



DATE: Monday, September 19, 2022
TIME: 7:00 PM
PLACE: 400 South Vine Street, Urbana, IL 61801

AGENDA

Chair: Jaya Kolisetty, Ward 4

A. Call to Order and Roll Call

B. Approval of Minutes of Previous Meeting

1. 08-01-2022 Public Hearing Minutes
2. 08-15-2022 Minutes
3. 09-06-2022 Minutes

C. Additions to the Agenda

D. Presentations and Public Input

1. Visitors from Thionville, France—the Illinois Sister Cities Association's 2022 "Champion of Youth" Awardees - CMs Bishop & Wu

E. Staff Report

1. Florida Avenue Corridor Study Findings and Final Recommendations - PW & CCRPC

F. Unfinished Business

1. **Ordinance No. 2022-09-036:** An Ordinance Approving a Major Variance (Parking at 1009 Stoughton Street / Case No. ZBA-2022-MAJ-04) - CD

G. New Business

1. **Ordinance No. 2022-09-037:** An Ordinance Revising the Annual Budget Ordinance (Budget Amendment #2 - Omnibus) - HRF
2. **Ordinance No. 2022-09-038:** An Ordinance Amending City Code Chapter 5, Building, Fire, and Flood Safety Codes - Fire
3. **Ordinance No. 2022-09-039:** An Ordinance Annexing Certain Territory to the City of Urbana (1414 West Anthony Drive / Champaign Asphalt Company, LLC) - CD

- [4.](#) **Resolution No. 2022-09-071R:** A Resolution Approving an Intergovernmental Agreement with the Board of Trustees of the University of Illinois Concerning Certified Housing Inspections (Term of 2022 to 2023) - CD
- [5.](#) **Resolution No. 2022-09-072R:** A Resolution Authorizing Acceptance of an Illinois Arts Council Agency(IACA) Grant for Public Arts Program Operating Support (FY 2023 Urbana Arts and Culture Program) - CD
- [6.](#) **Resolution No. 2022-09-073R:** A Resolution Authorizing Acceptance of a DCEO Generate Energy Savings Program Grant (Matthews Avenue Street Lighting Project) - CD
- [7.](#) **Resolution No. 2022-09-074R:** A Resolution Authorizing Acceptance of a DCEO Grant (Community Development, Violence Prevention, and Administrative Costs) - CD

H. Council Input and Communications

I. Adjournment

PUBLIC INPUT

The City of Urbana welcomes Public Input during open meetings of the City Council, the City Council's Committee of the Whole, City Boards and Commissions, and other City-sponsored meetings. Our goal is to foster respect for the meeting process, and respect for all people participating as members of the public body, city staff, and the general public. The City is required to conduct all business during public meetings. The presiding officer is responsible for conducting those meetings in an orderly and efficient manner. Public Input will be taken in the following ways:

Email Input

Public comments must be received prior to the closing of the meeting record (at the time of adjournment unless otherwise noted) at the following: citycouncil@urbanaininois.us. The subject line of the email must include the words "PUBLIC INPUT" and the meeting date. Your email will be sent to all City Council members, the Mayor, City Administrator, and City Clerk. Emailed public comments labeled as such will be incorporated into the public meeting record, with personal identifying information redacted. Copies of emails will be posted after the meeting minutes have been approved.

Written Input

Any member of the public may submit their comments addressed to the members of the public body in writing. If a person wishes their written comments to be included in the record of Public Input for the meeting, the writing should so state. Written comments must be received prior to the closing of the meeting record (at the time of adjournment unless otherwise noted).

Verbal Input

Protocol for Public Input is one of respect for the process of addressing the business of the City. Obscene or profane language, or other conduct that threatens to impede the orderly progress of the business conducted at the meeting is unacceptable.

Public comment shall be limited to no more than four (4) minutes per person. The Public Input portion of the meeting shall total no more than one (1) hour, unless otherwise shortened or extended by majority vote of the public body members present. The presiding officer or the city clerk or their designee, shall monitor each speaker's use of time and shall notify the speaker when the allotted time has expired. A person may participate and provide Public Input once during a meeting and may not cede time to another person, or split their time if Public Input is held at two (2) or more different times during a meeting. The presiding officer may give priority to those persons who indicate they wish to speak on an agenda item upon which a vote will be taken.

The presiding officer or public body members shall not enter into a dialogue with citizens. Questions from the public body members shall be for clarification purposes only. Public Input shall not be used as a time for problem solving or reacting to comments made but, rather, for hearing citizens for informational purposes only.

In order to maintain the efficient and orderly conduct and progress of the public meeting, the presiding officer of the meeting shall have the authority to raise a point of order and provide a verbal warning to a speaker who engages in the conduct or behavior proscribed under "Verbal Input". Any member of the public body participating in the meeting may also raise a point of order with the presiding officer and request that they provide a verbal warning to a speaker. If the speaker refuses to cease such conduct or behavior after being warned by the presiding officer, the presiding officer shall have the authority to mute the speaker's microphone and/or video presence at the meeting. The presiding officer will inform the speaker that they may send the remainder of their remarks via e-mail to the public body for inclusion in the

meeting record.

Accommodation

If an accommodation is needed to participate in a City meeting, please contact the City Clerk's Office at least 48 hours in advance so that special arrangements can be made using one of the following methods:

- Phone: 217.384.2366
- Email: CityClerk@urbanillinois.us



**CITY OF URBANA, ILLINOIS
DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION**

M E M O R A N D U M

TO: Mayor Diane Wolfe Marlin and Members of City Council
FROM: John C. Zeman, City Engineer
DATE: September 14, 2022
RE: Presentation of Florida Avenue Corridor Study

Introduction

The Champaign-Urbana Urbanized Area Transportation Study (CUUATS) has completed final recommendations for the Florida Avenue Corridor Study. CUUATS staff will present the final recommendations to City Council and answer questions.

Background

In the fall of 2020, CUUATS, in partnership with the City of Urbana, the University of Illinois at Urbana-Champaign, and the Champaign-Urbana Mass Transit District, began the Florida Avenue Corridor Study to evaluate one mile of Florida Avenue from Lincoln Avenue to Vine Street. The goal of this study is to identify ways to increase transportation safety and mobility in this high-traffic corridor. The Study included two (2) rounds of public involvement carried out in Fall 2021 and Spring 2022, where community members were invited to comment on the existing conditions in the corridor (Fall 2021) and on the future scenarios and proposed recommendations that the CUUATS staff developed with the City of Urbana, University, and MTD (Spring 2022). After analyzing the input and further meetings with the partner agencies, CUUATS staff updated the project website and recently opened a third round of public input on the final recommendations for the corridor.

The final recommendations for the Florida Avenue Corridor Study are summarized in the “Implementation of Preferred Scenario” page: https://ccrpg.gitlab.io/florida-ave/implementation/implementation_plan/

Answers to common questions or concerns from the public are included in the “Frequently Asked Questions” page: <https://ccrpg.gitlab.io/florida-ave/implementation/faqs/>

Information about the public involvement process, a project timeline for the Study, and a survey for public input on the final recommendations can be found in the “Public Involvement Info” page: <https://ccrpg.gitlab.io/florida-ave/public-involvement/public-involvement-landing/>

An in-depth discussion about the alternative scenario evaluation with an emphasis on intersection design can be found in the “Scenario Evaluation” page: <https://ccrpg.gitlab.io/florida-ave/future-scenarios/scenario-evaluation/>

ADMINISTRATION • ARBOR • ENGINEERING • ENVIRONMENTAL MANAGEMENT
EQUIPMENT SERVICES • OPERATIONS • PUBLIC FACILITIES

--printed on recycled and recyclable paper--



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Mayor Diane Wolfe Marlin and Members of the Urbana City Council

FROM: Sheila Dodd, Interim Community Development Services Director
 Marcus Ricci, AICP Planner II

DATE: September 8, 2022

SUBJECT: **An Ordinance Approving a Major Variance** (Parking at 1009 Stoughton Street / ZBA-2022-MAJ-04)

Introduction

Andrew Fell, on behalf of FLC 1009 W Stoughton, LLC, requests a major variance to reduce the minimum parking requirement by 60% to allow construction of a multi-family residential apartment building at 1009 Stoughton Street in the B-3U, General Business–University zoning district. Table VIII-7 of the Zoning Ordinance requires 13 parking spaces for the proposed building; the applicant would like to provide seven parking spaces (or six, if one space is an accessible space).

At the August 10, 2022, special meeting, the Zoning Board of Appeals (ZBA) held a public hearing and considered the requested variance. Staff received one phone call opposing the request. The applicant answered questions from the Board. The ZBA voted with six ayes and one nay to recommend that City Council approve the requested variance, as presented in the staff report. Staff concur with the recommendation.

Background

The original single-family residence on the site was built in 1889. In 1981, an addition with a ground-level, rear-loading parking area was added, turning the original residence into an 8-unit apartment building with 17 bedrooms. The parking area included only six parking spaces, with none designated as an accessible space. A driveway off Stoughton Street along the north side of the house provided a seventh parking space. The building and parking areas were demolished in late July of 2022 to prepare the site for redevelopment.

Description of Site and Area

The property is 6,553 square feet in area and is located on the south side of Stoughton Street, west of Harvey Street (see Exhibit A). The site and adjacent properties are zoned B-3U, General Business–University. All of the apartment buildings on this block of West Stoughton Street have rear-loading parking areas, which are accessed by a mid-block alley. Table 1. identifies the current zoning, existing land uses, and future land use designations of the subject property and surrounding properties (see Exhibits B and C).

Table 1. Zoning and Land Use

Location	Zoning	Existing Land Use	Future Land Use
Site	B-3U, General Business – University	High-Density Multi-Family Residential	Campus Mixed-Use
North	B-3U, General Business – University	High-Density Multi-Family Residential	Campus Mixed-Use
South	B-3U, General Business – University, then R-5 Medium-High Density Multifamily Residential and CRE Conservation-Recreation-Education	High-Density Multi-Family Residential	Campus Mixed-Use
East	B-3U, General Business – University	High-Density Multi-Family Residential	Campus Mixed-Use, then Institutional
West	B-3U, General Business – University, then R-5 Medium-High Density Multifamily Residential	High-Density Multi-Family Residential	Campus Mixed-Use, then Institutional

Proposed Use

The applicant proposes to build a 3-story, 18-unit apartment building that meets all development regulations of the B-3U zoning district. The new building would add one bedroom compared to the previous building. The new parking area would have seven parking spaces, or six when one must be marked to create an accessible space.¹ One additional on-street parking space would be created when the curb cut for the old access drive would be closed: staff believe that this additional on-street parking space provides a greater benefit as it is available to the public.

The zoning ordinance requires 13 spaces for the proposed building: the applicant proposes to have seven parking spaces (or six, with one accessible space), and therefore requests a 60 percent parking reduction. The ordinance required 10 parking spaces for the previous building: it provided only seven parking spaces, or 30 percent fewer than required; it also had no accessible parking spaces. Table 2. summarizes this information.

Table 2. Former and Proposed Building Configurations

Item	Former Building	Proposed Building
Dwelling Units	8	18
Total Bedrooms	17	18
Parking Spaces Required	10	13
Parking Spaces Provided	7, with no accessible spaces	Initially: 7, with no accessible spaces ²
Parking Reduction	30% reduction	46% reduction, or 54% when accessible space is provided

Public Outreach and Comment

As required by the Zoning Ordinance, staff published Legal Notice in *The News-Gazette* fifteen days prior to the ZBA meeting, to notify the public of the request and public hearing. Staff also sent letters

¹ Accessible parking spaces must be added when employees or residents request an accessible space. The applicant proposes to provide seven parking spaces at the outset: if an accessibility request is made, two of these parking spaces would be restriped into one accessible space with its adjacent loading area.

² An 8th parking space would be created on Stoughton Street when the curb cut is closed.

to 15 neighboring property owners notifying them of the request, and posted a public hearing sign on the property. Staff received one phone call opposing the requested variance.

Discussion

The applicant believes that the parking requirement can be reduced without negative impact for two reasons. First, the previous building did not provide the minimum number of parking spaces, as just described. Second, the number of parking spaces required is more than is needed to meet the current and past demand for parking spaces for their building. Parking spaces are rented to residents for an additional fee of \$750 per year (2022 rate). The applicant stated they usually have a surplus of parking spaces that are not rented by building residents: these spaces are then made available to residents in other buildings owned by the applicant, then to the general public. Reducing the number of parking spaces required would reduce the number of surplus parking spaces for which property owners must find renters.

The applicant reported that, for the subject property, no parking spaces were rented to building residents for 2021-2022, four spaces were rented to non-building residents, and two spaces remained vacant. For the eight campus-area properties they manage, the average percent of the 170 total available parking spaces that were rented to building residents was 29%; 21% were rented to non-building residents, and 50% remained vacant.

City Planning staff performed a parking study of campus-area multifamily residential buildings in 2016-2017. At that time, the current owner of the subject property reported that only two of the six spaces in the parking area were rented by building residents (33%); the other four spaces were rented to non-residents (66%).

In summary: the applicant would like to construct a new building with one additional bedroom and the same number of on-site parking spaces plus one additional on-street parking space available to the public. They assert their residential use has a lower parking demand than the minimum parking required by the zoning ordinance.

