



**DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES**

Planning Division

**m e m o r a n d u m**

**TO:** Laurel Lunt Prussing Mayor

**FROM:** Elizabeth H. Tyler, FAICP, Director

**DATE:** April 29, 2010

**SUBJECT:** Request for waiver of sidewalk requirements of the Urbana Subdivision and Land Development Code for Wisley Inn/Super 8 Motel First Subdivision, Plan Case 2127-S-10

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**Introduction**

Khalid Hussain has submitted a petition to waive the sidewalk requirements of the Urbana Subdivision and Land Development Code (Section 21-37.A) for the Wisley Inn/Super 8 Motel First Subdivision. Section 21-37.A of the Code requires that sidewalks be constructed on “both sides of each street” in commercial developments. In lieu of constructing a sidewalk per the Code, the petitioner is proposing to construct connecting sidewalks from the proposed Wisley Inn (Lot 12) to adjacent developed property to the south, east and west.

The Urbana City Council adopted Ordinance No. 2008-06-046 on June 2, 2008, approving the final subdivision plat for the Wisley Inn/Super 8 Motel First Subdivision. (See Exhibit B) Approval of the final plat was conditioned upon the drainage plan, engineering plans and specifications, required improvements, soil erosion plan and all of the requirements of the Subdivision and Land Development Code being approved by the City Engineer. The City Council has subsequently approved two extensions of the approval of the final plat. The approval of the final plat will expire on June 15, 2010. An extension of the approval of the final plat has been requested. Staff has prepared a separate memorandum included in Council’s packet to address this extension request. It is anticipated that construction will begin in mid June depending upon the outcome of the waiver request.

On April 22, 2010, the Urbana Plan Commission voted five ayes and zero nays to forward Plan Case 2127-S-10 to the Urbana City Council with a recommendation to approve the requested waiver from the sidewalk requirements of Section 21-37.A of the Urbana Subdivision and Land Development Code contingent upon two conditions. These two conditions include the construction of connecting sidewalks from the proposed Wisley Inn (Lot 12) to adjacent property to the south, east and west; and construction of a driveway connection between the two lots in the subdivision.

## **Background**

The final plat for the Wisley Inn/Super 8 Motel First Subdivision encompasses 2.99 acres to be divided into two lots. The property is located immediately southeast of the I-74/Lincoln Avenue interchange. (See Exhibit A) A Super 8 Motel currently occupies the eastern portion of the site. The subject site is proposed to be subdivided to facilitate the development of a second hotel.

Since the original approval of the final subdivision plat, the petitioner and his project engineer, Berns, Clancy and Associates (BCA), have been working to redesign the proposed development to reduce development costs to make the project economically feasible to complete. A solution has been reached that includes the following four measures: providing for stormwater detention on the Wisley Inn site (Lot 12); reducing the length of the water main to be installed along Kenyon Road; removing the retaining wall proposed at the northwest corner of the site; and requesting a waiver from the sidewalk requirements of the Urbana Subdivision and Land Development Code. The first three of these cost saving measures are discussed in more detail in the staff memorandum concerning the extension request for the final plat approval.

Lot 12 of the Wisley Inn/Super 8 Motel First Subdivision will be accessed from Kenyon Road via Killarney Street. (See Exhibit A) Kenyon Road once served as a frontage road to I-74 and extended across Lincoln Avenue to the west. This extension across Lincoln Avenue was severed when improvements were made to I-74 in the early 1990's. Since that time Killarney Street has been constructed and now serves as access to property that was once served by the frontage road. Currently the section of Kenyon Road, on which the subdivision is located, extends from east of Lincoln Avenue, to the boundary of the Urbana Country Club Property, and is not currently accessible to through traffic. The approved subdivision plat will require a connection from the Killarney Street cul-de-sac to Kenyon Road. Kenyon Road will serve only as primary access to the Wisley Inn site. It does not connect to developed property to the east or west. Property to the north of Kenyon Road is I-74 right-of-way and cannot be further developed.

## **Discussion**

The petitioner is requesting a waiver from the sidewalk requirements of Section 21-37.A of the Urbana Subdivision and Land Development Code. The Code requires that a sidewalk be constructed along the south side of Kenyon Road for the length of the Subdivision. In lieu of constructing the required sidewalk, the petitioner is proposing to construct three sidewalk links that will connect the proposed Wisley Inn site (Lot 12) to adjacent developed properties to the west (Urbana Garden Restaurant), to the south (Lincoln Commerce Centre office building), and to the east (Super 8 Motel). Please see Exhibit C for an illustration of the location of these sidewalk connections as proposed by the petitioner. The petitioner has noted that "proposed pedestrian accessibility is improved by construction of connecting sidewalks in lieu of construction of a sidewalk along the existing dead end Kenyon Road."

City staff is supportive of the waiver to construct connecting sidewalks to adjacent properties to the east, south and west in lieu of constructing a sidewalk along Kenyon Road. Kenyon Road is a frontage road that does not connect with or provide access to any location other than the

proposed subdivision. In contrast, the proposed connecting sidewalks will provide access to adjacent properties, which is consistent with the intent of the sidewalk requirements of the Urbana Subdivision and Land Development Code. Although it is unusual to allow for a waiver from the sidewalk requirements, in this case the alternative proposed makes more sense.

According to Section 21-7 of the Urbana Subdivision and Land Development Code, the petitioner must justify the granting of a waiver from strict compliance with the Code by showing that the waiver meets certain criteria. These criteria are identified and discussed below:

1. *There are conditions of topography or other site specific reasons that make the application of any particular requirement of the land development code unnecessary or, in some cases perhaps, even useless;*

The petitioner has indicated that “a sidewalk along the street will not improve pedestrian accessibility in this area” because the Subdivision is “located at the western end of a former Interstate Frontage Road which now dead ends near the western side of the proposed subdivision”. The property to the north of Kenyon Road is interstate right-of-way and cannot be developed. Since Kenyon Road dead ends near the western edge of the Subdivision and development north of Kenyon Road is not possible, the required sidewalk will only ever lead to the Wisley Inn site. The sidewalk will not connect with a sidewalk to the west and will not lead to any other destination than the Wisley Inn site. Staff is in agreement that providing for sidewalk connections on-site to adjacent developed property would improve pedestrian accessibility more than if a sidewalk was constructed on what is a dead-end frontage road that does not provide access to anything other than the proposed development.

2. *The granting of the requested waiver would not harm other nearby properties;*

The granting of the requested waiver to the Subdivision and Land Development Code will not have a negative impact on nearby properties since the required sidewalk would only essentially serve the proposed subdivision. The waiver should result in a positive impact on adjoining properties since the petitioner is proposing to construct connecting sidewalks to the adjacent properties.

