

ORDINANCE NO. 2005-09-135

AN ORDINANCE APPROVING A SPECIAL USE PERMIT

(Request to Establish an Accessory Parking Lot Within 600 feet of the R-1, R-2, or R-3 Zoning District - Plan Case No. 1949-SU-05)

WHEREAS, the subject property is located near the corner of Locust Street and Central Avenue and identified as 306 W. Locust; and

WHEREAS, the subject property is zoned R-5, Medium High Density Multiple Family Residential according to the Official Zoning Map for the City of Urbana; and

WHEREAS, Canaan Baptist Church has requested a Special Use Permit to establish an accessory parking lot within 600 feet of the R-1, R-2, or R-3 Zoning District; and

WHEREAS, the Urbana Zoning Ordinance identifies an *accessory parking lot* within 600 feet of the R-1, R-2, or R-3 Zoning District as being permitted with the granting of a Special Use Permit; and

WHEREAS, Canaan Baptist Church has petitioned the Urbana Plan Commission in Case No. 1949-SU-05 to consider a request to establish an accessory parking lot within 600 feet of the R-1, R-2, or R-3 Zoning District; and

WHEREAS, all applicable development regulations will be met, including those involving setbacks, signage, parking, drainage, and vehicular access considerations; and

WHEREAS, the conditions placed on the approval in Section 1 herein should minimize the impact of the proposed development on surrounding properties; and

WHEREAS, after due publication, a public hearing was held by the Urbana Plan Commission on August 18, 2005 concerning the petition filed by the petitioner in Plan Case No. 1949-SU-05; and

WHEREAS, on August 18, 2005, the Urbana Plan Commission voted 6 ayes and 0 nays to forward the case to the Urbana City Council with a recommendation to approve the request for a Special Use Permit, subject to the conditions as outlined in Section 1 herein; and

WHEREAS, the approval of the Special Use Permit, with the conditions set forth below, is consistent with the requirements of Section VII-6 of the Urbana Zoning Ordinance, Special Use Permit Procedures, and with the general intent of that Section of the Ordinance; and

WHEREAS, the findings of the Plan Commission indicate that approval of the special use permit would promote the general health, safety, morals, and general welfare of the public.

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

Section 1. A Special Use Permit is hereby approved to allow the establishment of an accessory parking lot within 600 feet of the R-1, R-2 or R-3 Zoning Districts with the following conditions upon approval:

1. That the updated site plan shall be revised to address any remaining concerns or comments from the Building Safety Division.
2. That the layout of the parking lot shall closely resemble site plans approved by the City of Urbana per the July 27, 2005 Schedule for Complaint Abatement attached as Exhibit H. Any significant deviation from this site plan will require an amendment to the Special Use Permit, including further review by the Plan Commission and approval by City Council.
3. That all improvements to the parking lot be made by October 31, 2005

LEGAL DESCRIPTION:

Lot 20 of S.T. Busey's Addition to Urbana, as per plat recorded in Deed Record 19 at page 285 in Champaign County, Illinois.

Section 2. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the Corporate Authorities. This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Chapter 65, Section 1-2-4 of the Illinois Compiled Statutes (65 ILCS 5/1-2-4).

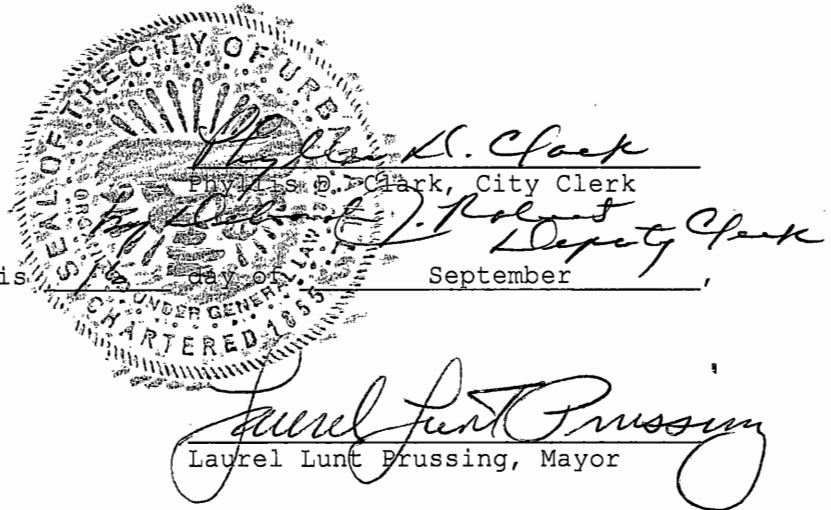
PASSED by the City Council this 6th day of September,  
2005.

