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Recording Cover Sheet

ORDINANCE NO. 2015-06-065

AN ORDINANCE APPROVING A MAJOR VARIANCE
(TO ALLOW A REDUCTION OF THE REQUIRED NUMBER OF
AUTOMOBILE PARKING SPACES FROM BETWEEN FIVE AND
SEVEN TO THREE SPACES IN THE CITY'S B-1,
NEIGHBORHOOD BUSINESS DISTRICT, AT 303 WEST
GRIGGS STREET / ZBA CASE NO. 2015-MAJ-07)


2015R14970
REC ON: 08/07/2015 12:41:40 PM
CHAMPAIGN COUNTY
BARBARA A. FRASCA, RECORDER
REC FEE: 44.00
PAGES 5
PLAT ACT: OPLAT PAGE:

Prepared for recording by:

Phyllis D. Clark, City Clerk

400 S. Vine Street, Urbana, IL 61801

Return to:

 Phyllis D. Clark, City Clerk
City of Urbana
400 S. Vine Street
Urbana, IL 61801

ORDINANCE NO. 2015-07-065

AN ORDINANCE APPROVING A MAJOR VARIANCE

(To allow a reduction of the required number of automobile parking spaces from between five and seven to three spaces in the City's B-1, Neighborhood Business District, at 303 West Griggs Street / ZBA Case No. 2015-MAJ-07)

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 major variances where there are special circumstances or conditions with a parcel of land or a structure; and

WHEREAS, Geoffrey Merritt has submitted a petition for a major variance to allow a reduction in the number of automobile parking spaces from between five and seven to four spaces at 303 West Griggs Street in the City's B-1, Neighborhood Business District; and

WHEREAS, said petition was presented to the Urbana Zoning Board of Appeals in ZBA Case No. 2015-MAJ-07; and

WHEREAS, after due publication in accordance with Section XI-10 of the Urbana Zoning Ordinance and with Chapter 65, Section 5/11-13-14 of the Illinois Compiled Statutes (65 ILCS 5/11-13-14), the Urbana Zoning Board of Appeals held a public hearing on the proposed major variance on June 17, 2015 and voted 5 ayes and 0 nays to recommend that the Corporate Authorities approve the requested variance; and

WHEREAS, after due and proper consideration, the Corporate Authorities of the City of Urbana have determined that the major variance referenced herein conforms with the major variance procedures in accordance with Article XI, Section XI-4.B of the Urbana Zoning Ordinance; and

WHEREAS, the Corporate Authorities have considered the variance criteria established in the Urbana Zoning Ordinance and have determined the following findings:

1. Geoffrey Merritt is applying for a variance to allow a reduction in the number of automobile parking spaces from between five and seven to four spaces at 303 West Griggs Street.
2. The use is currently classified as a "Mail Order Business", a use that was granted via Conditional Use Permit in Case No. ZBA-01-C-01. The building is currently used for mail order record and bicycle-related sales.
3. The petitioner plans to renovate the existing building, remove the existing internal garage, and rebuild the front façade. The renovation plans would create a new space to be used for low-intensity retail where the garage is currently located. The new building would require between five and seven off-street parking spaces according to Table VIII-7 of the Urbana Zoning Ordinance.
4. The petitioner has applied for a Major Variance to decrease the required number of automobile parking spaces from between five and seven spaces to four spaces.
5. The petitioner proposes to mitigate the impacts of the requested variance by providing four off-street parking spaces in nearby lots, by installing bicycle parking on-site, and by removing the existing curb cut and driveway at the front of the property, which would add one on-street parking space in front of the building.
6. Existing on-street parking has been sufficient to meet the parking demands of the existing building and current use.
7. The variance request will not serve as a special privilege to the property owner.
8. The variance request was not the result of a situation knowingly created by the petitioner.
9. The variance request will not alter the essential character of the neighborhood, and may help to preserve and enhance the neighborhood's character.
10. The variance request will not cause a nuisance to adjacent property owners.
11. The variance request represents a reasonable deviation from the requirements of the Zoning Ordinance.
12. The proposal is generally consistent with the 2005 Urbana Comprehensive Plan.

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

Section 1. In ZBA Case No. 2015-MAJ-07, the major variance requested by Geoffrey Merritt is hereby approved in the manner proposed in the application and subject to the following conditions:

1. The applicant will remove the existing driveway and curb cut, install a new curb, and fill in the right-of-way between the street and the sidewalk with grass or plants; and
2. The applicant will reach an agreement with a property owner or owners within 600 feet of 303 W. Griggs Street to secure three or more parking spaces for the use of the business at 303 W Griggs Street.