Variance Criteria

Section XI-3 of the Urbana Zoning Ordinance requires the ZBA to make findings based on variance criteria. The ZBA must first determine, based on the evidence presented, whether there are special circumstances or special practical difficulties with reference to the parcel concerned, in carrying out the strict application of the ordinance. This criterion is intended to serve as a minimum threshold that must be met before a variance request may be evaluated. The following is a review of the criteria outlined in the ordinance, followed by staff analysis:

1. *Are there any special circumstances or practical difficulties with reference to the parcel concerned, in carrying out the strict application of the zoning ordinance?*

The special circumstance is that the property is very close to campus, where, according to the applicant, owning a car is discouraged and reduces the need for property owners to provide tenant parking spaces. The area is dense and walkable: there are three bus stops within a two-block radius, and both Stoughton Street and Main Street are designated “bicycle-friendly” streets. The practical difficulty is that, for this parcel, providing the amount of parking required many property owners in the past to provide ground-level parking underneath upper-story residential floors. These requirements frequently lead to surplus parking spaces for which property owners must then find

renters. Staff feel that the pedestrian environment and high minimum parking requirements are special circumstances or practical difficulties that weigh in favor of granting the variance.

2. *The proposed variance will not serve as a special privilege because the variance requested is necessary due to special circumstances relating to the land or structure involved or to be used for occupancy thereof, which is not generally applicable to other lands or structures in the same district.*

These conditions are not necessarily a special circumstance related to only this property: several nearby properties are small in area, may be deficient in the parking they are currently providing, and may still experience parking surpluses due to a parking supply greater than parking demand. To redevelop this property to its former or similar occupancy, it would be economically and/or physically difficult to provide the minimum parking required. It would likely result in another “building on stilts” – similar to the recently-demolished building addition and many neighboring buildings – which is undesirable, especially in a walkable neighborhood. Future redevelopment of nearby sites would likely result in similar requests for variances from the minimum parking requirement. If those variances would also be warranted, staff feel that the requested variance would not serve as a special privilege to the property owner and weighs in favor of granting the variance.

3. *The variance requested is not the result of a situation or condition having been knowingly or deliberately created by the Petitioner.*

The applicant purchased the property with its former building and non-conforming parking that had been operating in this fashion for decades. They did not create the situation or condition, and may not even have realized that they were not providing the required number of parking spaces. They would like to replace the building with a new one that would have one more bedroom and the same amount of parking. Staff feel that the variance request is not a result of a situation created by the petitioner, and weighs in favor of granting the variance.

4. *The variance will not alter the essential character of the neighborhood.*

The proposed building would provide one additional bedroom and the same amount of parking. The parking would remain behind the building, where it will not affect the character of the street or the neighborhood. Staff feels that the variance would not alter the essential character of this high-density residential neighborhood, and weighs in favor of granting the variance.

5. *The variance will not cause a nuisance to the adjacent property.*

The most likely nuisance created by the variance is that a resident or visitor would park in a neighboring building’s parking area. These parking lots are posted as “private parking” and warn that unauthorized vehicles will be removed. In addition, in closing the curb cut along Stoughton Street, the new development would essentially create an additional on-street parking space, open to all. Staff believe that, faced with this choice, a reasonable person would park on the street rather than having their vehicle towed, negating the potential nuisance, and weighing in favor of granting the variance.

6. *The variance represents generally the minimum deviation from requirements of the Zoning Ordinance necessary to accommodate the request.*

A parking variance would be required to simply replace the previous building, let alone add bedrooms or change apartment configurations. The most practical way to accommodate replacing the building – and making the reasonable changes proposed – is to acknowledge the reduced parking that has been in place for decades, and grant the smallest variance in parking that will suffice. Staff believe that the requested reduction in parking spaces – from 13 spaces to 6 spaces (including one accessible space) – is the minimum deviation from the Zoning Ordinance, and weighs in favor of granting the variance.

Zoning Board of Appeals

At the August 10, 2022, special meeting, the ZBA held a public hearing and considered the requested variance. The applicant answered questions from the Board. Board discussion centered on past experiences with difficulty finding parking in the area, and university measures taken to reduce car ownership by students and on campus in general. The ZBA voted with six ayes and one nay to recommend that City Council approve the requested variance, as presented in the staff report, exceeding the two-thirds minimum approval requirement.

Summary of Findings

1. Andrew Fell, on behalf of FLC 1009 W Stoughton, LLC, requests a major variance to reduce the minimum parking requirement by 60 percent to allow for construction of a multi-family residential apartment building at 1009 Stoughton Street in the B-3U, General Business–University zoning district.
2. The variance addresses the pedestrian environment and high minimum parking requirements, which are special circumstances and practical difficulties to the strict application of the zoning ordinance to this site.
3. The variance addresses the small lot size and high minimum parking requirement that applies to many properties in this area, the future redevelopment of which would likely result in similar requests for variances.
4. The variance addresses the parking deficiency that this apartment complex has been operating with for decades, which was not the result of a situation or condition created by the applicant.
5. The variance would not change the location of the rear-loading parking area and would not alter the essential character of the street or neighborhood.
6. The variance is unlikely to cause a nuisance from shifting parking onto other parking lots, and may actually reduce parking congestion by creating one public on-street parking space.
7. The variance represents the minimum deviation necessary from the requirements of the Zoning Ordinance, and legalizes the parking deficiency that has been in effect for decades.

Options

The Urbana City Council has the following options in Case No. ZBA-2022-MAJ-04:

1. Approve the Ordinance; or
2. Approve the Ordinance with certain terms and conditions; or
3. Deny the Ordinance.

Recommendation

The Zoning Board of Appeals voted at its August 10, 2022, special meeting (six ayes, one nay) to forward the case to the City Council with a recommendation to APPROVE the request, as presented. Staff concurs with this recommendation.

Attachments: Exhibit A: Location Map
Exhibit B: Zoning Map
Exhibit C: Future Land Use Map
Exhibit D: Variance Application
Exhibit E: Site Photos
Exhibit F: Communications
Exhibit G: ZBA Meeting Minutes – August 10, 2022 – DRAFT

cc: Andrew Fell, Applicant
FLC 1009 W Stoughton, LLC, Owner

ORDINANCE NO. _____**AN ORDINANCE APPROVING A MAJOR VARIANCE**

(FLC 1009 W Stoughton, LLC at 1009 Stoughton Street / Case No. ZBA-2022-MAJ-04)

WHEREAS, the City of Urbana (“City”) is a home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution, 1970, and may exercise any power and perform any function pertaining to its government and affairs, and the passage of this Ordinance constitutes an exercise of the City’s home rule powers and functions as granted in the Illinois Constitution, 1970; and

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, FLC 1009 W Stoughton, LLC, requests a major variance to reduce the minimum parking requirement by 60 percent to allow for construction of a multi-family residential apartment building at 1009 Stoughton Street in the B-3U, General Business–University zoning district; and

WHEREAS, the Zoning Board of Appeals held a public hearing on this request at 7:00 p.m. on August 10, 2022, in Case ZBA-2022-MAJ-04; 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 one (1) nay to forward the case to the Urbana City Council with a recommendation to approve the requested variance, as presented; and

WHEREAS, the City Council finds that the requested variance conforms with the major variance procedures in Article XI, Section XI-3(C)(2)(e), 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. Andrew Fell, on behalf of FLC 1009 W Stoughton, LLC, requests a major variance to reduce the minimum parking requirement by 60 percent to allow for construction of a multi-family residential apartment building at 1009 Stoughton Street in the B-3U, General Business–University zoning district.
2. The variance addresses the pedestrian environment and high minimum parking requirements, which are special circumstances and practical difficulties to the strict application of the zoning ordinance to this site.
3. The variance addresses the small lot size and high minimum parking requirement that applies to many properties in this area, the future redevelopment of which would likely result in similar requests for variances.
4. The variance addresses the parking deficiency that this apartment complex has been operating with for decades, which was not the result of a situation or condition created by the applicant.
5. The variance would not change the location of the rear-loading parking area and would not alter the essential character of the street or neighborhood.
6. The variance is unlikely to cause a nuisance from shifting parking onto other parking lots, and may actually reduce parking congestion by creating one public on-street parking space.
7. The variance represents the minimum deviation necessary from the requirements of the Zoning Ordinance, and legalizes the parking deficiency that has been in effect for decades.

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

Section 1.

In Case No. ZBA 2022-MAJ-04, the major variance requested by FLC 1009 W Stoughton, LLC, to decrease the minimum parking requirement by 60 percent is hereby approved in the manner proposed in the application.

Section 2.

Upon approval of this Ordinance, the City Clerk is directed to record a certified copy of this Ordinance with the Champaign County Office of Recorder of Deeds. 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.

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 date day of Month, Year.

AYES:

NAYS:

ABSTENTIONS:

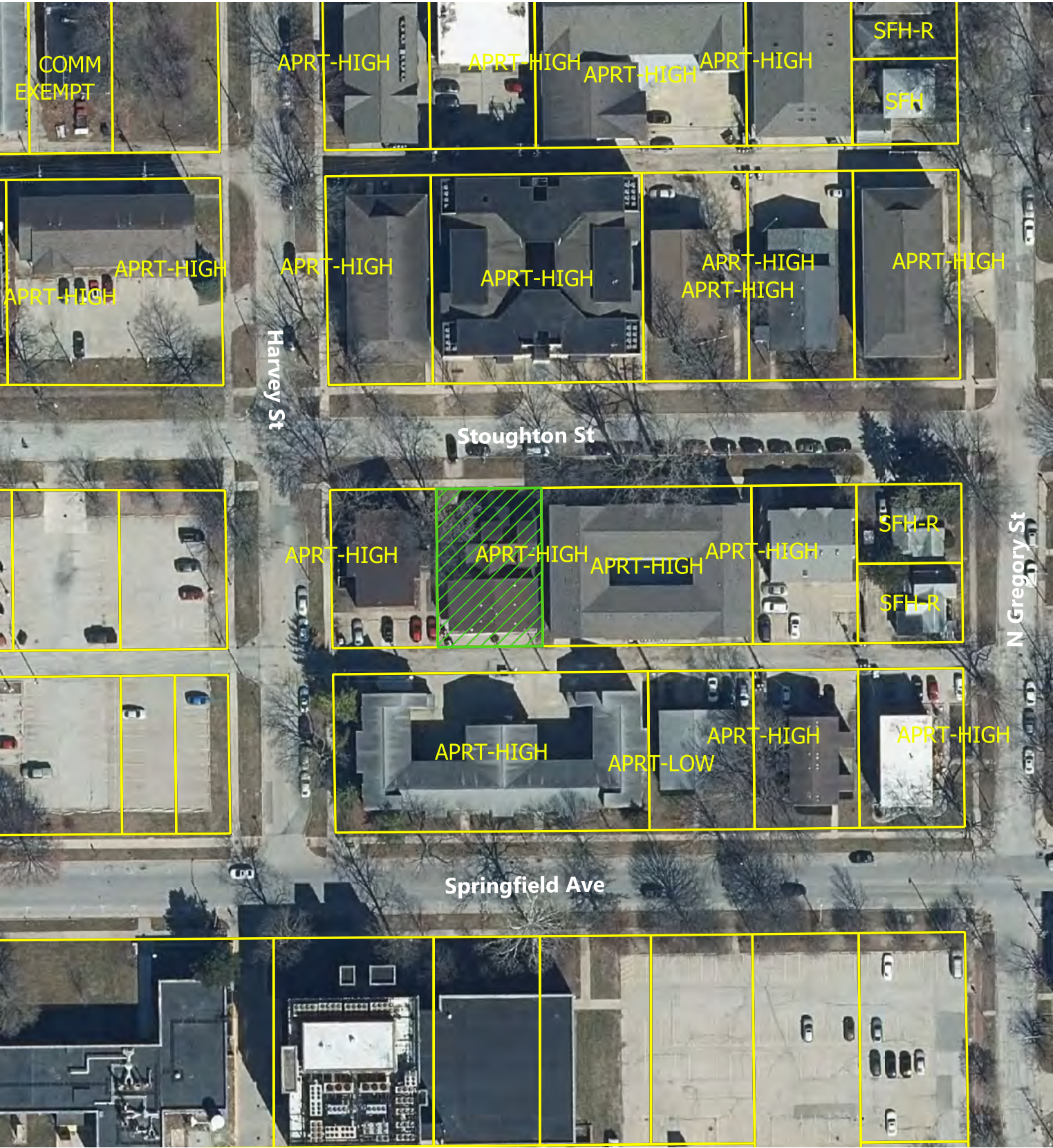
Phyllis D. Clark, City Clerk

APPROVED BY THE MAYOR this date day of Month, Year.

Diane Wolfe Marlin, Mayor

Exhibit A - Location & Land Use

Item F1.



Case: ZBA-2022-MAJ-04
Subject: Major Variance - Parking Reduction
Location: 1009 Stoughton Street
Applicant: FLC 1009 W. Stoughton, LLC

Legend

SUBJECT PROPERTY

Exhibit B - Current Zoning

Item F1.



