing scale of Partnership Levels—Bronze, Silver, Gold, Platinum and Founding—each offering benefits based on funding (**Attachment A: ECU Gold Sponsorship Level Description**). While all levels include representation on the ECU Partner page and invitation to ECU events, the Gold Partnership is the lowest level that also includes a position on the ECU Board of Directors. The proposed resolution and agreement would

renew the City's Gold-level sponsorship of ECU. Urbana's Communications Specialist, Bridget Broihahn serves as the city representative on the ECU Board.

### **Discussion**

The tourism industry provides economic benefits to Urbana and the greater Champaign County area, affecting a variety of sectors. Visitors come from within the County, nearby counties, nationally, and internationally for sporting events, college visits, festivals, shopping, dining, academic meetings, conferences, and to visit family members. While visiting, tourists spend money at local restaurants and retail, stay at local hotels and utilize public transportation.

ECU markets the greater Champaign County area to residents and visitors, including internationally. The tourism industry operates regionally, with visitors often frequenting establishments in multiple municipalities during a visit to the County. Hence, the broad promotion of the University of Illinois, Urbana, Champaign, Savoy, Rantoul, and other locations within Champaign County directly benefits the City of Urbana as a key destination within the Champaign-Urbana-Savoy metropolitan area. ECU also promotes the greater Champaign County area as a destination for major events, tours, and trips. These marketing efforts result in direct sales to hotels, conference centers, venues, and other hospitality-related businesses within the City of Urbana. ECU also provides resources for use by visitors and residents to make more informed choices about events and activities happening in the community.

The proposed agreement is identical to the agreement entered into between the City and ECU during Fiscal Year 2022-2023. The \$15,000 funding level will result in recognition as a Gold Partner level for the City and will continue to ensure that the City has representation on the ECU Board of Directors, that Urbana businesses and events will receive prominent placement in ECU promotional materials, and that Urbana-based hospitality businesses and tourism professionals are given the opportunity to participate in ECU events.

The proposed agreement requires extensive reporting requirements to staff and City Council including submittal of ECU Strategic Plan (**Attachment B: ECU Strategic Plan for Fiscal Year 2021-23**) and the annual ECU Budget (**Attachment C: ECU Budget for Fiscal Year 2023-24**). ECU would also be required to submit quarterly and annual reports on ECU's activities, as well as a detailed year-end Partnership Report in which ECU will outline the specific benefits received by Urbana in its sponsorship at a Gold Partner level both in writing and as a presentation to the Mayor and City Council.

The \$15,000 sponsorship for the current fiscal year has already been provided for in the current City budget.

### *Recommendation*

The City Council has the following options with respect to this proposed agreement:

1. Forward the Resolution to City Council with a recommendation for approval as part of the consent agenda
2. Forward the Resolution to City Council with a recommendation for approval with suggested changes.
3. Do not forward the Resolution to City Council

Staff recommends that the City Council forward the Resolution to City Council with a recommendation for approval as part of the consent agenda.

**Attachments**

1. A - VCC Gold Sponsorship Level Description
2. B - VCC “Destination 2023” – Strategic Plan for Fiscal Year 2021-2023
3. C - VCC Budget for Fiscal Year 2023-24

Originated by: Stepheny McMahon

Reviewed: Kimberly Smith  
Carol Mitten

Approved:



## MEMORANDUM TO THE MAYOR AND CITY COUNCIL

**Meeting:** January 16, 2024 Committee of the Whole  
**Subject:** A Resolution Approving Amendment No. 1 to a City of Urbana and Urbana HOME Consortium Subrecipient Agreement (Champaign County Regional Planning Commission TBRA Agreement FY 2021-2022)

### Summary

#### *Action Requested*

Staff requests that City Council approve the attached Amendment to the Champaign County Regional Planning Commission (RPC) Tenant Based Rental Assistance (TBRA) Agreement to provide additional funding for up to 10 clients.

#### *Brief Background*

On April 4, 2022, City Council approved \$120,000 in HOME funding to support a Tenant Based Rental Assistance pilot program for households impacted by gun violence. Due to a lack of eligible referrals and in response to community feedback, RPC modified the program to a Re-Entry model that targets assistance to individuals who have been recently released from incarceration. RPC has operated this Re-Entry model in partnership with First Followers since August 2023.

Due to the success of the TBRA Re-Entry program, RPC has requested an additional \$125,000 in HOME funds in order to serve an additional seven to 10 clients through June 30, 2025. This will bring the total funding for the TBRA Re-Entry program to \$245,000.

### Relationship to City Services and Priorities

#### *Impact on Core Services*

The additional \$125,000 in support for the TBRA Re-Entry program will come from unspent FY 2021-2022 HOME funds. Therefore, there will be no impact on City general funds and no impact on core services as a result of approving this amendment.

#### *Strategic Goals and Plans*

Approval of the proposed Resolution will support Council Strategic Area # 2 *Housing*, Strategy 1 C) *Supporting housing security and equity: Coordinate with housing and social service agencies to reduce homelessness.* The TBRA Re-Entry program is in keeping with the goals and strategies outlined in the City of Urbana and Urbana HOME Consortium Consolidated Plan FY 2020-2024.

*Previous Council Actions*

The Council approved funding for the RPC's existing TBRA Program in [Resolution No. 2022-04-030R](#).

**Discussion***Additional Background*

RPC's TBRA Re-Entry pilot program will run through June 30, 2025. The program provides 12 months of rental assistance to individuals who have been recently released from incarceration. Referrals to the program come from First Followers. Tenants must contribute 30% of their monthly adjusted income toward their rent or a minimum of \$25 per month (whichever is greater). Currently enrolled participants may be approved for an additional one year as approved and as funding supports.

*Recommendation*

The proposed amendment to the agreement was brought before the City's Community Development Commission on January 9, 2024. The Commission voted unanimously to forward the proposed amendment to the Committee of the Whole with a recommendation for approval. City staff recommends that the Committee of the Whole forward the Resolution to the City Council Consent Agenda.

*Next Steps*

If Council approves the proposed Amendment, the amended will be executed by both parties and the additional funds will be transferred to RPC.

**Attachments**

1. A Resolution Approving Amendment No. 1 to a City of Urbana and Urbana HOME Consortium Subrecipient Agreement (Champaign County Regional Planning Commission TBRA Agreement FY 2021-2022)
2. RPC TBRA Amendment No. 1

Originated by: Breaden Belcher, Grants Division Manager

Reviewed: Kimberly Smith, Director of Community Development Services

Approved: Carol Mitten, City Administrator

**RESOLUTION NO. \_\_\_\_\_**

**A Resolution Approving Amendment No. 1 to a City of Urbana and Urbana HOME Consortium Subrecipient Agreement**

**(Champaign County Regional Planning Commission  
TBRA Agreement FY 2021-2022)**

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

**WHEREAS**, the City Council of the City of Urbana, Illinois, has found and determined that execution of the attached subrecipient agreement amendment is desirable and necessary to carry out one of the corporate purposes of the City of Urbana, to wit: implementation of Strategies and Objectives to Address the Affordable Housing Needs of Low- and Moderate-Income Households described in the City of Urbana and Urbana HOME Consortium (Champaign/Urbana/Champaign County) FY 2020-2024 Consolidated Plan; and

**WHEREAS**, on April 4, 2022, the Urbana City Council passed Resolution No. 2022-04-030R approving the program agreement for Champaign County Regional Planning Commission authorizing certain activities under the HOME Investment Partnership Program; and

**WHEREAS**, Champaign County Regional Planning Commission has requested an amendment to increase the amount of funding for this program.



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

Section 1. That an Amendment providing \$125,000 in HOME funds to Champaign County Regional Planning Commission in order to serve an additional seven to ten Re-Entry clients with tenant based rental assistance who have been referred to the program by First Followers, in substantially the form of the copy of said Amendment 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 Amendment 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

**AMENDMENT NO. 1 TO A CITY OF URBANA AND URBANA HOME CONSORTIUM  
SUBRECIPIENT AGREEMENT**

Champaign County Regional Planning Commission TBRA Agreement FY 2021-2022

Champaign County Regional Planning Commission (“Subrecipient”) and the City of Urbana, an Illinois municipal corporation (“City”), mutually agree to the following amendment to the Urbana HOME Consortium Subgrantee Agreement for FY 2021-2022, authorized by Resolution No. 2022-04-030R, and entered into on April 4, 2022.

Section 3 “Budget” shall be amended by striking the dollar amount of “\$120,000” and replacing it with the dollar amount of “\$245,000.”

Exhibit A shall be amended by striking the dollar amount of “\$120,000” and replacing it with the dollar amount of “\$245,000”.

1. The parties may sign this amendment 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) will be deemed original signatures for all purposes.
2. All other terms and conditions of the agreement remain in full force and effect.
3. This amendment will take effect upon execution by the Company and the City.

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





City of Urbana  
400 S Vine Street, Urbana, IL 61801  
[www.urbanainillinois.us](http://www.urbanainillinois.us)

## MEMORANDUM TO THE MAYOR AND CITY COUNCIL

**Meeting:** January 16, 2024, Committee of the Whole  
**Subject:** An Ordinance Approving a Major Variance (Chen/Tan Duplex at 312 West Illinois Street / Case No. ZBA-2023-MAJ-03)  
An Ordinance Approving a Major Variance (Chen/Tan Duplex at 312 West Illinois Street / Case No. ZBA-2023-MAJ-04)

### Summary

#### *Action Requested*

Council is being asked to approve two major variances to allow the construction of a duplex on the footprint of an existing single-family home, and to reduce parking requirements, at 312 West Illinois Street.

#### *Zoning Board of Appeals Recommendations*

On December 20, 2023, the Zoning Board of Appeals reviewed and unanimously approved a conditional use permit for a duplex and a minor variance for a reduced front yard. At that meeting, the Board also voted with five ayes and zero nays to recommend that Council approve two major variances: one variance to reduce the required front yard along Illinois Street, to reduce the minimum open space ratio, and to increase the maximum floor area; and a second variance to reduce the required lot area, and to reduce the required number of parking spaces.

### Relationship to City Services and Priorities

#### *Impact on Core Services*

Construction and operation of the duplex would have no impact on City services.

#### *Strategic Goals & Plans*

This would be considered a residential use, which is in line with the 2005 Comprehensive Plan's designation for the future use of this property as "Residential."

#### *Previous Council Actions*

None.

### Discussion

At its December 20, 2023, meeting, two proponents and two opponents gave testimony. Staff had received eight letters of support, three letters objecting to all requests (duplex conditional use permit and variances), and four letters objecting only to the duplex-related requests (conditional use permit,

variances for lot area and parking). *See the attached Zoning Board of Appeals Staff Report and the draft minutes of the 12/20/2023 ZBA meeting (Attachment 3) for more background information and discussion.*

#### *Fiscal and Budget Impact*

Approving the two major variances would replace a condemned single-family house with a new two-family house, increasing the property's value.

#### *Community Impact*

Approving the two major variances would allow a duplex to be built, which would provide an additional housing option for residents.

#### *Recommendation*

Staff recommends that Council approve the two major variances, as presented.

#### *Next Steps*

If approved, staff will record the two major variances with the Champaign County Recorder's Office, and the applicant may apply for building permits.

#### **Attachments**

1. An Ordinance Approving a Major Variance (Chen/Tan Duplex / Case No. ZBA-2023-MAJ-03)
2. An Ordinance Approving a Major Variance (Chen/Tan Duplex / Case No. ZBA-2023-MAJ-04)
3. Zoning Board of Appeals Staff Report and Minutes (12/20/2023)

Originated by: Marcus Ricci, AICP, Planner II

Reviewed: Kevin Garcia, Principal Planner

Kimberly Smith, AICP, Director, Community Development Services Department

Approved: Carol Mitten, City Administrator

**ORDINANCE NO. \_\_\_\_\_****AN ORDINANCE APPROVING A MAJOR VARIANCE**

(Chen/Tan Duplex at 312 West Illinois Street / Case No. ZBA-2023-MAJ-03)

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

**WHEREAS**, the Urbana Zoning Ordinance provides for a major variance procedure to permit the Zoning Board of Appeals and the Corporate Authorities to consider applications for a major variance where there is a special circumstance or condition with a parcel of land or a structure; and

**WHEREAS**, Chien-Yu Chen and Pei-Hsiu Tan request a major variance: a) to reduce the required front yard along Illinois Street from 15 to nine feet, b) to reduce the minimum open space ratio from 0.4 to 0.0, and c) to increase the maximum floor area ratio from 0.4 to 0.52, at 312 West Illinois Street in the R-2 (Single-Family Residential) Zoning District; and

**WHEREAS**, the Zoning Board of Appeals held a public hearing on this request at 7:00 p.m. on December 20, 2023, in Case ZBA-2023-MAJ-03; and

**WHEREAS**, in accordance with Urbana Zoning Ordinance Section XI-10, due and proper notice of such public hearing was given by publication in *The News-Gazette*, a newspaper having a general circulation within the City, on a date at least 15 days but no more than 30 days before the time of the public hearing, and by posting a sign containing such notice on the real property identified herein; and

**WHEREAS**, the Zoning Board of Appeals voted five (5) ayes and zero (0) nays to forward the case to the Urbana City Council with a recommendation to approve the requested variance, as presented; and

**WHEREAS**, the City Council finds that the requested variance conforms with the major variance procedures in Section XI-3.C.2.(e), of the Urbana Zoning Ordinance; and

**WHEREAS**, the City Council has considered the variance criteria established in the Urbana Zoning Ordinance and has made the following findings of fact:

1. The variance will not serve as a special privilege to the property owner, as it is necessary due to special circumstances related to the lot's platting in 1852, prior to the adoption of the Urbana Zoning Ordinance in 1940, and the current minimum yard and lot coverage requirements; also, the existing house is condemned and beyond repair.
2. The variance is not the result of a situation knowingly created by the applicant, as the legal non-conformities started in 1940 when the Ordinance was adopted.
3. The variance will not alter the essential character of the neighborhood, as the proposed replacement duplex would be of similar size to nearby conforming – and non-conforming – existing single-family homes and duplexes.
4. The variance will not cause a nuisance to adjacent property owners, as it will remain a single-family or duplex use.
5. The variance represents the minimum deviation necessary from the requirements of the Urbana Zoning Ordinance, as the only substantive changes would be an increase in living area, not building footprint.

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

**Section 1.**

In Case No. ZBA 2023-MAJ-03, the major variance requested by Chien-Yu Chen and Pei-Hsiu Tan to reduce the required front yard along Illinois Street from 15 to nine feet, to reduce the minimum open space ratio from 0.4 to 0.0, and to increase the maximum floor area ratio from 0.4 to 0.52 is hereby approved in the manner proposed in the application. The major variance described above shall only apply to the property located at 312 West Illinois Street, more particularly described as follows:

The West 57 feet, 9 inches of Lot 19 of James T. Roe’s Third Addition to the Town (now City) of Urbana as per Plat recorded April 23, 1852 in Deed Record “D”, Page 281, situated in Champaign County, Illinois.

Commonly known as 312 West Illinois Street  
P.I.N.: 92-21-17-138-009

**Section 2.**

Upon approval of this Ordinance, the City Clerk is directed to record a certified copy of this Ordinance with the Champaign County Office of Recorder of Deeds. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities, and this Ordinance shall be in full force and effect from and after its passage and publication in accordance with Section 1-2-4 of the Illinois Municipal Code.

This Ordinance is hereby passed by the affirmative vote, the “ayes” and “nays” being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

**PASSED BY THE CITY COUNCIL** this date day of Month, Year.

AYES:

NAYS:

ABSTENTIONS:

\_\_\_\_\_  
Darcy E. Sandefur, City Clerk

**APPROVED BY THE MAYOR** this date day of Month, Year.

\_\_\_\_\_  
Diane Wolfe Marlin, Mayor





## DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

*Planning Division*

m e m o r a n d u m

**TO:** Urbana Zoning Board of Appeals

**FROM:** Marcus Ricci, AICP, Planner II

**DATE:** December 20, 2023

**SUBJECT:** **ZBA-2023-C-06:** A request by Chien-Yu Chen and Pei-Hsiu Tan for a Conditional Use Permit to allow a duplex at 312 West Illinois Street in the R-2 (Single-Family Residential) Zoning District.

