



ZONING BOARD OF APPEALS  
CITY OF CHICAGO

DEC 19 2024

CITY OF CHICAGO  
ZONING BOARD  
OF APPEALS

**Unity Parenting & Counseling,  
Inc.**

**482-24-S**

APPLICANT(S)

CALENDAR NUMBER(S)

**8907-8923 S. Ashland Avenue**

**November 15, 2024**

SUBJECT PROPERTY

HEARING DATE

ACTION OF BOARD	THE VOTE	THE VOTE		
		AFFIRMATIVE	NEGATIVE	ABSENT
The special use application was APPROVED SUBJECT TO CONDITIONS.	Brian Sanchez, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Angela Brooks	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Helen Shiller	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Adrian Soto	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Swathi Staley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**FINDINGS OF THE ZONING BOARD OF APPEALS**

**I. APPLICATION BACKGROUND**

The subject property is located in the Brainerd neighborhood. It is zoned C2-2 and is improved with a two-story motel building where the rooms directly access the parking lot. The Applicant submitted a special use application, proposing to convert the motel building into a non-congregate shelter for young adults aged 18 to 24 on the subject property. The shelter will include 26 non-congregate shelter units, including two ADA-compliant units. Each unit is designed to function as an individual living space for single occupancy and includes a full bathroom. The shelter will feature common kitchen, laundry, and multi-purpose spaces, as well as outdoor recreation areas. Pursuant to Section 17-3-0207-B(10) of the Chicago Zoning Ordinance, a transitional shelter is a special use in a C2 zoning district. In accordance with Section 17-13-0903 of the Chicago Zoning Ordinance, the Zoning Administrator of the City's Department of Planning and Development (the "Zoning Administrator" and the "Department") recommended approval of the proposed use provided: (1) the special use is issued solely to the applicant, Unity Parenting & Counseling, Inc.; (2) the development is consistent with the design and layout of the plans and drawings, dated November 7, 2024, prepared by Beehyyve; (3) the facility is exclusively utilized as transitional shelter, *inclusive of the ancillary support services for their residents\**; and (4) there are no more than 26 young adult clients, aged 18-24, residing on-site at any time.

**II. PUBLIC HEARING**

\*italicized text inserted 12/19/24 after omission due to scrivener's error

In accordance with the Rules of Procedure of the Zoning Board of Appeals (“ZBA”), the Applicant had submitted its proposed Findings of Fact. The ZBA held a public hearing on the Applicant’s special use application at its regular meeting held on Friday, November 15, 2024. Due notice of the hearing was provided under Sections 17-13-0107-A(9) and 17-13-0107-B of the Chicago Zoning Ordinance and by publication in the *Chicago Tribune*. The list of participants who provided sworn testimony is attached as the **Hearing Participant Exhibit**.

At the conclusion of the hearing, the ZBA took the matter under advisement. Prior to the conclusion of the meeting, the ZBA voted on the matter.

### III. SPECIAL USE CRITERIA

Pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance, no special use application may be approved unless the ZBA finds that the proposed use in its proposed location meets all of the following criteria: (1) it complies with all applicable standards of the Chicago Zoning Ordinance; (2) it is in the interest of the public convenience and will not have a significant adverse impact on the general welfare of the neighborhood or community; (3) it is compatible with the character of the surrounding area in terms of site planning and building scale and project design; (4) it is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation; and (5) it is designed to promote pedestrian safety and comfort.

### IV. FINDINGS OF FACT

After careful consideration of the evidence, testimony and the entire record, including the Applicant’s proposed Findings of Fact, the ZBA hereby makes the following findings with reference to the Applicant’s application for a special use pursuant to Section 17-13-0905-A (1)-(5) of the Chicago Zoning Ordinance:

(1). The subject property is located in a C2 zoning district. Since a transitional shelter is a special use in this zoning district, the Applicant requires a special use. The proposed use complies with all other standards set forth in the Chicago Zoning Ordinance because it is only the requirement to request a special of use from the Zoning Board of Appeals that prevents full compliance with all applicable standards of the Chicago Zoning Ordinance. The Department of Planning and Development has reviewed the Applicant’s site plan for code compliance

(2). The proposed use is in the interest of the public convenience because the proposed special use will enhance the neighborhood by increasing non-congregate shelter capacity on the South Side and will reinforce recent efforts to revitalize the area by offering vital services in a district where the need for transitional shelter remains acute. In addition, the proposed use will allow the Applicant to reach new clients and expand access to its programs focused on placing clients in permanent housing. Typical congregate shelter settings contain a large number of beds in one space, such as a gymnasium, and are required to be closed for large portions of the day. During the time that the congregate shelter is closed, the shelter guests must leave the shelter with their belongings and try to

find a safe place to stay until the shelter reopens. Because many of these types of shelters are “first come, first serve,” shelter guests stay in the area to get a bed for the night, even if the area does not have services for the homeless. Non-congregate facilities provide 24-hour shelter and function as individual rooms hosting one to three individuals. Non-congregate settings offer shelter clients a greater sense of independence, dignity, and safety than do congregate settings. Non-congregate facilities also have the effect of removing the homeless population from the streets and surrounding neighborhood.