Case: ZBA-2022-MAJ-04
Subject: Major Variance - Parking Reduction
Location: 1009 Stoughton Street
Applicant: FLC 1009 W. Stoughton, LLC

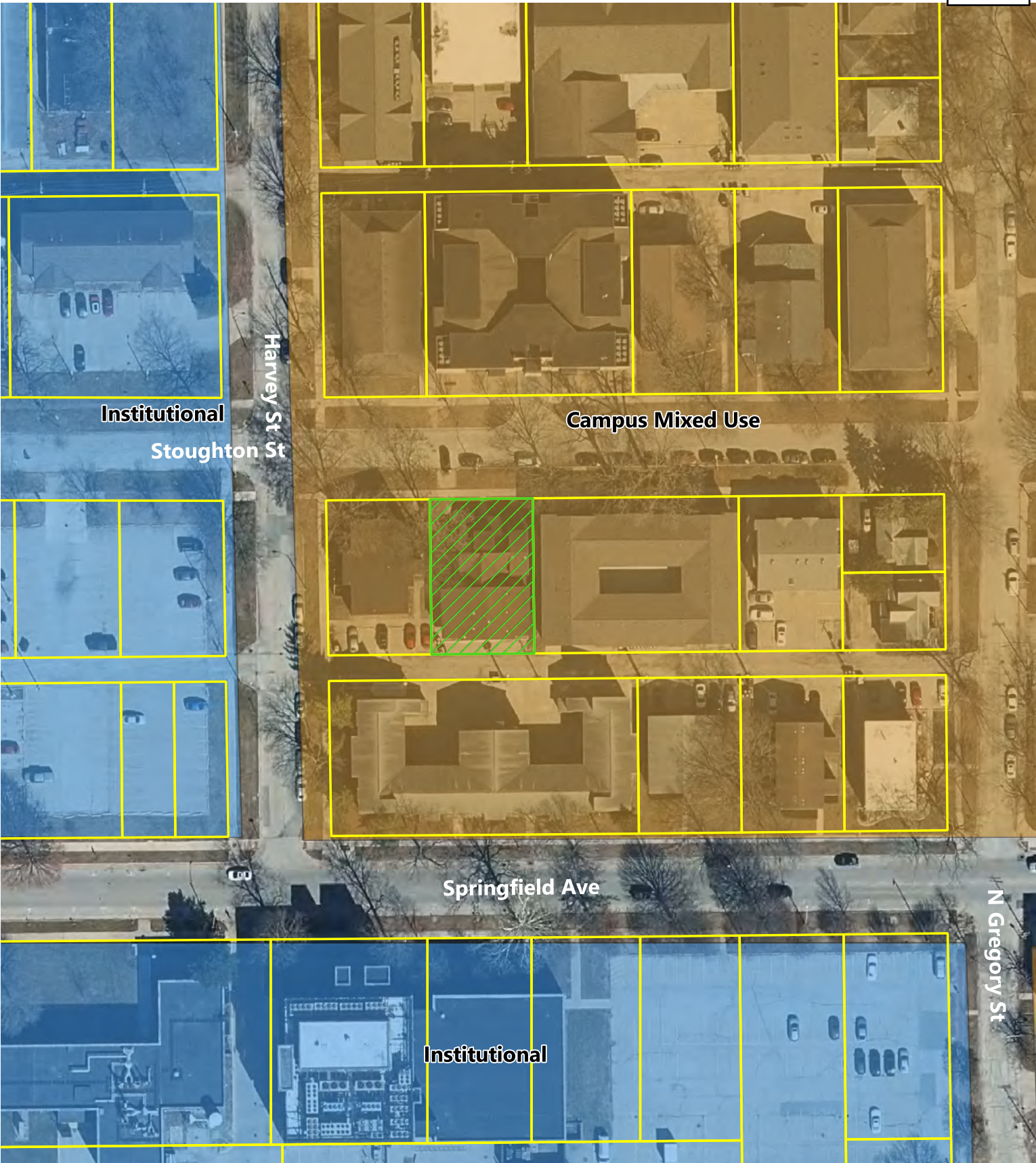
Legend

SUBJECT PROPERTY

Zoning		CRE
	B-1	5
	B-3U	6

Exhibit C - Future Land Use

Item F1.



Case: ZBA-2022-MAJ-04
Subject: Major Variance - Parking Reduction
Location: 1009 Stoughton Street
Applicant: FLC 1009 W. Stoughton, LLC



Legend

SUBJECT PROPERTY



Application for Variance

ZONING BOARD OF APPEALS

The application fee must accompany the application when submitted for processing. Please refer to the City's website at <http://www.urbanaininois.us/fees> for the current fee associated with this application. **The Applicant is also responsible for paying the cost of legal publication fees.** Estimated costs for these fees usually run between \$75.00 and \$225.00. The applicant will be billed separately by the News-Gazette.

DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY

Date Request Filed 05-25-2022 ZBA Case No. ZBA-2022-MAJ-04
 Fee Paid - Check No. 7130 Amount \$200.00 Date 05-25-2022

PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION

A VARIATION is requested in conformity with the powers vested in the Zoning Board of Appeals to permit the following variation (*Describe the extent of the Variation Requested*)

_____ on the
 property described below, and in conformity with the plans described on this variance request.

1. APPLICANT CONTACT INFORMATION

Name of Applicant(s): **Andrew Fell Architecture and Design (Adrienne Kim)** Phone: **217-363-2890**

Address (street/city/state/zip code): **515 North Hickory, Suite 101, Champaign, IL 61820**

Email Address: **permits@andrewfell.com**

Property interest of Applicant(s) (Owner, Contract Buyer, etc.): **Architect**

2. OWNER INFORMATION

Name of Owner(s): **FLC 1009 W Stoughton, LLC**

Phone: **217-239-0911**

Address (street/city/state/zip code): **220 N Green St., Chicago, IL 60607**

Email Address: **wthompson@fairlawre.com**

Is this property owned by a Land Trust? ☐ Yes ☒ No

If yes, please attach a list of all individuals holding an interest in said Trust.

3. PROPERTY INFORMATION

Location of Subject Site: **1009 West Stoughton**

PIN # of Location: **91-21-07-483-002**

Lot Size: **66' x 100' = 6,000 s.f.**

Current Zoning Designation: **B3-U**

Current Land Use (*vacant, residence, grocery, factory, etc*): **small apartment building - converted house**

Proposed Land Use: **three story apartment building**

Legal Description (*If additional space is needed, please submit on separate sheet of paper*):

See Attached

4. CONSULTANT INFORMATION

Name of Architect(s): Andrew Fell Architecture and Design (Adrienne Kim) Phone: **217-363-2890**

Address (*street/city/state/zip code*): **515 N Hickory, Suite 101, Champaign, IL 61820**

Email Address: **permits@andrewfell.com**

Name of Engineers(s):

Phone:

Address (*street/city/state/zip code*):

Email Address:

Name of Surveyor(s): BKB Engineering (Bryan Bradshaw)

Phone: **217-531-2971**

Address (*street/city/state/zip code*): **301 N Neil, Suite 400, Champaign, IL 61820**

Email Address: **bbradshaw@bkbeng.com**

Name of Professional Site Planner(s): BKB Engineering

Phone:

Address (*street/city/state/zip code*):

Email Address:

Name of Attorney(s):

Phone:

Address (*street/city/state/zip code*):

Email Address:

5. REASONS FOR VARIATION

Identify and explain any special circumstances or practical difficulties in carrying out the strict application of the Zoning Ordinance with respect to the subject parcel.

See Attached

Explain how the variance is necessary due to special conditions relating to the land or structure involved which are not generally applicable to other property in the same district.

See Attached

Explain how the variance is not the result of a situation or condition that was knowingly or deliberately created by you (the Petitioner).

See Attached

Explain why the variance will not alter the essential character of the neighborhood.

See Attached

Explain why the variance will not cause a nuisance to adjacent property.

See Attached

Does the variance represent the minimum deviation necessary from the requirements of the Zoning Ordinance? Explain.

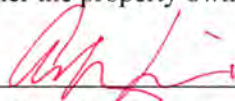
See Attached

NOTE: If additional space is needed to accurately answer any question, please attach extra pages to the application.

By submitting this application, you are granting permission for City staff to post on the property a temporary yard sign announcing the public hearing to be held for your request.

CERTIFICATION BY THE APPLICANT

I certify all the information contained in this application form or any attachment(s), document(s) or plan(s) submitted herewith are true to the best of my knowledge and belief, and that I am either the property owner or authorized to make this application on the owner's behalf.



Applicant's Signature

05/26/22

Date

PLEASE RETURN THIS FORM ONCE COMPLETED TO:

City of Urbana
Community Development Department Services
Planning Division
400 South Vine Street, Urbana, IL 61801
Phone: (217) 384-2440
Fax: (217) 384-2367

Exhibit A-2 to Deed

1009 W STOUGHTON PROPERTY LEGAL DESCRIPTION

APN/Parcel ID(s): 91-21-07-483-002

LOT 5 IN BLOCK 57 IN SEMINARY ADDITION TO THE CITY OF URBANA, AS PER PLAT RECORDED IN DEED RECORD "Y" AT PAGE 208, SITUATED IN CHAMPAIGN COUNTY, ILLINOIS.

VARIANCE DESCRIPTION

This Variance request at 1009 West Stoughton, Urbana, Illinois is for a reduction in parking of 60%.**

** The existing building on the site is a three story converted house with Eight Units, Seventeen Beds, and six parking spaces, with no accessible space.

The intended building for the site is a three story, eighteen unit building. Every unit within the building is an Efficiency or a One Bedroom unit. As such, 13 parking spaces are required (18 Units x .7 spaces per unit = 12.6 ~ 13 spaces), with one of these space being able to be adapted to an accessible space when required. Our proposed Building and Site Plan contains six parking spaces (when one is an accessible space). This represents a 54% reduction. The request is made for a 60% reduction as a 'safeguard' against any unforeseen circumstances.

The anticipated Building to be constructed ADDS one bed to the site and actually ADDS one parking space (until the accessible space is adapted).

5. REASONS FOR VARIATION

Identify and explain any special circumstances or practical difficulties in carrying out the strict application of the Zoning Ordinance with respect to the subject parcel.

There are several special circumstances at this particular development. The site is close to campus, in an area where keeping an automobile is actually discouraged, and tenants in this location are primarily without vehicles – which is why they rent close to campus.

The use of the existing building has changed drastically from the time it was first constructed to present day. It was built as a single-family home, but it has been divided over the years into 8 very small units with a total of 17 beds. It no longer bares any resemblance to a single-family home, or even lower density duplex or townhome. This is an increasingly dense and intentionally walkable environment.

The existing building already does not meet current standards for the required amount of parking. The building would need 10 spaces, but it only provides 6 – none of which are handicap accessible spaces either.

Explain how the variance is necessary due to special conditions relating to the land or structure involved which are not generally applicable to other properties in the same district.

It is difficult to say that this condition does not exist in some of the other surrounding properties – or at least the ones that have not already been redeveloped. The condition is not really “special to this property” as it is “special to the neighborhood.” I suspect every site anticipated to be redeveloped in this area will submit similar requests. Should we be engaged for a similar project, we will request a similar variance.

Explain how the variance is not the result of a situation or condition that was knowingly or deliberately created by you (the petitioner).

The situation at this site has been caused by several factors. The main ones seem to be time and growth. Over the past years, the entire area has become more and more intensively developed and this trend will only continue. The increasing expense of construction, the university enrollment and demographics all play a supporting role to some degree in the issue.

Explain how the variance will not alter the essential character of the neighborhood.

The existing building on the site is a converted two-story multifamily structure. The building anticipated to replace it is a three story, 18 unit building which contains only one-bedroom and efficiency units. Therefore, there is ultimately only one additional bed being added. The character of the building is essentially unchanged. It is simply new and modern instead of a chopped-up and compromised old house.

Explain why the variance will not cause a nuisance to adjacent property.

The use of the property is not changed and is identical to essentially all the properties around it. This project adds only an additional bed to the neighborhood, and simply carries on with the current surrounding development. The area is intended to be, and is, primarily a neighborhood convenient for residents without personal motorized transportation.

Does the variance represent the minimum deviation necessary from the requirements of the Zoning Ordinance? Explain.

This request represents the minimum deviation necessary to produce an economically viable project. A smaller variance could certainly be requested, but this represents the minimum practical compromise to construct a building that meets any financial institutional model for viability. Without this, no loan can be secured to construct the building.

Exhibit D - Application - Preliminary Site Footprint

Item F1.



Exhibit E - Photos

Item F1.



Fig. 1: Looking south



Fig. 2: Looking northwest: note extent of parking spaces

Exhibit E - Photos

Item F1.



Fig. 3: Looking east (note extent of parking)



Fig. 4: Looking west (note extent of parking)

Exhibit E - Photos

Item F1.



Fig. 5: Former building (note access drive with parking space)



Fig. 6: Two different photos of former building
(note parking area with only one parked car, or no parked cars)

Exhibit F - Communications

Item F1.

From: [Ricci, Marcus](#)
To: [!Planning](#)
Subject: 1009 Stoughton Street - Public Input - Parking Major Variance
Date: Monday, August 8, 2022 5:09:01 PM

Judy Checker called me and requested that I present her comments.

She lives at 205 N. Gregory Street, around corner from site.

She requests that the variance be denied. The streets around her neighborhood are already congested. This area is on campus and people park in front of driveways, and streets are very narrow. Apartments are required to provide parking for people. People don't want to pay for it and park on the street.

She will not be able to attend the meeting and would like her comments known.

Be safe, stay healthy,
Marcus

Marcus Ricci, AICP
Planner

Community Services Department | City of Urbana
400 S Vine St | Urbana, Illinois 61801
217.328.8283



Exhibit G - ZBA Meeting Minutes - DRAFT

Item F1.