3. *The waiver would not negatively impact the public health, safety and welfare, including the objectives and goals set forth in the comprehensive plan.*

The granting of the requested waiver would not cause any harm to the public health, safety and welfare of the community and would not be contrary to the objectives and goals set forth in the Comprehensive Plan. Allowing for the construction of the connecting sidewalks to adjacent properties in lieu of requiring a sidewalk along Kenyon Road will provide for a more logical and direct route to adjacent development while meeting the Comprehensive Plan goal of the connectivity between developments.

## Summary of Findings

1. The Urbana City Council adopted Ordinance No. 2008-06-046 in June 2, 2008, approving the final subdivision plat for the Wisley Inn/Super 8 Motel First Subdivision. The City Council has subsequently approved two extensions of the approval of the final plat. The approval of the final plat will expire on June 15, 2010. An extension of the approval of the final plat has been requested.
2. The petitioner is requesting a waiver from the sidewalk requirements of the Urbana Subdivision and Land Development Code (Section 21-37.A) for the Subdivision. In lieu of constructing a sidewalk along Kenyon Road per the Code, the petitioner is proposing to construct connecting sidewalks from the proposed Wisley Inn (Lot 12) to adjacent developed property to the south, east and west.
3. Kenyon Road is a frontage road that only provides access to the proposed subdivision. The proposed connecting sidewalks will provide access to adjacent properties consistent with the intent of the sidewalk requirements of the Urbana Subdivision and Land Development Code.
4. The requested waiver will not be harmful to other properties and would not negatively impact the public health, safety and welfare of the community, nor impede the attainment of goals and objectives contained in the Comprehensive Plan.
5. On April 22, 2010, the Urbana Plan Commission voted five ayes and zero nays to forward Plan Case 2127-S-10 to the Urbana City Council with a recommendation for approval of the requested waiver from the sidewalk requirements of Section 21-37.A of the Urbana Subdivision and Land Development Code contingent upon two conditions.

## Options

The City Council has the following options regarding Plan Case 2127-S-10:

- a. Approve the requested waiver; or
- b. Deny the requested waiver.

## Recommendation

The Plan Commission, at their April 22, 2010 meeting, voted five ayes and zero nays to forward Plan Case 2127-S-10 to the Urbana City Council with a recommendation for **approval** of the requested waiver from the sidewalk requirements of Section 21-37.A of the Urbana Subdivision and Land Development Code contingent upon the following:

- a) construction of connecting sidewalks from the proposed Wisley Inn (Lot 12) to adjacent property to the south, east and west; and
- b) construction of a driveway connection between the two lots in the subdivision.

Staff concurs with this recommendation for approval.

Prepared by:

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Lisa Karcher, AICP  
Planner II

Attachments: Draft Ordinance Approving a Request for a Waiver of Subdivision Regulations  
Exhibit A: Location Map  
Exhibit B: Approved Final Plat for Wisley Inn/Super 8 Motel First Subdivision  
Exhibit C: Petition for Waiver of Subdivision Regulations  
Exhibit D: Draft Plan Commission Minutes from April 22, 2010

cc: Khalid Hussain  
801 West Champaign  
Rantoul, IL 61866

Roger Meyer  
Berns, Clancy and Associates  
P.O. Box 755  
Urbana, IL 61803-0755

**ORDINANCE NO. 2010-05-031**

**AN ORDINANCE APPROVING A REQUEST FOR A WAIVER OF SUBDIVISION REGULATIONS**

(Wisley Inn/Super 8 Motel First Subdivision - Plan Case No. 2127-S-10)

WHEREAS, the Urbana City Council approved the Final Plat for the Wisley Inn/Super 8 Motel First Subdivision on June 2, 2008 in Plan Case 2069-S-08 under Ordinance No. 2008-06-046; and

WHEREAS, the Urbana City Council subsequently approved two extensions to the approval of the Final Plat for the Wisley Inn/Super 8 Motel First Subdivision on November 17, 2008 and June 15, 2009 under Ordinance No. 2008-11-136 and Ordinance 2009-06-066 respectively; and

WHEREAS, Khalid Hussain has submitted a Petition for Waiver of Subdivision Regulations from the sidewalk requirements of Section 21-37.A of the Urbana Subdivision and Land Development Code for said subdivision in the City of Urbana, Illinois; and

WHEREAS, the petitioner, in lieu of constructing a sidewalk along Kenyon Road per the Code, is proposing to construct connecting sidewalks from the proposed Wisley Inn (Lot 12) to adjacent developed property to the south, east and west; and

WHEREAS, Kenyon Road is a frontage road that only provides access to the proposed subdivision and the proposed connecting sidewalks will provide access to adjacent properties consistent with the intent of the sidewalk requirements of the Urbana Subdivision and Land Development Code; and

WHEREAS, the requested waiver will not be harmful to other properties and would not negatively impact the public health, safety and welfare of the community, nor impede the attainment of goals and objectives contained in the Urbana 2005 Comprehensive Plan; and

WHEREAS, on April 22, 2010, the Urbana Plan Commission voted 5 ayes and 0 nays to forward the waiver requested in Plan Case No. 2127-S-10 to the Urbana City Council with a recommendation for approval of the requested waiver from the sidewalk requirement of Section 21-37.A of the Urbana Subdivision contingent upon the following:

- a) construction of connecting sidewalks from the proposed Wisley Inn (Lot 12) to adjacent property to the south, east and west; and
- b) construction of a driveway connection between the two lots in the subdivision.

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

Section 1. The requested Waiver of Subdivision Regulations from the sidewalk requirements of Section 21-37.A of the Urbana Subdivision and Land Development Code for the Wisley Inn/Super 8 Motel First Subdivision is hereby approved.

Section 3. This Ordinance is hereby passed by the affirmative vote of the members of the corporate authorities then holding office, the "ayes" and "nays" being called at a regular meeting of said Council.

Section 4. 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 the terms of Section 1-2-4 of the Illinois Municipal Code.

PASSED by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2010.

