

Recording Cover Sheet

**AN ORDINANCE APPROVING A MAJOR VARIANCE (303
W. UNIVERSITY AVE. / ZBA CASE NO. 2019-MAJ-07) [Ord.
No. 2019-09-052]**

*ORDINANCE

*MAP

2019R14536
REC ON: 09/05/2019 12:58:23 PM
CHAMPAIGN COUNTY
MARK SHELDEN
REC FEE: 51.00
RHSPS Fee:
REV FEE:
PAGES 8
PLAT ACT: 0 PLAT PAGE:

Prepared for recording by:
Kay Meharry, Asst. City Clerk

400 S. Vine Street, Urbana, IL 61801

Return to:

Charles A. Smyth, City Clerk
City of Urbana
400 S. Vine Street
Urbana, IL 61801



City of Urbana
400 South Vine Street
Urbana, IL 61801

CLERK'S CERTIFICATE

STATE OF ILLINOIS)
)
COUNTY OF CHAMPAIGN) SS

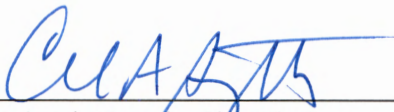
I, CHARLES A. SMYTH, City Clerk of the City of Urbana, Illinois, and keeper of the records, files and seal of said City, do hereby certify that the foregoing is a true and exact copy of an ordinance entitled:

**AN ORDINANCE APPROVING A MAJOR VARIANCE
(303 W. University Ave. / ZBA Case No. 2019-MAJ-07) [ORD. 2019-09-052].**

approved by the City Council of the City of Urbana, Illinois, on the 3rd day of September, AD, 2019, as it appears in the records and files in my office remaining.

Given under my hand and seal of said City of Urbana, Illinois, this 4th day of September, AD, 2019.





Charles A. Smyth, City Clerk



ORDINANCE NO. 2019-09-052

AN ORDINANCE APPROVING A MAJOR VARIANCE

(303 W. University Ave. / ZBA Case No. 2019-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 a major variance where there is a special circumstance or condition with a parcel of land or a structure; and

WHEREAS, the Urbana Park District has submitted a petition for a major variance to expand the existing parking lot eastward up to 16 feet into the 25-foot required front yard at Leal Park, 303 West University Avenue, in the CRE, Conservation-Recreation-Education Zoning District; and

WHEREAS, the Zoning Board of Appeals held a public hearing on such petition at 7:00 p.m. on August 21, 2019, in ZBA Case No. 2019-MAJ-07; and

WHEREAS, in accordance with Urbana Zoning Ordinance Section XI-10, due and proper notice of such public hearing was given by publication in *The News-Gazette*, a newspaper having a general circulation within the City, on a date at least 15 days but no more than 30 days before the time of the public hearing, and by posting a sign containing such notice on the real property identified herein; and

WHEREAS, the Zoning Board of Appeals voted six (6) ayes and zero (0) nays to forward the case to the Urbana City Council with a recommendation to approve the requested variance with one condition; and

WHEREAS, the City Council finds that the requested variance conforms with the major variance procedures in Article XI, Section XI-3(C)(2)(d), of the Urbana Zoning Ordinance; and

WHEREAS, the City Council has considered the variance criteria established in the Urbana Zoning Ordinance and has made the following findings of fact:

1. The Urbana Park District requests a major variance to expand the existing parking lot eastward up to 16 feet into the 25-foot required front yard at Leal Park, 303 West University Avenue, in the CRE, Conservation-Recreation-Education Zoning District.
2. The proposed variance will not serve as a special privilege because the variance requested is necessary due to the special circumstances of the subject site requiring consolidation of parking areas. Due to the configuration of the site, the proposal to expand the parking lot eastward is the best available option, as it optimizes parking by using the existing lot and minimizes the loss of mature trees.
3. The variance request is not the result of a situation knowingly or deliberately created by the petitioner, as the Park District recently lost the staff parking area it had leased from an adjacent property owner when the property was sold and developed.
4. The proposed parking lot expansion should not change the essential character of the neighborhood, as the existing parking lot has provided parking since 1987 and will consolidate existing parking demand at three parking areas into one main parking lot.
5. The proposed variance should not cause a nuisance to adjacent property owners because the proposed parking lot expansion consolidates existing parking by expanding an existing parking lot eastward along West University Avenue, away from residential and quieter park areas.
6. The proposed variance is the minimum deviation from the requirements of the Zoning Ordinance to accommodate the request, as it would expand the existing parking lot along the current boundary eastward, maintaining the current lot boundaries, and reducing loss of trees and quiet park areas.
7. Due to the practical difficulties posed by the configuration of the site, the proposed variance minimizes the loss of mature trees and quiet park areas while optimizing the consolidation of existing parking capacity onto Park District property.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Urbana, Illinois, as follows:

Section 1.

In ZBA Case No. 2019-MAJ-07, the major variance requested by the Urbana Park District to allow expansion of the existing parking lot up to 16 feet into the 25-foot required front yard in the CRE, Conservation-Recreation-Education Zoning District, is hereby approved in the manner proposed in the application with the following condition: The proposed parking lot expansion shall generally conform to the site plan and specifications as set forth in Attachment "A," which is attached hereto and incorporated herein by reference.

The major variance described above shall only apply to the property located at 303 West University Avenue, more particularly described as follows:

Commencing 33 feet South of the Northeast corner of the Southeast quarter of the Southwest quarter of Section 8, Township 19, North, Range 9 East of the Third Principal Meridian, running thence West 296.81 feet to the Northeast corner of Lot 1 of S. T. Busey's Second Addition to the City of Urbana, Illinois, thence South 380 feet, thence East 296.81 feet to the East line of the Southeast quarter of the Southwest quarter of Section 8, Township 19 North, Range 9 East of the Third Principal Meridian, thence North on said line a distance of 380 feet to the place of beginning, said premises being known as the "Old Cemetery", as shown in survey recorded April 7, 1903, in Plat Book B at page 125 in the Recorder's Office of Champaign County, Illinois, situated in Champaign County, Illinois.

Commonly known as 303 West University Avenue
P.I.N.: 91-21-08-376-012

Section 2.

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 Section 1-2-4 of the Illinois Municipal Code. Upon approval of this Ordinance, the City Clerk is directed to record a certified copy with the Champaign County Office of the Recorder of Deeds and transmit one copy of the recorded Ordinance to the petitioner.

This Ordinance is hereby passed by the affirmative vote, the “ayes” and “nays” being called of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

PASSED BY THE CITY COUNCIL this 3rd day of September, 2019.

AYES: Brown, Hazen, Hursey, Jakobsson, Miller, Wu

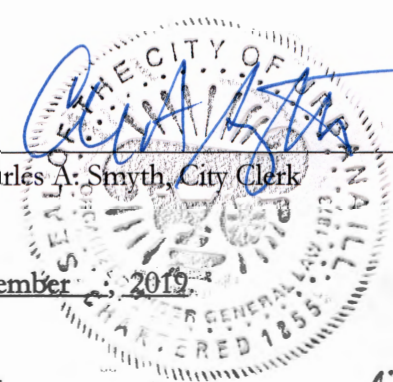
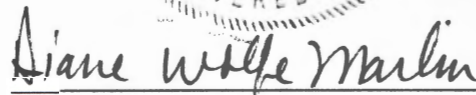
NAYS:

ABSTENTIONS:



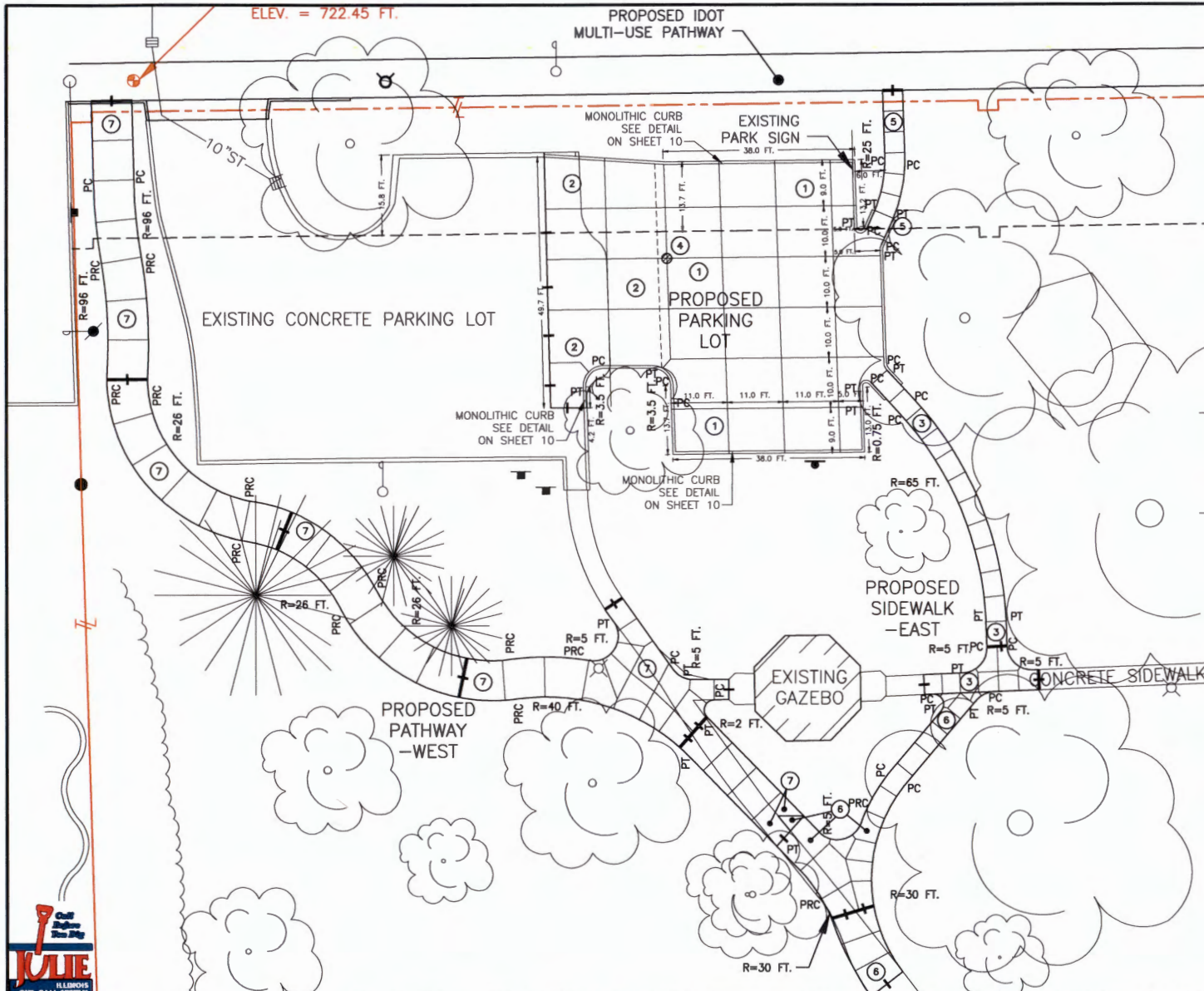
Charles A. Smyth, City Clerk

APPROVED BY THE MAYOR this 4th day of September, 2019.

Diane Wolfe Marlin, Mayor

ORDINANCE ATTACHMENT A - SITE PLANS



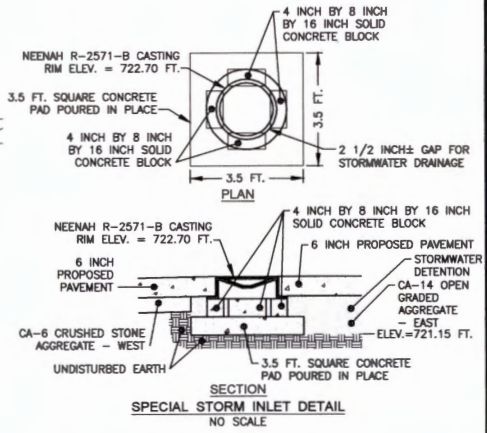
LEGEND

- ISOLATION JOINT
- EXPANSION JOINT WITH SMOOTH DOWEL
- CONSTRUCTION JOINT WITH #4 REBAR
- R= CURVE RADIUS
- PC POINT-OF-CURVATURE
- PRC POINT-OF-REVERSE CURVE
- PT POINT-OF-TANGENCY
- PCC POINT-OF-COMPOUND CURVATURE