MINUTES OF A SPECIAL MEETING

URBANA ZONING BOARD OF APPEALS

DATE: August 10, 2022

DRAFT

TIME: 7:00 p.m.

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

MEMBERS ATTENDING: Joanne Chester, Matt Cho, Ashlee McLaughlin, Adam Rusch, Nancy Uchtmann, Charles Warmbrunn, Harvey Welch

STAFF PRESENT: Marcus Ricci, Planner II; Kat Trotter, Planner II; UPTV Camera Operator

OTHERS PRESENT: Roy Dunaway, Shelly Dunaway, Andrew Fell, Gregg Henigman, Richard Levite, Natalie Levite, Andrea Lile, Michael Okler, Pamela Okler, Daryl Pearson, David Perryn, Chuck Peters, Earleen Peters, Myra Sully, Randy Woodward

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

Chair Welch called the meeting to order at 7:01 p.m. Roll call was taken, and he declared a quorum of the members present.

2. CHANGES TO THE AGENDA

There were none.

3. APPROVAL OF THE MINUTES

The minutes from the June 15, 2022, regular meeting were presented for approval. Mr. Cho moved that the Zoning Board of Appeals approve the minutes as written. Ms. Uchtmann seconded the motion. The minutes were approved as written by unanimous voice vote.

NOTE: Mr. Rusch arrived at 7:02 p.m.

4. COMMUNICATIONS

The following communication was received after the packet was distributed:

- Letter from Marcus Ricci regarding a phone call conversation between himself and Judy Checker regarding ZBA-2022-MAJ-04

Exhibit G - ZBA Meeting Minutes - DRAFT

Item F1.

- Letter from Carol A. Mohr in opposition to ZBA-2022-MAJ-05

5. CONTINUED PUBLIC HEARINGS

There were none.

6. NEW PUBLIC HEARINGS

Note: Chair Welch swore in members of the audience who wished to speak during the public hearings for ZBA-2022-A-01, ZBA-2022-MAJ-04 and ZBA-2022-MAJ-05.

[cut for exhibit]

ZBA-2022-MAJ-04 – A request by Andrew Fell, on behalf of FLC 1009 W Stoughton, LLC, for a major variance to reduce the minimum parking requirement by 60% to allow for construction of a multi-family residential apartment building at 1009 Stoughton Avenue in the B-3U, General Business-University Zoning District.

Chair Welch opened the public hearing for Case No. ZBA-2022-MAJ-04. Marcus Ricci, Planner II, introduced the case by stating the purpose for the proposed request and by giving a brief background on the history of the property and number of parking spaces that were provided. He stated that the original building and parking areas were demolished in late July of 2022 to build a new apartment building. He noted the location, zoning and existing land use of the subject property and of the surrounding adjacent properties. He talked about the proposed 3-story, 18-unit apartment building, parking requirements for the proposed new building, and the proposed number of parking spaces that the applicant intends to provide. He showed photos and a building footprint of the previous building, noting the location of the parking spaces. Then he showed the preliminary footprint for the proposed new apartment building, indicating where parking spaces would be located. He showed a table for other existing apartment properties that the applicant owns, stating the number of bedrooms and parking spaces available for each; as well as the percent of the parking spaces being rented by residents and the percent rented out to non-residents. He summarized City staff findings, read the options for the Zoning Board of Appeals, and presented staff's recommendation for approval. Mr. Ricci pointed out that Andrew Fell, architect for the proposed building, was available to speak on behalf of the applicant.

Chair Welch asked if any members of the Zoning Board of Appeals had questions for City staff.

Ms. Uchtmann asked for clarification with the number of apartment units being proposed and number of tenants. Mr. Ricci explained that there would be 18 efficiency apartments, and the occupancy is regulated by the building code. The minimum required parking space calculation is 0.7 times the number of individual one bedroom or efficiency apartments.

Ms. Uchtmann mentioned that at 5:00 p.m. on August 9, 2022, every parking space along Stoughton Avenue had a car parked in it. She stated that students would rather park for free than to pay to park. She added that the parking spaces along Springfield Avenue are often empty because they have two-hour meters. Students cannot park there and go to class and lunch because they will get a parking ticket.

Exhibit G - ZBA Meeting Minutes - DRAFT

Item F1.

Ms. Chester stated that she used to live in the neighborhood and, between 1971 and 1995, it was always packed with vehicles. Parking spaces along Harvey and Stoughton are metered now.

She mentioned that all of the buildings on Main Street from Gregory to Lincoln Avenue are vacant. She believes that someone will build something in their place. She asked if they would ask for a parking reduction as well. Mr. Ricci said that it would be possible.

Ms. Chester stated that all of the parking spaces on Main Street from Harvey to Lincoln Avenue are full. Clark Street parking is always full. When the students are in town, there is no parking available.

Mr. Cho asked if the space up front that the applicant would be giving up was counted in the calculation. Mr. Ricci explained that the applicant would be closing the existing access drive that currently has a parking space along the north side of the building. He said that the Planning staff presumed that Public Works would require the curb cut to be closed, which would create a parking space there. Mr. Cho stated that even though the applicant is not getting credit for it, with the on-street space, they would be providing eight parking spaces in total for this development.

Mr. Cho continued by saying that the new development would not be solving the problem with parking along Stoughton and on campus. Mr. Ricci replied that he presented the data that the applicant provided showing that at least half of the parking spaces they do provide are not being used by the residents in the building that was demolished or by residents in their other buildings. City staff does not keep track of how many residents have cars. Ms. Uchtmann stated that she did not believe that the parking spaces were being used because the applicant charges \$750.00 a year extra for renting one parking space. She believed the real concern to be how many tenants are going to have vehicles. Mr. Ricci responded that the Zoning Ordinance does not regulate this.

Chair Welch opened the hearing for public input. He invited the applicant to speak.

Andrew Fell, architect for the project, approached the Zoning Board of Appeals to answer any questions from the Board.

Ms. Uchtmann asked if the applicant was required to provide more parking spaces, would it decrease the total number of apartment units. Mr. Fell replied that it is difficult to answer because it is an algebra problem with many variables. They have to consider how parking is counted on a site, the geometry of that site, the number of bedrooms, the marketing dynamic of apartment units, etc. As currently designed, the proposed development will be going from 17 bedrooms (in the previous building) to 18 bedrooms (in the new building). They plan to construct an apartment building with 18 efficiency and one-bedroom apartment units, which requires 0.7 parking spaces per bedroom, totaling 13 required parking spaces. However, they could construct an 18-bedroom apartment building on the site using four-bedroom units that requires only 0.5 parking spaces per bedroom, totaling 9 required parking spaces with the same number of bedrooms. He pointed out that the rental market is for efficiency and one-bedroom apartments; not two- and four-bedroom apartments. It hurts a property owner to build efficiency

Exhibit G - ZBA Meeting Minutes - DRAFT

Item F1.

and one-bedroom apartment units: because the required parking count is so high, the property owner can build less building.

Mr. Fell stated that the Zoning Board of Appeals should not consider the type of building being proposed but whether there is justification for reducing the amount of required parking. He believed that City staff presented enough evidence to show that the required number of parking spaces is not needed.

Chair Welch asked if anyone in the audience wanted to speak in favor of the case. There was none. Chair Welch asked if anyone in the audience wanted to speak in opposition.

David Perryn approached the Zoning Board of Appeals to speak. He asked when the photos from City staff's presentation were taken. Mr. Ricci answered by saying that some of the photos were taken from EagleView in 2021, and some of the photos were taken from Google Streetview in 2020. The pictures he took were taken a week ago. Mr. Perryn stated that the photos taken a week ago were during the summer. He expressed concern about parking on campus in general.

With there being no further input from the audience, Chair Welch closed the public input portion of the hearing and opened the hearing for discussion and/or motion(s) by the Zoning Board of Appeals.

Ms. Uchtmann said that the photos were taken during the COVID season when there were not very many students on campus. She noted the letter from Judy Checker that is in opposition to the proposed variance request.

Ms. Chester reiterated that when she lived in the neighborhood, there were never any available parking spaces. She is sure that it is still this way today.

Ms. McLaughlin stated that there have been steps taken by the University of Illinois in the last ten years to reduce the number of cars on campus and to discourage car ownership, especially for underclass students. She said that she felt if a couple of parking spaces are being added and the housing is being updated, then the City is coming out a little on top in terms of parking. She added that there is a bus route on Springfield Avenue. She stated that she did not see any reason to not approve the request.

Mr. Cho moved that the Zoning Board of Appeals forward Case No. ZBA-2022-MAJ-04 to the City Council with a recommendation for approval. Ms. Uchtmann seconded the motion. Roll call on the motion was as follows:

Mr. Rusch	-	Yes	Ms. Uchtmann	-	No
Mr. Warmbrunn	-	Yes	Mr. Welch	-	Yes
Ms. Chester	-	Yes	Mr. Cho	-	Yes
Ms. McLaughlin	-	Yes			

The motion passed by a vote of 6-1.

Mr. Ricci stated that the recommendation for Case No. ZBA-2022-MAJ-04 would be forwarded to City Council on September 12, 2022.

Exhibit G - ZBA Meeting Minutes - DRAFT

Item F1.

[cut for exhibit]

7. OLD BUSINESS

There was none.

8. NEW BUSINESS

There was none.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

There was none.

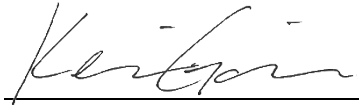
11. STUDY SESSION

There was none.

12. ADJOURNMENT OF MEETING

Chair Welch adjourned the meeting at 8:48 p.m.

Respectfully submitted,



Kevin Garcia, AICP
Principal Planner and Zoning Administrator
Secretary, Urbana Zoning Board of Appeals

ORDINANCE NO. _____**AN ORDINANCE REVISING THE ANNUAL BUDGET ORDINANCE****(Budget Amendment #2 - Omnibus)**

WHEREAS, the City of Urbana (“City”) is a home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution of 1970, and may exercise any power and perform any function pertaining to its governmental business and affairs, and the passage of this Ordinance constitutes an exercise of the City’s home rule powers and functions as granted by the Illinois Constitution of 1970; and

WHEREAS, the corporate authorities of the City heretofore did approve the annual budget ordinance of and for the City of Urbana for the fiscal year beginning July 1, 2022 and ending June 30, 2023; and

WHEREAS, the said corporate authorities find that revising the annual budget ordinance by deleting, adding to, changing, or creating sub-classes within object classes and object classes themselves is in the best interests of the residents of the City and is desirable for the welfare of the City’s government and affairs; and

WHEREAS, funds are available to effectuate the purpose of such revision; and

WHEREAS, the Budget Director may not make such revision under the authority so delegated to the Budget Director pursuant to 65 ILCS 5/8-2-9.6 or Urbana City Code Section 2-133.

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

Section 1.

The annual budget ordinance shall be and the same is hereby revised as set forth in the exhibit appended hereto and made a part hereof as if fully set forth herein.

Section 2.

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 (65 ILCS 5/1-2-4).

This Ordinance is hereby passed by the affirmative vote, the “ayes” and “nays” being called, of two-thirds of the corporate authorities then holding office (6 of 8 votes) of the City of Urbana, Illinois, at a duly noticed and convened meeting of the said corporate authorities.

PASSED BY THE CORPORATE AUTHORITIES this __ Day of _____, 20__.

AYES: _____

NAYS: _____

ABSTENTIONS: _____

Phyllis D. Clark, City Clerk

APPROVED BY THE MAYOR this __ Day of _____, 20__.

Diane Wolfe Marlin, Mayor



MEMORANDUM

TO: Mayor Diane Wolfe Marlin and City Council Members

FROM: Elizabeth Hannan, Human Resources & Finance Director / CFO
Alyana Robinson, Financial Analyst

DATE: September 15, 2022

SUBJECT: FY2023 Budget Amendment #2 – Omnibus

Introduction: Attached is an Ordinance revising the FY2023 annual budget to provide for items described below. This budget amendment requires six affirmative votes, including the Mayor, in order to pass.

Discussion: The following items are included in the attached Ordinance amending the annual budget.

Capital Replacement & Improvement Fund (200):

Street Light Asset Management Plan: The proposal for a Street Light Asset Management Plan came in higher than anticipated due to additional services requested by the City. An additional \$10,000 is requested to cover this increase.

Local Motor Fuel Tax Fund (202):

Pavement Patching and Bituminous Surface Treatment: The City received bids on the Pavement Patching and Bituminous Surface Treatment annual maintenance programs that were higher than anticipated. Staff recommends delaying the Florida Avenue at James Cherry construction and reprioritizing a total of \$155,000 to cover the increased costs of the maintenance programs.

Fiscal Impact: These changes will not increase either recurring revenues or recurring expenditures and will not result a change in the General Fund balance.

Alternatives:

1. Forward the Ordinance amending the FY2023 budget to City Council for approval on September 26, 2022.
2. Amend one or more of the items before forwarding to Council for approval.

Recommendation: Forward the budget amendment authorizing these adjustments to the FY2023 budget for approval at the September 26, 2022 City Council meeting.