**ZBA-2023-MAJ-03:** A request by Chien-Yu Chen and Pei-Hsiu Tan for Major Variances to reduce the required front yard along Illinois Street from 15 to 9 feet, reduce the minimum open space ratio from 0.4 to 0, and increase the maximum floor area ratio from 0.4 to 0.52 at 312 West Illinois Street in the R-2 (Single-Family Residential) Zoning District.

**ZBA-2023-MAJ-04:** A request by Chien-Yu Chen and Pei-Hsiu Tan for Major Variances to reduce the required lot area for a duplex from 6,000 to 3,607 square feet, and reduce the required number of parking spaces for a duplex from four to two at 312 West Illinois Street in the R-2 (Single-Family Residential) Zoning District.

**ZBA-2023-MIN-03:** A request by Chien-Yu Chen and Pei-Hsiu Tan for a Minor Variance to reduce the required front yard along Birch Street from 15 to 12 feet at 312 West Illinois Street in the R-2 (Single-Family Residential) Zoning District.

## Introduction

Chien-Yu Chen and Pei-Hsiu Tan request a conditional use permit to allow a duplex, and multiple variances to allow either a single-family home or a duplex at 312 West Illinois Street. The property contains a single-family home which has been condemned and permitted for demolition. The house is legally nonconforming, as it encroaches into the front yards and exceeds both the maximum floor-area ratio and minimum open space ratio. The lot itself is also legally nonconforming due to its size, so any new dwelling would likely require some combination of variances for lot area, yards, open space, floor-area ratio, and parking. For convenience, the variances have been grouped into two sets: one that would be required to allow either a single-family home or a duplex in the same location as the existing house<sup>1</sup>, and one with additional variances that would be required specifically to allow a duplex<sup>2</sup>. Separating the cases this way will make it easier to process the cases since some of the requests are contingent upon the Board's vote on the conditional use permit request to allow a duplex.

### ZBA-2023-C-06: Duplex Use

Table V-1 of the Urbana Zoning Ordinance allows a duplex with a conditional use permit in the R-2 (Single-Family Residential) zoning district.

<sup>1</sup> ZBA-2023-MAJ-04 and ZBA-2023-MIN-03

<sup>2</sup> ZBA-2023-MAJ-03

ZBA-2023-MAJ-03 & ZBA-2023-MIN-03: Reduced Yards, Open Space Ratio, Floor-Area Ratio

Table VI-3. of the Urbana Zoning Ordinance requires principal structures in the R-2 district to have a minimum front yard of 15 to 25 feet, based on the average of the front yards of existing lots on the block face. For this corner lot, the minimum required front yards on both Birch Street (the primary front yard) and West Illinois Street (the secondary front yard) are 15 feet. The proposed duplex would have a nine-foot front yard along Illinois Street – a 40 percent reduction, requiring a major variance – and a 12-foot front yard along Birch Street – a 20 percent reduction, requiring a minor variance. Table VI-3 also requires a minimum open space ratio (OSR) of 0.4 and a maximum floor-area ratio (FAR) of 0.40. The proposed dwelling would have an OSR of 0.0 – a 100 percent reduction, requiring a major variance – and an FAR of 0.52 – a 30 percent increase, requiring a major variance.

ZBA-2023-MAJ-04: Lot Area

Section VI-3.A allows a single-family dwelling on a lot of any size if it was platted prior to 1950, if it meets all other development regulations. Section VI-3.B requires a minimum lot area of 6,000 square feet for duplexes on parcels in the R-2 district that were platted before December 21, 1970. The lot at 312 West Illinois Street has an area of 3,607 square feet, so it has 40 percent less area than required by the Zoning Ordinance. Therefore, a major variance is required to allow a duplex on the lot.

The Urbana Zoning Ordinance requires the Zoning Board of Appeals (“ZBA”) to review the conditional use permit application and variance applications and hold a public hearing. For the conditional use permit and the minor variance applications, the Board may vote to approve, approve with conditions, or deny each application. For the major variance applications, the Board may recommend approval to City Council by a 2/3 majority vote, or approval with conditions to City Council by a 2/3 majority vote, or deny the request. In each of the applications, the Board should either accept the specific staff findings or articulate their own specific findings based on that application’s criteria.

Staff recommend the ZBA a) approve the conditional use permit and minor variance, and b) forward a recommendation to City Council to approve the major variances.

**Background**

The applicants purchased the property in 2021 with the intention of converting it back into a duplex, as the existing floor plan led them to believe that that use was permitted. They planned to occupy one-half and rent out one-half. The house was built in 1878 and needed to be renovated. They later learned from their architect and structural engineer that existing termite damage was too extensive to be repaired. The City’s Building Official has since condemned the building since it was deemed unsafe, and a demolition permit will be issued. The applicants would like to build a duplex that would not be out of character with the neighborhood.

**Description of Site and Area**

The property is located at the northeast corner of West Illinois Street and Birch Street. It has a one-and-a-half-story house with a one-car detached garage accessing Birch Street; the garage would remain unaltered. The chart on the next page identifies the current zoning, and existing and future land use of the site and surrounding properties (see Exhibits A, B, and C).

<b>Direction</b>	<b>Zoning</b>	<b>Existing Land Use</b>	<b>Future Land Use</b>
Site	R-2 (Single-Family Residential)	Single-Family Residential	Residential
North	R-2 (Single-Family Residential)	Single- & Two-Family Residential	Residential
East	R-2 (Single-Family Residential)	Single-Family Residential	Residential
South	R-2 (Single-Family Residential)	Single-Family & Multifamily Residential	Residential
West	R-2 (Single-Family Residential)	Single- & Two-Family Residential	Residential

Table 1. Zoning and Land Use

**Discussion**

The applicants would like to build a two-story duplex of 1,890 sq ft. It would be built on the footprint of the existing one-and-a-half-story house (910 sq ft; Exhibit D). Each of the two dwelling units in the proposed duplex would have a living room, kitchen and half-bath/utility room on the first floor, and two bedrooms and a full bathroom on the second floor (Exhibit D.E – Floor Plan).

The lot was originally part of Lot 19 of the Plat of Roe’s Third Addition, platted in 1852. Lot 19 and the other lower-tier lots were originally 62 feet (north-south) by 173.3 feet (east-west) for an area of 10,744 sq ft. The upper-tier lots were 57.9 feet by 115.6 feet for an area of 6,693 sq ft. At some unknown date, the six lower-tier lots were split into thirds to create lots that were 57.9 feet wide, aligned with the lot widths of the upper tier, and creating the current configuration of 3,607 sq ft lots, a lot size that later became nonconforming for any duplex.

**Duplex Conditional Use Permit**

The property is located in an older residential neighborhood with many other nonconforming lots and uses. The City’s “West Urbana Non-Conforming Use Inventory” (1983) shows seven duplexes in a one-block radius, three of which are on lots below the current minimum lot area requirements; other lots may additional nonconformities (minimum yards, floor-area, or open space). The 1983 survey does not show 312 West Illinois Street as a duplex. The applicants submitted a City Historical Survey from the year 2000 suggesting that the existing building had housed a “multi-family” use during the 1950s and again from 1974-1999. Its most recent use in the City’s Rental Registration Program was as a single-family residence. A 1975 Certificate of Occupancy did authorize the use of the existing building as a “One or Two-Family Dwelling.”<sup>3</sup> Because the most recent use has been as a single-family for longer than six months, any past legally nonconforming use as a duplex in the R-2 zoning district without a conditional use permit has expired.<sup>4</sup>

**Development Regulation Variances**

Yards. The existing home encroaches into the required 15-foot front yard along Birch Street by three feet, and into the required 15-foot front yard along West Illinois Street by 10 feet, 6 inches.<sup>5</sup> The applicants request a reduction of three feet for the minimum front yard along Birch Street, which would match the existing conditions, and of nine feet for the minimum front yard along West Illinois Street, which would be slightly less than existing conditions.<sup>6</sup>

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<sup>3</sup> Exhibit F – Certificate of Occupancy (1975)  
<sup>4</sup> Section X-4, Urbana Zoning Ordinance.  
<sup>5</sup> Exhibit D.B – Current Site Plan  
<sup>6</sup> Exhibit D.C – Proposed Site Plan

## ATTACHMENT 3. ZBA Staff Report and Minutes (12/20/2023)

Item E4.

The proposed duplex would reduce the existing encroachment by 4 feet, 6 inches.<sup>7</sup> Many other homes in the surrounding area also predate minimum yard requirements and encroach farther than current regulations would allow, some more so than the proposed duplex. The applicant has demonstrated this with a satellite image showing other setbacks in the area.<sup>8</sup>

Open Space Ratio (OSR). The applicants request the reduction of the minimum required OSR from 0.40 to 0.0, which would be no different than the current OSR of 0.0. The current site layout contains significant areas that would otherwise qualify as open space, but they do not meet the minimum 15-foot-square dimension to be considered “open space.” As the proposed site layout is almost identical to the existing site layout, it also has an OSR of 0.0. If the unpaved areas were evaluated without regard to minimum dimensions, the site would provide 1,200 sq ft of open space and yield an OSR of 0.63, well above the minimum required OSR of 0.40.

Floor to Area Ratio (FAR). The applicants request an increase in the maximum FAR from 0.40 to 0.52. The existing home is 1,468 sq ft, which gives it an FAR of 0.41, slightly exceeding the 0.40 maximum. The proposed duplex would be 1,890 sq ft, which would result in an FAR of 0.52. Although the proposed FAR would deviate more than the existing building from the requirement, the building footprints and massing would be similar. It is likely that many of the buildings in this area that predate the current Zoning Ordinance exceed current FAR regulations.

Parking. The applicants request a reduction in the required parking for a duplex from four spaces to two spaces. The property currently has two spaces: one in a one-car garage, and one in the access drive. The applicants have submitted photos at different times of day to show the availability of street parking on Birch Street, and also mention nearby bus routes.<sup>9</sup> Staff have visited the site several times and have observed very few cars parked on both Illinois and Birch Streets during the day.<sup>10</sup> The property is within the West Urbana Special Parking Zone, where residents may apply for on-street parking permits. The applicants stated they would purchase permits for tenants when requested. Permit data shows just two parking permits issued for the 14 homes on the 300-block of West Illinois Street. It is also worth noting that the property has been used as a duplex in the past, with the current layout: a one-car garage and one parking space in the driveway.

### Requirements for a Conditional Use Permit

According to § VII-2 of the Urbana Zoning Ordinance, an application for a conditional use permit shall demonstrate the following requirements shown in italics.

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

The proposed duplex’s location would be convenient to the public to access, as it is located at the intersection of Birch and West Illinois Streets; the latter a designated Minor Collector and a designated “bicycle-friendly road.”<sup>11</sup> There are bus stations within two blocks on both streets, and the property is one block from Leal Elementary School, three blocks from Downtown Urbana, and five blocks from the University of Illinois. It is in the West Urbana Neighborhood, which is known for being one of the most walkable neighborhoods in Urbana.

Staff find this criterion met.

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<sup>7</sup> Exhibit D.D – Comparison of Current and Proposed Site Plans

<sup>8</sup> Exhibit D.A – Aerial of Yard Setbacks

<sup>9</sup> Exhibit D.F – Parking

<sup>10</sup> Exhibit E – Site Photos

<sup>11</sup> As shown on Google Maps’ Biking layer.

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

The proposed duplex would replace a single-family home that has been condemned due to extreme insect damage rendering it unsafe for occupation. The new home will be built on the footprint of the existing home. The proposed use will be similar to the existing use, and would be no more injurious or detrimental to the district or the public welfare.

Staff find this criterion met.

3. *That the proposed use conforms to the applicable regulations and standards of, and preserves the essential character of, the district in which it shall be located, except where such regulations and standards are modified by § VII-3.*

Staff find the proposed duplex to be generally compatible with the character of the neighborhood, which is primarily single-family homes with scattered duplexes and apartment buildings. The site and nearby property are designated for future Residential use.

Staff find this criterion met.

### Consideration

According to Zoning Ordinance Section VII-2, the Zoning Board of Appeals shall determine whether the reasons set forth in the application, and the evidence adduced during the public hearing, justify the granting of the conditional use permit, and whether the proposed use will be in harmony with the general purpose and intent of the Zoning Ordinance, and will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious or detrimental to the public welfare.

In addition, the Zoning Board of Appeals may also impose such additional conditions and requirements on the operation of the proposed use as are appropriate or necessary for the public health, safety, and welfare, and to carry out the purposes of the Ordinance, including but not limited to the following:

1. Regulation of the location, extent, and intensity of such uses;
2. Requirement of the screening of such uses by means of fences, walls, or vegetation;
3. Stipulation of required minimum lot sizes;
4. Regulation of vehicular access and volume;
5. Conformance to health, safety, and sanitation requirements, as necessary;
6. Increases to the required yards; and
7. Any other conditions deemed necessary to effect the purposes of this Ordinance (see Section VII-6).

### Variance Criteria

Section XI-3 of the Urbana Zoning Ordinance requires the Zoning Board of Appeals to make findings based on variance criteria. The Zoning Board of Appeals must first determine, based on the evidence presented, whether there are special circumstances or special practical difficulties with reference to the

### ATTACHMENT 3. ZBA Staff Report and Minutes (12/20/2023)

Item E4.

parcel concerned, in carrying out the strict application of the ordinance. This criterion is intended to serve as a minimum threshold that must be met before a variance request may be evaluated.

The following is a review of the criteria outlined in the ordinance, followed by staff analysis for this case:

1. *The proposed variances will not serve as a special privilege because the variance requested is necessary due to special circumstances relating to the land or structure involved or to be used for occupancy thereof which is not generally applicable to other lands or structures in the same district.*

The requested yard, OSR, and FAR variances will not serve as a special privilege because they are necessary due to the extremely small size of the lot, which was platted in 1852, prior to the adoption of the Zoning Ordinance. The lot – and the home built on it in 1878 – became legally nonconforming upon adoption of the Ordinance in 1940 and its subsequent amendments.

Another special circumstance is that the existing house is beyond repair and must be demolished. The requested variances are necessary to allow any dwelling to be built to replace the condemned building, whether it is a single-family home or a duplex.

The parking variance will not serve as a special privilege because the lot is very small, the house had been used as a duplex previously without any known issues, and the amount of parking is similar to several other duplexes in the neighborhood.

Staff find this criterion met.

2. *The variances requested were not the result of a situation or condition having been knowingly or deliberately created by the Petitioner.*

The requested variances are to remedy situations created prior to the applicants' purchase of the home in 2021, at which time they believed the home could be converted back into a duplex. Unbeknownst to the applicants, both the lot and house had become legally nonconforming when the Zoning Ordinance was adopted in 1940, prohibiting them or any future owner from either expanding, conducting major repairs, or replacing the home, unless it was reduced in size and shifted out of the required yards. The requested yard, OSR, and FAR variances would allow for a single-family home or duplex to continue on this substandard lot, and the parking variance would allow the duplex use to be reestablished with two parking spaces, which is the same amount of parking it had when it was a duplex in the past.

Staff find this criterion met.

3. *The variances will not alter the essential character of the neighborhood.*

The proposed duplex would be consistent with the essential character of the neighborhood, as it would be of similar size and style to nearby conforming – and non-conforming – single-family homes and duplexes.

Staff find this criterion met.

4. *The variances will not cause a nuisance to the adjacent property.*

Rebuilding the existing single-family home or building a duplex is unlikely to create a nuisance at this time or in the future. The proposed parking variance would not create a nuisance: if more than two parking spaces are ever needed for the residents of the duplex, there is ample on-street permit parking available.

In addition, *not* granting the variances would cause a nuisance to the neighborhood, as it would leave a vacant, essentially undevelopable, lot at a street corner.

Staff find this criterion met.

5. *The variance represents generally the minimum deviation from requirements of the Zoning Ordinance necessary to accommodate the request.*

The requested variances will allow rebuilding of the existing single-family home or the proposed duplex in the same location as the existing home, and will bring the property into conformity with the Urbana Zoning Ordinance. The duplex would be larger in area, but its footprint on the lot would be similar. The location along a “bicycle-friendly road” and proximity to transit could reduce the need for motor vehicle ownership and, therefore, additional parking spaces.

Staff find this criterion met.