AYES:

NAYS:

ABSTAINED

\_\_\_\_\_  
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

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Laurel Lunt Prussing, Mayor



**CERTIFICATE OF PUBLICATION IN PAMPHLET FORM**

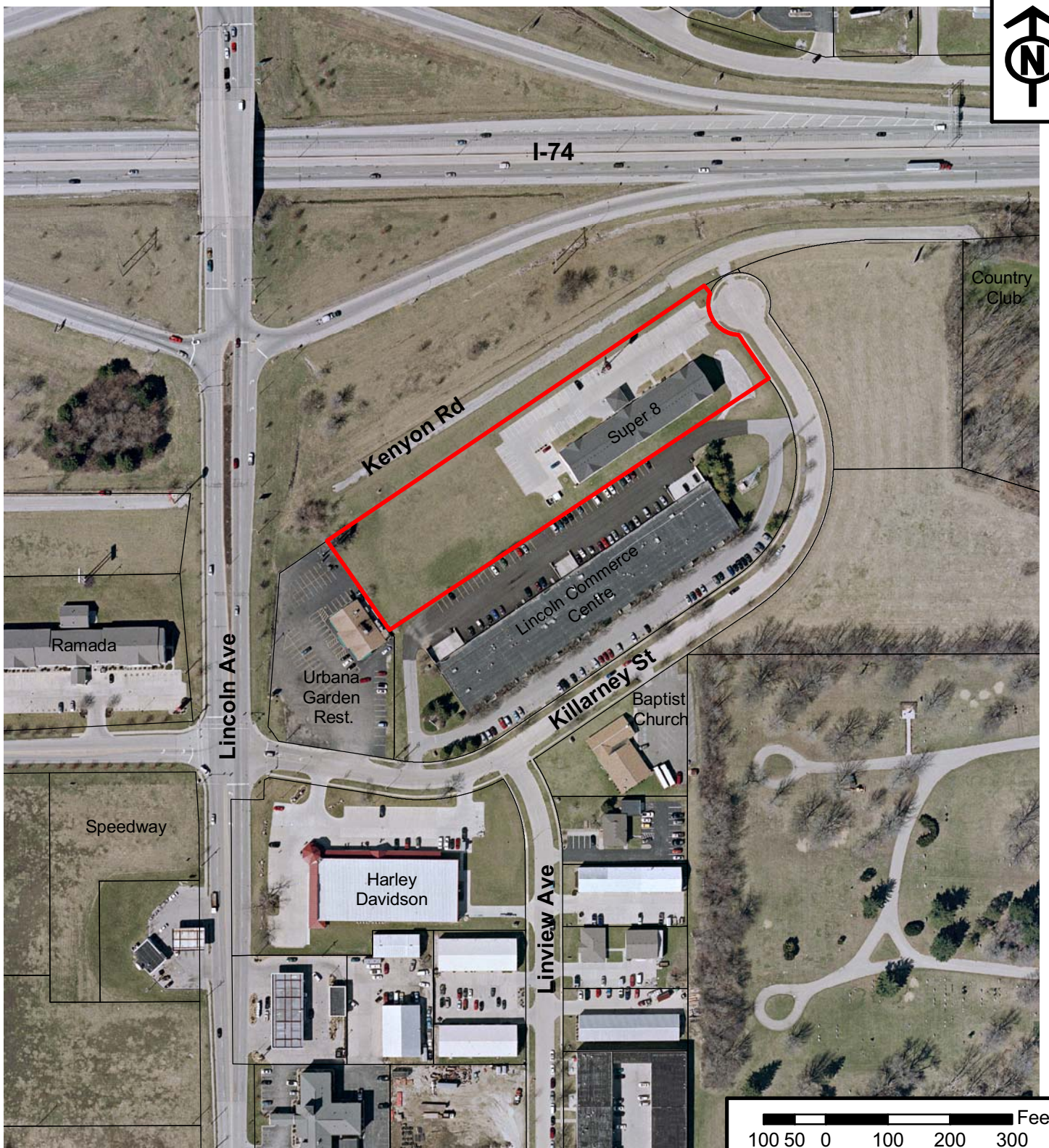
I, Phyllis D. Clark, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois. I certify that on the \_\_\_\_ day of \_\_\_\_\_, 2010, the corporate authorities of the City of Urbana passed and approved "AN ORDINANCE APPROVING A WAIVER OF SUBDIVISION REGULATIONS (Wisley Inn/Super 8 Motel First Subdivision - Plan Case No. 2127-S-10), which provided by its terms that it should be published in pamphlet form. The pamphlet form of Ordinance No. \_\_\_\_\_ was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the \_\_\_\_ day of \_\_\_\_\_, 2010, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

DATED at Urbana, Illinois, this \_\_\_\_ day of \_\_\_\_\_, 2010.

(SEAL)

\_\_\_\_\_  
Phyllis D. Clark, City Clerk

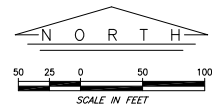
# Exhibit A: Location Map



**Plan Case:** 2127-S-10  
**Subject:** Waiver Request for the Wisley Inn/Super 8 Motel First Subdivision  
**Location:** SE of I-74/Lincoln Avenue Interchange  
**Petitioner:** Khalid Hussain

### LEGEND

 Subject Property



**LEGEND**

- 30 INCH LONG, 1/2 INCH DIAMETER IRON PIPE SURVEY MONUMENT SET WITH ALUMINUM CAP STAMPED "LS 2006 2207"
- EXISTING IRON PIPE/PIN SURVEY MONUMENT FOUND
- CONCRETE SURVEY MONUMENT/30 INCH LONG, 1/2 INCH DIAMETER IRON PIPE SURVEY MONUMENT SET WITH ALUMINUM CAP STAMPED "LS 2006 2207"
- EXISTING UTILITY EASEMENT LINE
- EXISTING RIGHT-OF-WAY LINE
- TITLE LINE
- ////// EXISTING BUILDING LINE
- ( ) RECORD MEASUREMENT AND/OR DATA
- ARC ARC MEASUREMENT
- CHD. CHORD MEASUREMENT
- CHD BRG CHORD BEARING MEASUREMENT
- RAD. RADIUS
- ⊥ DENOTES 90 DEGREE ANGLE
- EXISTING UTILITY POLE WITH LIGHT
- PROPOSED SANITARY SEWER EASEMENT LINE
- PROPOSED UNDERGROUND UTILITY EASEMENT LINE

INTERSTATE 74

FOUND TUBECO WITH CAP "LS 2006 2207"  
N: 1,262,830.29 FT.  
E: 1,016,830.88 FT.

ARC: 16.58 FT. (16.58 FT.)  
RAD: 400.00 FT. (400.00 FT.)  
CHD: 16.58 FT. (16.58 FT.)  
CHD, BRG: N 57°05'18" E  
(N 57°38'26" E)

(S 33°42'55" E)  
17.37 FT.  
(17.37 FT.)  
(17.37 FT.)