Budget Amendment 2022/23 - 02 - Exhibit A

General Ledger Code	Project String	Description	Current Budget	Revised Budget	Difference	Reason
<u>CAPITAL REPLACEMENT & IMPROVEMENT FUND (200)</u>						
<u>Expenditures</u>						
20040470-52105-40606	40606-PLANNING	PLANNING SERVICES	70,000	80,000	10,000	Street light asset mgmt plan
<u>Total Expenditures</u>			<u>10,313,670</u>	<u>10,323,670</u>	<u>10,000</u>	
<u>Ending Fund Balance (estimated)</u>			<u>4,171,470</u>	<u>4,161,470</u>	<u>(10,000)</u>	
<u>LOCAL MOTOR FUEL TAX (202)</u>						
<u>Expenditures</u>						
20240470-53301-40164	40164-CONST-LMFT	HIGHWAY AND STREETS	500,000	345,000	(155,000)	Pavement patching & Bituminous surface treatment
20240470-53301-40108	40108-CONST-LMFT	HIGHWAY AND STREETS	250,000	350,000	100,000	Pavement patching & Bituminous surface treatment
20240470-53301-40114	40114-CONST-LMFT	HIGHWAY AND STREETS	125,000	180,000	55,000	Pavement patching & Bituminous surface treatment
<u>Total Expenditures</u>			<u>2,110,715</u>	<u>2,110,715</u>	<u>-</u>	
<u>Ending Fund Balance (estimated)</u>			<u>319,815</u>	<u>319,815</u>	<u>-</u>	

**URBANA FIRE DEPARTMENT***Division of Community Risk Reduction***m e m o r a n d u m**

TO: Mayor Diane Wolfe Marlin and City Council Members

FROM: Michael Phillips, Fire Code Official
Demond Dade, Fire Chief

DATE: September 15, 2022

**SUBJECT: AN ORDINANCE AMENDING URBANA CITY CODE CHAPTER 5,
ARTICLE XIII - FIRE PREVENTION CODE**

Introduction

The City Council is requested to consider the attached ordinance approving an amendment to the Urbana City Code Chapter 5, Article XIII – Fire Prevention Code to include Brycer, LLC, for a third-party inspection reporting system to submit inspection reports.

Background

City Code requires the Urbana Fire Department to review all third-party fire protection and life safety system inspection reports for compliance. We currently have a backlog of third-party inspection reports with no available staff time to review.

Discussion

Brycer, LLC is an internet-based company that will assist Urbana Fire Department with tracking and driving inspection and testing code compliance. This service provides a cloud-based environment through which third-party inspection contractors that inspect, test, and maintain fire protection systems submit their inspection reports via Brycer's web portal directly to the Fire Department, facilitating a more efficient review, tracking, and follow-up process to correct deficiencies and maintain critical life safety systems.

Having Brycer conduct the intake, review, and compliance checks on fire protection and life safety system inspections would reduce our community's unknown risks and liability. Brycer would be provided at no expense to the City. Brycer charges a small fee of \$34.00 annually per system inspected. Quarterly, Brycer would submit a share of the fees it has collected to the City of Urbana. This revenue share is 50 percent of the collected fees minus a seven percent processing fee.

Options

1. Approve the attached Ordinance.
2. Approve the Ordinance with changes.
3. Do not approve the Ordinance.

Recommendation

Staff recommends that the City Council approve the Ordinance amending the Urbana City Code Chapter 5, Article XIII - Fire Prevention Code.

ORDINANCE NO. _____
AN ORDINANCE AMENDING URBANA CITY CODE CHAPTER 5,
ARTICLE XIII – FIRE PREVENTION CODE

WHEREAS, the City of Urbana, Illinois (hereinafter, the “City”) is a home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution, 1970, 5 ILCS 220/1 et seq., and may exercise any power and perform any function pertaining to its government and affairs, including the power to regulate and promote public health, safety, and welfare; and

WHEREAS, the City of Urbana adopted Ordinance No. 2011-07-062, which enacted certain codes from the 2009 International Code Series, including Article XIII the Fire Prevention Code; and

WHEREAS, local governments are authorized to enact local amendments to such international codes, including the Fire Prevention Code; and

WHEREAS, certain inspections of buildings and structures within the City are a necessary and essential action to ensure compliance with the Fire Prevention Code and any applicable state laws for building and life safety purposes; and

WHEREAS, the City of Urbana desires to engage Brycer LLC for purposes of a third-party inspection reporting system for the submission of inspection reports to allow the Fire Department to increase the efficiency and monitoring of compliance with the inspection requirements for buildings and structures; and

WHEREAS, adoption of a third-party reporting system for the submission of inspection reports necessitates amending Article XIII of Chapter 5 of the City Code to require submission of reports through such system.

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

Section 1. Urbana City Code Chapter 5, “Building, Fire and Flood Safety Codes”, Article XIII, “Fire Prevention Code”, Section 5-263, “Additions, Modifications and Deletions”, is hereby amended as follows:

Section 901.6.2 “Records” shall be added to read as follows:

901.6.2 Records. Records of all systems inspections, tests, and maintenance required by the referenced standards shall be maintained on the premises for a minimum of three (3) years and shall be provided to the Urbana Fire Department, by the company performing the inspection(s), through the third party inspection

reporting system operated by Brycer LLC. Any fees for reporting through said system shall be the responsibility of the company performing the inspection and completing the report.

Section 2.

This Ordinance shall be effective upon its adoption by the City Council and signature by the Mayor.

Section 3.

Those sections, paragraphs, and provisions of the Urbana City Code that are not expressly amended or repealed by this Ordinance are hereby re-enacted, and it is expressly declared to be the intention of this Ordinance not to repeal or amend any portions of the Urbana City Code other than those expressly set forth as amended or repealed in this Ordinance. The invalidity of any section or provision of this Ordinance hereby passed and approved shall not invalidate other sections or provisions thereof.

Section 4.

The City Clerk is directed to publish this Ordinance in pamphlet form by the authority of the corporate authorities.

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 _____ day of _____, 2022.

AYES:

NAYS:

ABSTENTIONS:

Phyllis D. Clark, City Clerk

APPROVED BY THE MAYOR this _____ day of _____, 2022.

Diane Wolfe Marlin, Mayor



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Mayor Diane Wolfe Marlin and Members of the City Council

FROM: Sheila Dodd, Interim Community Development Services Director
Kat Trotter, Planner II

DATE: September 15, 2022

SUBJECT: **An Ordinance Annexing Certain Territory to the City of Urbana (1414 West Anthony Drive / Champaign Asphalt Company, LLC)**

Introduction & Background

Staff requests that City Council consider the attached Ordinance to annex 1414 West Anthony Drive into Urbana. The 8.17-acre tract is currently owned by Champaign Asphalt Company, LLC. The proposed effective date of the annexation is Friday, October 7, 2022.

Discussion

The property at 1414 West Anthony Drive is contiguous to the City limits to the south, across Interstate 74. Champaign Asphalt Company, LLC purchased the property in 2010. They would like to build a new office building on the southern half of the property, which will require a new sewer connection to the Urbana-Champaign Sanitary District. The President and Secretary of Champaign Asphalt Company, LLC have petitioned to annex into Urbana so they can obtain the new sanitary sewer connection. Since the property is immediately contiguous to Urbana, it can be immediately annexed and assigned IN-2, Heavy Industrial zoning without the need for an annexation agreement. The property is currently assessed at \$373,720; at the current tax rate, the City of Urbana could expect \$5,045 in property tax per year as a result of this annexation. Any future development on the site would be built to the codes and requirements of the City of Urbana.

Options

City Council has the following options in this case:

1. Forward the Ordinance to City Council with a recommendation for approval, as part of the consent agenda;
2. Forward the Ordinance to City Council with a recommendation for approval with suggested changes; or
3. Forward the Ordinance to City Council with a recommendation for denial. If the City Council elects to do so, it should articulate the findings supporting its denial.

Recommendation

Staff recommends approval of the proposed Ordinance and placement on the consent agenda.

Attachments: Exhibit A: Annexation Location Map; Exhibit B: Annexation Petition

cc: Joseph Lamb, Champaign Asphalt Company, LLC (Owner/Petitioner)
Andrew Harrington, Harrington Law (Attorney)

ORDINANCE NO. _____**AN ORDINANCE ANNEXING CERTAIN TERRITORY TO THE CITY OF URBANA****(1414 West Anthony Drive / Champaign Asphalt Company, LLC)**

WHEREAS, the City of Urbana (“City”) is a home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution, 1970, and may exercise any power and perform any function pertaining to its government and affairs, and the passage of this Ordinance constitutes an exercise of the City’s home rule powers and functions as granted in the Illinois Constitution, 1970; and

WHEREAS, the hereinafter described territory is situated in unincorporated territory adjacent to and contiguous to the City of Urbana, Illinois, and is part of the Eastern Prairie Fire Protection District, and includes certain territory within the Urbana Township, and Notice was given to the Trustees of said Fire Protection District, the Board of Township Trustees, and the Township Commissioner of Highways, said notices being mailed on September 6, 2022, that this Ordinance would be voted upon at the regular meeting of this Council at 7:00 p.m., Monday, September 26, 2022, and the Affidavit of mailing such Notices was duly recorded with the Recorder of Deeds of Champaign County, Illinois, on the 16th day of September, 2022; and

WHEREAS, a written petition signed by the President and Secretary of Champaign Asphalt Company, LLC, on behalf of the corporation, of all land within such territory, has been filed with the City Clerk of the City of Urbana, Illinois, requesting annexation thereof to the City of Urbana; and

WHEREAS, the territory to be annexed by this Ordinance is presently located within Champaign County’s I-2, Heavy Industrial zoning district and upon annexation will be classified City IN-2, Heavy Industrial in accordance with the provisions for direct zoning conversion specified in the Urbana Zoning Ordinance; and

WHEREAS, it has been determined that said petition complies with all requirements of the law

therefore; and

WHEREAS, the majority of the Members of the Council are of the opinion that it would be for the best interests of the people of the City of Urbana, Illinois, that said territory be annexed to and made a part of the said City.

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

Section 1.

The following described territory be and the same is hereby annexed to the City of Urbana, Illinois:

A portion of the Northeast, Northwest and Southwest Quarters of Section 6, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, more particularly described as follows:

Commencing at the center of Section 6, Township 19 North, Range 9 East of the Third Principal Meridian; thence northerly along the west line of the northeast quarter of said section a distance of 318.5 feet to the point of beginning, being a point on the north right-of-way line of FAI Route 74; thence northerly along the west line of the northeast quarter a distance of 664.9 feet to a point; thence S89° 57' 54"E a distance of 423.78 feet to a point; thence S00° 43'16"E a distance of 671.58 feet to a point on a curve on the north right-of-way line of FAI Route 74; thence along a curve to the right with a chord bearing of S83°01 '29"W, a chord length of 88.98 feet, and a radius of 400 feet to a point of tangency on the north right-of-way of FAI Route 74; thence S89° 24'53"W a distance of 249.47 feet along the north right-of-way of FAI Route 74 to a point; thence N56°42'36"W a distance of 36.06 feet along the north right-of-way of FAI Route 74 to a point; thence S89°36'00"W along the north right-of-way of FAI Route 74, 60 feet, more or less, to the point of beginning.

All situated in Champaign County, Illinois and containing 6.64 Acres, more or less, all as shown on accompanying plat, commonly known for reference as 1414 West Anthony Drive, Urbana, Illinois. The above-described parcel, prior to annexation, has the parcel index numbers 30-21-06-251-003, and following annexation the said parcel should bear the parcel index numbers 91-21-06-251-003.

Section 2.

That the City Clerk be authorized and directed to record a certified copy of this Ordinance together with an accurate map of the territory herein above described in the Recorder's Office of Champaign County, Illinois,

in the Office of the County Clerk, and with the _____ County Election Authority of Champaign County, Illinois.

Section 3.

The Zoning Ordinance of the City of Urbana, Illinois, and the Zoning Map of Urbana, Illinois, are hereby amended to classify the real property herein annexed as IN-2, Heavy Industrial upon annexation.

Section 4.

The territory annexed herein is assigned to City of Urbana Ward 3.

Section 5.

To avoid uncertainty regarding public safety responsibilities concerning the property herein annexed, this Ordinance shall take effect at noon on the 7th day of October, 2022 following its passage by the Urbana City Council.

Section 6.

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 corporate authorities of the City of Urbana, Illinois, at a meeting of said corporate authorities.

PASSED BY THE CITY COUNCIL this ____ day of _____, 2022.