AYES: Barnes, Bowersox, Chynoweth, Lewis, Roberts, Smyth

NAYS:

ABSTAINS:

APPROVED by the Mayor this 6th day of September,  
2005.



**Canaan Baptist Church Schedule for Complaint Abatement  
Revised Per Meeting on July 27, 2005**

1. Obtain Zoning Approval for 306 S. Locust Accessory Parking Lot

Submit application for Special Use Permit by **August 17, 2005**

City to process at next possible Plan Commission and City Council meeting following submission. Staff will complete form, but church must provide legal description, sign it, and pay for filing fee and newspaper legal ad. Staff agrees to make a positive recommendation for granting of the permit.

[Note: This application was submitted on Friday July 29, 2005. A Plan Commission hearing has been scheduled for **August 18, 2005**, with City Council decision to occur on **September 6, 2005**].

2. Submit building plans for handicapped ramp for 207 N. Central

HDC to submit correct construction plans for handicapped ramp at the back of the building along with a building permit request by **August 17, 2005**. Also include site plan revisions to provide the required two handicapped spaces to be accessed from the drive south of the Academy building. City to submit revision comments by **August 30, 2005**. City to issue building permit following correction to plans.

[Note: Revision of spaces between the church and Canaan Academy to provide for handicapped parking will complete Illinois Accessibility Code requirements for the building].

3. Revise 306 S. Locust St. Parking Lot Plan

Locust Street parking lot plans were revised and submitted on July 25, 2005 in response to comments from the June 23, 2005 review letter. City to provide written review comments on revised plans by **August 8, 2005**. If further changes are needed, HDC to submit second revised plans for Locust Street parking lot no later than **August 31, 2005**. City to issue building permit following correction to plans.

4. Complete Handicapped Access to Academy Building

Construct 2<sup>nd</sup> handicapped accessible Exit for 207 N. Central no later than **September 30, 2005**, provided that the building permit is issued on or before August 30, 2005.

5. Identify Remaining Required Parking

Completion of the Locust Street parking lot will result in an unmet requirement for approximately 20 spaces (A total of 34 spaces are required - 12 are shown on the submitted site plan and 2 are to be provided as handicapped spaces directly south of the Academy building). Identify where these remaining spaces are to be located (within 600

feet of the Academy Building) and submit a site plan for the parking by **October 31, 2005**. An additional special use permit will likely be required. The City will again assist in this process. Building permit(s) will also be required.

6. Construct Parking Lot Improvements at 306 S. Locust

Contractor to complete all improvements to parking lot per approved plans by **October 31, 2005**.

7. Construct Remaining Parking

Canaan Baptist to complete construction of additional parking area(s) per approved site plans and with building permits on a date to be determined and agreed to on or before **October 31, 2005**.



## 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 6th day of September, 2005, the Corporate Authorities of the City of Urbana passed and approved Ordinance No. 2005-09-135, entitled:

**“AN ORDINANCE APPROVING A SPECIAL USE PERMIT  
(REQUEST TO ESTABLISH AN ACCESSORY PARKING  
LOT WITHIN 600 FEET OF THE R-1, R-2, OR R-3 ZONING  
DISTRICT – PLAN CASE NO. 1949-SU-05)”**

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2005-09-135 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 19th day of September, 2005, and continuing for at least ten (10) days thereafter. Copies of said Ordinance were also available for public inspection upon request at the Office of the City Clerk.

Dated at Urbana, Illinois, this 19th day of September, 2005.



*Phyllis D. Clark*  
\_\_\_\_\_  
City Clerk  
*by Charles J. Robert*  
\_\_\_\_\_  
Deputy Clerk