FOUND TUBECO WITH CAP "LS 1470" SET CONCRETE MONUMENT

FOUND TUBECO WITH CAP "LS 2006 2207"

ROAD  
ARC: 93.07 FT. (92.73 FT.)  
RAD: 50.00 FT. (50.00 FT.)  
CHD: 80.21 FT. (80.12 FT.)  
CHD, BRG: S 34°12'50" E  
(S 33°42'55" E)

OUTLET TO CITY OF URBANA RIGHT-OF-WAY

FOUND TUBECO WITH CAP "LS 2006 2207"

FOUND TUBECO NO CAP

FOUND TUBECO WITH CAP "LS 1470" SET CONCRETE MONUMENT  
(S 33°42'05" E)  
S 34°12'42" E  
80.59 FT.  
(80.62 FT.)

FOUND REBAR WITH CAP "HDC"  
19.30 FT.  
(19.27 FT.)

FOUND TUBECO WITH CAP "LS 1470"

EXISTING UTILITY EASEMENT

FOUND TUBECO WITH CAP "LS 1470"

EXISTING UTILITY / DRAINAGE EASEMENT

AVENUE

KENYON ROAD

ROAD

FRONTAGE ROAD

KILLARNEY STREET

STREET

(N 56°26'30" E)  
(N 56°27'31" E)  
(N 55°56'42" E)  
721.04 FT.  
(721.04 FT.)  
(721.35 FT.)

SET IRON PIPE WITH CAP "LS 2006 2207"

S 34°03'18" E  
178.63 FT.

SET IRON PIPE WITH CAP "LS 2006 2207"

(N 35°11'33" W)  
(N 35°32'29" W)  
178.78 FT.  
(178.71 FT.)

PROPOSED 10 FT. WIDE UNDERGROUND UTILITY EASEMENT

SELIMI ALIT  
91-21-05-302-001

FOUND REBAR WITH CAP "HDC"

10.63 FT.  
(10.63 FT.)

FOUND TUBECO WITH CAP "LS 1470"

FOUND TUBECO WITH CAP "LS 1470"

FOUND TUBECO WITH CAP "LS 1470"

FOUND TUBECO WITH CAP "LS 1470"

LOT 11

LOT 12

LOT 3

LOT 2 OF REPLAT OF LOT 2

LOT 3

BANKILL TRUST #031-413-271  
91-21-05-302-007

EXISTING 2-STORY MOTEL BUILDING

PROPOSED 10 FT. WIDE SANITARY SEWER EASEMENT

EXISTING UTILITY / DRAINAGE EASEMENT

EXISTING UTILITY / DRAINAGE EASEMENT

OWNER/DEVELOPER: MODERN HOSPITALITY, INC.  
MR. KHALID HUSSAIN  
801 WEST CHAMPAIGN STREET  
RANTOUL, ILLINOIS 61866  
PHONE: (217) 722-2183

I, EDWARD L. CLANCY, ILLINOIS PROFESSIONAL LAND SURVEYOR 2207, IN ACCORDANCE WITH PAB7-0705 (THE PLAT ACT) DO HEREBY DESIGNATE THE CITY OF URBANA, AS THE AGENT WHO MAY RECORD. "WISLEY INN SUPER 8 MOTEL FIRST SUBDIVISION, CITY OF URBANA, CHAMPAIGN COUNTY, ILLINOIS" A TRUE COPY OF WHICH HAS BEEN RETAINED BY ME TO ASSURE NO CHANGES HAVE BEEN MADE TO SAID PLAT.

RETURN TO: BERNS, CLANCY AND ASSOCIATES, P.C.  
405 EAST MAIN STREET  
URBANA, ILLINOIS 61802

SIGNED AND SEALED MAY 21, 2008

EDWARD L. CLANCY, I.S., P.E., VICE PRESIDENT  
BERNS, CLANCY AND ASSOCIATES, P.C.  
ILLINOIS PROFESSIONAL LAND SURVEYOR 2207  
URBANA, CHAMPAIGN COUNTY, ILLINOIS  
DATE OF LICENSE EXPIRATION: NOVEMBER 30, 2008



**PROPOSED LOT AREAS**

LOT 11:	1.748 ACRES ±
LOT 12:	1.242 ACRES ±
TOTAL:	2.990 ACRES ±

APPROVED BY: THE URBANA PLAN COMMISSION OF THE CITY OF URBANA, ILLINOIS.  
DATE: \_\_\_\_\_ CHAIRPERSON: \_\_\_\_\_

APPROVED BY: THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, IN ACCORDANCE WITH ORDINANCE NO. \_\_\_\_\_  
DATE: \_\_\_\_\_ BY \_\_\_\_\_, MAYOR

ATTEST: \_\_\_\_\_, CITY CLERK

WISLEY INN / SUPER 8 MOTEL  
FIRST SUBDIVISION,  
CITY OF URBANA,  
CHAMPAIGN COUNTY, ILLINOIS

BERNS, CLANCY AND ASSOCIATES  
ENGINEERS • SURVEYORS • PLANNERS  
405 EAST MAIN STREET - POST OFFICE BOX 755  
URBANA, ILLINOIS 61803-0755  
PHONE: (217) 394-1144 - FAX: (217) 394-3355

JOB: 5667	DATE: 05/21/08	SHEET 1 OF 2
FILE: 5667FP.DWG		

J. U. L. I. E.  
NOTE: THE EXACT LOCATION OF ALL UTILITIES SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION ACTIVITIES. FOR UTILITY LOCATIONS CALL: J.U.L.I.E. 1 (800) 852-0123  
© 2008 ALL RIGHTS RESERVED.  
BERNS, CLANCY AND ASSOCIATES, P.C.

**OWNER'S AND ENGINEER'S STATEMENT**

TO THE BEST OF OUR KNOWLEDGE AND BELIEF, THE DRAINAGE OF SURFACE WATERS WILL NOT BE CHANGED BY THE DEVELOPMENT OF "WISLEY INN / SUPER 8 MOTEL FIRST SUBDIVISION, CITY OF URBANA, CHAMPAIGN COUNTY, ILLINOIS" OR ANY PART THEREOF, OR IF SUCH SURFACE WATER DRAINAGE WILL BE CHANGED THAT REASONABLE PROVISION HAS BEEN MADE FOR THE COLLECTION AND DIVERSION OF SURFACE WATERS INTO PUBLIC AREAS, OR DRAINS WHICH THE SUBDIVIDER HAS THE RIGHT TO USE, AND THAT SUCH SURFACE WATERS WILL BE PLANNED FOR IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING PRACTICES SO AS TO REDUCE THE LIKELIHOOD OF DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF CONSTRUCTION OF "WISLEY INN / SUPER 8 MOTEL FIRST SUBDIVISION, CITY OF URBANA, CHAMPAIGN COUNTY, ILLINOIS".