## Public Input

Staff published a legal ad in The News-Gazette to notify the public of the request and public hearing 15 days prior to the Zoning Board of Appeals meeting. Staff sent letters to 47 neighboring property owners (within 250 feet of the subject property) notifying them of the request, and posted a public hearing sign on the property. Staff received eight letters of support for the duplex conditional use permit and all variances, three letters of objection for the duplex conditional use permit and duplex variances, and three letters of objection for the duplex conditional use permit and all variances.<sup>12</sup>

## Summary of Findings

Chien-Yu Chen and Pei-Hsiu Tan request a conditional use permit and one set of major variances to allow a duplex, and one set of major variances and a minor variance to allow either a single-family home or a duplex, at 312 West Illinois Street in the R-2 (Single-Family Residential) zoning district.

*For case ZBA-2023-C-06:*

1. The duplex would be conducive to the public convenience at this location based on its proximity to Downtown Urbana and the University of Illinois, its connectivity with the transit and bicycling network, and its compatibility with the surrounding neighborhood.
2. The duplex would not be injurious or detrimental to the surrounding district or the public welfare, as it would conform with the surrounding neighborhood and would comply with the standards and regulations of, and preserve the essential character of, the neighborhood.
3. The duplex would be generally compatible with the character of the neighborhood, which is primarily single-family homes with scattered duplexes and apartment buildings.

*For cases ZBA-2023-MAJ-03: and ZBA-2023-MIN-03, to allow a single-family home or duplex:*

1. The variances will not serve as a special privilege to the property owner, as they are necessary due to special circumstances related to the lot’s platting in 1852, prior to the adoption of the Urbana Zoning Ordinance in 1940, and the current minimum yard and lot coverage requirements; also, the existing house is condemned and beyond repair.
2. The variances are not the result of a situation knowingly created by the applicant, as the legal

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<sup>12</sup> Exhibit G – Public Input

## ATTACHMENT 3. ZBA Staff Report and Minutes (12/20/2023)

Item E4.

nonconformities started in 1940 when the Ordinance was adopted.

3. The variances will not alter the essential character of the neighborhood, as a new single-family home or duplex would be of similar size and style to nearby conforming – and non-conforming – existing single-family homes and duplexes.
4. The variances will not cause a nuisance to adjacent property owners, as it will remain a single-family or duplex use.
5. The variances represent the minimum deviation necessary from the requirements of the Urbana Zoning Ordinance, as the only substantive changes would be an increase in living area, not building footprint.

*For case ZBA-2023-MAJ-04, to allow a duplex:*

1. The variances will not serve as a special privilege to the property owner, as they are necessary due to special circumstances related to the lot's platting in 1852, prior to the adoption of the Urbana Zoning Ordinance in 1940, with its minimum yard and parking requirements.
2. The variances are not the result of a situation knowingly created by the applicant, as the legal nonconformities started in 1940 when the Ordinance was adopted.
3. The variances will not alter the essential character of the neighborhood, as the replacement single-family home or proposed duplex would be of similar size and style to nearby conforming – and non-conforming – existing single-family homes and duplexes.
4. The variances will not cause a nuisance to adjacent property owners, as it will remain a single-family or duplex use, and result in minimal additional on-street parking.
5. The variances represent the minimum deviation necessary from the requirements of the Urbana Zoning Ordinance, as the only substantive changes would be a minimal increase in on-street parking.

*For all cases:*

1. The proposal is generally consistent with the 2005 Urbana Comprehensive Plan.

### Options

The Zoning Board of Appeals has the following options in Case No. ZBA-2023-C-06 – a conditional permit to allow a duplex:

1. **Approve** the conditional use as submitted; or
2. **Approve the conditional use along with any additional conditions and requirements** as are appropriate or necessary for the public health, safety, and welfare, and to carry out the purposes of the Zoning Ordinance; or
3. **Deny** the conditional use as submitted.

The Zoning Board of Appeals has the following options in Case No. ZBA-2020-MAJ-03, major variances to allow a single-family home or duplex:



## ATTACHMENT 3. ZBA Staff Report and Minutes (12/20/2023)

Item E4.

1. Forward the case to City Council with a recommendation to **approve** the variances as requested based on the findings outlined in this memo; or
2. Forward the case to City Council with a recommendation to **approve the variances with certain terms and conditions**. If the Urbana Zoning Board of Appeals elects to recommend conditions or recommend approval of the variances on findings other than those articulated herein, they should articulate findings accordingly; or
3. **Deny** the variance requests.

The Zoning Board of Appeals has the following options in Case No. ZBA-2023-MIN-03 – a minor variance to allow a single-family home or duplex:

1. **Approve** the conditional use as submitted; or
2. **Approve the conditional use along with any additional conditions and requirements** as are appropriate or necessary for the public health, safety, and welfare, and to carry out the purposes of the Zoning Ordinance; or
3. **Deny** the conditional use as submitted.

Finally, The Zoning Board of Appeals has the following options in Case No. ZBA-2020-MAJ-04, a major variance to allow a duplex. *If the Board denies Case No. ZBA-2023-C-06, it can disregard this case.*

1. Forward the case to City Council with a recommendation to **approve** the variances as requested based on the findings outlined in this memo; or
2. Forward the case to City Council with a recommendation to **approve the variances with certain terms and conditions**. If the Urbana Zoning Board of Appeals elects to recommend conditions or recommend approval of the variances on findings other than those articulated herein, they should articulate findings accordingly; or
3. **Deny** the variance requests.

### Recommendation

Based on the evidence presented in the discussion above, and without the benefit of considering additional evidence that may be presented at the public hearing, staff recommends that the Zoning Board of Appeals **APPROVE** the proposed conditional use in case ZBA-2023-C-06 and the proposed minor variance in case ZBA-2023-MIN-03.

Likewise, staff recommends the Zoning Board of Appeals recommend **APPROVAL** of the proposed Major Variances in cases ZBA-2020-MAJ-03 and ZBA-2020-MAJ-04 to the Urbana City Council.

Attachments: Exhibit A: Location Map  
Exhibit B: Zoning Map  
Exhibit C: Future Land Use Map  
Exhibit D: Conditional Use Permit and Variances Applications  
Exhibit E: Site Photos  
Exhibit F: Certificate of Occupancy (1975)  
Exhibit G: Public Input

cc: Chien-Yu Chen and Pei-Hsiu Tan, Applicants

**Exhibit A - Location & Land Use**



Case: ZBA-2023-C-06, -MAJ-03, -MAJ-04, MIN-03  
 Subject: Duplex Conditional Use Permit & Variances  
 Location: 312 West Illinois Street  
 Applicant: Chien-Yu Chen & Pei-Hsiu Tan

- Subject Property
- Residential
- Shopping, business, or trade
- Travel or movement
- Mass assembly of people

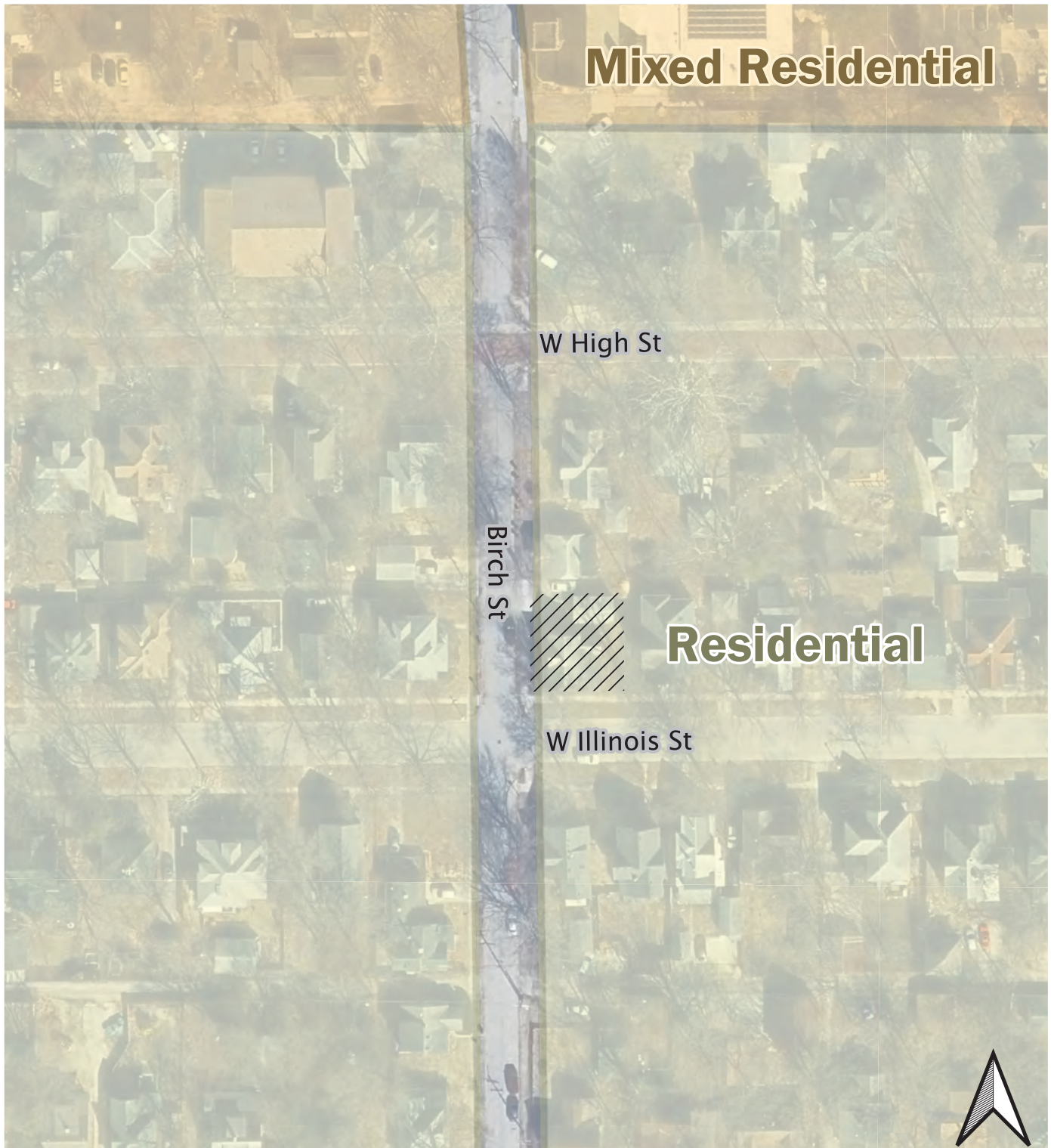
**Exhibit B - Zoning**



Case: ZBA-2023-C-06, -MAJ-03, -MAJ-04, MIN-03  
 Subject: Duplex Conditional Use Permit & Variances  
 Location: 312 West Illinois Street  
 Applicant: Chien-Yu Chen & Pei-Hsiu Tan

- /// Subject Property
- MOR
- R-2
- R-4

### Exhibit C - Future Land Use



Case: ZBA-2023-C-06, -MAJ-03, -MAJ-04, MIN-03  
 Subject: Duplex Conditional Use Permit & Variances  
 Location: 312 West Illinois Street  
 Applicant: Chien-Yu Chen & Pei-Hsiu Tan

//// Subject Property

**Exhibit D - Application - Conditional Use Permit Application**
**Application for  
Conditional Use Permit**
**ZONING BOARD  
OF APPEALS**

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

**DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY**

Date Request Filed 11-20-2023 ZBA Case No. ZBA-2023-C-06  
 Fee Paid - Check No. FEE WAIVED Amount \_\_\_\_\_ Date \_\_\_\_\_

**PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION**

A CONDITIONAL USE PERMIT is requested in conformity with the powers vested in the Zoning Board of Appeals to permit the following use or construction purpose:

Construct a new duplex

on the property described below, and in conformity with the plans in the permit application.

**1. APPLICANT CONTACT INFORMATION**

Name of Applicant(s): Chien-Yu Chen and Pei-Hsiu Tan Phone: 217-898-9036

Address (street/city/state/zip code): 10 Florida Dr. Urbana, IL 61801

Email Address: pilgrim.pht@gmail.com

Property interest of Applicant(s) (Owner, Contract Buyer, etc.): Owner

**2. OWNER INFORMATION**

Name of Owner(s): Chien-Yu Chen and Pei-Hsiu Tan Phone: 217-898-9036

Address (street/city/state/zip code): 10 Florida Dr. Urbana, IL 61801

Email Address: pilgrim.pht@gmail.com

Is this property owned by a Land Trust?  Yes  No

If yes, please attach a list of all individuals holding an interest in said Trust.

**3. PROPERTY INFORMATION**

Location of Subject Site: 312 W. Illinois St

PIN # of Location: 92-21-17-138-009

Lot Size: 3607

Current Zoning Designation: R2

### Exhibit D - Application - Conditional Use Permit Application

Current Land Use (*vacant, residence, grocery, factory, etc*): residence

Proposed Land Use: duplex

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

The west 57 feet, 9 inches of lot 19 of James T. Roe's Third Addition to the town(now city) of Urbana as per plat recorded April 23, 1852 in deed record "D", page 281, situated in Champaign County, Illinois.

PIN #: 92-21-17-138-009

Common address: 312 W. Illinois Street, Urbana, Illinois 61801

#### 4. CONSULTANT INFORMATION

**Name of Architect(s):** Andrew Fell

Phone: (217)363-2890

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

Email Address:

**Name of Engineers(s):** Keith Brandau

Phone: (217)429-8800#1168

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

Email Address:

**Name of Surveyor(s):**

Phone:

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

Email Address:

**Name of Professional Site Planner(s):**

Phone:

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

Email Address:

**Name of Attorney(s):**

Phone:

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

Email Address:

#### 5. REASONS FOR CONDITIONAL USE PERMIT

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

Please see the attached addendum.

**Exhibit D - Application - Conditional Use Permit Application**

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

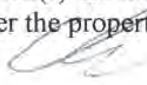
Explain how the proposed use conforms to the applicable regulations and standards of, and preserves the essential character of, the district in which it shall be located (except where such regulations and standards may be modified by Section VII-3 of the Urbana Zoning Ordinance, 1979).  
Please see the attached addendum.

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

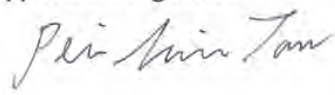
**By submitting this application, you are granting permission for City staff to post on the property a temporary yard sign announcing the public hearing to be held for your request.**

**CERTIFICATION BY THE APPLICANT**

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

  
\_\_\_\_\_  
Applicant's Signature

11/20/2023  
Date



## Exhibit D - Application - Conditional Use Permit Application Addendum

### 5. REASONS FOR CONDITIONAL USE PERMIT

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

We propose constructing a new duplex to replace the current single family housing. The plan address the following aspects:

1. Dealing with unrepairable structures: We tried to repair the existing house since it was not in a livable condition. After consultation with an architect and a structural engineer, we believe that replacing the current house with a new structure will be safer and more appealing.
2. Diversified Housing Options: The house is in close proximity to the university. Being alumni of UI, we do appreciate the characteristic and the quiet neighborhood Urbana offers. We also understand that apartments might not suit everyone's needs. We hope a duplex would offer living spaces that is similar to a house.
3. Enhancing Visual Appeal: The proposal aims to give a face-lift to the residential area, thereby improving the overall visual appearance of the downtown Urbana neighborhood.

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


After consulting with the structural engineer, Keith Brandau, it has been determined that the current house structure is beyond repair and cannot be renovated to meet livable housing standards because of termite damage. Therefore, our intention is to utilize the existing footprint of the house to build a new and updated structure.

**Explain how the proposed use conforms to the applicable regulations and standards of, and preserves the essential character of, the district in which it shall be located (except where such regulations and standards may be modified by Section VII-3 of the Urbana Zoning Ordinance, 1979).**

We are aware that the planned proposal will require a few major variances due to the allocated lot size. The major variance application is submitted along with this application. Furthermore, we are optimistic that all other aspects of the project can be undertaken within the established regulations and guidelines.



**Exhibit D - Application - Variance Application**

	<h2>Application for Variance</h2>	<h2>ZONING BOARD OF APPEALS</h2>
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**The application fee must accompany the application when submitted for processing.** Please refer to the City's website at <http://www.urbanainillinois.us/fees> for the current fee associated with this application. **The Applicant is also responsible for paying the cost of legal publication fees.** Estimated costs for these fees usually run between \$75.00 and \$225.00. The applicant will be billed separately by the News-Gazette.

**DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY**

Date Request Filed 11-20-2023 ZBA Case No. ZBA-2023-MAJ-03  
ZBA-2023-MIN-03  
 Fee Paid - Check No. 227 Amount \$208.00 Date 08-30-2023

**PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION**

A VARIATION is requested in conformity with the powers vested in the Zoning Board of Appeals to permit the following variation (*Describe the extent of the Variation Requested*)  
 to build a duplex on a R2 lot with less than 6000 sqft, reduce parking space from 4 to 2, FAR to 0.52 and OSR to 0 \_\_\_\_\_ on the property described below, and in conformity with the plans described on this variance request.

**1. APPLICANT CONTACT INFORMATION**

Name of Applicant(s): Chien-Yu Chen & Pei-Hsiu Tan Phone: 217-898-9036  
 Address (street/city/state/zip code): 10 Florida Dr. Urbana IL 61801  
 Email Address: pilgrim.pht@gmail.com  
 Property interest of Applicant(s) (Owner, Contract Buyer, etc.): Owner

**2. OWNER INFORMATION**

Name of Owner(s): Chien-Yu Chen & Pei-Hsiu Tan Phone: 217-898-9036  
 Address (street/city/state/zip code): 10 Florida Dr. Urbana IL 61801  
 Email Address: pilgrim.pht@gmail.com  
 Is this property owned by a Land Trust?  Yes  No  
 If yes, please attach a list of all individuals holding an interest in said Trust.

**3. PROPERTY INFORMATION**

Location of Subject Site: 312 W. Illinois St  
 PIN # of Location: 92-21-17-138-009  
 Lot Size: 3607

**Exhibit D - Application - Variance Application**

Current Zoning Designation: R2

Current Land Use (*vacant, residence, grocery, factory, etc*): residence

Proposed Land Use: duplex

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

The west 57 feet, 9 inches of lot 19 of James T. Roe's Third Addition to the town(now city) of Urbana as per plat recorded April 23, 1852 in deed record "D", page 281, situated in Champaign County, Illinois.

PIN #: 92-21-17-138-009

Common address: 312 W. Illinois Street, Urbana, Illinois 61801

**4. CONSULTANT INFORMATION**

**Name of Architect(s):** Andrew Fell

Phone: (217) 363-2890

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

Email Address:

**Name of Engineers(s):** Keith Brandau

Phone: (217) 429-8800 #1168

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

Email Address:

**Name of Surveyor(s):**

Phone:

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

Email Address:

**Name of Professional Site Planner(s):**

Phone:

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

Email Address:

**Name of Attorney(s):**

Phone:

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

Email Address:

**5. REASONS FOR VARIATION**

Identify and explain any special circumstances or practical difficulties in carrying out the strict application of the Zoning Ordinance with respect to the subject parcel.

Please see the attached addendum.

## Exhibit D - Application - Variance Application

Explain how the variance is necessary due to special conditions relating to the land or structure involved which are not generally applicable to other property in the same district. Please see the attached addendum.

Explain how the variance is not the result of a situation or condition that was knowingly or deliberately created by you (the Petitioner). Please see the attached addendum.

Explain why the variance will not alter the essential character of the neighborhood. Please see the attached addendum.

Explain why the variance will not cause a nuisance to adjacent property. Please see the attached addendum.

Does the variance represent the minimum deviation necessary from the requirements of the Zoning Ordinance? Explain. Please see the attached addendum.

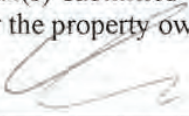
***NOTE: If additional space is needed to accurately answer any question, please attach extra pages to the application.***

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

## Exhibit D - Application - Variance Application

### CERTIFICATION BY THE APPLICANT

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

  
\_\_\_\_\_  
Applicant's Signature

11/20/2023  
Date

### PLEASE RETURN THIS FORM ONCE COMPLETED TO:

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

## Exhibit D - Application - Variance Application

### Addendum

#### 5. REASONS FOR VARIATION

**Identify and explain any special circumstances or practical difficulties in carrying out the strict application of the Zoning Ordinance with respect to the subject parcel.**

We are applying the following five major variation:

1. Constructing a new duplex on a R2 zoned lot smaller than 6,000 sqft.
2. Reduce the required parking space for duplex from 4 cars to 2.
3. Increase the maximum floor-area ratio (FAR) from 0.4 to 0.52, calculated from proposed living space of 1890 sqft to lot size 3607 sqft.
4. Reduce the minimum open-space ratio to 0
5. Reduce the front yard setback to 12 feet facing Birch street, and 9 feet facing Illinois St.

All the requested major variances are the direct result of the subject parcel being too small. The requirement for building a duplex in R2 zoning is to have a lot larger than 6000 sqft. The current lot was allocated before 1970 when the zoning requirement was first established. With the small lot size in the downtown area, some of the zoning ordinance is difficult to observe.

**Explain how the variance is necessary due to special conditions relating to the land or structure involved which are not generally applicable to other property in the same district.**

The allocated lot size is not large enough to meet the zoning requirement established after 1970. We plan to keep the current site layout. But even with the current layout, the proposed variances are necessary.

**Explain how the variance is not the result of a situation or condition that was knowingly or deliberately created by you (the Petitioner).**

From the Historic Resources Survey Form from City of Urbana(pdf attached), this house has been used as a multi-family property majority of the time since 1955.

**Explain why the variance will not alter the essential character of the neighborhood.**

Most of the houses in the neighborhood has the same lot size with similar structure to the current house. We plan to build the duplex to have the same site layout of the current house to minimize the changes. We attached drawings of current site, proposed site plan, and an overlay comparing the two site plans. Also attached is a satellite view of the 300 block of Illinois St to show how the current house compared to other houses in that area.

## Exhibit D - Application - Variance Application

### Addendum

**Explain why the variance will not cause a nuisance to adjacent property.**

The proposed plan for a duplex will have capacity similar to a single-family housing and should not create more traffic or nuisance than a regular single-family household. We want to emphasize on why we think the reduction in required parking space will not cause nuisance to the neighborhood.

1. There is plenty of street parking along Birch street. We have attached photos taken at various time of the day (8am and 4pm on weekday) to illustrate.
2. The house is two blocks away from MTD green line bus on Green street, and brown line on Race st. We anticipate that many prospective tenants may choose to rely on the bus as their primary transportation method.

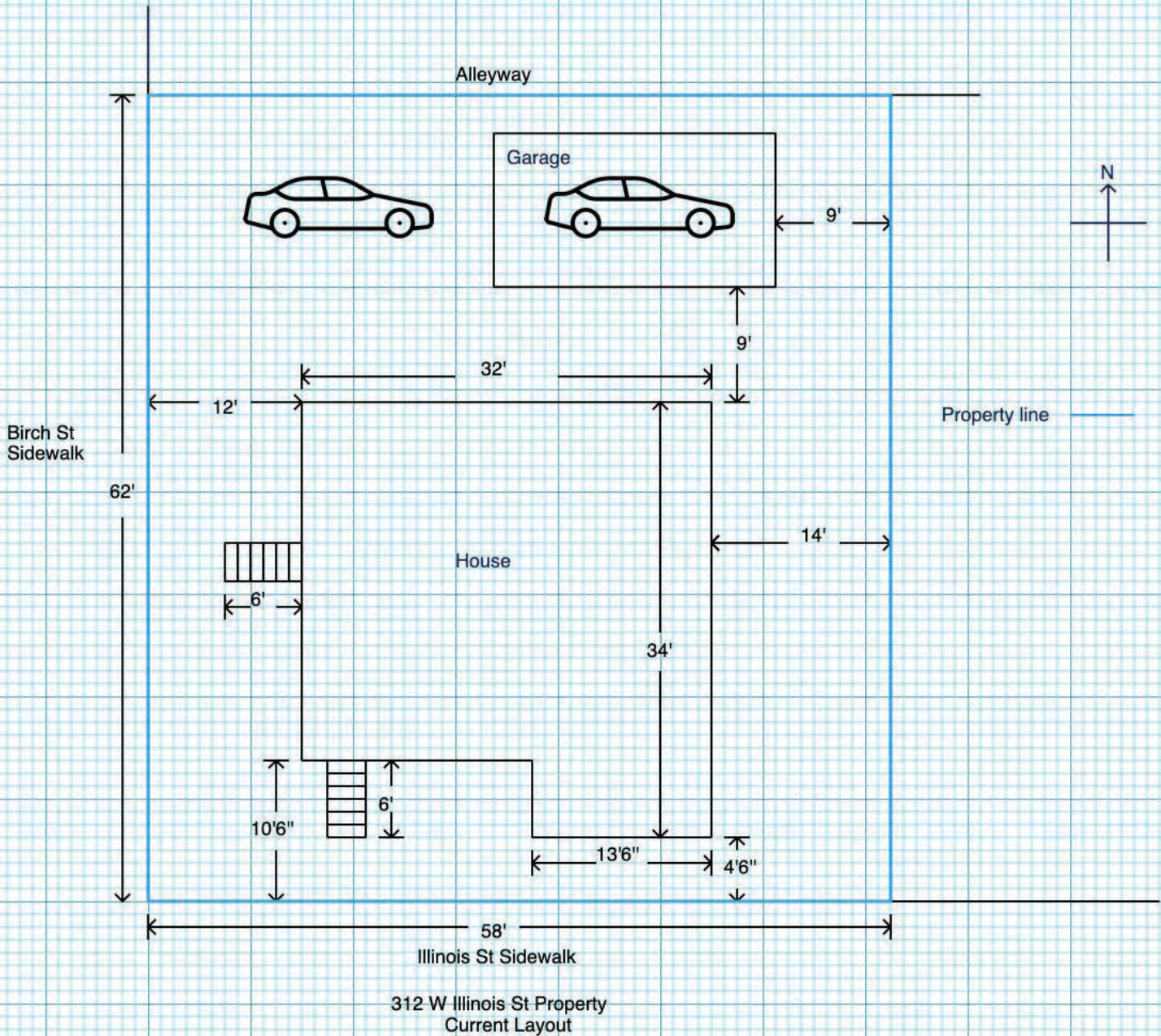
**Does the variance represent the minimum deviation necessary from the requirements of the Zoning Ordinance? Explain.**

We plan to build the duplex according to the current site plan. We are optimistic that all other aspects of the project can be undertaken within the established regulations and guidelines.