The proposed use will not have a significant adverse impact on the general welfare of the neighborhood or community because the subject property is part of a service-oriented and retail corridor along South Ashland Avenue. The subject property is zoned C2 which represents a high intensity business or commercial zoning district. It allows nearly any type of business, service, or commercial use, including those involving outdoor operations and storage. This corridor contains a mix of auto-related, retail, restaurant, institutional and service uses. The subject property is well served by public transit with the #9 Ashland CTA bus adjacent to the Subject Property and the METRA Rock Island Brainerd Station approximately 1,000 feet away to the northeast. The surrounding residential areas are dominated by single-family bungalows, with a few multi-family buildings mixed in.

Some neighbors who appeared in opposition to the proposed use (“Objectors”) had an underlying assumption that youth experiencing homelessness and seeking services would bring crime into the neighborhood. There was also an underlying assumption that all of the youth the Applicant would serve are at-risk or dangerous or had a propensity to be sex offenders. These were fear-based assumptions lacking in evidentiary support as there are many different scenarios in which youth can find themselves without a home, such as “aging out” of foster care. Furthermore, the Board fails to see how the proposed use would not be an improvement for the neighborhood over the subject property’s current use as a motel where there is no screening process for occupants. While the Objectors seemed comfortable with a motel where any number of unseemly people or activities not in harmony with the neighborhood can take place virtually unchecked, it appears that for these Objectors, a strictly regulated residential use operated by an experienced provider will somehow hurt the area and their property values.

(3). The proposed use is compatible with the character of the surrounding area in terms of site planning and building scale and project design because the proposed use will convert an existing motel lodging space to non-congregate shelter units. The two-story motel building has stood on the subject property for nearly fifty years. It is part of the existing urban fabric in this auto-oriented commercial corridor, which includes many similar one-to three-story commercial buildings of masonry construction. The scale and masonry design of the building at the subject property will be consistent with the scale and character of surrounding structures and the building will not be expanded beyond its current footprint.

(4). The proposed use is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation because the operations will be the provision of housing and related support services. Therefore, the hours of operations at the non-congregate shelter will be

consistent with the hours of a similarly sized multi-family development, with the exception that shelter residents will be subject to a curfew from 10:00PM to 8:00AM. The shelter's most active hours will be more limited than those of the 24-hour motel that currently operates at the property. The shelter will be staffed by one program director, one case manager, one therapist, one supervisor, 15 youth engagement workers, three security personnel, and one janitor. Staffing will vary across three shifts, but personnel will be present at the shelter at all times. The Property is served by a CTA bus line and Metra's Rock Island Line and is a transit-served location within the meaning of the Zoning Ordinance. In addition, very few shelter clients are expected to drive to the Property to receive services. For these reasons, it is not expected that the Proposed Development will increase vehicle traffic or the demand for parking in the area greater than the current use as a motel.

(5). The proposed use is designed to promote pedestrian safety and comfort because the Property is highly accessible by public transit, and no driveway or new curb cut is proposed. The Applicant will be adding new streetscape improvements along the Ashland Avenue including a variety of plants as well as trees which will promote pedestrian comfort by providing shade during the summer. Because few shelter clients are expected to drive to the facility, it is anticipated that the Proposed Development will actually reduce vehicular traffic to the area relative the existing motel.

Since the applicant meets all five of the special use criteria as required by the Chicago Zoning Ordinance, the application will be approved.

#### **CONCLUSION AND FINAL DECISION OF THE ZONING BOARD OF APPEALS**

1. For all the above reasons, the ZBA finds that the Applicant has proved its case by evidence, testimony and the entire record, including the Applicant's proposed Findings of Fact, covering the specific criteria for a special use pursuant to Section 17-13-0905-A of the Chicago Zoning Ordinance.
2. The ZBA hereby APPROVES the Applicant's application for a special use, and pursuant to the authority granted by Section 17-13-0906 of the Chicago Zoning Ordinance, the Zoning Administrator is authorized to permit said special use **SUBJECT TO THE FOLLOWING CONDITIONS:** (1) the special use is issued solely to the applicant, Unity Parenting & Counseling, Inc.; (2) the development is consistent with the design and layout of the plans and drawings, dated November 7, 2024, prepared by Beehyyve; (3) the facility is exclusively utilized as transitional shelter, *inclusive of the ancillary support services for their residents* \*; and (4) there are no more than 26 young adult clients, aged 18-24, residing on-site at any time.

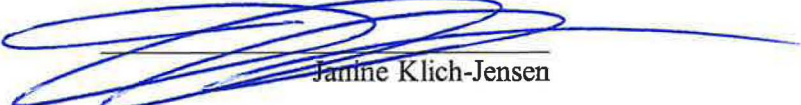
This is a final decision subject to review under the Illinois Administrative Review Law, 735 ILCS 5/3-101 *et seq.*

APPROVED AS TO SUBSTANCE

By: 

Brian Sanchez, Chairman

I, Janine Klich-Jensen, staff person for the ZONING BOARD OF APPEALS, certify that I caused this to be placed in the USPS mail, postage prepaid, on 12/19, 2024.

  
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Janine Klich-Jensen

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