EDWARD L. CLANCY, P.E., L.S., VICE PRESIDENT  
BERNS, CLANCY AND ASSOCIATES, P.C.  
ILLINOIS PROFESSIONAL ENGINEER 31344  
URBANA, CHAMPAIGN COUNTY, ILLINOIS  
DATE OF LICENSE EXPIRATIONS: NOVEMBER 30, 2009

MODERN HOSPITALITY, INC.  
MR. KHALID HUSSAIN  
801 WEST CHAMPAIGN STREET  
RANTOUL, ILLINOIS 61866  
PHONE: 217/721-6839

**GENERAL NOTES**

ALL MEASUREMENTS ARE IN FEET AND DECIMAL PARTS THEREOF, UNLESS NOTED OTHERWISE.

SEE CITY OF URBANA ORDINANCES AND REGULATIONS FOR ZONING, SETBACK AND BUILDING STANDARD REQUIREMENTS.

ALL SURFACE, SUBSURFACE, BUILDING IMPROVEMENTS AND UTILITY SERVICE LINES ON AND ADJACENT TO THE SITE ARE NOT NECESSARILY SHOWN.

ALL ELEVATIONS SHOWN ARE BASED UPON THE NATIONAL GEODETIC VERTICAL DATUM OF 1929 (MEAN SEA LEVEL DATUM) AS ESTABLISHED AND PUBLISHED BY THE UNITED STATES NATIONAL GEODETIC SURVEY.

COORDINATES AND BEARINGS SHOWN ARE BASED UPON THE ILLINOIS STATE PLANE COORDINATE SYSTEM, EAST ZONE, NAD 83 (1986).

SUBJECT SITE IS CURRENTLY ZONED B3 BY THE CITY OF URBANA.

SETBACKS FOR B3: FRONT YARD: 15 FEET  
SIDE YARD: 5 FEET  
REAR YARD: 10 FEET

**SURVEYOR'S REPORT**

I, EDWARD L. CLANCY, ILLINOIS PROFESSIONAL LAND SURVEYOR 2207 AND VICE PRESIDENT OF BERNS, CLANCY AND ASSOCIATES, P.C. DO HEREBY STATE THAT AT THE REQUEST OF AND FOR THE EXCLUSIVE BENEFIT OF MR. KHALID HUSSAIN, I PREPARED A BOUNDARY SURVEY ON THE GROUND TO THE NORMAL STANDARD OF CARE OF PROFESSIONAL LAND SURVEYORS PRACTICING IN CHAMPAIGN COUNTY, ILLINOIS OF A PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 19 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, CUNNINGHAM TOWNSHIP, CHAMPAIGN COUNTY, ILLINOIS, BEING MORE PARTICULARLY DESCRIBED AS A RESULT OF THIS PRESENT SURVEY AS FOLLOWS:

LOT 1 OF REPLAT LOT 2 OF LINCOLN CENTRE, CHAMPAIGN COUNTY, ILLINOIS AS PER PLAT RECORDED AS DOCUMENT 97 R 23323, IN CHAMPAIGN, ILLINOIS.

I FURTHER STATE THAT BASED UPON MY REVIEW OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, PANEL 9 OF 11, COMMUNITY PANEL NUMBER 170035 0009 B WITH AN EFFECTIVE DATE OF JANUARY 16, 1984, THE PROPERTY SURVEYED IS REPORTEDLY LOCATED WITHIN ZONE "C" (AREAS OF MINIMAL FLOODING).

I FURTHER STATE THAT THE OWNER DESIRES TO SUBDIVIDE SUBJECT TRACT INTO LOTS, OUTLOTS AND PUBLIC STREET RIGHT-OF-WAY.

I FURTHER STATE THAT THE OWNERS DESIRE TO FACILITATE THE SALE OF SAID LAND BY CREATING LOTS FOR WHICH PURPOSE I PREPARED A PLAT TO WHICH THIS REPORT IS ATTACHED AND MADE A PART THEREOF, PARTICULARLY DESCRIBING AND SETTING FORTH THE LOTS INTO WHICH SAID LANDS HAVE BEEN SO PLATTED AND I NUMBERED THE LOTS, WHICH NUMBERS ARE SHOWN IN LARGE SIZE ON SAID PLAT AND HAVE STATED AND SHOWN THE PRECISE DIMENSIONS OF SAID LOTS.

I FURTHER STATE THAT REFERENCE HAS BEEN MADE UPON SAID PLAT TO KNOWN AND PERMANENT SURVEY MONUMENTS FROM WHICH FUTURE SURVEYS MAY BE MADE AND THAT I PLACED SURVEY MONUMENTS AT EACH LOT CORNER AS SHOWN ON THE ACCOMPANYING PLAT AND THAT ALL OF THE DIMENSIONS ARE SHOWN IN FEET AND HUNDRETHS OF FEET AND THAT THE EASEMENT LOCATIONS AND WIDTHS ARE AS INDICATED ON SAID PLAT.

I FURTHER STATE THAT NO INVESTIGATION CONCERNING ENVIRONMENTAL AND SUBSURFACE CONDITIONS, OR TO DETERMINE THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONTAINERS OR FACILITIES WHICH MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY WAS MADE AS A PART OF THIS SURVEY.

I FURTHER STATE THAT AS A PART OF THIS BOUNDARY SURVEY, EXCEPT AS MAY BE SPECIFICALLY NOTED ON THIS PLAT, I MADE NO INVESTIGATION CONCERNING ZONING OR LAND USE, NOR HAVE I MADE AN INDEPENDENT SEARCH OF THE RECORDS FOR EASEMENTS, ENCUMBRANCES, RESTRICTIVE COVENANTS, SUBDIVISION RESTRICTIONS, OWNERSHIP, TITLE EVIDENCE OR ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE FOR SUBJECT PROPERTY OR FOR ADJOINING PARCELS AS I RELIED UPON THE MATERIALS AND REPRESENTATIONS SUPPLIED BY THE OWNER.

I FURTHER STATE THAT NO ATTEMPT HAS BEEN MADE AS A PART OF THIS BOUNDARY SURVEY TO OBTAIN DATA CONCERNING THE EXISTENCE, SIZE, DEPTH, CONDITION, CAPACITY, OR LOCATION OF ANY MUNICIPAL OR PUBLIC SERVICE FACILITY. FOR INFORMATION REGARDING THESE UTILITIES, PLEASE CONTACT THE APPROPRIATE AGENCIES.