KEYED NOTES

- 1 BASE BID: EXCAVATE EXISTING SOILS AND CONSTRUCT 6-INCH THICKNESS FIBER REINFORCED PORTLAND CEMENT CONCRETE PARKING LOT WITH MONOLITHIC CURB AND OPEN GRADED CA-14 AGGREGATE BASE MATERIAL. SEE DETAIL ON SHEET 10.
- 2 BASE BID: EXCAVATE EXISTING SOILS AND CONSTRUCT 6-INCH THICKNESS FIBER REINFORCED PORTLAND CEMENT CONCRETE PARKING LOT WITH MONOLITHIC CURB AND CA-6 AGGREGATE BASE MATERIAL. SEE DETAIL ON SHEET 10.
- 3 BASE BID: EXCAVATE EXISTING SOILS AND CONSTRUCT 6-INCH THICKNESS FIBER REINFORCED PORTLAND CEMENT CONCRETE SIDEWALK WITH MINIMUM 4-INCH THICKNESS CA-6 AGGREGATE BASE MATERIAL. SEE DETAIL ON SHEET 9.
- 4 BASE BID: INSTALL SPECIAL STORM INLET WITH NEENAH R2571-B CASTING. SEE DETAIL ON THIS SHEET.
- 5 ALTERNATE BID 1: EXCAVATE EXISTING SOILS AND CONSTRUCT 6-INCH THICKNESS FIBER REINFORCED PORTLAND CEMENT CONCRETE SIDEWALK WITH MINIMUM 4-INCH THICKNESS CA-6 AGGREGATE BASE MATERIAL. SEE DETAIL ON SHEET 9.
- 6 ALTERNATE BID 2: EXCAVATE EXISTING SOILS AND CONSTRUCT 6-INCH THICKNESS FIBER REINFORCED PORTLAND CEMENT CONCRETE SIDEWALK/MULTIUSE PATHWAY WITH MINIMUM 4-INCH THICKNESS CA-6 AGGREGATE BASE MATERIAL. SEE DETAIL ON SHEET 9.
- 7 ALTERNATE BID 3: EXCAVATE EXISTING SOILS AND CONSTRUCT 6-INCH THICKNESS FIBER REINFORCED PORTLAND CEMENT CONCRETE MULTIUSE PATHWAY WITH MINIMUM 4-INCH THICKNESS CA-6 AGGREGATE BASE MATERIAL. SEE DETAIL ON SHEET 9.

SEE SHEET 6 FOR PARKING LOT AND PATHWAY LOCATION COORDINATE DATA.



DATE	BY	REVISIONS
06/25/19	RDW	CITY OF URBANA REVIEW
07/23/19	RDW	VARIANCE REQUEST

Ord. 2019-09-052

BCA BERNIS, CLANCY AND ASSOCIATES
ENGINEERS • SURVEYORS • PLANNERS
405 EAST GARDEN STREET - PO BOX 5106
URBANA, ILLINOIS 61802-0106
PHONE: (217) 986-1144 FAX: (217) 986-3888

URBANA PARK DISTRICT
505 WEST STOUGHTON STREET
URBANA, ILLINOIS 61801
PHONE: 217/387-1544

LEAL PARK PARKING LOT
EXPANSION / PATHWAY IMPROVEMENT
PROJECT, URBANA PARK DISTRICT,
CITY OF URBANA, CHAMPAIGN
COUNTY, ILLINOIS

DATE: 052119
SHEET: 4 OF 11
JOB: 1623-1



CERTIFICATE OF PUBLICATION IN PAMPHLET FORM



I, Charles A. Smyth, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois. I certify that on the 3rd day of September 2019 the City Council of the City of Urbana passed and approved Ordinance No. 2019-09-052, entitled:

AN ORDINANCE APPROVING A MAJOR VARIANCE (303 W. University Ave. / ZBA Case No. 2019-MAJ-07)

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

The pamphlet form of Ordinance No. 2019-09-052 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 5th day of September 2019, 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 5th day of September, 2019.



Charles A. Smyth, City Clerk