**Exhibit D - A. AERIAL SHOWING SETBACKS**

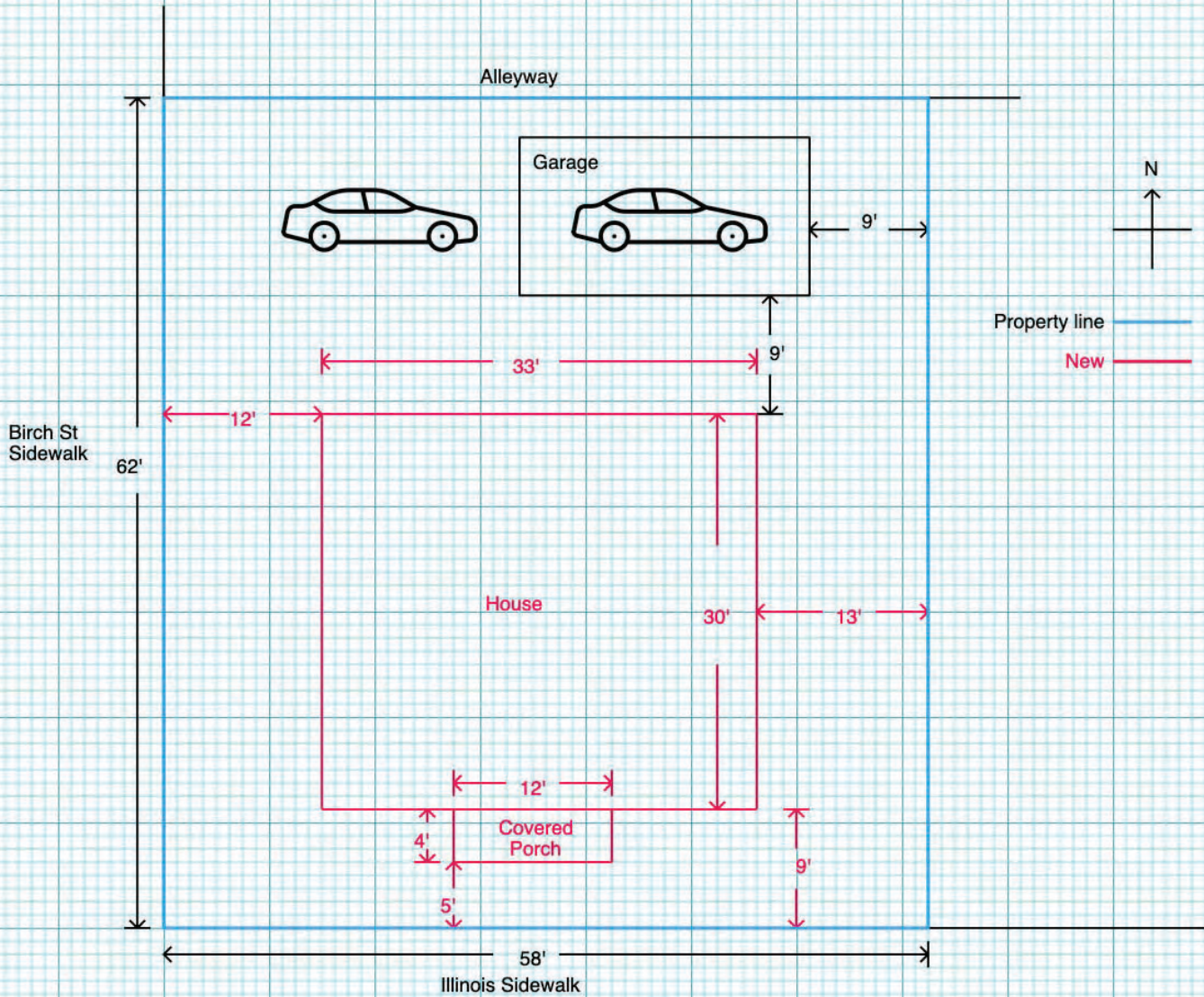


# Exhibit D - B. CURRENT SITE PLAN



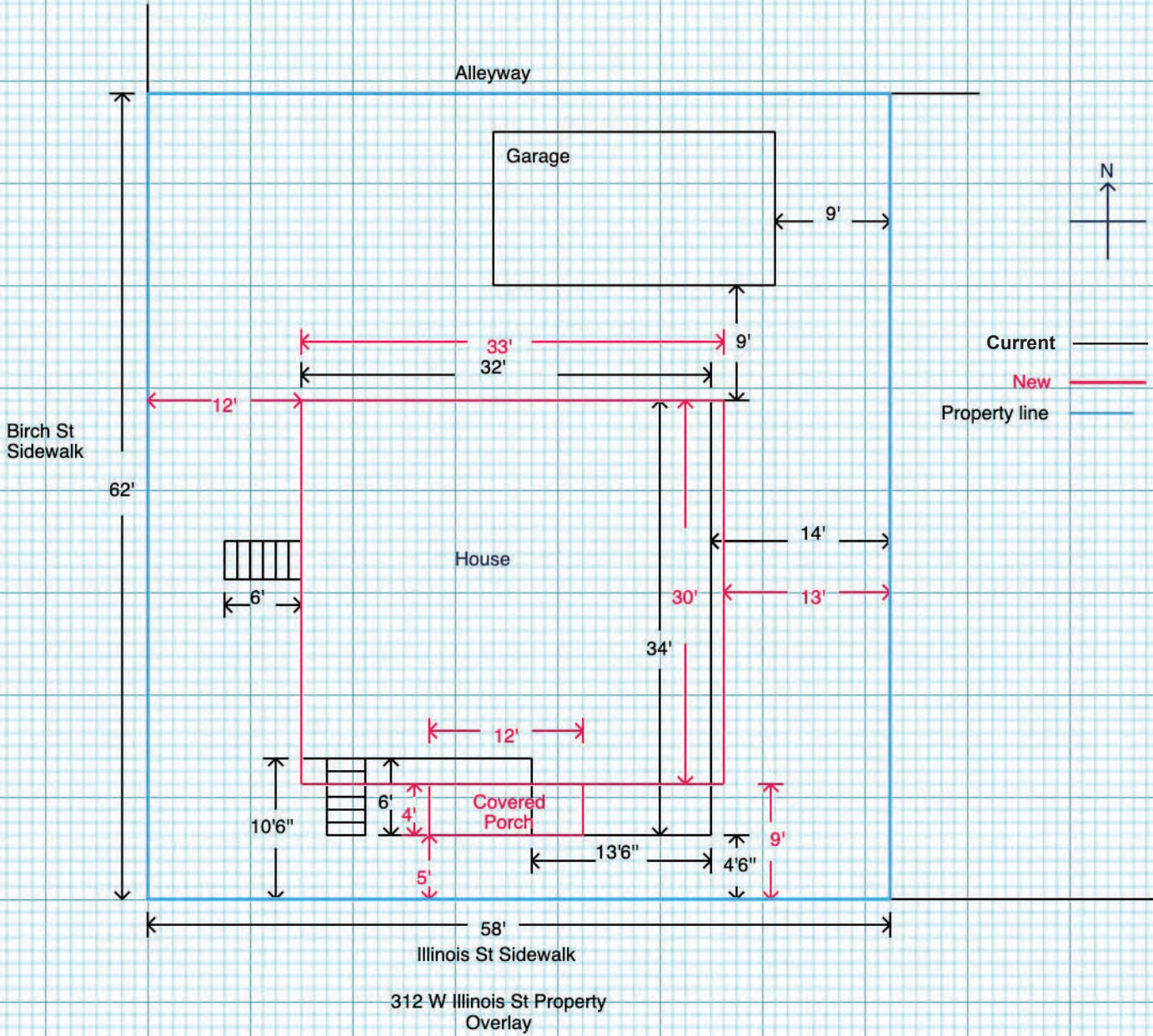


# Exhibit D - C. PROPOSED SITE PLAN



312 ILLINOIS ST PROPERTY  
NEW HOUSE

# Exhibit D - D. COMPARISON OF CURRENT AND PROPOSED SITE PLANS



# Exhibit D - E. FLOOR PLAN: FIRST STORY

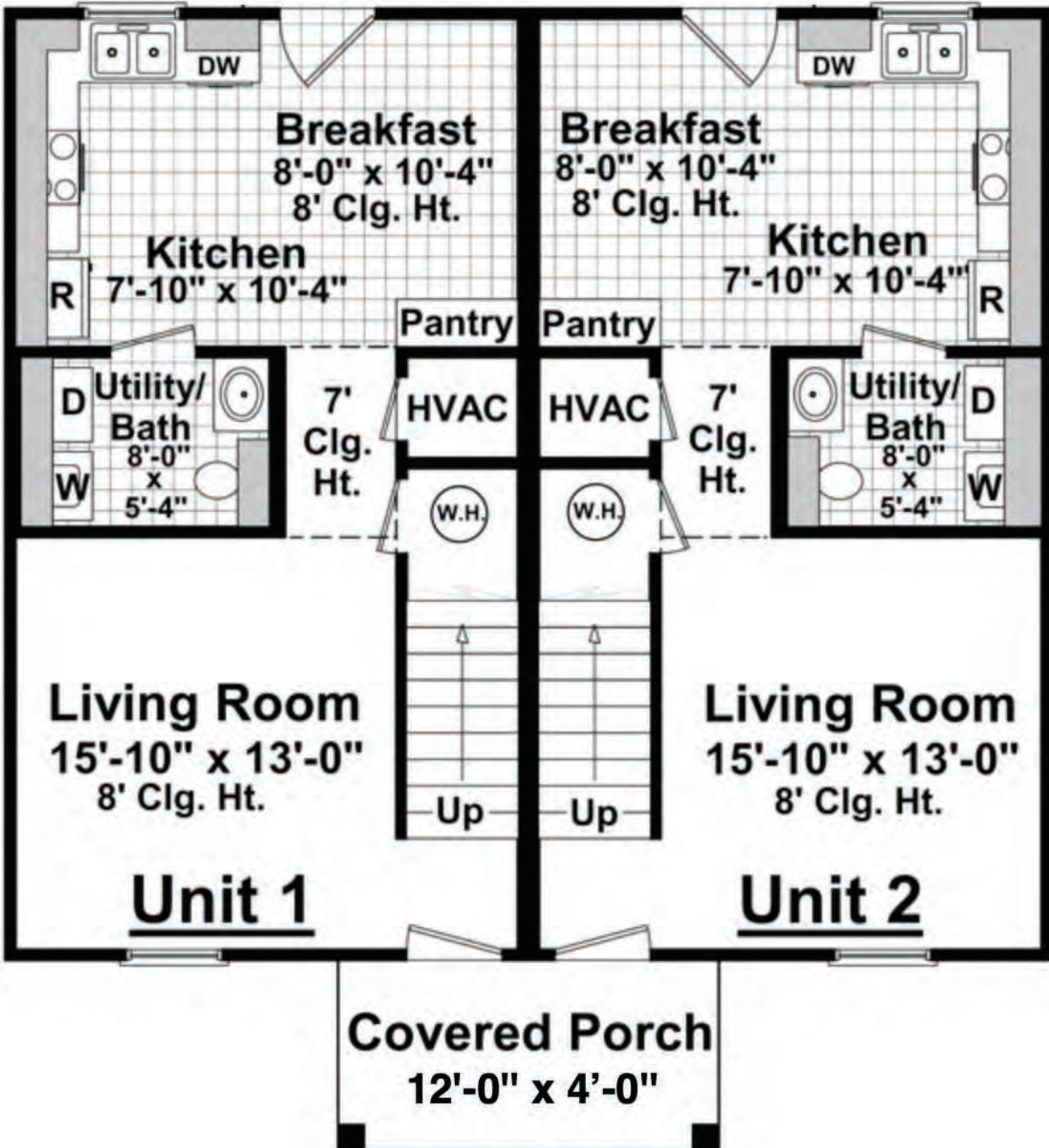


Exhibit D - E. FLOOR PLAN: SECOND STORY

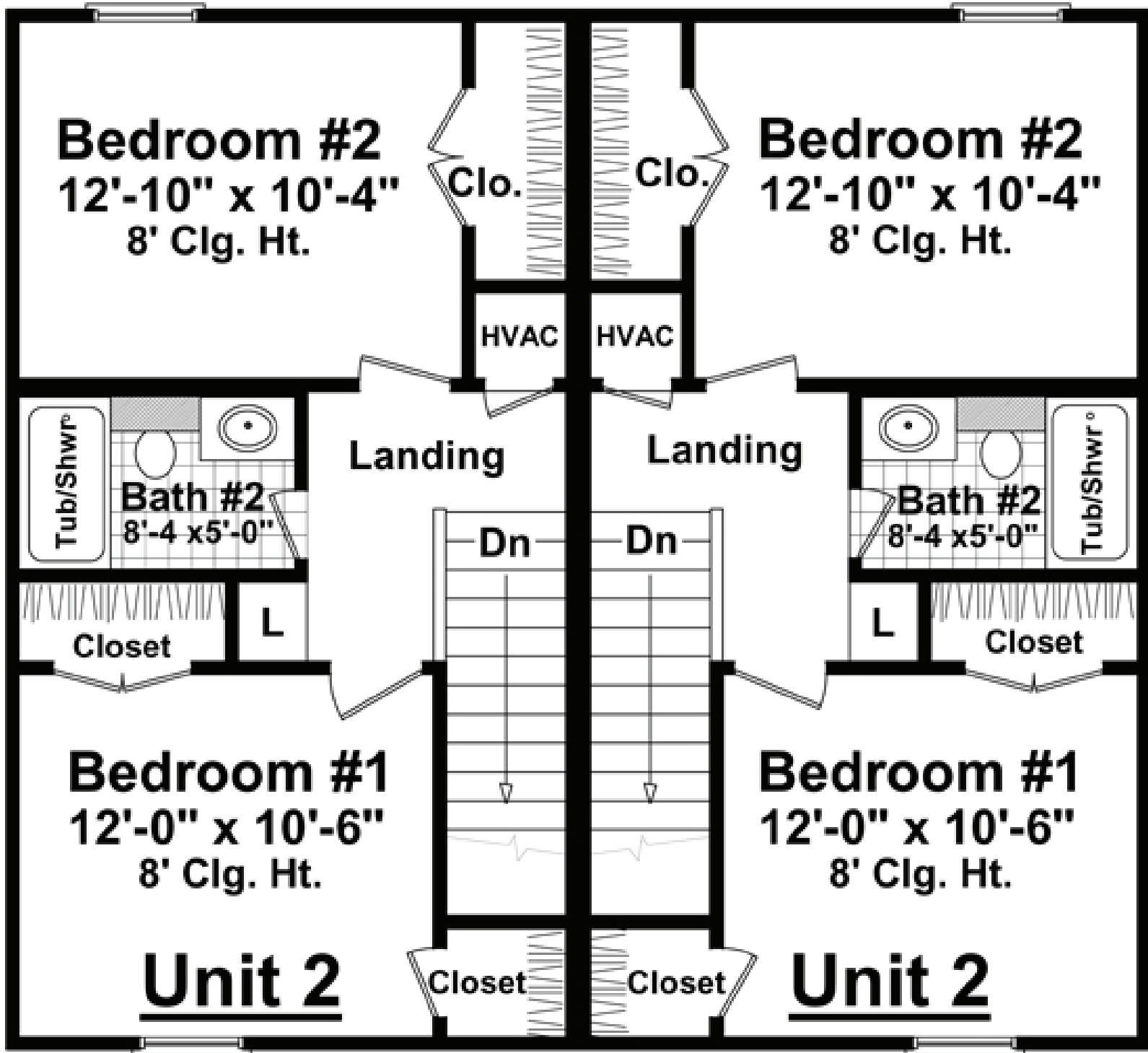


Exhibit D

E. FLOOR PLAN: POTENTIAL ELEVATION



11/13/23 4pm

Exhibit D - F. PARKING: ILLINOIS STREET FACING WEST



Exhibit D - F. PARKING: ILLINOIS STREET FACING EAST  
Exhibit D



Exhibit D - G. HISTORIC SURVEY (CITY)



HISTORIC RESOURCES SURVEY FORM

HISTORIC PROPERTY NAME			
COMMON/CURRENT PROPERTY NAME			
PROPERTY ADDRESS 312 West Illinois Street			
ASSESSOR'S PARCEL NUMBER 92-21-17-138-009			
OWNER/OCCUPANT Bruce Brodie			
OWNER'S ADDRESS 312 West Illinois Street			
PROPERTY'S HISTORIC USE Single-family & Multi-family Residential & Commercial			
PROPERTY'S CURRENT USE Multi-family Residential			
ARCHITECT'S NAME Unknown			
BUILDER/CONTRACTOR Unknown			
DATE OF CONSTRUCTION c. 1890			
ARCHITECTURAL STYLE OR VERNACULAR BLDG TYPE Hall & Parlor, <i>ALTERED</i>		PHOTO BY Stacey Newman	DATE 3/26/00
FORM PREPARED BY Stacey Newman	DATE 3/26/00	VIEW OF PHOTO Front view	
PROPERTY DESCRIPTION (GEOGRAPHICAL DATA: LOT SHAPE, LOT DIMENSIONS) The lot dimensions are 57.75 North/South and 115.5 East/West. The house is on a corner lot.			





### Exhibit D - G. HISTORIC SURVEY

<b>CURRENT DESIGNATIONS</b>		
Is property National Register listed?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
If yes, is it a...	Individual property <input type="checkbox"/>	District <input type="checkbox"/>
If no, it is...	Not Eligible <input type="checkbox"/>	Eligible <input checked="" type="checkbox"/>
Is property an Urbana local landmark?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
<b>STATEMENT OF HISTORIC SIGNIFICANCE</b>		
<p>This house is a German style Hall and Parlor that has had many additions onto the original house. There is barely any ornamental detailing to the house. Throughout the years about 80 people have lived in this house; this is a large number. No one family has ever taken the time to make this house their own. The original house definitely contains the Hall and Parlor vernacular style, but the major alterations make this house a fair example.</p>		
<b>INFORMATION SOURCES</b>		
<p>Urbana City Directory                  Urbana Planning Directory                  Ohio Inventory Book                  Sanborn Maps</p>		

### Structure Survey

<b>INTEGRITY</b> <input type="checkbox"/> Unaltered (All or most architectural details present) <input type="checkbox"/> Slight modifications (Largely intact, but lacking some details) <input checked="" type="checkbox"/> Major alterations (All or most architectural details missing)	<b>CONDITION</b> <input type="checkbox"/> Excellent (Roof, walls and foundation in good repair) <input type="checkbox"/> Good (Same as "Excellent," but in need of some maintenance work) <input checked="" type="checkbox"/> Poor (Major overhaul work required)
<b>ADDITIONS/ALTERATIONS (Include dates and architects/contractors, if known)</b> There are two additional structure that have been added onto the back of the house; both are one story.	

## Exhibit D - G. HISTORIC SURVEY

### History of Structure


CHAIN OF OWNERSHIP OR OCCUPATION		
PREVIOUS OWNERS	DATE(S) OF OWNERSHIP	USE
Deak	1910-1911	Single-family
Furnell	1912-1914	Single-family
Vacant	1915	Vacant
Forker	1916-1917	Single-family
Bartley	1918	Single-family
Petit	1919-1925	Single-family
Hall	1924-1926	Single-family
No information	1927	No information
Vacant	1928-1929	Vacant
Goodart	1930	Single-family
Vacant	1931	Vacant
Smith	1932	Single-family
Fuhrer	1933-1935	Vacant
McGrath	1936	Single-family
Shatts	1937	Single-family
Estmott	1938-1944	Single-family
Gaylord	1945	Single-family
Schroth Beauty Shop	1946-1947	Single-family
No information	1948-1949	Commercial
Leroy	1950	No information
Honer & Moreni	1951-1954	Single-family
Foster & Weber	1955	Multi-family
Kuhns & McConkey	1957	Multi-family
Haynes & Vaillancourt	1958	Multi-family
Vacant	1959	Multi-family
Haynes	1960	Vacant
Vacant	1961	Single-family
Hozgdt	1962-1964	Vacant
Tweil	1965	Single-family
Cecil	1966	Single-family
Atterson & Liki	1967-1970	Single-family
Liki & Velen	1071-1973	Multi-family
Adamchak, Enright & Lester	1974	Multi-family
Dunn, Janowski & Montoye	1975	Multi-family
Mallon & Waterloo	1976-1977	Multi-family
Vana, Carlson, Hantz & Gubisa	1978	Multi-family
Andreass & Brown	1979-1980	Multi-family
Hackman & Brown	1981	Multi-family
No information	1982	Multi-family
Smittkamp	1983	Multi-family
Lampson, McCarthy & Pijawski	1987-1994	No information
	1996	Single-family
	1999	Multi-family

138-009

**Exhibit D - H. HISTORIC SURVEY (PACA)**

10

**PRESERVATION AND CONSERVATION ASSOCIATION HISTORIC PROPERTY INVENTORY**

HISTORIC PROPERTY NAME			CURRENT BLACK & WHITE PHOTOGRAPH 		
COMMON PROPERTY NAME					
PROPERTY LOCATION — STREET & NO. 312 West Illinois Street					
CITY, TOWN/VICINITY OF Urbana		ASSESSOR'S PARCEL NO. 92-21-17-138-009			
TOWNSHIP Cunningham		COUNTY Champaign			
PRESENT OWNER Brodie-Nagle		PHONE			
STREET & NO./P.O. BOX Box 39					
CITY, TOWN Urbana	STATE Illinois	ZIP 61801			
FORM PREPARED BY James N. Foster		DATE 6/85			
PHOTO BY Karen L. Kummer		DATE 3/85			
VIEW northeast		NEG. NO. 39-33, 34			
HISTORIC USE residential					
PRESENT USE/OCCUPANT residential		ACREAGE/SQ. FOOTAGE 1270.75			
ARCHITECT/BUILDER					
CONSTRUCTION/MODIFICATION DATES					
STYLE Gable Front, altered					

## PHYSICAL DESCRIPTION

1½ stories; aluminum siding; irregular plan; asymmetrical facade.

steeply pitched front gable roof with center cross gable on west facade. overhanging boxed eaves. center brick ridge chimney. brick foundation. 1-story projecting gable roof addition on east.

windows: 1/1; aluminum frame.

entry to west with concrete stoop and metal railings. similar entry centered on west facade.

oversized 1-car front gable roof composition shingle garage on northeast.