The major variance described above shall only apply to the property located at 303 West Griggs Street, Urbana, Illinois, more particularly described as follows:

LEGAL DESCRIPTION:

Parts of Lots 11 (as Plat Record recorded in Deed Record 19 at Page 285) and 12 (as Plat Record recorded in Deed Record 19 at Page 285) in S.T. Busey's Addition to Urbana, in Champaign County, Illinois.

Parcel Identification Number: 91-21-08-383-004

Section 2. The Urbana 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).

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the members of the City Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 13th day of July, 2015.

PASSED by the City Council on this 13th day of July, 2015.

AYES: Ammons, Jakobsson, Madigan, Marlin, Roberts

NAYS:

ABSTAINS:

Phyllis D. Clark

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this 15th day of July, 2015.

Laurel Lunt Prussing

Laurel Lunt Prussing, Mayor

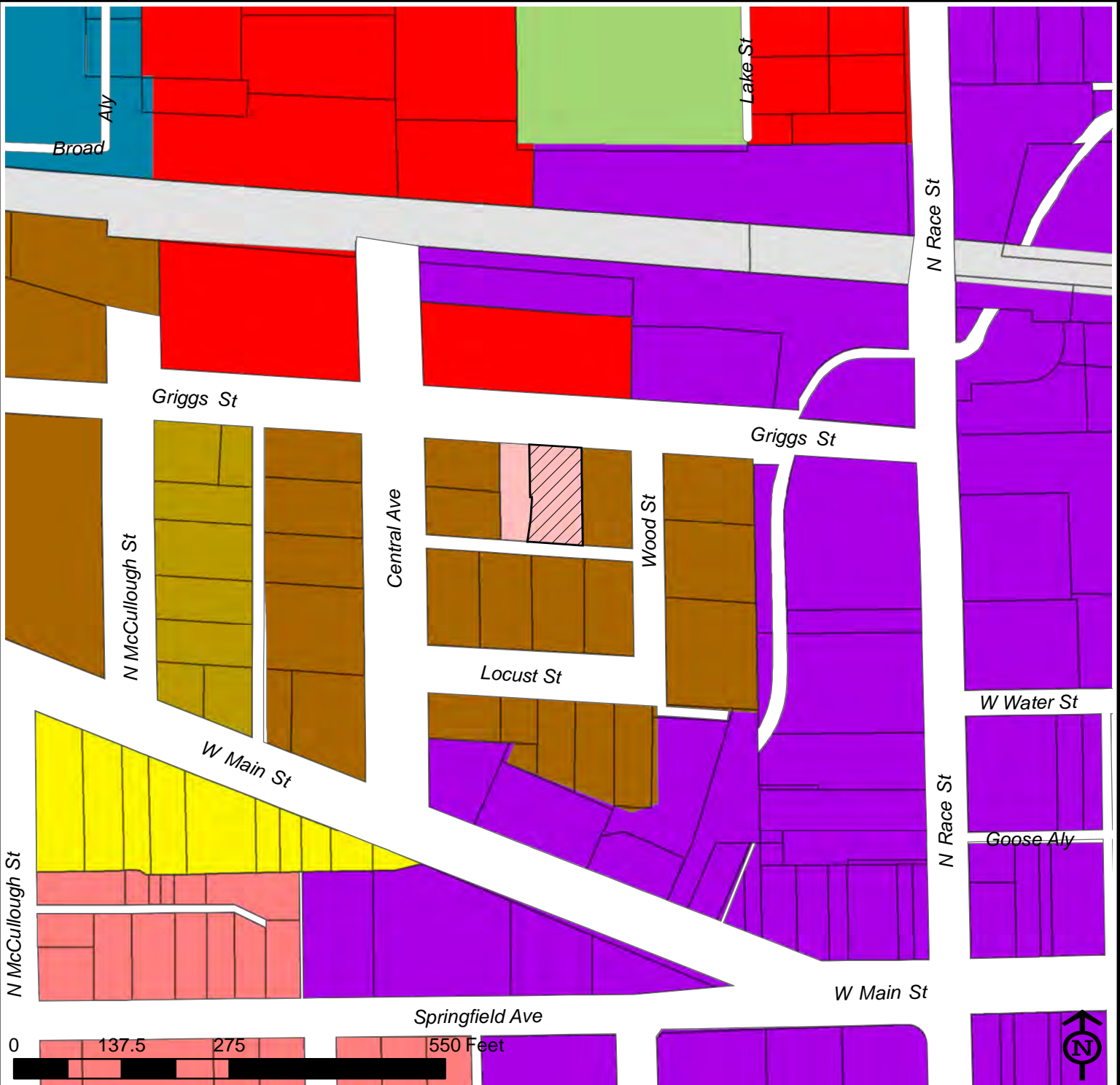
Exhibit A: Location & Existing Land Use Map