I FURTHER STATE THAT THERE ARE NO APPARENT ABOVE GROUND ENCROACHMENTS EXCEPT AS SHOWN ON THE ACCOMPANYING PLAT OF SURVEY.

I FURTHER STATE THAT THE AREA COVERED BY THIS PLAT OF SURVEY IS WITHIN THE CORPORATE LIMITS OF THE CITY OF URBANA, CHAMPAIGN COUNTY, ILLINOIS.

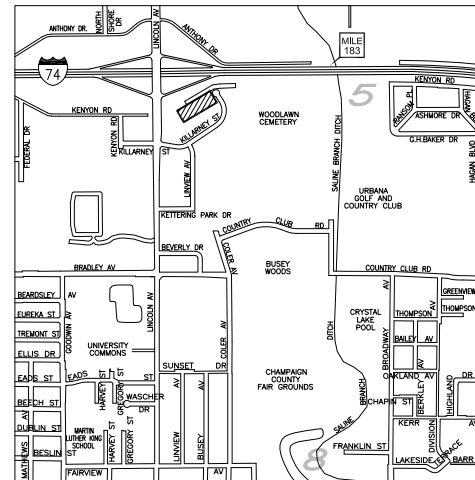
I FURTHER STATE THAT NO PART OF THE AREA COVERED BY THIS PLAT OF SURVEY IS WITHIN 500 FEET OF A SURFACE DRAIN OR WATER COURSE SERVING A TRIBUTARY AREA OF 640 ACRES OR MORE.

I FURTHER STATE AT THE REQUEST OF THE OWNERS, THIS SUBDIVISION IS TO BE KNOWN AS "WISLEY INN / SUPER 8 MOTEL FIRST SUBDIVISION, CITY OF URBANA, CHAMPAIGN COUNTY, ILLINOIS."

I FURTHER STATE THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

SIGNED AND SEALED MAY 21, 2008

EDWARD L. CLANCY, L.S., P.E., VICE PRESIDENT  
BERNS, CLANCY AND ASSOCIATES, P.C.  
ILLINOIS PROFESSIONAL LAND SURVEYOR 2207  
URBANA, CHAMPAIGN COUNTY, ILLINOIS  
DATE OF LICENSE EXPIRATION: NOVEMBER 30, 2008



PROJECT LOCATION



WISLEY INN / SUPER 8 MOTEL  
FIRST SUBDIVISION,  
CITY OF URBANA,  
CHAMPAIGN COUNTY, ILLINOIS



BERNS, CLANCY AND ASSOCIATES  
ENGINEERS • SURVEYORS • PLANNERS  
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**J. U. L. I. E.**

NOTE: THE EXACT LOCATION OF ALL UTILITIES SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION ACTIVITIES. FOR UTILITY LOCATIONS CALL: 811. ILL. 1 (800) 852-4123

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Petition for Waiver of Subdivision Regulations

Plan Commission

DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY

Date Request Filed 04-05-2010 Plan Case No. 2127-S-10
Plan Commission Action Date
Action by Council Date
Comments: (Indicate other actions such as continuances)

PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION:

Note: This form is to accompany a plat of subdivision when such plat is submitted for consideration by the City of Urbana. (Attach additional sheets if necessary).

- 1. Name of development Wisley Inn
2. Name of applicant Khalid Hussain (Phone) 217-893-0700
Address 801 West Champaign Rantoul IL 61866
3. Owner of Record Khalid Hussain (Phone) 217-893-0700
Address 801 West Champaign Rantoul IL 61866
4. Waiver(s) Requested: Request of a waiver of Section 8.01 A.1 "sidewalks shall be constructed along the subdivision streets which lie adjacent to the subdivision". Request to construct connecting sidewalks from proposed Wisley Inn pavement to existing pavements on developed property to the east, to the west, and to the south in lieu of construction of a sidewalk along Kenyon Road.
Section 8.01 Subsection A.1 Page 8.4

5. What practical difficulties or conditions exist that are not applicable generally to other properties which make it difficult to comply with the requirements of the development ordinance?

The subdivision is located at the western end of a former Interstate Frontage Road which now dead ends near the western side of the proposed subdivision. A sidewalk along the street will NOT improve pedestrian accessibility in this area.

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6. What effects will the requested waiver(s) have on present and future public services to the property proposed for subdivision and lands adjacent to the property? Further, will such waiver(s) result in any negative impact or environmental incursions to the property adjacent to or in the vicinity of the proposed subdivision? If so, please state (or attach) evidence identifying such impacts and proposed solutions in order to mitigate or reduce the negative impacts resulting from the waiver(s).

Construction of connecting sidewalks from proposed Wisley Inn pavement to existing pavements on developed property to the east, to the west, and to the south will provide pedestrian accessibility in accordance with the intent of the Subdivision Ordinance. Reduction in paved surfaces will reduce stormwater runoff and ground surface disturbance. NO negative impacts will result from the approval of this waiver.

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7. What other circumstances justify granting the requested waiver(s)?

Proposed pedestrian accessibility is improved by construction of connecting sidewalks in lieu of construction of a sidewalk along the existing dead end Kenyon Road.

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8. Additional exhibits submitted by the petitioner:

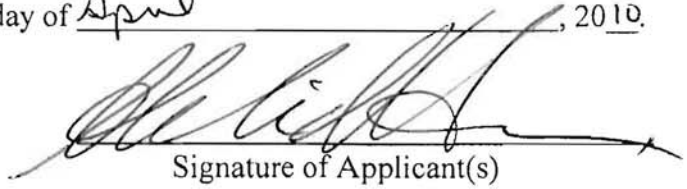
See attached aerial photograph exhibit which depicts existing and proposed site improvements.

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Wherefore, the petitioner prays that this petition be heard by the Urbana Plan Commission and the petition for waiver of the Urbana development regulations, Chapter 21 of the Urbana Code of Ordinances be granted.

Respectfully submitted this 5<sup>th</sup> day of April, 2010.