## Exhibit D - H. HISTORIC SURVEY

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STATEMENT OF SIGNIFICANCE/HISTORY

---

SOURCES OF ABOVE INFORMATION/BIBLIOGRAPHY

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GEOGRAPHICAL DATA/LEGAL DESCRIPTION/VERBAL BOUNDARY DESCRIPTION  
SECTION, TOWNSHIP, RANGE, QUARTER-SECTION

---

GENERAL COMMENTS  
R2 zoning, 1985

138-009

**Exhibit D - H. HISTORIC SURVEY**

312 West Illinois Street



**Exhibit D - I. Neighbor Flyer**

# 312 W. Illinois St. New Construction Proposal

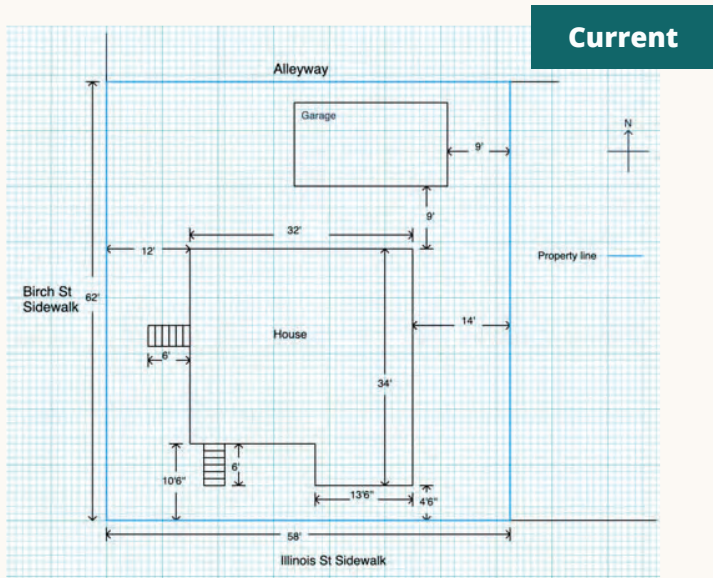
## Why are we doing this?

- Current house deteriorated beyond repairable
- Improve visual appearance

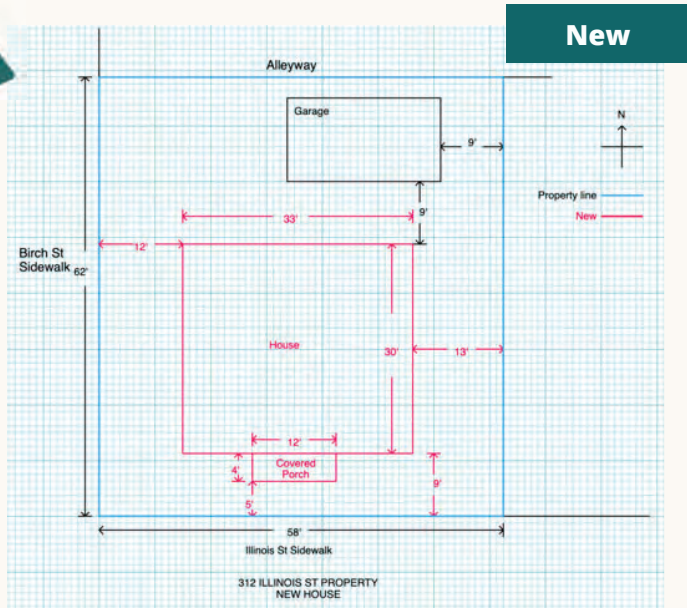
## Our plan for a new house

- Keep the new site layout as close as possible to current layout
- A two-story duplex, not taller than the current house

## Current site layout and proposed layout



**Current**



**New**

**Exhibit D - I. Neighbor Flyer**

# 312 W. Illinois St. New Construction Proposal

## Current house exterior and proposed exterior



**Current**



**New**

### Contact Info

Pei-Hsiu Tan  
✉ pilgrim.pht@gmail.com  
☎ 217-898-9036

Chien-Yu Chen  
✉ torus0@gmail.com  
☎ 408-838-2948



**Exhibit E – Site Photos**



Figure 1. W. Illinois & Birch Streets, facing northeast.



Figure 2. Birch Street, facing east.

**Exhibit E – Site Photos**



Figure 3. Illinois & Birch Streets, facing northeast (closeup).



Figure 4. Illinois Street, facing northwest (note "building condemned" caution tape).

# Exhibit F - Certificate of Occupancy (1975)

## CERTIFICATE OF OCCUPANCY CITY OF URBANA, ILLINOIS

THE ISSUANCE OF THIS CERTIFICATE IS FOR THE PROPERTY  
LOCATED AT 312 West Illinois

CONSTRUCTION, IF ANY, AUTHORIZED BY PERMIT NO. 844 Electrical  
927 Building  
ISSUED FOR Renovating Fire Damaged House

COMPLIES WITH THE REQUIRED PROVISIONS OF THE ISSUED  
PERMIT.

THE PROPERTY AS OF THE DATE OF THIS CERTIFICATE IS  
ZONED R-1 ( One and Two Family Residences )

THE PERMITTED USE HEREBY AUTHORIZED BY THIS CER-  
TIFICATE IS One or Two Family Dwelling

AND THUS COMPLIES WITH THE 1950 ZONING ORDINANCE  
(AS AMENDED) OF THE CITY OF URBANA, ILLINOIS.

THEREFORE IN ACCORDANCE WITH THE ABOVE PROVISIONS  
THIS PROPERTY IS DECLARED SUITABLE FOR OCCUPANCY.

[Signature]  
BUILDING OFFICIAL

DATED August 21, 1975



## Exhibit G - Public Input

1. Annie Adams: in favor of duplex permit and variances
2. Bruce Adams: in favor of duplex permit and variances
3. Meredith Blumthal: in favor of duplex permit and variances
4. John Cronan: in favor of duplex permit and variances
5. Frithjof Gressman: in favor of duplex, and all variances
6. Sylvie Khan: in favor of duplex; would prefer no yard variances
7. Liana Merriam: in favor of duplex permit and variances
8. Noelyn Stevens: in favor of duplex, and all variances

### Opposition to duplex only; not opposed to/in support of single-family:

1. Beverly & Peter Fagan: opposed to the duplex permit and duplex variances
2. Jo Heiser: opposed to duplex permit and duplex variances; support single-family variances
3. Marie-Pierre Lassiva-Moulin: opposed to the duplex permit and duplex variances

### Opposition to both duplex and single-family:

1. Mary Casey Diana: opposed to the duplex, and all variances [might not be opposed to single-family home variances]
2. C.K. Gunsalus: opposed to the duplex, and all variances
3. Lois Steinberg: opposed to the duplex, and all variances except for minimum parking

# Exhibit G - Public Input

**Ricci, Marcus**

---

**From:** Annie Feldmeier Adams <XX>  
**Sent:** Monday, December 11, 2023 9:37 PM  
**To:** !Planning  
**Cc:** Ricci, Marcus  
**Subject:** 312 W Illinois - letter of support for variance

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

Dear City of Urbana,

I want to submit a letter of support for the variance on 312 W Illinois.

- The current structure is lowering our tax base, nearby property values, and is uninhabitable.
- New construction will increase property values.
- Duplexes are more environmentally sustainable and will raise the value of the single homes around
- It is a well documented fact that communities with multifamily dwellings have higher property values than communities without them.
- Allowing more people to buy, rent, and live in Urbana is a good thing for our tax base, restaurants and grocery stores. .
- The location of the property is well situated by numerous bus lanes, bike paths, sidewalks, and is accessible to car sharing. I would encourage the city to allow the owner to have one or no parking structures on the lot to allow for more human living space.
- I would also encourage the city to take this opportunity to invest in repairing the sidewalks around the property, which are currently not ADA-accessible.

Thank you,  
Annie F. Adams

Annie F. Adams  
1506 S Carle Ave  
Urbana IL 61801  
773.513.9252  
[XX.com](#)

## Exhibit G - Public Input

**Ricci, Marcus**

---

**From:** Bruce Adams <XX>  
**Sent:** Tuesday, December 12, 2023 1:57 PM  
**To:** Ricci, Marcus  
**Subject:** Birch and 312 West Illinois Streets Duplex and Variances

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

Use caution when clicking on links or opening attachments.

To whom it may concern:

I am writing to express my support for a zoning variance to build a duplex near Birch and Illinois to replace the current decrepit single-family home. Urbana needs attractive, multi-family housing to attract and keep residents in our community. A two-unit unit building on this lot does that without adversely affecting parking in the neighborhood or property values. And it it replaces an unsightly, if not dangerous rental property.

I urge you to approve this variance request.

Sincerely,

Bruce

--

Bruce Adams  
1506 S. Carle Ave.  
Urbana, IL 61801-4902  
ph XX

**Exhibit G - Public Input****Ricci, Marcus**

---

**From:** meredith blumthal <XX>  
**Sent:** Friday, December 15, 2023 11:54 AM  
**To:** !Planning  
**Subject:** 312 West Illinois Street - support for duplex permit and variances

Comments of support for this.  
 Thanks for checking.

Meredith Blumthal

-----

> -----Original Message-----

> From: Ricci, Marcus <mericci@urbanaininois.us>  
 > Sent: Monday, December 11, 2023 10:00 AM  
 > Subject: RE: Variances at 312 West Illinois Street - inquiry

>

> Meredith,

>

> Thank you for your inquiry. The existing home is a legally nonconforming, as it does not meet current (2023) zoning regulations for setbacks (minimum yards), and lot coverage (FAR and OSR). The building has been condemned. Because it is legally nonconforming, they would not be allowed to rebuild even the same house in the same location on the lot, so they are asking for variances to allow \*that\*, as well as additional variances and a conditional use permit to allow the new building to be a duplex. The house had been used as a duplex during two different periods: in the 1950s and in the 1970s-1990s. The duplex would be almost double the size in \*living\* area because it will be going from a 1-1/2-story house to a full 2-story house, on the \*same footprint\* with a one-foot expansion to the east. Would you like to register any comments of support or objection to either the duplex conditional use permit or any of the variances? The full staff report will be available at <https://urbana-il.municodemeetings.com/bc-zba/page/zoning-board-appeals-regular-meeting-4> on/after this Friday, December 15.

>

> Be safe, stay healthy,

> Marcus

>

> > -----Original Message-----

> From: meredith blumthal <XX>

>

Hi Marcus,

> I live across the street, at 313 W. Illinois St. I'm trying to understand the notice we received about these variances. Are they building on the existing footprint, which is already not compliant for even a single family home? Or are they asking for increased area- the ZBA -2023-MAJ-03 and 04 are confusing.

> When I first read this I thought they were asking for a larger footprint but on second read I'm questioning that and thinking that the current house doesn't even conform and they are trying to rebuild on that footprint? Can you help me better understand the situation. In addition is there any additional information you share what the proposed new duplex would be (side by side or up/down?)

>

> Kind regards,

> Meredith Blumthal

## Exhibit G - Public Input

**Ricci, Marcus**

---

**From:** John Cronan <XX>  
**Sent:** Wednesday, December 13, 2023 3:09 PM  
**To:** Ricci, Marcus  
**Subject:** 312W Illinois

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

Use caution when clicking on links or opening attachments.

I heartily endorse this variance. The property needs help. I thought it might be demolished. I also thought that it was already a duplex due to the two front doors.

John Cronan  
305 W. High St



## Exhibit G - Public Input

**Ricci, Marcus**

---

**From:** Frithjof Gressmann <XX>  
**Sent:** Sunday, December 10, 2023 5:22 PM  
**To:** Ricci, Marcus  
**Subject:** 312 West Illinois Street - Comment in support of Variance & CUP Request

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

Use caution when clicking on links or opening attachments.

To Whom It May Concern:

I would like to express my support for the conditional use permit and three variances to build a duplex at 312 W Illinois Street.

As a graduate student living in the area, I believe that providing more housing options is of great importance to our community. Therefore, I support the proposed plan to turn a currently condemned building into multi-family housing while preserving the style of the surrounding neighborhood. I am also in support of this proposal since it provides much needed tax revenue for the city and ensures that we use land for housing instead of parking.

Best Regards,

Frithjof Gressmann

## Exhibit G - Public Input

**Ricci, Marcus**

---

**From:** Sylvie Khan <XX>  
**Sent:** Monday, December 11, 2023 8:44 AM  
**To:** Ricci, Marcus  
**Subject:** 312 West Illinois Street - support comments for duplex and variances

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

Hi Marcus,

Generally in favor. If they could modify to honor the existing setback rules that would be great. If not, I'm not too worried. It's going to look much better than what is there now.

Sylvie

Sylvie Khan  
305 W Illinois  
+1 XX  
XX.com  
Professional Organizer - XX.com

## Exhibit G - Public Input

**Ricci, Marcus**

---

**From:** Liana Merriam <XX>  
**Sent:** Monday, December 11, 2023 12:35 PM  
**To:** Ricci, Marcus  
**Subject:** 312 West Illinois Street Duplex Input

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

Use caution when clicking on links or opening attachments.

Hello Mr. Ricci,

I am writing in support of granting the variance requests for the proposed duplex at 312 West Illinois Street. I am always in favor of increasing the types of housing available in this neighborhood. Not everybody can afford, or even wants to own, a three, four, or five bedroom house. Having options for single people or couples such as duplexes and converting houses to one or two-bedroom apartments is a good thing, as it gives housing opportunities to people who might not have otherwise considered the WUNA neighborhood. Additionally, the proposed structure is almost the exact same footprint as the current house and will keep the same number of parking spaces. If the current house with two parking spaces has not been a problem for the past 100+ years, I don't see why rebuilding it in a slightly different shape would be cause for concern. Regarding the property only being able to have two parking spots instead of four, it is quite walkable / bike-able / bus-able to both campus and downtown Urbana, and would be attractive to tenants who do not own a car. I hope you will consider granting the request.

Sincerely,  
Liana Merriam

## Exhibit G - Public Input

**Ricci, Marcus**

---

**From:** Noelyn Stephens <XX>  
**Sent:** Thursday, December 14, 2023 3:01 PM  
**To:** Ricci, Marcus  
**Subject:** 312 West Illinois Street Variance Support

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

Use caution when clicking on links or opening attachments.

Hello,

I am a homeowner in the West Urbana neighborhood (one street over from 312 W. Illinois) and I am in support of the variance and all of the conditional use permit requests that have been made to the city for 312 W. Illinois Street. I am very much in favor of increasing the tax base of our city; more housing means more sources of property taxes!

I am also in support of these requests because I believe this city must use our valuable land for housing and businesses, as opposed to parking spaces for cars. This is a historic neighborhood that has historically had multifamily housing. Allowing the homeowners to replace a condemned home with a duplex is a net benefit for Urbana.

Best,  
Noelyn Stephens

## Exhibit G - Public Input

**Ricci, Marcus**

---

**From:** Beverly Fagan <XX>  
**Sent:** Thursday, December 14, 2023 6:47 PM  
**To:** Ricci, Marcus  
**Subject:** Re: 312 West Illinois Street - comments - No to variances

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

Use caution when clicking on links or opening attachments.

We are opposed to granting the 3 variances requested in order to build the duplex. The lot does not meet the minimum size for a duplex. There is not room for the required parking spaces and they want to extend the house closer to the street.

Beverly Fagan

> Beverly and Peter Fagan  
> 512 W Nevada

> On Dec 14, 2023, at 2:28 PM, Ricci, Marcus <mericci@urbanaininois.us> wrote:

>

> Beverly,

>

> Would you please clarify if you are opposed to the variances that would allow a variance, or are you also opposed the variances that would allow the existing single-family home to be built in the same location?

>

> Be safe, stay healthy,

> Marcus

>

>

> -----Original Message-----

> From: Beverly Fagan <XX>

> Sent: Sunday, December 10, 2023 11:24 AM

> To: Ricci, Marcus <mericci@urbanaininois.us>

> Subject: 312 West Illinois Street - comments - No to variances

>

> The lot at 312 W ILLINOIS is too small for a duplex. We oppose the multiple requested variances.