AYES:

NAYS:

ABSTENTIONS:

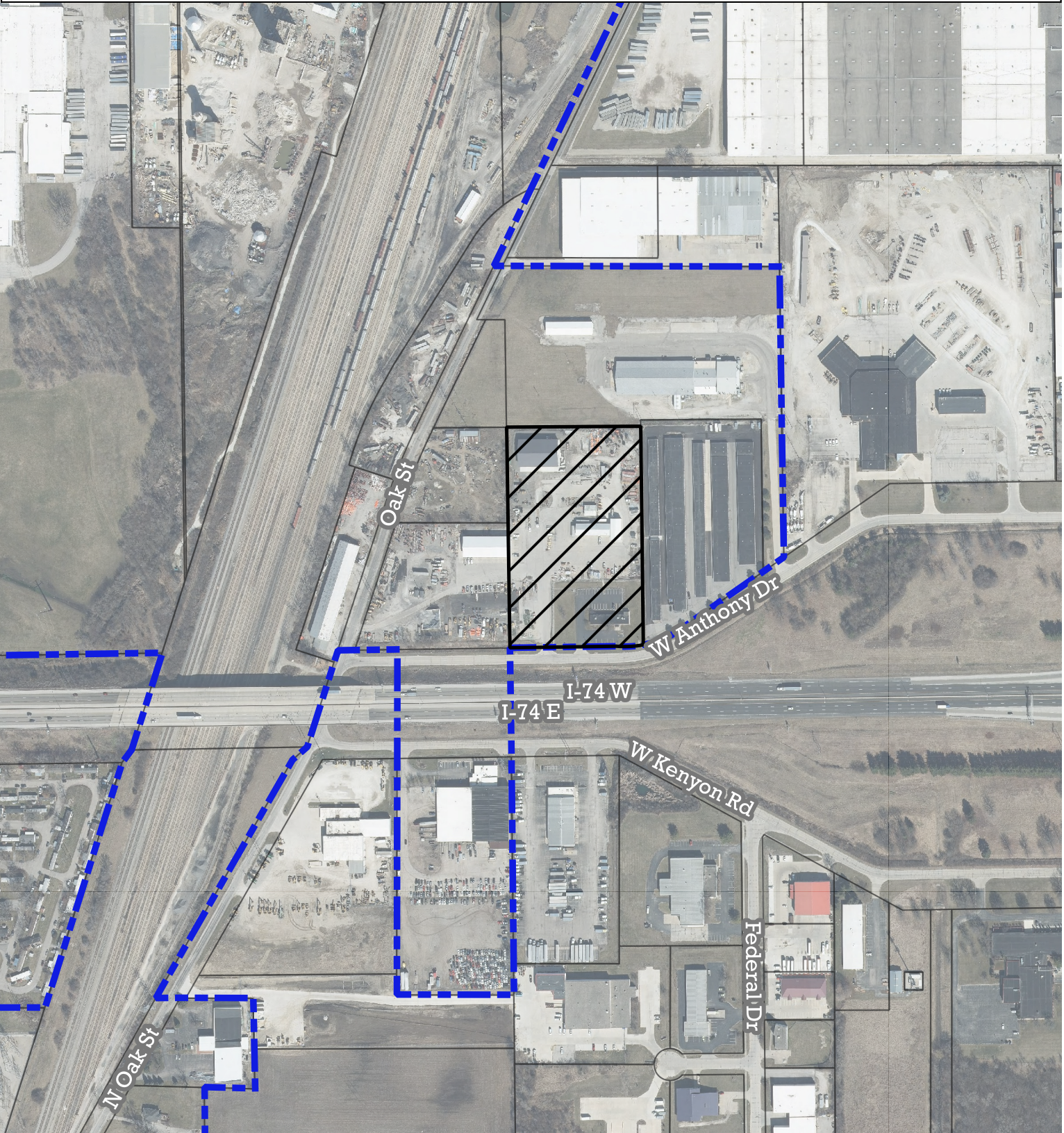
Phyllis D. Clark, City Clerk

APPROVED BY THE MAYOR this ____ day of _____, 2022.

Diane Wolfe Marlin, Mayor

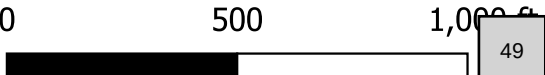
Location Map

Item G3.



Case No. 2022-A-01
Subject Champaign Asphalt Annexation Petition
Address 1414 W. Anthony Dr.
PIN 30-21-06-251-003
Petitioner Champaign Asphalt Company, LLC

Legend
 Subject Property
 Municipal Boundary
Urbana_2020



LEGAL DESCRIPTION

A portion of the Northeast, Northwest and Southwest Quarters of Section 6, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, more particularly described as follows:

Commencing at the center of Section 6, Township 19 North, Range 9 East of the Third Principal Meridian; thence northerly along the west line of the northeast quarter of said section a distance of 318.5 feet to the point of beginning, being a point on the north right-of-way line of FAI Route 74; thence northerly along the west line of the northeast quarter a distance of 664.9 feet to a point; thence S89° 57' 54"E a distance of 423.78 feet to a point; thence S00° 43'16"E a distance of 671.58 feet to a point on a curve on the north right-of-way line of FAI Route 74; thence along a curve to the right with a chord bearing of S83°01 '29"W, a chord length of 88.98 feet, and a radius of 400 feet to a point of tangency on the north right-of-way of FAI Route 74; thence S89° 24'53"W a distance of 249.47 feet along the north right-of-way of FAI Route 74 to a point; thence N56°42'36"W a distance of 36.06 feet along the north right-of-way of FAI Route 74 to a point; thence S89°36'00"W along the north right-of-way of FAI Route 74, 60 feet, more or less, to the point of beginning.

All situated in Champaign County, Illinois and containing 6.64 Acres, more or less, all as shown on accompanying plat.



MAP SHOWING AREA ANNEXED BY CITY ORDINANCE #2022-__-__
CITY OF URBANA, CHAMPAIGN COUNTY, ILLINOIS
DATE: JULY 21, 2022

AREA OF ANNEXATION

NEW CITY LIMITS

EXISTING CITY LIMITS

PROPERTY ADDRESS

1414
W. Anthony Drive

ENGINEERING
DIVISION



PUBLIC WORKS DIRECTOR
DRAWN BY: D.A.R. 7/21/2022



Petition for Annexation

ANNEXATION

DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY

Date Request Filed _____ Annexation Case No. _____

PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION

1. APPLICANT CONTACT INFORMATION

Name of Applicant(s): **Joe Lamb** Phone: **217-356-7280**
 Address (street/city/state/zip code): **1414 W. Anthony Drive, Urbana, IL 61802**
 Email Address: **jlamb@ChampaignAsphalt.com**
 Property Interest of Applicant(s) (Owner, Contract Buyer, etc.): **President and CEO of Owner**

2. OWNER INFORMATION

Name of Owner(s): **Champaign Asphalt Company, LLC** Phone: **217-356-7280**
 Address (street/city/state/zip code): **1414 W. Anthony Drive, Urbana, IL 61802**
 Email Address: **jlamb@ChampaignAsphalt.com**

Is this property owned by a Land Trust? ☐ Yes ☒ No
If yes, please attach a list of all individuals holding an interest in said Trust.

3. PROPERTY INFORMATION

Location of Subject Site: **1414 W. Anthony Drive, Urbana, IL 61802**
 PIN # of Location: **30-21-06-251-003**
 Lot Size: **8.17 acres**
 Current Zoning Designation: **I-2 Heavy Industry District (Champaign County Zoning)**
 Proposed Zoning Designation: **IN-2 Heavy Industrial District**
 Current Land Use (vacant, residence, grocery, factory, etc): **Owner's Principal Office & storage yard**
 Proposed Land Use: **Owner's Principal Office & storage yard**
 Present Comprehensive Plan Designation: **Industrial**
 Legal Description (If additional space is needed, please submit on separate sheet of paper):

Commencing at the center of Section 6, Township 19 North, Range 9 East of the Third Principal Meridian; thence northerly along the west line of the northeast quarter of said section a distance of 318.5 feet to the point of beginning, being a point on the north right-of-way of line FAI Route 74; thence northerly along the west line of the northeast quarter a distance of 664.9 feet to a point; thence S89°57'54"E a distance of 423.78 feet to a point; thence S00°43'16"E a distance of 671.58 feet to a point on a curve on the north right-of-way of FAI Route 74; thence along a curve to the right with a chord bearing of S83°01'29"W, a chord length of 88.98 feet, and a radius of 400 feet to a point of tangency on the north right-of-way of FAI Route 74; thence 89°24'53"W a distance of 249.47 feet along the north-right-of-way of FAI Route 74 to a point; thence N56°42'36"W a distance of 36.06 feet along the north right-of-way of FAI Route 74 to a point; thence S89°36'00"W along the north right-of-way of FAI Route 74, 60 feet, more or less, to the point of beginning.

To the City Council of the City of Urbana

Champaign County, Illinois

The Applicant, Joe Lamb; respectfully states under oath:

That I, Joe Lamb (applicant), am either the sole owner or am authorized by the owner(s) of record of the following legally described land (hereinafter sometimes referred to as the "Tract"), except any public right-of-way property wit: *(Insert Legal Description)*

Commencing at the center of Section 6, Township 19 North, Range 9 East of the Third Principal Meridian; thence northerly along the west line of the northeast quarter of said section a distance of 318.5 feet to the point of beginning, being a point on the north right-of-way of line FAI Route 74; thence northerly along the west line of the northeast quarter a distance of 664.9 feet to a point; thence S89°57'54"E a distance of 423.78 feet to a point; thence S00°43'16"E a distance of 671.58 feet to a point on a curve on the north right-of-way of FAI Route 74; thence along a curve to the right with a chord bearing of S83°01'29"W, a chord length of 88.98 feet, and a radius of 400 feet to a point of tangency on the north right-of-way of FAI Route 74; thence 89°24'53"W a distance of 249.47 feet along the north-right-of-way of FAI Route 74 to a point; thence N56°42'36"W a distance of 36.06 feet along the north right-of-way of FAI Route 74 to a point; thence S89°36;00"W along the north right-of-way of FAI Route 74, 60 feet, more or less, to the point of beginning.

All situated in Champaign County, Illinois.

Together with the following described adjacent public right-of-way which is by operation of the law, automatically annexed with the adoption of an Annexation Ordinance pertaining to this parcel:

W. Anthony Drive

Also known for reference as 1414 W. Anthony Drive, Urbana, Illinois,
(street address)

having permanent identification number (PIN) 30-21-06-251-003.

That said territory is not situated within the corporate limits of any municipality, but is contiguous to the City of Urbana, Illinois.

That at least fifty-one percent (51%) of any and all electors (registered voters) residing in said Tract have signed this petition.

APPLICANT(S) RESPECTFULLY REQUESTS:

1. That the above described Tract(s) be annexed to the City of Urbana by Ordinance of the Mayor and City Council of the City of Urbana, pursuant to Section 7-1-8 of Chapter 24 of the Illinois Municipal Code of the State of Illinois, as amended.
2. That said Tract be annexed in accordance with the terms of the annexation agreement passed by the City Council on _____, 20____ as Ordinance No. _____ and approved by the Mayor of the City of Urbana.

NOTE: All property owners must sign this annexation petition. In the case of corporate ownership, the person(s) signing must be authorized to do so by the corporation board.

Dated this 6th day of July, 2022

OWNER(S): Champaign Asphalt Company, LLC

By: James P. Lamb

By: _____

By: _____

By: _____

Subscribed and sworn to before me this _____ day of July, 2022.

Stephanie A Bryant
Notary Public



My Commission Expires: 31 day of March, 2026

PLEASE RETURN THIS FORM ONCE COMPLETED TO:

City of Urbana
Community Development Department Services
Planning Division
400 South Vine Street, Urbana, IL 61801
Phone: (217) 384-2440
Fax: (217) 384-2367

Petition for Annexation
To
THE CITY COUNCIL OF THE CITY OF URBANA
CHAMPAIGN COUNTY, ILLINOIS

The Petitioners, **Champaign Asphalt Company, LLC**, respectfully state under oath:

1. Petitioners are the sole owners of record of the following legally described tract of land, except any public right-of-way property to wit:

A portion of the Northeast, Northwest and Southwest Quarters of Section 6, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, more particularly described as follows:

Commencing at the center of Section 6, Township 19 North, Range 9 East of the Third Principal Meridian; thence northerly along the west line of the northeast quarter of said section a distance of 318.5 feet to the point of beginning, being a point on the north right-of-way line of FAI Route 74; thence northerly along the west line of the northeast quarter a distance of 664.9 feet to a point; thence S89° 57' 54"E a distance of 423.78 feet to a point; thence S00° 43'16"E a distance of 671.58 feet to a point on a curve on the north right-of-way line of FAI Route 74; thence along a curve to the right with a chord bearing of S83°01'29"W, a chord length of 88.98 feet, and a radius of 400 feet to a point of tangency on the north right-of-way of FAI Route 74; thence S89° 24'53"W a distance of 249.47 feet along the north right-of-way of FAI Route 74 to a point; thence N56°42'36"W a distance of 36.06 feet along the north right-of-way of FAI Route 74 to a point; thence S89°36'00"W along the north right-of-way of FAI Route 74, 60 feet, more or less, to the point of beginning.

All situated in Champaign County, Illinois and containing 6.64 Acres, more or less, all as shown on accompanying plat.

Parcel No. 30-21-06-251-003

Address: 1414 West Anthony Drive, Urbana, IL 61802

2. Said Tract is not situated within the corporate limits of any municipality, but is contiguous to the City of Urbana, Illinois at the time of annexation.

PETITIONERS RESPECTFULLY REQUEST:

1. That said Tract described above herein be annexed to the City of Urbana, Illinois pursuant to Section 5/7-1-8 of the Municipal Code of the State of Illinois, as amended (65 ILCS 5/7-1-8).

Dated this 31st day of August, 2022

Owner:

Joseph P. Lamb
Joseph Lamb, President

8-31-22

Date

Ron Hoyne
Ron Hoyne, Secretary

8-31-22

Date

Subscribed and sworn to before me this

31st day of August, 2022, A.D.



