

ORDINANCE NO. 8586-21

WAIVER OF OFF-STREET PARKING
IN THE B-1 NEIGHBORHOOD BUSINESS DISTRICT
AT 1102 WEST MAIN STREET, URBANA, ILLINOIS

WHEREAS, Mr. Sukh Rai Chung has petitioned the City of Urbana for a waiver of off-street parking normally required by the Zoning Ordinance for property located at 1102 West Main Street, Urbana, Illinois, which petition is being considered by the Urbana Plan Commission under Plan Case #1207-PW-85, and

WHEREAS, after due publication, a public hearing was held on July 18, 1985 and continued to August 8, 1985 concerning said petition, and

WHEREAS, the Urbana Plan Commission has voted unanimously to recommend to the City Council that certain parking waivers be granted.

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

Section 1. Off-street parking for the premises at 1102 West Main Street, Urbana, Illinois, is hereby waived so that no more than 3 off-street parking spaces shall be required for a professional or business office use or a supermarket or grocery store use on the subject premises. Said premises are legally described as follows:

The North Forty-Five (45) feet of the East Forty-One and Eighty-Six Hundredths (41.86) feet of Lot Twelve (12) in Block Forty-Four (44), and commencing at the Southeast corner of Lot Twelve (12) in Block Forty-Four (44), thence North Eighty-Seven (87) feet, thence West Forty-One and Eighty-Six Hundredths (41.86) feet, thence South Eighty-Seven (87) feet, thence East Forty-One and Seventy Eight Hundredths (41.78) feet to the place of beginning, all in Seminary Addition to Urbana, in Champaign County, Illinois.

Section 2. It is an express condition of this waiver that the required 15 foot front yard along Harvey Street shall be landscaped with grass and a hedge to provide screening of the parking spaces as required by Section VIII-2, E., of the Urbana Zoning Ordinance.

Section 3. The Urbana City Council expressly finds the following pursuant to Section VIII-10 of the Urbana Zoning Ordinance:

1. The physical condition of the subject site meets the minimum criteria contained in said Section, to-wit:

(a) The building with nonconforming parking existed prior to January 1, 1982.

(b) The proposed uses of either "professional or business office" or "supermarket or grocery store", are uses permitted by right in the B-1 zone.

(c) There is no business district zone within 300 feet of the subject site which has available any vacant land on which the petitioner might construct an off-site parking facility approved by the Zoning Board of Appeals.

(d) (1) That a 25% variance by the Zoning Board of Appeals would not permit the petitioner to receive a certificate of occupancy issued by the Zoning Administrator since it would only reduce the required off-street parking from 21 spaces to 16. The petitioner has lot area only for 3 spaces.

(2) There is a legitimate public purpose in granting the waiver in that without such, the owner is effectively denied certain use rights otherwise available to him in a B-1 zone for the portion of his building which is now vacant.

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.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called by a majority of the members of the Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 19th day of August, 1985.

PASSED by the City Council this 19th day of August, 1985.

Ruth S. Brookens
Ruth S. Brookens, City Clerk

APPROVED by the Mayor this 4th day of September, 1985.

Jeffrey T. Markland
Jeffrey T. Markland, Mayor

CERTIFICATE OF PUBLICATION

I, Ruth S. Brookens, City Clerk, City of Urbana, Illinois, do herewith certify that I caused the above Ordinance to be duly published in the Champaign-Urbana News-Gazette on the 11th day of September, 1985, and a Certificate of Publication is attached hereto.

Ruth S. Brookens
Ruth S. Brookens, City Clerk

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PW-85, and

WHEREAS, after due publication, a
public hearing was held on July 18,
1985 and continued to August 8,
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WHEREAS, the Urbana Plan Com-
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all in Seminary Addition to
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Illinois.

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Harvey Street shall be landscaped

CERTIFICATE OF PUBLICATION IN The News-Gazette

The undersigned, M. S. Duca, THE CHAMPAIGN NEWS-GAZETTE, INCORPORATED, by

its controller, does hereby
certify that said Corporation is the publisher of The News-Gazette and that the same is
a daily secular newspaper of general circulation published in Champaign, Champaign
County, Illinois, and which said newspaper had been regularly published for more
than six months prior to the first publication of the annexed notice; said publisher
further certifies that the annexed notice was published once each week for _____
consecutive weeks in said newspaper, namely on the following dates:

Sept 11, A. D. 19 85
_____, A. D. 19
_____, A. D. 19
_____, A. D. 19
_____, A. D. 19
_____, A. D. 19

Said publisher further certifies that the date of the first paper containing the said
notice was on the first date hereinabove set forth, and that the date of the last paper
containing the said notice was on the last date hereinabove set forth.

The Champaign News-Gazette, Incorporated

By [Signature]

Controller

PUBLISHER OF THE NEWS-GAZETTE

Publisher's fee \$

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CITY OF URBANA, ILL.
RECEIVED

SEP 13 1985

CITY CLERK'S OFFICE

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