> Beverly and Peter Fagan

> 512 W Nevada

>

> Sent from my iPad

## Exhibit G - Public Input

**Ricci, Marcus**

---

**From:** Jo Heiser <XX>  
**Sent:** Friday, December 15, 2023 10:39 AM  
**To:** Ricci, Marcus  
**Subject:** 312 West Illinois Street - comments of support for single-family home; opposed to duplex

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

Use caution when clicking on links or opening attachments.

Re: Zoning appeal 312 W. Illinois St

We go past this house every time we drive our car out of the alley.

The lot size is too small for this proposed duplex. Plus there will not be enough parking.

Building a single family home on the same footprint as the previous home is appropriate and in fact is perfect.

Jo Heiser  
410 W. Illinois St.

**Exhibit G - Public Input****Ricci, Marcus**

---

**From:** Marie-Pierre Lassiva-Moulin <XX>  
**Sent:** Monday, December 11, 2023 1:23 PM  
**To:** Ricci, Marcus  
**Subject:** Re: 312 West Illinois Street: comments of objection to duplex CUP

Hi Marcus,

Thank you for reaching out giving me the chance to clarify my position on this issue.

1. Yes, this is indeed for 312 W. Illinois. Thank you for pointing that out.
2. I object to a) "the conditional permit to allow a duplex" and b) "the variances to allow a duplex."

Thank you, and be safe and healthy too,  
 Marie-Pierre

On Mon, Dec 11, 2023 at 12:03 Ricci, Marcus <[mericci@urbanainlinois.us](mailto:mericci@urbanainlinois.us)> wrote:

Marie-Pierre,

The site is actually [312 West Illinois Street](#), two blocks to the north: do you still want to submit your comments? If so, please clarify which of the items you are objecting to: The existing home is legally nonconforming, as it does not meet current (2023) zoning regulations for setbacks (minimum yards), and lot coverage (FAR and OSR). The building has been condemned. Because it is legally nonconforming, they would not be allowed to rebuild even the same house in the same location on the lot, so they are asking for variances to allow \*that\*, as well as additional variances and a conditional use permit to allow the new building to be a duplex. The house had been used as a duplex during two different periods: in the 1950s and in the 1970s-1990s.

**Are you objecting to:**

- a) the conditional permit to allow a duplex?
- b) the variances to allow a duplex?
- c) the variances to allow a single-family home to be rebuilt in the same location, with the same footprint?
- d) all of the above?

Marcus

---

**From:** Marie-Pierre Lassiva-Moulin <XX> **Sent:** Sunday, December 10, 2023 10:04 PM  
**To:** Ricci, Marcus <[mericci@urbanainlinois.us](mailto:mericci@urbanainlinois.us)>  
**Subject:** [312 W Oregon](#): I oppose the duplex project

Good evening, Marcus,

I am reaching out to you to inform you that I oppose the [312 W Oregon](#) project.

[312 W Oregon](#) is family zoning; we cannot set precedent in this issue as it will destroy the neighborhood. We must respect family zoning.

**Exhibit G - Public Input**

From: [Mary Casey Diana](#)  
 To: [Ricci, Marcus](#)  
 Subject: Re: 312 West Illinois Street - Duplex variance  
 Date: Monday, December 11, 2023 12:00:11 PM

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

Use caution when clicking on links or opening attachments.

D. all of the above, it sets a precedent for other duplexes, then why not triplexes, etc. Single family homes only

On Dec 11, 2023, at 11:16 AM, Ricci, Marcus <[mericci@urbanillinois.us](mailto:mericci@urbanillinois.us)> wrote:

Good morning, Casey.

Thank you for your comments. Would you please clarify which of the items you are objecting to?

The existing home is legally nonconforming, as it does not meet current (2023) zoning regulations for setbacks (minimum yards), and lot coverage (FAR and OSR). The building has been condemned. Because it is legally nonconforming, they would not be allowed to rebuild even the same house in the same location on the lot, so they are asking for variances to allow \*that\*, as well as additional variances and a conditional use permit to allow the new building to be a duplex. The house had been used as a duplex during two different periods: in the 1950s and in the 1970s-1990s.

**Are you objecting to:**

- a. the conditional permit to allow a duplex?
- b. the variances to allow a duplex?
- c. the variances to allow a single-family home to be rebuilt in the same location, with the same footprint?
- d. all of the above?

Marcus Ricci, AICP (he/him/his)  
 Planner II

-----Original Message-----

From: Mary Casey Diana <[XX](#)>  
 Sent: Sunday, December 10, 2023 1:00 PM  
 To: Ricci, Marcus <[mericci@urbanillinois.us](mailto:mericci@urbanillinois.us)>  
 Subject: 312 West Illinois Street - Duplex variance

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

Use caution when clicking on links or opening attachments.

I oppose this variance; it's a bad idea and sets a bad precedent

Casey Diana  
 401 W. Vermont Ave



## Exhibit G - Public Input

**Ricci, Marcus**

---

**From:** Lois Steinberg <XX>  
**Sent:** Monday, December 11, 2023 5:58 PM  
**To:** mricci@urbanainllinois.us; Ricci, Marcus  
**Subject:** 312 W. Illinois

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

Use caution when clicking on links or opening attachments.

Dear Mr Ricci,

Thank you for your work, time, and attention to the proposal for the lot at 312 W. Illinois. I am opposed to the current plan and variances.

I would love to see something built there, but within the current footprint and no variances except for two cars allowed instead of the required four. However, six feet closer to Illinois, 3 feet closer to Birch is unacceptable.

It would be great to have the architect develop a plan that does not require setbacks. Even better if they were to include solar gain from the south facing side by having more windows and no windows on the north side. There is a lot of smart design these days for tiny homes that creates a lot of space when there is a small lot. Surely the design can improve and come within the boundaries of the property and fit in with the neighborhood. Otherwise it looks like it is on a high dose of steroids with yesteryears flawed design!

High Regards,  
Lois Steinberg

--

Lois Steinberg, Ph.D., CIYT Level 4, C-IAYT  
Director, Iyengar Yoga Champaign Urbana  
[XX.com](#), [XX.com](#)

**Exhibit G - Public Input**

*C. K. Gonsalus & Michael W. Walker*

XX

511 W. High Street Urbana, Illinois 61801

XX

XX

December 11, 2023

Zoning Board of Appeals  
c/o Marcus Ricci  
City of Urbana  
ZBA-2023-MAJ 03, MAJ 04, MIN-03, C-06  
312 W. Illinois Street

Dear Members of the Zoning Board of Appeals:

We ask you to deny the major variances for 312 W. Illinois street that would reduce the open space to permit a larger footprint, reduce the required parking, and significantly reduce the required setbacks.

We understand the owners have made efforts to speak to surrounding neighbors and have persuaded many of them of their good will and interest in being good neighbors. We commend the owners for this effort. At the same time, the major variances requested are significant and will affect the built environment in our neighborhood. The proposed building will have much more dominating proportions than at present, and the parking variance will increase an already existing parking shortage.

We oppose these major variances, and ask you to consider carefully whether a duplex can fit on the lot. If a duplex can be constructed while conforming to existing footprint, FAR, and setback requirements, we do not object to the conditional permit for it. At the absolute minimum, the setbacks and FAR should be met to conform with the current zoning of the parcel and the provisions of the zoning ordinance.

Cordially,



**Exhibit G - Public Input****Ricci, Marcus**

---

**From:** C. K. Gunsalus <XX>  
**Sent:** Thursday, December 14, 2023 6:17 PM  
**To:** Ricci, Marcus  
**Cc:** Michael Walker; !Planning  
**Subject:** Re: 312 West Illinois Street - comments opposed to duplex permit and variances

Thank you very much for seeking clarification! We learned only after sending our letter that the existing home is legally non conforming in its usage as a duplex. We were waiting for the staff memo to send an amended letter. To respond to your question:

We are objecting to:

>

> Are you objecting to:

> a)the conditional permit to allow a duplex?

Yes; there hasn't been a legal use as a duplex and there are no good reasons to permit one now. We understand all previous duplexes uses were illegally nonconformist.

> b)the variances to allow a duplex in the existing location?

Yes; it is incompatible with the zoning. Purchasers should be responsible for knowing zoning and abiding by it to keep the playing field level.

> c)the variances to allow a single-family home to be built in the existing location, with the same footprint (but more floor area)?

Yes; the variances requested are major variances that will create a dominant building out of character with the neighborhood and in violation of the ordinances others must follow. The variances requested for the FAR changes are significant.

> d)all of the above?

Yes.

>-----

> -----Original Message-----

> From: C. K. Gunsalus <XX>

> Sent: Monday, December 11, 2023 4:51 PM

> To: Ricci, Marcus <mericci@urbanainllinois.us>

> Cc: Michael Walker <XX>

> Subject: comment on 312 W. Illinois ZBA case

>

> \*\*\* Email From An External Source \*\*\*

> Use caution when clicking on links or opening attachments.

>

> Dear Mr. Ricci,

>

> Please accept our comment seeking rejection of the variances requested from the ZBA for 312 W. Illinois Street.

> We stand ready to answer any questions about our request, should you or the board have them.

>

> Thank you,

>

> CK Gunsalus & Michael W. Walker

> 511 W. High Street

## **Exhibit G – Public Input - Supplemental**

### **Support for duplex and single-family:**

1. John Mardent: in favor of duplex permit and variances
2. Jane McClintock: in favor of duplex permit and variances

### **Opposition to duplex only; not opposed to/in support of single-family:**

3. CK Gunsalus: REVISED: opposed to the duplex and duplex variances; supports single-family home variances
4. Trent Shepard: opposed to the duplex and duplex variances; supports single-family home variances

### **Opposition to both duplex and single-family:**

ATTACHMENT 3. ZBA Staff Report and Minutes (12/20/2023)  
**Exhibit G – Public Input - Supplemental**

Item E4.

**Ricci, Marcus**

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**From:** John Marden <XX>  
**Sent:** Sunday, December 17, 2023 9:49 AM  
**To:** !Planning  
**Subject:** ZONING BOARD OF APPEALS - PUBLIC INPUT 12/20/2023

**Importance:** Low

I am in favor of approving the conditional use permit and the three variances for 312 W Illinois.

Yours,  
John Marden  
703 W Washington St, Urbana

Ricci, Marcus

Exhibit G – Public Input - Supplemental

**From:** Andel, Teri  
**Sent:** Wednesday, December 20, 2023 2:33 PM  
**To:** Ricci, Marcus; Garcia, Kevin  
**Subject:** Fwd: 312 W IL - support for proposed duplex

**From:** Jane McClintock <[XX](#)>  
**Date:** December 20, 2023 at 1:12:56 PM CST  
**To:** !!Zoning Board of Appeals <[ZoningBoardofAppeals@urbanaininois.us](mailto:ZoningBoardofAppeals@urbanaininois.us)>  
**Subject:** 312 W IL - support for proposed duplex

Hi all,

I am writing in support of the proposed duplex at 312 W Illinois St.

I have taken on several difficult renovations of problematic structures I can appreciate the risk that the owners undertook trying to save the current duplex. They put a lot of money and work into the new foundation and I am sure they are not abandoning the renovation lightly.

In terms of being able to build new in the same footprint and same use as the current building it definitely makes sense to allow this. It has never been a problem before and, in fact, we absolutely need high density walkable neighborhoods and affordable housing. A duplex will definitely be a great addition to the neighborhood.

It is not productive or safe to have a stalled project and an empty building. It is absolutely in the community interest to allow them to rebuild it kind.

Please approve this project as planned.

I am hoping to be able to attend in person but I am writing because I have a conflict and may be unavailable.

Best,  
Jane McClintock  
707 E California Ave

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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.

**Exhibit G – Public Input - Supplemental****Ricci, Marcus**

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**From:** Trent Shepard <XX>  
**Sent:** Monday, December 18, 2023 2:39 PM  
**To:** Ricci, Marcus  
**Subject:** ZBA Hearing Dec. 20 for 312 W Illinois

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

Use caution when clicking on links or opening attachments.

Hello Marcus,

Please pass along my thoughts to the members of the ZBA as they consider the Conditional Use Permit and the Major and Minor Variances required to build the proposed now building.

I've reviewed the drawings showing the current structures and the proposed new duplex. It's my conclusion that this whole idea is wrong for the site.

I can understand asking for variances because the site is so small, but since the lot is so small, why try and cram two dwelling units onto the lot? I would recommend that the owner "go back to the drawing board" and design a single family house that includes a garage within the structure. If this were done and the existing garage demolished, the new house could be pushed back toward the northeast corner of the lot and the variances would probably become minor ones instead of major ones. I know that the ZBA can't dictate design of structures, but I'm saying that there are other options for this lot other than trying to cram a four bedroom unit onto a substandard lot.

Please deny all of these requests, especially ZBA-2023-C-06 which would permit a duplex.

Trent Shepard  
409 W Oregon St.

ATTACHMENT 3. ZBA Staff Report and Minutes (12/20/2023)  
**Exhibit G – Public Input - Supplemental**

Item E4.

**Ricci, Marcus**

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**From:** Trent Shepard <XX>  
**Sent:** Wednesday, December 20, 2023 1:45 PM  
**To:** Ricci, Marcus  
**Subject:** Re: 312 West Illinois Street - public input FW: ZBA Hearing Dec. 20 for

Hi Marcus,

I'm not sure that I can answer your question with a yes or no, but I'm more favorably inclined toward all of the variance requests for a single family home than a duplex. The parking one would go away if it were single family.

Trent

On 12/20/2023 12:07 PM, Ricci, Marcus wrote:

Trent, Thank you for your comments in opposition to the duplex conditional use permit and variances. I will share them with the Board and City Council. Are you opposed to the variances that would allow reconstruction of the single-family home with a slightly larger footprint and OSR, and larger FAR, in the same location?

**Marcus Ricci, AICP** (*he/him/his*)  
Planner II

---

**From:** Trent Shepard <[trent.shepard@gmail.com](mailto:trent.shepard@gmail.com)>  
**Sent:** Monday, December 18, 2023 2:39 PM  
**To:** Ricci, Marcus <[mericci@urbanainlinois.us](mailto:mericci@urbanainlinois.us)>  
**Subject:** ZBA Hearing Dec. 20 for 312 W Illinois

Hello Marcus,

Please pass along my thoughts to the members of the ZBA as they consider the Conditional Use Permit and the Major and Minor Variances required to build the proposed new building. I've reviewed the drawings showing the current structures and the proposed new duplex. It's my conclusion that this whole idea is wrong for the site.

I can understand asking for variances because the site is so small, but since the lot is so small, why try and cram two dwelling units onto the lot? I would recommend that the owner "go back to the drawing board" and design a single family house that includes a garage within the structure. If this were done and the existing garage demolished, the new house could be pushed back toward the northeast corner of the lot and the variances would probably become minor ones instead of major ones. I know that the ZBA can't dictate design of structures, but I'm saying that there are other options for this lot other than trying to cram a four bedroom unit onto a substandard lot.

Please deny all of these requests, especially ZBA-2023-C-06 which would permit a duplex.

Trent Shepard  
409 W Oregon St.

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**Exhibit G – Public Input - Supplemental**

C. K. Gunsalus &amp; Michael W. Walker

511 W. High Street Urbana, Illinois 61801

XX

XX

XX

**REVISED LETTER**

December 19, 2023

Zoning Board of Appeals  
c/o Marcus Ricci

City of Urbana RE: ZBA-2023-MAJ 03, MAJ 04, MIN-03, C-06: 312 W. Illinois Street

Dear Members of the Zoning Board of Appeals:

After reading the staff report and hearing from more neighbors, we have revised our thoughts and ask you to consider them as you deliberate on the requested major variances and a conditional use permit for 312 W. Illinois.

One thing that stands out to us is how much so many views rest on what the owners have stated about their options—which many seem to have heard and understood differently. That highlights to us that your role is to consider the zoning regulations and the proposed exceptions in light of the effects on the community, not the stated intentions of the present owners for use of the property once modified.

To us, as we consider the staff report and the neighborhood:

- **We support granting setback variances to perpetuate the current structure's footprint** because the footprint of the structure would match the current. This suggests that granting the variances to continue the existing footprint is only fair.
- Given the size of the structure and lot, we therefore ask you to **deny the conditional use permit**. It is clear that a duplex there was and is an illegal use. The structure has not ever been a legal duplex, and has not been even illegally that way, according to the staff report, in decades. Whether the owners propose to live there or not (and all indications are that they do not), *particularly given the requested variances on parking*, a duplex does not fit the zoning. We do not understand why the staff report references the owners' intent to live there; they could do so one day and move out and the zoning would remain.
- Please also **deny the variances for reducing required parking spaces**. Particularly if you consider allowing a duplex—and especially given indications that the owners contemplate using the garage themselves as a studio space, thus reducing parking available for tenants even more—the required parking requirements should be met.