Brandy E. Barnhill
Notary Public

2-11-24

My Commission Expires

RESOLUTION NO. _____

**A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH
THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS CONCERNING
CERTIFIED HOUSING INSPECTIONS
(Term of 2022 to 2023)**

WHEREAS, the City of Urbana (the “City”) is a home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution, 1970, and may exercise any power and perform any function pertaining to its government and affairs, and the passage of this Resolution constitutes an exercise of the City’s home rule powers and functions as granted in the Illinois Constitution, 1970; and

WHEREAS, Section 10 of Article VII of the Illinois Constitution of 1970 and the Illinois Intergovernmental Cooperation Act, 5 ILCS 220/1 *et seq.*, enable the City to enter into intergovernmental agreements with other units of government including The Board of Trustees of the University of Illinois (the “University”); and

WHEREAS, in past years the City and the University have entered into intergovernmental agreements whereby the City agreed to conduct annual inspections of Private Certified Housing facilities with respect to all applicable City codes and University certified housing standards; and

WHEREAS, the City and the University seek to renew their Agreement Concerning Certified Housing Inspections; and

WHEREAS, the City Council finds that the best interests of the City are served by approving an intergovernmental agreement between the City of Urbana and the Board of Trustees of the University of Illinois for annual inspections of private certified student housing facilities in substantially the form of the exhibit appended hereto and made a part hereof.

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

Section 1. An Agreement between the City of Urbana and the University of Illinois Concerning Certified Housing Inspections, in substantially the form of the exhibit attached hereto and hereby incorporated by reference, be and the same is hereby authorized and approved.

Section 2. The Mayor of the City of Urbana, Illinois, be and the same is hereby authorized to execute and deliver and the City Clerk of the City of Urbana, Illinois, be and the same is hereby authorized to attest to said execution of said Agreement in substantially the form of the exhibit appended hereto as so authorized and approved for and on behalf of the City of Urbana, Illinois.

PASSED BY THE CITY COUNCIL this ____ day of September, 2022.

AYES:

NAYS:

ABSTENTIONS:

Phyllis D. Clark, City Clerk

APPROVED BY THE MAYOR this ____ day of September, 2022.

Diane Wolfe Marlin, Mayor



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Building Safety Division

m e m o r a n d u m

TO: Diane Wolfe Marlin and City Council Members

FROM: Sheila Dodd, Interim Community Development Services Director

DATE: September 15, 2022

SUBJECT: A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS CONCERNING CERTIFIED HOUSING INSPECTIONS (Term of 2022 to 2023)

Background & Discussion

The Certified Housing program is a division of the University of Illinois Housing Department, under the Vice-Chancellor of Student Affairs. The goal of the University's Certified Housing Program is to provide safe, healthy, and educationally beneficial housing for single undergraduate students. Each facility must comply with all City and Public Health standards including electrical, plumbing, fire safety, and food sanitation and security regulations.

Since the late 1950's, the City of Urbana Building Safety Division has completed annual inspections to certify that certain private student housing complies with University Certified Housing Standards, the City's Model Codes Adopting Ordinance, and the City's Zoning Ordinance.

To ensure compliance with City of Urbana codes, Building Safety Division Housing Inspectors annually inspect privately-owned buildings in west Urbana that comprise the Certified Housing stock. After all code violations are addressed, staff re-inspects to verify full compliance. Initial inspections begin in September and are typically completed by the end of the month.

The follow-up inspections are usually completed by the end of October each year. In some cases extensions are granted to have all needed work completed by the final inspection date of January 15. This allows time for work to be completed over the holiday break (when students are absent) and to schedule the final inspections. Final payment under the agreement occurs by the end of February each year.

The City sends the invoice in January with the payment due date of February 28 annually. Due to a delay in processing, the previous agreement expired and a new agreement is needed to cover the arrangement through Fiscal Year 2023.

City staff began negotiations in January 2022 and was unable to come to terms for a three-year agreement. Staff negotiated a one-year contract and will continue negotiations for a two-year agreement which will be brought to Council for approval.

Fiscal Impacts

Approval of the Resolution will mean that the University will compensate the City for the services provided for one year in the amount of \$24,800.

Options

The City Council has the following options:

1. Forward the Resolution approving execution of the agreement to City Council on the consent agenda.
2. Approve the Resolution, with certain specified modifications.
3. Do not approve the Resolution and provide further direction to staff.

Recommendation

Staff recommends that the City Council approve the proposed Resolution.

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING ACCEPTANCE OF
AN ILLINOIS ARTS COUNCIL AGENCY (IACA) GRANT FOR
PUBLIC ARTS PROGRAM OPERATING SUPPORT**

(FY 2023 Urbana Arts and Culture Program)

WHEREAS, the City of Urbana (the “City”) is a home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution, 1970, and may exercise any power and perform any function pertaining to its government and affairs, and the passage of this Resolution constitutes an exercise of the City’s home rule powers and functions as granted in the Illinois Constitution, 1970; and

WHEREAS, the City operates a public arts program known as the “Urbana Arts and Culture Program” (the “Arts Program”); and

WHEREAS, the City has in one or more years accepted funds from various grants, including Illinois Arts Council Agency (“IACA”) grants, in order to fund the Arts Program; and

WHEREAS, IACA has offered a grant (“Grant”) in the amount of \$8,600 to support the operation of the Arts Program; and

WHEREAS, the City is willing to accept the Grant on the terms and conditions provided by IACA as described in the exhibit appended hereto and made a part hereof.

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

Section 1. That IACA’s Grant to support the operation of the Arts Program is hereby accepted by the City and that the City shall abide by the terms and conditions provided in the exhibit attached hereto and made a part hereof.

Section 2. That the Mayor of the City of Urbana, Illinois, is hereby authorized to undertake such additional steps as may be necessary for the City to receive the Grant and to arrange for the City's compliance with the terms and conditions contained in the exhibit appended hereto and made a part hereof without further actions by the City Council.

PASSED BY THE CITY COUNCIL this ____ day of _____, _____.

AYES:

NAYS:

ABSTENTIONS:

Phyllis D. Clark, City Clerk

APPROVED BY THE MAYOR this ____ day of _____, _____.

Diane Wolfe Marlin, Mayor



JB Pritzker
Governor
Rhoda A. Pierce
Chair
Joshua Davis-Ruperto
Executive Director

August 20, 2022

City of Urbana
Attn: Rachel Storm
400 S. Vine Street
Urbana, IL 61801

**RE: 2023-0035438, Local Arts Agencies
LAA General Operating Support - 2023**

Dear Rachel Storm,

It is our pleasure to inform you that the Illinois Arts Council Agency (IACA) has awarded City of Urbana a grant of \$8,600.00 from Federal funds through the National Endowment for the Arts Grant # 1903735-61-22, CFDA # 45.025 . This award is contingent upon return of documents outlined in the enclosed memorandum signed by Rachel Lauren Storm no later than September 15, 2022. Failure to meet this deadline may jeopardize your organization's receipt of this award. The process of submitting the Grant Agreement documents has changed with the switching of the application process to Salesforce. Read carefully the instructions given in the memorandum and comply with the procedures outlined there. Terms of the award are fully described in the Grant Agreement.

In accepting this award from the IACA, grantees assume responsibility for complying with all Federal and State accessibility requirements. Grantees must credit public support in all promotional material and public notices in the following manner: *This program is partially supported by a grant from the Illinois Arts Council Agency*. Use of the IACA logo is encouraged wherever possible and can be found on our website ([IACA Logo](#)). Recipients of an award of Federal funds must also acknowledge support from the National Endowment for the Arts in accordance with their guidelines available at the NEA website ([NEA Logo](#)). This recognition is essential to educating audiences on the importance of public support for the arts.

If you have any questions regarding the decision making process, contact Teresa Davis, Program Director, at teresa.n.davis@illinois.gov. Questions regarding grant processing requirements should be directed to Pius Zacharias, Director of Grants Management at pius.zacharias@illinois.gov.

Sincerely,

Rhoda A. Pierce
Chair

Joshua Davis-Ruperto
Executive Director

M E M O R A N D U M

To: City of Urbana

From: Illinois Arts Council Agency

Pius Zacharias, Director of Grants Management

Date: August 20, 2022

Re: Application Number 2023-0035438

For funds approved by the Illinois Arts Council Agency to be released, the following items must be signed, dated, and RECEIVED no later than September 15, 2022. To expedite payment, return all requested materials with the appropriate grant number on each item.

If you have any questions on payment processing, please contact Sandra Velazquez by email at sandra.velazquez@illinois.gov.

IACA GRANT AGREEMENT DOCUMENTS SUBMISSION PROCESS

Please look for emails from *Illinois Arts Council Agency* (IACA) for Award Letter and Grant Agreement documents. The process for the delivery and submission of the IACA Grant Agreement and corresponding documents is done in two steps.

If the grant amount is below \$20,000 the steps are follows:

Step 1

The Grantee will receive the award letter via the email address entered in the Application submitted in Salesforce. The grantee needs to upload the completed documents listed below using the grantee portal in Salesforce (<https://arts-illinois.force.com/>). Please navigate to the application that was submitted and awarded, it will now be found in the Closed tab under Applications. In the Supporting Documents section of the application, it will now list the documents required for upload. After uploading the documents, you are complete. You do not need to submit the application again. Further details and a live demonstration can be viewed here:

<https://illinois.webex.com/webappng/sites/illinois/recording/06bc3cb60a10103aadf3005056843504/playback>

1. W9 Form- A link (<https://www.irs.gov/pub/irs-pdf/fw9.pdf>) to download the template form is also provided in the portal. Download the W9 Form Rev. October 2018 or later, fill it out, sign, save then upload it into the portal.
2. Legislative Letters -Organizations that receive an IACA award are required to notify by letter their State Representative, State Senator, and the Office of the Governor of the grant amount and the project or program it helps support.

THE GRANT AGREEMENT WILL NOT BE SENT FOR YOUR SIGNATURE IF THE ABOVE DOCUMENTS ARE NOT UPLOADED. FAILURE TO SUBMIT THE REQUIRED DOCUMENTS BEFORE THE DEADLINE MAY RESULT IN THE FORFEITURE OF THE GRANT.

The submitted documents are reviewed by the IACA Grants Office for completeness. After the documents are approved, and the applicant's prior year final report is complete, then the Grant Agreement will be processed by the IACA grants office.

Step 2

The Grantee receives the Grant Agreement and Legal Status Disclosure Certificate through the IAC Formstack platform and delivered via email to the Authorizing Official listed in the Applicant information in Salesforce. The applicant reviews and electronically signs the Grant Agreement and Legal Status Disclosure Certificate and Federal Funds Addendum (for Federal Funds Grants) and submits the signed forms electronically. There is no longer a need to print, sign, scan or email these documents.

Item G5.

The signed documents are received by the Director of Grants Management at the IACA electronically. The grant agreement is then executed by the Director of Grants Management and processed for payment if all the required documents are received by IACA. Upon fully executing the grant agreement a copy is emailed to the applicant.

If the grant amount is \$20,000 and above the steps are follows:

The Grantee will receive the award letter via the email address entered in the Application submitted in Salesforce. The grantee needs to upload the completed documents listed below using the grantee portal in Salesforce (<https://arts-illinois.force.com/>). Please navigate to the application that was submitted and awarded, it will now be found in the Closed tab under Applications. In the Supporting Documents section of the application, it will now list the documents required for upload. After uploading the documents, you are complete. You do not need to submit the application again. Further details and a live demonstration can be viewed here:

<https://illinois.webex.com/webappng/sites/illinois/recording/06bc3cb60a10103aadf3005056843504/playback>

1. Signed Grant Agreement & Legal Status Disclosure Certificate (electronic signatures are accepted)
2. W9 Form- A link (<https://www.irs.gov/pub/irs-pdf/fw9.pdf>) to download the template form is also provided in the portal. Download the W9 Form Rev. October 2018 or later, fill it out, sign, save then upload it into the portal.
3. Legislative Letters -Organizations that receive an IACA award are required to notify by letter their State Representative, State Senator, and the Office of the Governor of the grant amount and the project or program it helps support.

The submitted documents are reviewed by the IACA Grants Office. The grant agreement is executed by the Director of Grants Management on behalf of the Executive Director and the grant is processed for payment if all the required documents are received by IACA. Upon fully executing the grant agreement a copy is emailed to the authorizing official email.

GRANT AGREEMENT

Terms of the award are fully described in the Grant Agreement. You will receive your Grant Agreement via e-mail for signature. After careful review, sign electronically and submit.

LEGAL STATUS DISCLOSURE CERTIFICATE

The Legal Status Disclosure Certificate (LSDC) will be included with your Grant Agreement. Please complete and sign where indicated.

GRANT NOTIFICATION LETTERS

Organizations that receive an IACA award are required to notify by letter their state representative, state senator, and the Office of the Governor of the grant amount and the project or program it helps support. Prior to mailing the letters to the legislators, make copies of the letters and submit them via the portal.

According to our records, your legislators and their addresses are as follows:

Hon. JB Pritzker
Governor
207 State Capitol
Springfield, IL 62706

Scott M. Bennett
State Senator
45 E. University Avenue, Suite 206
Champaign, IL 61820-4046

Carol Ammons
State Representative
407 E. University Ave, Suite A
Champaign, IL 61820

If you feel the above information is incorrect, notify the Grants Office.

W-9 FORM

Download the W-9 Form (<https://www.irs.gov/pub/irs-pdf/fw9.pdf>)

PLEASE NOTE: To complete the W-9 form,

Box 1 Name as registered with IRS

Box 2 Leave blank.