  
Signature of Applicant(s)

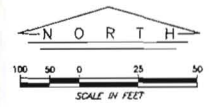
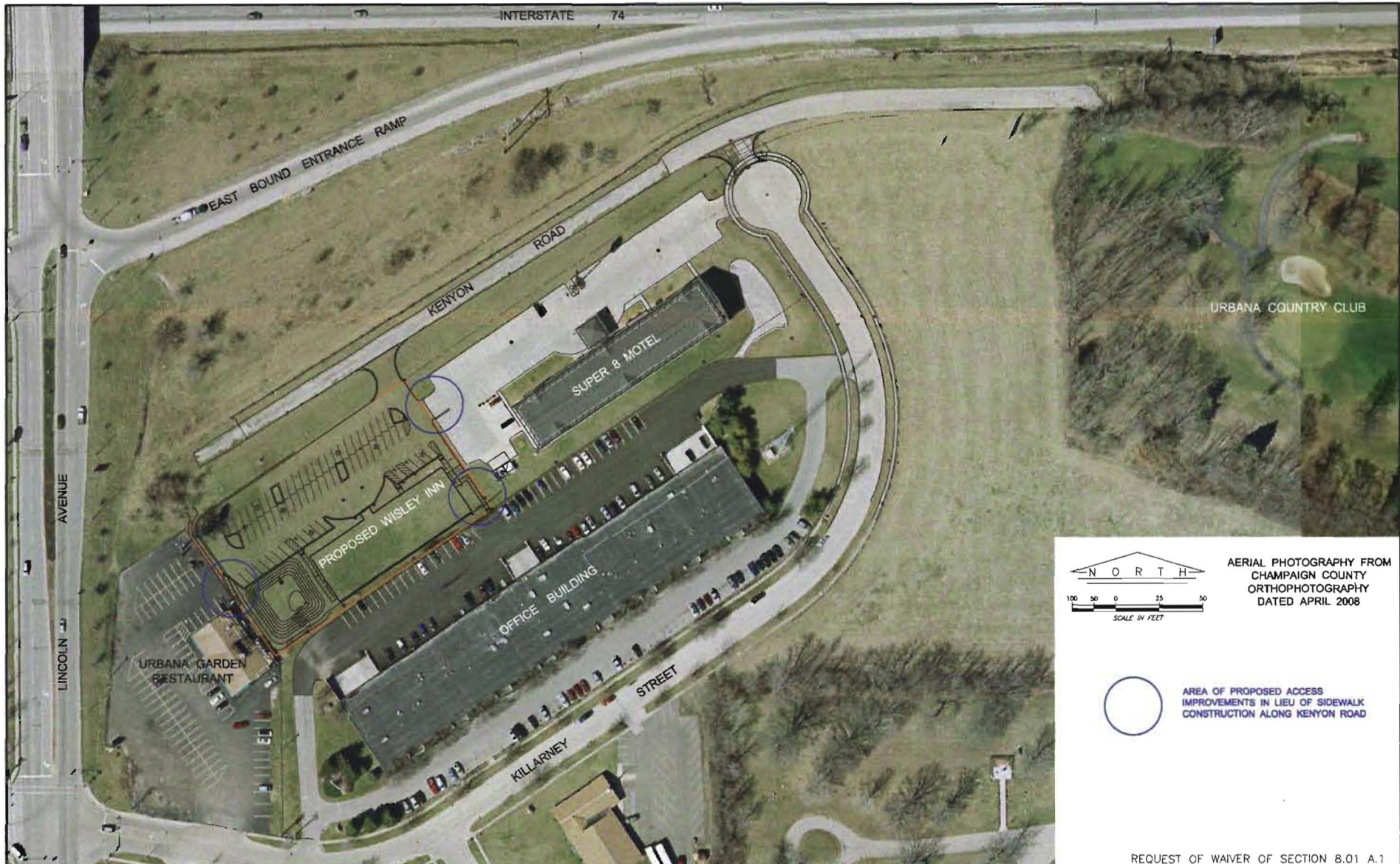
Subscribed and sworn to before me this 5<sup>th</sup> day of April, 2010

  
Notary Public

(SEAL)



My commission expires: 3-29-12



AERIAL PHOTOGRAPHY FROM  
CHAMPAIGN COUNTY  
ORTHO PHOTOGRAPHY  
DATED APRIL 2008



AREA OF PROPOSED ACCESS  
IMPROVEMENTS IN LIEU OF SIDEWALK  
CONSTRUCTION ALONG KENYON ROAD

REQUEST OF WAIVER OF SECTION 8.01 A.1

**NOTICE**  
THIS IS THE EXACT LOCATION OF ALL UTILITIES SHOWN BY THIS PLAN. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF URBANA AND THE ILLINOIS DEPARTMENT OF TRANSPORTATION PRIOR TO CONSTRUCTION.

DESIGNED:	ELC/RM	REVISIONS
DRAFTED:	KRE	
CHECKED:	RM/ELC/TBB	
FILE:	5667.PLAN.DWG	



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MODERN HOSPITALITY, INC.  
801 WEST CHAMPAIGN STREET  
RANTOUL, ILLINOIS 61866  
PHONE: (217) 722-2183

PROPOSED WISLEY INN  
CITY OF URBANA,  
CHAMPAIGN COUNTY, ILLINOIS

<b>CONCEPT PLAN</b>	DATE: 040210
	SHEET:
	1 OF 1

JOB: 5667



April 22, 2010

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

DRAFT

DATE: April 22, 2010

TIME: 7:30 P.M.

PLACE: Urbana City Building – City Council Chambers  
400 South Vine Street  
Urbana, IL 61801

MEMBERS PRESENT: Jane Burris, Tyler Fitch, Lew Hopkins, Michael Pollock,  
Bernadine Stake

MEMBERS EXCUSED: Andrew Fell, Ben Grosser, Dannie Otto, Marilyn Upah-Bant

STAFF PRESENT: Robert Myers, Planning Manager; Lisa Karcher, Planner II

OTHERS PRESENT: Thomas Bunyan, Richard Chung, Kevin McGuinness, Roger  
Meyer, Patrick Tobin

1. CALL TO ORDER, ROLL CALL AND DECLARATION OF QUORUM

Chair Pollock called the meeting to order at 7:30 p.m., roll call was taken, and a quorum was declared present.

2. CHANGES TO THE AGENDA

At staff's request, Plan Case No. 2126-T-10 was forwarded to the May 6, 2010 where it will be listed on the agenda under New Public Hearings.

3. APPROVAL OF MINUTES

Ms. Stake moved to approve the minutes of the April 8, 2010 regular meeting as presented. Ms. Burris seconded the motion.

Chair Pollock said that he should not be shown as calling the meeting to order because he did not attend. City staff agreed to make this change. The minutes were approved as amended by unanimous voice vote.

4. COMMUNICATIONS

There were none.

**5. CONTINUED PUBLIC HEARINGS**

There were none.

**6. OLD BUSINESS**

There was none.

**7. NEW PUBLIC HEARINGS**

**Plan Case No. 2126-T-10: A request by the Zoning Administrator to create the East Urbana Design Review Overlay District and to adopt design guidelines for that district.**

This case was continued to the next scheduled meeting on May 6, 2010.