We understand the owners have gone to considerable lengths to speak to surrounding neighbors and have persuaded many of them of their good will and interest in being good neighbors. We commend them for that. At the same time, the major variances requested are significant and will affect the built environment in our neighborhood for a long time. The proposed building will have dominating proportions, and the parking variance will increase an already existing parking shortage.

We ask you to consider carefully whether a duplex can fit appropriately on the lot. We believe a structure can and should be designed for the existing footprint, while maintaining the ordinance requirements for FAR and parking. Please reject the variances for reducing them.

Cordially,



**MINUTES OF A REGULAR MEETING**

**URBANA ZONING BOARD OF APPEALS**

**DRAFT**

**DATE:** December 20, 2023

**TIME:** 7:00 P.M.

**PLACE:** Council Chambers, City Building, 400 South Vine Street, Urbana, Illinois

**MEMBERS ATTENDING:** Joanne Chester, Ashlee McLaughlin, Adam Rusch, Charles Warmbrunn, Harvey Welch

**MEMBERS EXCUSED:** Matt Cho, Nancy Uchtmann

**STAFF PRESENT:** Kimberly Smith, Director of Community Development Services; Kevin Garcia, Principal Planner and Zoning Administrator; Marcus Ricci, Planner II; David Wesner, City Attorney

**PUBLIC PRESENT:** Geoff Bant, Joanne Budde, Chien-Yu Chen, Dan Davis, Christy Donovan, Frithjof Gressmaivv, Grace Harshbarger, Jeff Harshbarger, Igor Kalnin, Dannie Otto, Kris Pendl, Lauren Senoff, Evelyn Shapiro, Noelyn Stephens, Wes Taylor

**A. CALL TO ORDER and ROLL CALL**

Chair Welch called the meeting to order at 7:00 p.m. Roll call was taken, and he declared a quorum present.

...

**E. NEW PUBLIC HEARINGS**

...

**Requests by Chien-Yu Chen and Pei-Hsiu Tan Regarding 312 West Illinois Street in the R-2 (Single-Family Residential) Zoning District:**

**ZBA-2023-C-06** - A request for a Conditional Use Permit to allow a duplex.

**ZBA-2023-MAJ-03** - A request for Major Variances to reduce the required front yard along Illinois Street from 15 to 9 feet, reduce the minimum open space ratio from 0.4 to 0, and increase the maximum floor area ratio from 0.4 to 0.52.

**ZBA-2023-MAJ-04** - A request for Major Variances to reduce the required lot area for a duplex from 6,000 to 3,607 square feet, and reduce the required number of parking spaces for a duplex from four to two.

**ZBA-2023-MIN-03** - A request for a Minor Variance to reduce the required front yard along Birch Street from 15 to 12 feet.

Chair Welch opened the public hearing for all four cases together, since they are related. Marcus Ricci, Planner II, presented the written staff report. Mr. Ricci reviewed each case and how it relates to the Zoning Ordinance requirements. He showed plans of the existing site and the proposed site, and showed floor plans for the proposed duplex. He presented a history of the existing property and existing structure. He talked about the setbacks, the open space ratio (OSR), and the floor area ratio (FAR) for the proposed duplex. Mr. Ricci explained the request for reduced parking. He showed photos that the applicant supplied to show that street parking is not fully-occupied.

Mr. Ricci reviewed criteria according to Section VII-2 of the Urbana Zoning Ordinance that pertains to conditional use permits, and explained how the proposed request meets the criteria. He then reviewed the criteria according to Section XI-3 of the Urbana Zoning Ordinance that pertains to variances, and explained how the requests meet the criteria.

He described the public input process, and indicated that staff received eight letters of support, three letters of objection to all requests, and three letters objecting to the duplex-related requests. He stated that there were revised letters and new letters that he had distributed at the beginning of the meeting.

Mr. Ricci summarized the staff findings and presented staff's recommendation for approval of the conditional use and major and minor variance requests in Case Nos. ZBA-2023-C-06, ZBA-2023-MAJ-03, ZBA-2023-MAJ-04 and ZBA-2023-MIN-03. He mentioned that the applicant was available to answer questions.

Chair Welch asked if any of the members of the Zoning Board of Appeals had questions for City staff.

Ms. Chester stated that, in this neighborhood, there were a number of homes that had been converted into duplexes or triplexes, and were required to be converted back to single-family houses. She asked if the owner of a single-family home in the area could apply for a conditional use permit [to create a duplex]. Mr. Ricci said yes, because a duplex is permitted with approval of a conditional use permit in the R-2 (Single Family Residential) Zoning District.

With there being no additional questions for staff, Chair Welch opened the hearing for public input. He invited the applicant to speak.

Chien-Yu Chen, applicant, approached the Zoning Board of Appeals to speak. He asked Ms. Chester to clarify about duplexes being required to convert back to single-family homes. Mr. Garcia clarified that Ms. Chester was referring to an effort back in the 1980s where the Planning staff surveyed all of the houses in the neighborhood and required property owners of illegally-converted duplexes or more units to return back to single-family use.

Mr. Chen stated that he is seeking approval of his requests so he can build a duplex by law that would meet the standards for a duplex. The proposed duplex would be built on the same footprint as the existing structure, with a full two-story construction.

Dan Davis approached the Zoning Board of Appeals to speak in favor of the requests. He commented that the existing structure is an eyesore, and with the caution tape, it is not great for property values of surrounding properties. This is an opportunity to significantly improve the neighborhood. The proposed duplex will have a porch, which improves street appearance on Illinois Street. He stated that he supports the proposal and all of the variances. The current structure is an embarrassment as it is, and the proposed duplex will provide needed density. It would be owner-occupied, which is a benefit. It is not any bigger than nearby homes and not overshadowing any neighbors. So, he strongly encouraged the Zoning Board members to approve the project.

Dannie Otto approached the Zoning Board of Appeals to speak. Chair Welch swore in Mr. Otto. Mr. Otto stated that he has watched the existing structure on the subject property decay over the years. In recent years, it has been vacant and then have short-term renters and then become vacant again. He mentioned that as a hobby, he has restored and renovated eight homes, and he thought that he had never seen a home that could not be salvaged until he and two other people (one being a contractor) saw the extensive termite damage and realized that the termite damage was too extensive and there was no place to start a renovation.

He stated that after seeing what the applicant is proposing, he feels that the proposed duplex would fit into the scheme of the neighborhood. He stated that he measured the setbacks of the houses on the block; many were only four feet less from the front property line than is being proposed. He talked about parking being an issue; however, the applicant intends to use the garage for parking spaces. He encouraged the Zoning Board of Appeals members to grant the applicant's requests.

Kevin Garcia, Principal Planner and Zoning Administrator, read a letter in opposition that was handed to staff at the beginning of the meeting. The letter was from Lauren Senoff.

Evelyn Shapiro approached the Zoning Board of Appeals to speak in opposition. She expressed concern about the number of variances and about whether it will be an owner-occupied duplex. She stated that she believes that the garage would be used as a ceramics studio, not for parking, so there would only be one parking space. She asked how many parking spaces are available along Birch Street. At the direction of Chair Welch, Mr. Ricci responded that he thought there were four parking spaces north of Illinois, and there are approximately six parking spaces on the south side of Birch Street. Ms. Shapiro stated that it is not safe to park your vehicle on Illinois Street because of how fast people drive down the street.

She talked about the bump out of the enclosed porch. She mentioned that the sidewalk obstruction has been a huge issue with not having an egress in front of the house and on the corner. She said that she would support single-family but not the duplex.

Mr. Chen reapproached the Zoning Board of Appeals to respond. He stated that he lives about one mile south of the subject property on Race Street and Florida Avenue. He intends to use part of the building as a studio; not the garage. With regards to parking, he said that there are four parking spaces along Birch Street and four or five parking spaces on Illinois Street. The only time he noticed many cars parked along Birch Street is on Sunday mornings when people are going to church.

Mr. Warmbrunn asked for clarification on the use of the garage. Mr. Chen said that he plans to use the garage for parking. Mr. Chen said that he intends to use one of the units of the duplex as his personal studio. Mr. Warmbrunn said that the applicant would need to use the garage for parking one vehicle and the space in front of the garage as a second parking space. Mr. Chen said he intends to use the garage for parking.

Ms. Shapiro reapproached the Zoning Board of Appeals. She stated that it is surprising to her that he intends to live nearby and use one unit of the proposed duplex as a studio. Is it still considered an owner-occupied duplex if he does not live in the building? Ms. McLaughlin asked staff if the duplex being owner-occupied was a condition of the approval of a Conditional Use Permit. Mr. Garcia said no. The application does state that the proposed duplex will be owner-occupied, so this is irrelevant.

With there being no further input from the audience, Chair Welch closed the public input portion of the hearing and opened it for discussion and/or motions by the Zoning Board of Appeals.

Mr. Warmbrunn moved that the Zoning Board of Appeals approve Case No. ZBA-2023-C-06 based on the Summary of Findings in the written staff report. Ms. McLaughlin seconded the motion. Roll call on the motion was as follows:

Mr. Rusch	-	Yes	Mr. Warmbrunn	-	Yes
Mr. Welch	-	Yes	Ms. Chester	-	Yes
Ms. McLaughlin	-	Yes			

The motion passed by a vote of 5-0.

Ms. McLaughlin moved that the Zoning Board of Appeals approve Case No. ZBA-2023-MIN-03 based on staff findings and based on the proposed duplex being in conformance with other properties in the neighborhood.

Kim Smith, Director of Community Development Services, called point of order. She requested that the Board vote on the cases in order as they appear on the agenda.

Ms. McLaughlin moved to strike her motion for Case No. ZBA-2023-MIN-03.

Ms. McLaughlin moved that the Zoning Board of Appeals forward Case No. ZBA-2023-MAJ-03 to the City Council with a recommendation for approval based on staff findings and on its conformity with the essential character of the existing neighborhood. Mr. Warmbrunn seconded the motion. Mr. Welch noted that approval would require a 2/3 majority vote of the Board members. Roll call was as follows:

Mr. Welch	-	Yes	Ms. Chester	-	Yes
Ms. McLaughlin	-	Yes	Mr. Warmbrunn	-	Yes
Mr. Welch	-	Yes			

The motion passed by unanimous vote.

Mr. Rusch moved that the Zoning Board of Appeals forward Case No. ZBA-2023-MAJ-04 to the City Council with a recommendation for approval based on the Summary of Findings outlined in the written staff report. Ms. McLaughlin seconded the motion.

Ms. McLaughlin stated that she believes that increased density is appropriate for this area given the location and the good accessibility to walking, biking and transit in the area as well as conformity with surrounding properties.

Mr. Rusch stated that he lives two blocks away and has never seen a lack of parking on Illinois Street. With there being four parking spaces on Birch Street and an additional four to six parking spaces if you go past High Street towards Green Street, he felt that there was sufficient parking available.

Roll call on the motion was as follows:

Ms. Chester	-	Yes	Ms. McLaughlin	-	Yes
Mr. Rusch	-	Yes	Mr. Warmbrunn	-	Yes
Mr. Welch	-	Yes			

The motion passed by unanimous vote. Mr. Garcia stated that Case Nos. ZBA-2023-MAJ-03 and ZBA-2023-MAJ-04 would be forwarded to Committee of the Whole on January 16, 2024.

Mr. Warmbrunn moved that the Zoning Board of Appeals approve Case No. ZBA-2023-MIN-03 as outlined and based on the Summary of Findings in the written staff report. Mr. Rusch seconded the motion. Roll call on the motion was as follows:

Mr. Rush	-	Yes	Mr. Warmbrunn	-	Yes
Mr. Welch	-	Yes	Ms. Chester	-	Yes
Ms. McLaughlin	-	Yes			

The motion passed by unanimous vote.

Ms. Smith called a point of order regarding the approval of minutes. Minutes were not specifically listed on the agenda and were not included in the packet on the website; therefore, nothing was approved as minutes in this meeting. The minutes will be listed on the next meeting agenda and will be included in the next packet for approval by the Board.

...

**ORDINANCE NO. \_\_\_\_\_****AN ORDINANCE APPROVING A MAJOR VARIANCE**

(Chen/Tan Duplex at 312 West Illinois Street / Case No. ZBA-2023-MAJ-04)

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

**WHEREAS**, the Urbana Zoning Ordinance provides for a major variance procedure to permit the Zoning Board of Appeals and the Corporate Authorities to consider applications for a major variance where there is a special circumstance or condition with a parcel of land or a structure; and

**WHEREAS**, Chien-Yu Chen and Pei-Hsiu Tan request a major variance: a) to reduce the required lot area for a duplex from 6,000 to 3,607 square feet, and b) to reduce the required number of parking spaces for a duplex from four to two, at 312 West Illinois Street in the R-2 (Single-Family Residential) Zoning District; and

**WHEREAS**, the Zoning Board of Appeals held a public hearing on this request at 7:00 p.m. on December 20, 2023, in Case ZBA-2023-MAJ-04; and

**WHEREAS**, in accordance with Urbana Zoning Ordinance Section XI-10, due and proper notice of such public hearing was given by publication in *The News-Gazette*, a newspaper having a general circulation within the City, on a date at least 15 days but no more than 30 days before the time of the public hearing, and by posting a sign containing such notice on the real property identified herein; and

**WHEREAS**, the Zoning Board of Appeals voted five (5) ayes and zero (0) nays to forward the case to the Urbana City Council with a recommendation to approve the requested variance, as presented; and

**WHEREAS**, the City Council finds that the requested variance conforms with the major variance procedures in Section XI-3.C.2.(e), of the Urbana Zoning Ordinance; and

**WHEREAS**, the City Council has considered the variance criteria established in the Urbana Zoning Ordinance and has made the following findings of fact:

1. The variance will not serve as a special privilege to the property owners, as it is necessary due to special circumstances related to the lot's platting in 1852, prior to the adoption of the Urbana Zoning Ordinance in 1940, with its minimum yard and parking requirements.
2. The variance is not the result of a situation knowingly created by the applicant, as the legal non-conformities started in 1940 when the Ordinance was adopted.
3. The variance will not alter the essential character of the neighborhood, as the proposed replacement duplex would be of similar size to nearby conforming – and non-conforming – existing single-family homes and duplexes.
4. The variance will not cause a nuisance to adjacent property owners, as it will remain a single-family or duplex use, and result in minimal additional on-street parking.
5. The variance represents the minimum deviation necessary from the requirements of the Urbana Zoning Ordinance, as the only substantive changes would be a minimal increase in on-street parking.

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

**Section 1.**

In Case No. ZBA 2023-MAJ-04, the major variance requested by Chien-Yu Chen and Pei-Hsiu Tan to reduce the required lot area for a duplex from 6,000 to 3,607 square feet, and to reduce the required number of parking spaces for a duplex from four to two, is hereby approved in the manner proposed in the application. The major variance described above shall only apply to the property located at 312 West Illinois Street, more particularly described as follows:



The West 57 feet, 9 inches of Lot 19 of James T. Roe’s Third Addition to the Town (now City) of Urbana as per Plat recorded April 23, 1852 in Deed Record “D”, Page 281, situated in Champaign County, Illinois.

Commonly known as 312 West Illinois Street  
P.I.N.: 92-21-17-138-009

**Section 2.**

Upon approval of this Ordinance, the City Clerk is directed to record a certified copy of this Ordinance with the Champaign County Office of Recorder of Deeds. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities, and this Ordinance shall be in full force and effect from and after its passage and publication in accordance with Section 1-2-4 of the Illinois Municipal Code.

This Ordinance is hereby passed by the affirmative vote, the “ayes” and “nays” being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

**PASSED BY THE CITY COUNCIL** this date day of Month, Year.

AYES:

NAYS:

ABSTENTIONS:

\_\_\_\_\_  
Darcy E. Sandefur, City Clerk

**APPROVED BY THE MAYOR** this date day of Month, Year.

\_\_\_\_\_  
Diane Wolfe Marlin, Mayor