Case: ZBA-2015-MAJ-07
 Subject: Parking Variance
 Location: 303 W Griggs St
 Petitioners: Geoff Merritt

 Subject Property

Exhibit B: Zoning Map



0 137.5 275 550 Feet



Case: ZBA-2015-MAJ-07
 Subject: Parking Variance
 Location: 303 W Griggs St
 Petitioners: Geoff Merritt









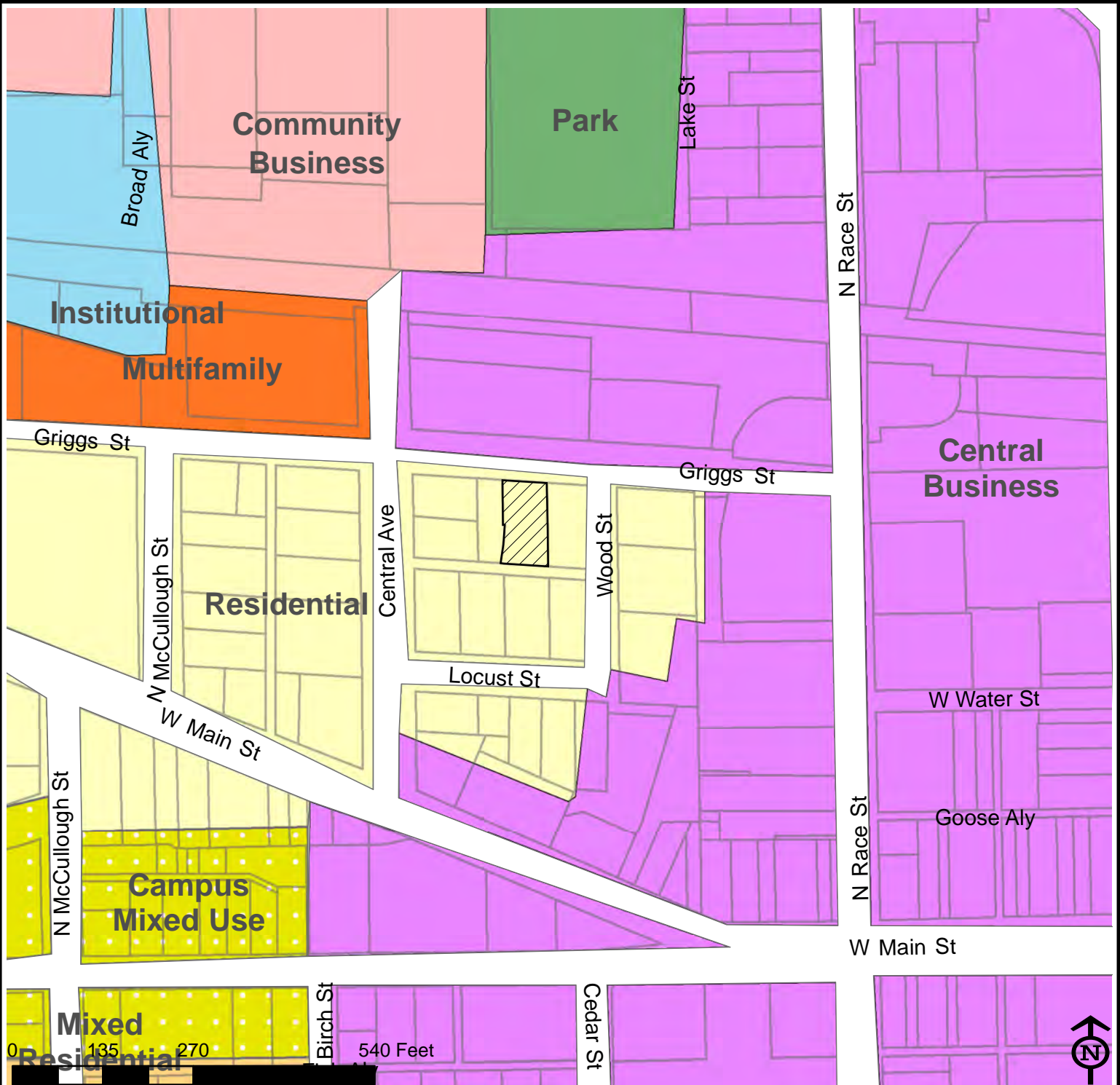
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|--|--|---|--|
|  B1 |  B4 |  MIC |  R5 |
|  B2 |  CRE |  R2 | |
|  B3 |  IN-1 |  R4 | |
|  Subject Property | | | |