**8. NEW BUSINESS**

**Plan Case No. 2127-S-10: A request by Khalid Hussain to waive the sidewalk requirements of the Urbana Subdivision and Land Development Code for Wisley Inn/Super 8 Motel First Subdivision located immediately southeast of the I-74/Lincoln Avenue interchange.**

Lisa Karcher, Planner II, presented this case to the Plan Commission. She began with a brief history and description of the proposed site. She talked about the request to waive the construction of sidewalks for the proposed development. She explained that Kenyon Road is a severed segment of interstate frontage road given up by the Illinois Department of Transportation when no longer connected with Lincoln Avenue. It makes sense for the petitioner to construct connecting sidewalks to the adjacent properties as shown in the Concept Plan (Exhibit C). These adjacent properties are a restaurant, and office building, and another motel. She reviewed the criteria from Section 21-7 of the Urbana Subdivision and Land Development Code. She read the options of the Plan Commission and presented staff's recommendation, which was as follows:

*Staff recommends that the Urbana Plan Commission forward this case to the City Council with a recommendation for approval of the requested waiver from the sidewalk requirements of Section 21-37.A of the Urbana Subdivision and Land Development Code, contingent upon the construction of connecting sidewalks from the proposed Wisley Inn (Lot 12) to adjacent property to the south, east and west.*

Chair Pollock inquired as to what the orange line shown on the Concept Plan represents. Ms. Karcher explained that the orange line outlines the property boundaries. The connecting sidewalks are drawn as small squares.

Chair Pollock asked if someone staying at the Super 8 Motel wanted to eat at the Urbana Garden Restaurant, how would they get there. Ms. Karcher answered that the petitioner would be providing a connection in the parking lot with a sidewalk. For a longer walk, a person could use the sidewalk along Killarney Street and walk around to the Urbana Garden Restaurant.

Chair Pollock inquired if Wisley Inn did not get built and another business was developed on the proposed site that would make the sidewalk along the north side something that is desired, would the City be able to require it or would it be impossible to require the sidewalk once the City waives the construction of the sidewalk with the proposed project? Ms. Karcher responded that the City would not be able to require the construction of a sidewalk on the north side of the subdivision if the City Council approves the proposed waiver request.

Ms. Karcher noted that the petitioner has not yet recorded the subdivision plat because it is contingent upon them either posting a bond or completing the improvements. So the petitioner would have to post the bond and do all of the other improvements to meet the satisfaction of the engineer before that subdivision would be recorded. However, it could be developed with a different use.

Chair Pollock wondered why Kenyon Road was even constructed. Ms. Karcher stated that in the early 1990s, the Illinois Department of Transportation improved Interstate 74. Kenyon Road before then continued to the west of Lincoln Avenue and served as a frontage road to Interstate 74. When IDOT improved the ramp from Lincoln Avenue onto Interstate 74, IDOT severed Kenyon Road's connection with Lincoln Avenue, abandoned the frontage road concept, and gave this segment of Kenyon Road right-of-way to the City of Urbana.

Chair Pollock asked if the property was subdivided and two different companies owned the two lots. If one property owner got angry with the other property owner, would they be able to construct a fence to keep people from crossing their property? Or is there some type of easement that is being provided that would keep this from happening? Ms. Karcher said that an easement is not being proposed. With part of the redesign, the two properties will be sharing two parking spaces, so they would be required to have an agreement to always provide two parking spaces for the use of the neighboring property, but a formal cross access easement is not being proposed.

Mr. Hopkins wanted clarification about the two shared parking spaces. Ms. Karcher said that the Super 8 Motel site has excess parking spaces. The City allows developments to share available parking on adjacent properties, so Wisley Inn will be able to use two parking spaces that are available at the Super 8 Motel site. However, if Super 8 Motel did not have excess parking, then Wisley Inn would not be allowed to count any of Super 8 Motel's parking spaces toward Wisley Inn's minimum requirement.

Mr. Hopkins stated that this requires the parking lots to be joined which prevents the construction of a fence that Chair Pollock was concerned about. Correct? Ms. Karcher noted that she is not sure that the City's regulations require the two lots to be joined by a driveway, but certainly a sidewalk at a minimum.

Chair Pollock inquired if Wisley Inn would meet the requirements for parking spaces without these two extra spaces. Ms. Karcher replied that it would not.

Mr. Hopkins wondered if the Plan Commission could require that the parking lots be connected. Ms. Karcher said yes, as a condition of granting the subdivision plat waiver.

With no further questions for City Staff, Chair Pollock asked if anyone in the audience had any comments or questions about this agenda item. There was none so Chair Pollock asked the Plan Commission for any discussion or a motion.

Mr. Hopkins moved that the Plan Commission forward Plan Case No. 2127-S-10 to the Urbana City Council with a recommendation for approval and with the added requirement that the two parking lots be connected by a driveway in order to legally count the two extra parking spaces for Wisley Inn. Mr. Fitch seconded the motion. Roll call on the motion was as followed:

Ms. Burris	-	Yes	Mr. Fitch	-	Yes
Mr. Hopkins	-	Yes	Mr. Pollock	-	Yes
Ms. Stake	-	Yes			

The motion was passed by unanimous vote.

Ms. Karcher pointed out that this case would go before City Council on Monday, May 3.

**9. AUDIENCE PARTICIPATION**

There was none.

**10. STAFF REPORT**

Mr. Myers reported on the following:

- ✚ University Avenue Corridor Plan is currently being reviewed by the Urbana City Council. They will review and discuss it more at the Committee of the Whole meeting that is scheduled for Monday, April 26, 2010.

Ms. Karcher reported on the following:

- ✚ First Community Wide Bike-To-Work Day is scheduled for Tuesday, May 4. It is hosted by the Champaign County Bikes, the City of Champaign, City of Urbana, University of Illinois, Savoy and MTD. They are encouraging people to bike to work. Anyone interested please register at [www.champaigncountybikes.org](http://www.champaigncountybikes.org). A T-shirt will be given to the first 500 who register, and there will also be door prizes given away. There will be four bike stations located in different places throughout the community on May 4. Refreshments will be provided, and someone will be available to look over your bike and provide advice on how to tune it or any repairs that you might need to have done to it. The above website will provide a map to help you plan the best and safest route to work.

**11. STUDY SESSION**

There was none.

**12. ADJOURNMENT OF MEETING**

The meeting was adjourned at 7:50 p.m.

Respectfully submitted,

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Robert Myers, AICP, Secretary  
Urbana Plan Commission