

ORDINANCE NO. 9596-45

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT
(To Allow Champaign County to Establish County Offices in the CRE District - formerly
Brookens School Site)**

WHEREAS, Champaign County requested the Plan Commission consider a Special Use to allow County offices at 1776 East Washington Avenue, Urbana, Illinois; and

WHEREAS, the said property is zoned a CRE Conservation-Recreation-Education District; and

WHEREAS, the Urbana Plan Commission has considered the said petition after due notice and held a public hearing thereon on October 19, 1995 as Plan Case No. 1596-SU-95; and

WHEREAS, the Urbana Plan Commission has recommended approval of the requested Special Use Permit, subject to certain conditions.

NOW, THEREFORE, BE IT ORDAINED BY THE URBANA CITY COUNCIL that:

Section 1. A Special Use Permit is hereby granted to the petitioner, Champaign County to use 1776 West Washington Street for County, subject to the conditions set forth in Section 2 below, the said property being legally described as follows:

The west one-half of the south 875.73 feet of the east 42 rods of the west half of the northeast quarter and the east half of the northeast quarter of Section 16, Township 19 North, Range 9 East of the Third Principal Meridian, except the west 20 feet and the south 40 feet thereof, containing 19.08 acres, more or less, all situated in Urbana, Champaign County, Illinois, also described as:

Tract "A" of a plat of survey of part of the NE 1/4 of Section 16, Township 19 North, Range 9 East of the Third Principal Meridian, recorded in the Recorder's Office of Champaign County, Illinois, in Plat Book "S" at page 28, as document 726460, in Champaign County, Illinois, except the south 40 feet thereof as per instrument recorded April 3, 1968, in Book 872 at page 150, as document 8774839, in Champaign County, Illinois; and

Section 2. The Special Use Permit is granted subject to the following conditions:

- a. Champaign County and the City of Urbana enter into an agreement governing the improvement of Lierman Avenue.
- b. Any new parking lot construction or modification of existing parking areas will not increase any curb cuts or create any additional drive way entrances onto Washington Street above those that currently exist on the site. In addition, all parking lot construction or modification will be in conformance with the City of Urbana Zoning Ordinance.
- c. Champaign County will document the users in the Brookens Administrative Center, the square footage they are occupying, and verify that sufficient parking in conformity with the City of Urbana Zoning Ordinance exists on site to accommodate new tenants.
- d. The Special Use Permit explicitly prohibit courts or court-related uses at the Brookens Administrative Center. These uses are defined as the States Attorney's Office, the Public Defender's Office, the Circuit Clerk's Office, courtrooms of the Champaign County Circuit Court, the Court Services Office and the Probation Office.

e. The following uses will be allowed as part of the special use permit:
day care facility; not for profit business or professional office; vocation, trade or
business school; private recreational or health club; municipal or government
office, public indoor recreational development.

f. Any remodeling programs for the entire building or for parts of the building
on a phased basis that may be needed to accommodate uses and any additions or
changes from county uses authorized under this Special Use permit will require
a Certificate of Occupancy to be issued by the City of Urbana prior to
occupying the remodeled portion of the building. Thus, the zoning
Administrator can insure that all applicable city codes and ordinances have been
met.

g. If the County and the Park District reach agreement for the regular daytime use
of a part of the Brookens building for recreational activities, the County will cause
sufficient off-street parking to be provided for said recreational use in conformance
with the City of Urbana Zoning Ordinance.

h. Day care facilities must meet the following minimum criteria:

1. The City of Urbana Community Development Services Department, the Fire
Rescue Services Department and the Champaign-Urbana Health District have
inspected and approved the proposed area for occupancy.
2. The facility will be licensed by the State of Illinois Department of Children and
Family Services.
3. There is at least one (1) means of access to the exterior of the building for any
areas(s) occupied by a dare care facility.

- I. The 55 off-street parking spaces in the front of the building shall be reserved for visitors.

- j. Development of the site will be in substantial conformance to the attached site plan. This special use permit also allows the possible future construction of two additional pods in conformance with the attached site plan.

- k. If the Brookens Administrative Center is expanded with the construction of two additional pods as illustrated on the attached site plan, the owner will be responsible for the installation of an additional fire hydrant on Lierman Avenue subject to the City of Urbana Fire Chief's approval.

- l. The County will perpetuate the use of open space for recreational purposes per the intent of the CRE District.

Section 3. The City Council does hereby waive the following requirements of Section VII-6 of the Urbana Zoning Ordinance requiring that the Special Use must be enclosed by a wire mesh fence of no less than six (6) feet in height.

Section 4. 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 the terms of Section 1-2-4 of the Illinois Municipal Code.


This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the members of the City Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 6th day of November, 1995.

PASSED by the City Council on this 6th day of November, 1995.

AYES: Hayes, Kearns, Patt, Ryan, Taylor, Whelan

NAYS:

ABSTAINED: Pollock (due to conflict of interest)


Phyllis D. Clark, City Clerk

APPROVED by the Mayor this 9th day of November, 1995.


Tod Satterthwaite, Mayor



CERTIFICATE OF PUBLICATION
IN PAMPHLET FORM



I, PHYLLIS D. CLARK, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois.

I certify that on the 6th day of November, 1995, the corporate authorities of the City of Urbana passed and approved Ordinance No. 9596-45, entitled "AN ORDINANCE GRANTING A SPECIAL USE PERMIT (TO ALLOW CHAMPAIGN COUNTY TO ESTABLISH COUNTY OFFICES IN THE CRE DISTRICT - FORMERLY BROOKENS SCHOOL SITE)"

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

The pamphlet form of Ordinance No. 9596-45 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 9th day of November, 1995, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

Dated at Urbana, Illinois, this 9th, day of November, 1995.



Phyllis D. Clark by
Phyllis D. Clark, City Clerk
Deborah J. Roberts, Deputy Clerk