Exhibit C: Future Land Use Map



Case: ZBA-2015-MAJ-07
 Subject: Parking Variance
 Location: 303 W Griggs St
 Petitioners: Geoff Merritt

- | | |
|--|--|
|  Residential |  Community Business |
|  Mixed Residential |  Central Business |
|  Multi-Family Residential |  Institutional |
|  Campus Mixed Use |  Park |
|  Subject Property | |

BACK OF CURB/GUTTER

CITY RECLAIMED PARKING SPACE

GRIGGS

REMOVED DRIVEWAY

NEW BIKE PARKING

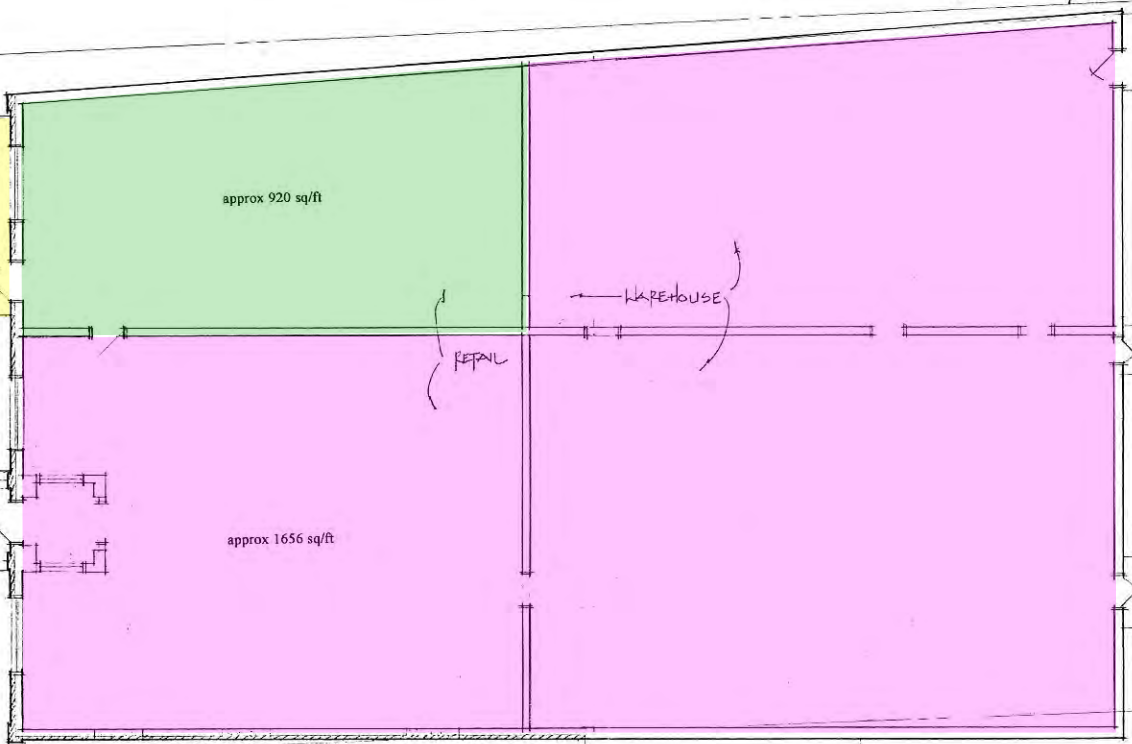
NEW CANOPY

NEW SW

EXISTING SIDEWALK

GRASS

33'-0" 14'-6" 2' 11'-6" 4'-0" 11'-0"



PROPERTY LINES

EXISTING CONCRETE STOOPS

WAREHOUSE

REPAIR

approx 920 sq/ft

approx 1656 sq/ft

PETTY SHOP

ALLEY

NOTE: SURVEY PROPERTY CORNER LOCATIONS MAY NOT BE EXACT

NORTH

303 WEST GRIGGS URBANA, ILLINOIS SITE PLAN
 1/8" = 1'-0"

Exhibit D

Potential Parking Area 2

N Central Ave

303 W Griggs St.

Potential Parking Area 1

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Wood St

Merritt Building Parking

Variance Request

May 25, 2015

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