Box 3 If certified with IRS as 501(C)(3) Check 'Other' and enter '501(C)(3)'

Box 4 Leave Blank: Exemption Box

Box 5 Enter Street Address

Box 6 Enter City, State and Zip

Box 7 Leave Blank

Requester's name and address: Sandra Velazquez, Illinois Arts Council Agency, Fax # 312-814-1471

Record: Employer Identification Number

Print, Sign, Date and Scan completed form

Upload scanned W-9 forms in Salesforce

FINAL REPORTS

Grant funds awarded in the current year will be held for payment until all final reports from the previous year are filed and approved. The final reports are submitted through Salesforce: <https://arts-illinois.force.com>. A final report that is filed late will cause the grantee to be penalized with a 25% reduction of all current fiscal year awards.

CASH MATCH

As stated in the IACA guidelines, this grant requires a minimum grantee cash match of \$8,600.00

FEDERAL FUNDS ADDENDUM

This grant will be paid from Federal funds through National Endowment for the Arts Grant #1903735-61-22, CFDA # 45.025 and requires your signature on the Federal Funds Addendum form included with your Grant Agreement.

This award letter is emailed to the following emails listed in the application:

Contact Official Email:	rlstorm@urbanailinois.us
Notification Official Email:	rlstorm@urbanailinois.us/arts
Authorizing Official Email:	rlstorm@urbanailinois.us



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Economic Development Division

m e m o r a n d u m

TO: Mayor Diane Wolfe Marlin and City Council Members

FROM: Sheila Dodd, Interim Community Development Services Director

DATE: September 29, 2022

SUBJECT: A RESOLUTION AUTHORIZING ACCEPTANCE OF
AN ILLINOIS ARTS COUNCIL AGENCY (IACA) GRANT FOR
PUBLIC ARTS PROGRAM OPERATING SUPPORT (FY 2023 Urbana Arts
and Culture Program)

Introduction and Background

The Urbana Arts and Culture Program was recently awarded a grant by the Illinois Arts Council Agency (IACA) to support general operations of the Arts Program in Fiscal Year 2023. IACA's funding is awarded to exceptional arts organizations and organizations with significant arts programming.

Discussion

IACA, a state agency, provides operating and technical support to organizations and programs statewide. In doing so, the agency helps keep Illinois' arts sector vital, vibrant, and accessible to all. IACA's Program Grant funds provide support to established not-for-profit organizations that create a meaningful impact in their communities through high-quality arts programming.

The grant is an award in the amount of \$8,600 in unrestricted program support. A copy of the grant agreement explaining the terms is attached to the proposed resolution. As indicated, funds received by this grant will be used to support general operations of the Arts Program in FY 2023. Matching funds required for this grant will be entirely covered by the Arts Program expenditures already included in the current City Budget.

While the grant fund has already been awarded to the City, it is necessary to adopt a resolution signifying the City's formal acceptance of the grant and outlining the terms under which the funds were provided.

Fiscal Impact

There is no increase in expenditures related to this grant.

Options

1. Forward to City Council with a recommendation for approval on the consent agenda.
2. Approve the resolution with changes.
3. Do not approve the resolution and forfeit the grant funds.

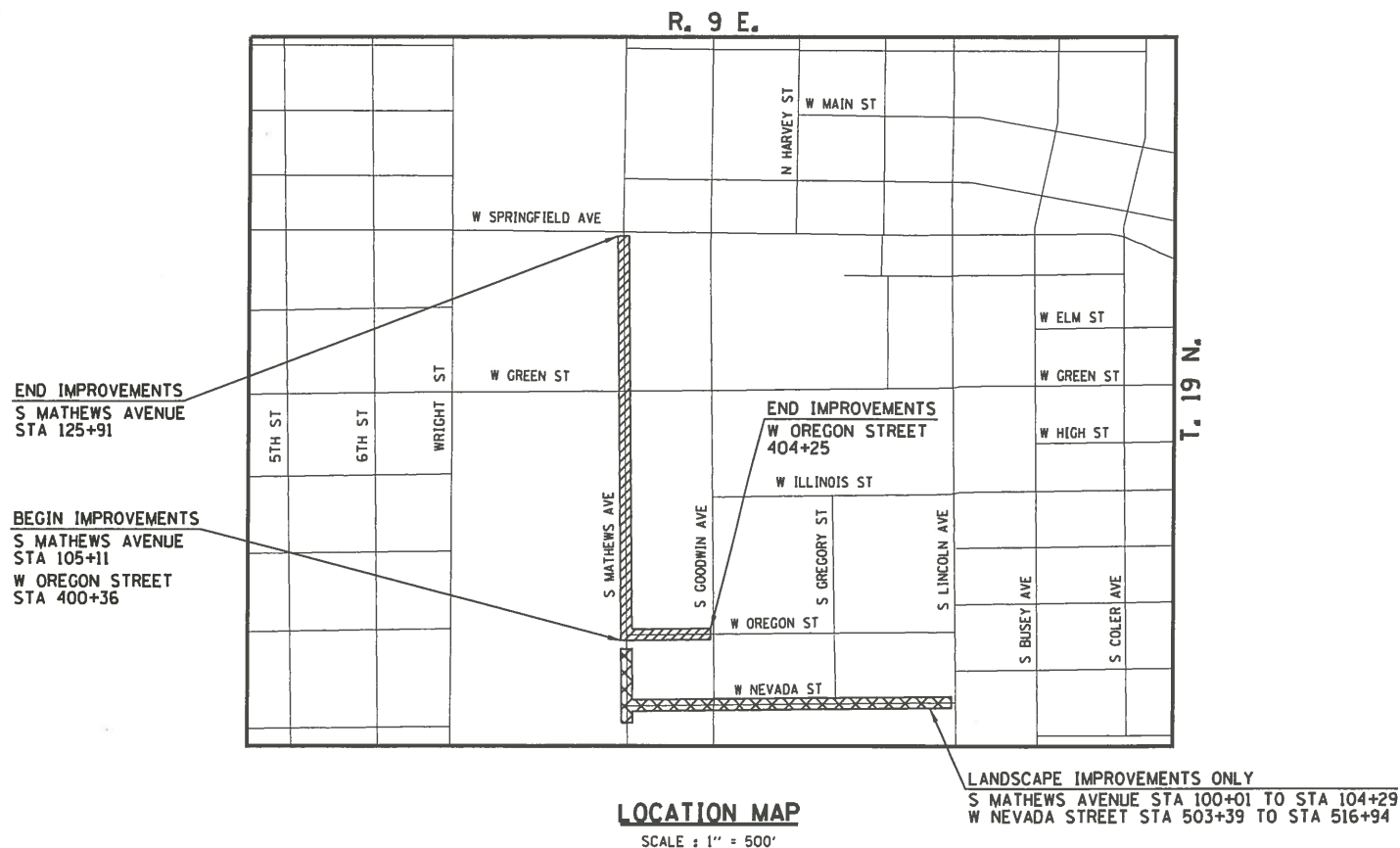
Recommendation

Staff recommends that the City Council approve the resolution authorizing acceptance of the IACA grant to the Urbana Arts and Culture Program.

Attachment A: A Resolution Authorizing Acceptance of an Illinois Arts Council Agency (IACA) Grant for Public Arts Program Operating Support

PLANS FOR PROPOSED ROADWAY LIGHTING IMPROVEMENTS

MATHEWS AVENUE OREGON STREET TO SPRINGFIELD AVENUE



RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING ACCEPTANCE OF
A DCEO GENERATE ENERGY SAVINGS PROGRAM GRANT
(Mathews Avenue Street Lighting Project)**

WHEREAS, the City of Urbana (the “City”) is a home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution, 1970, and may exercise any power and perform any function pertaining to its government and affairs, and the passage of this Resolution constitutes an exercise of the City’s home rule powers and functions as granted in the Illinois Constitution, 1970; and

WHEREAS, the Department of Commerce and Economic Opportunity (“DCEO”) has awarded a grant (“Grant”) in the amount of \$93,000 to reimburse the City for the removal of outdated street lights and the installation of modern and more efficient street lights under the Mathews Avenue Street Lighting Project; and

WHEREAS, the City is willing to accept the Grant on the terms and conditions provided by DCEO as described in the exhibit appended hereto and made a part hereof.

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

Section 1. That the DCEO’s Grant to reimburse for the removal of outdated street lights and the installation of modern and more efficient street lights shall be and hereby is accepted by the City and that the City shall abide by the terms and conditions provided in the exhibit attached hereto and made a part hereof.

Section 2. That the Mayor of the City of Urbana, Illinois, be and the same is hereby authorized to undertake such additional steps as may be necessary for the City to receive the

Grant and to arrange for the City's compliance with the terms and conditions contained in the exhibit appended hereto and made a part hereof without further actions by the City Council.

PASSED BY THE CITY COUNCIL this _____ day of _____, _____.

AYES:

NAYS:

ABSTENTIONS:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____, _____.

Diane Wolfe Marlin, Mayor



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

m e m o r a n d u m

TO: Diane Wolfe Marlin and City Council Members

FROM: Sheila Dodd, Interim Community Development Services Director

DATE: September 15, 2022

**SUBJECT: A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A DCEO GRANT
(Mathews Street Lighting Project)**

Introduction

The Public Works Department recently completed the Mathews Street Lighting Project, which included the installation of new street lights along Mathews Avenue from Nevada Street to just south of Oregon Street. The project included removal and replacement of the existing light poles and foundations with a modern and more efficient street lighting system.

Discussion

The Department of Commerce and Economic Opportunity (DCEO) had a grant available under the capital improvements section of their Generate Energy Savings Program. This grant was originally programmed as a grant that would be received during the course of the project, however, due to many factors, it was changed into a reimbursement grant that would be paid out after project completion. The grant is only for a portion of the project and not for the entirety of the project.

The total cost of the Mathews Avenue Street Lighting Project was \$531,594.50. The grant awarded from the DCEO is \$93,000. A copy of the grant agreement explaining the terms is attached to the resolution. As indicated, funds received by this grant are a reimbursement for the now completed Mathews Street Lighting Project.

Fiscal Impact

There will be no fiscal impact on the City General Fund, as the funding comes from DCEO. Funds received for the project will be used for future Capital Improvement Projects.

Options

1. Forward the Resolution to City Council with a recommendation for approval as part of the consent agenda.
2. Forward the Resolution to City Council with a recommendation for approval with suggested changes.
3. Do not forward the Resolution to Council and forfeit the DCEO grant.

Recommendation

Staff recommends that Council support the acceptance of the DCEO grant and approve the attached Resolution.

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING ACCEPTANCE OF A DCEO GRANT
(Community Development, Violence Prevention, and Administrative Costs)**

WHEREAS, the City of Urbana (the “City”) is a home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution, 1970, and may exercise any power and perform any function pertaining to its government and affairs, and the passage of this Resolution constitutes an exercise of the City’s home rule powers and functions as granted in the Illinois Constitution, 1970; and

WHEREAS, the State of Illinois Department of Commerce and Economic Opportunity (“DCEO”) has awarded a grant (“Grant”) in the amount of \$2,000,000 to the City for community development, violence prevention, and administrative costs; and

WHEREAS, the City is willing to accept the Grant on the terms and conditions provided by DCEO.

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

Section 1. That the DCEO’s Grant to reimburse for community development, violence prevention, and administrative costs is accepted by the City and that the City shall abide by the terms and conditions provided by DCEO.

Section 2. That the Mayor of the City of Urbana, Illinois, be and the same is hereby authorized to undertake such additional steps as may be necessary for the City to receive the

Grant and to arrange for the City's compliance with the terms and conditions contained in the exhibit appended hereto and made a part hereof without further actions by the City Council.

PASSED by the City Council this____day of _____ ,_____.

AYES:

NAYS:

ABSTENTIONS:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this____day of_____ ,_____.

Diane Wolfe Marlin, Mayor



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Grants Management Division

m e m o r a n d u m

TO: Mayor Diane Wolfe Marlin and Urbana City Council Members

FROM: Sheila Dodd, Interim Community Development Services Director

DATE: September 15, 2022

SUBJECT: RESOLUTION AUTHORIZING ACCEPTANCE OF A DCEO Grant (Community Development, Violence Prevention, and Administrative Costs)

Introduction

The City of Urbana received notice from the State of Illinois that a grant in the amount of \$2,000,000 was awarded for Community Development, Violence Prevention, and Administrative costs through the legislative budget. The City will complete the required application materials and will bring future funding agreements to City Council for approval.

Discussion

The Department of Commerce and Economic Opportunity (DCEO) notified the City this grant is structured as reimbursement for projects throughout the course of the grant period. The grant is anticipated to be for a portion of project costs and not for the entirety of a project. The table below outlines the grant budget:

Community Development Capital Improvement Projects	\$1,500,000
Affordable Housing	\$250,000
Violence Prevention Programs	\$200,000
Administrative Costs	\$50,000
Total	\$2,000,000

Fiscal Impact

There will be no fiscal impact on the City General Fund, as the funding comes from DCEO. Funds received will be used for the projects outlined above.

Options

1. Forward the Resolution to City Council with a recommendation for approval as part of the consent agenda.
2. Forward the Resolution to City Council with a recommendation for approval with suggested changes.

3. Do not forward the Resolution and forfeit the DCEO grant.

Recommendation

Staff recommends that Council support the acceptance of the DCEO grant and approve the attached Resolution.