

ORDINANCE NO. 9697-65

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT
(To Allow a Residential Planned Unit Development at 1305 North Lincoln Avenue)
Plan Case No. 1637-SU-96**

WHEREAS, the Capstone Development Corp. requested the Plan Commission consider a Special Use to allow a Residential Planned Unit Development at 1305 North Lincoln Avenue, Urbana; and

WHEREAS, the Urbana Plan Commission has considered the said petition after due notice and held a public hearing thereon on November 21, 1996 as Plan Case No. 1637-SU-96; 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, Capstone Development Corp. to develop a Residential Planned Unit Development at 1305 North Lincoln Avenue, Urbana, subject to the conditions set forth in Section 2 below, the said property being legally described as follows:

Commencing 40 feet East of the Southwest corner of the South ½ of the Southwest ¼ of the Northeast ¼ of the Northeast ¼ of Section 7, T19N, R9 East of the 3rd Principal Meridian in Champaign County, Illinois, thence North along the East Right of Way line of Goodwin Avenue 330 feet, thence West 10 feet, thence North along the East Right of Way line of Goodwin Avenue 619.75 feet, more or less, to a point 374.75 feet South of the North line of said Section 7, thence East along the South line of land conveyed to Illinois Water Service Company by Warranty Deed, dated June 18, 1928, as recorded in the Recorder's Office of Champaign County, Illinois on June 22, 1928, in Deed Record Book 210 at page 75, as Document No. 224557, a distance of 632.05 feet to the East line of the Northwest ¼ of the Northeast ¼ of the Northeast ¼ of said Section 7, thence South 288.5 feet, more or less, to the Northwest corner of the Southeast ¼ of the Northeast ¼ of the Northeast ¼ of said Section 7, thence East 415 feet, more or less, to a point 248 feet West of the center line of Lincoln Avenue, thence South 103 feet, thence East 215 feet to the West line of Lincoln Avenue, thence South along the West line of Lincoln Avenue 127.4 feet, thence West 315.22 feet, thence South 131.08 feet to a

point 316.22 feet West of the West line of Lincoln Avenue, thence East 316.22 feet to the West line of Lincoln Avenue, thence South along the West line of Lincoln Avenue 131.07 feet, thence West 632.45 feet to a point 174.16 feet North of the Southwest corner of the Southeast 1/4 of the Northeast 1/4 of the Northeast 1/4 of said Section 7, thence South 174.16 feet to the South line of the Northeast 1/4 of the Northeast 1/4 of said Section 7, thence West along said South line 620 feet, more or less, to the point of beginning, containing 19.49 acres, more or less, in the City of Urbana, County of Champaign, Illinois, same being the boundaries on this date of Lincoln Park for Mobile Homes; except the east 316.22 feet thereof.

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

- a. The development will be constructed in substantial conformance to the site plan attached hereto.
- b. Any variance in the number of bedrooms shall not vary more than ten percent of that illustrated on the attached site plan.
- c. The primary access to the residential development will be limited to a single access on Lincoln Avenue and subject to the City Engineer's approval.
- d. A secondary emergency and pedestrian/bicycle access shall be provided on Goodwin Avenue.
- e. Decorative fencing shall be installed along Goodwin and Lincoln Avenue frontages.
- f. The Developer will cooperate with the City Arborist to implement the tree saving plan included in their development proposal.
- g. The Developer will enter into a development agreement approved by the Urbana City Council.

Section 3. The City Council does hereby waive the following requirements of Section VII-6 of the Urbana Zoning Ordinance:

1. That the Special Use must be enclosed by a wire mesh fence of no less than six (6) feet in height.
2. That the side and rear yards must be twenty-five (25) feet.

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.

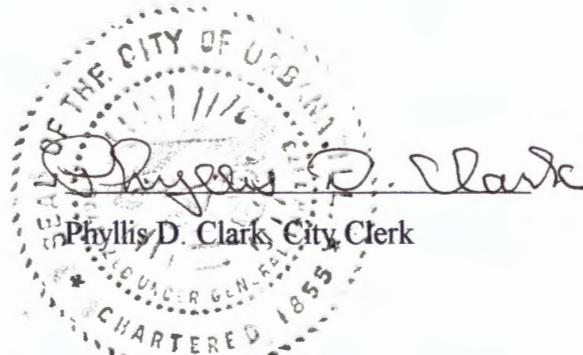
This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the members of the City Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 6th day of January, 1997.

PASSED by the City Council on this 6th day of January, 1997.

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

NAYS:

ABSTAINED:



APPROVED by the Mayor this 9th day of January, 1997.

Tod Satterthwaite

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 ___ day of _____, 19__, the corporate authorities of the City of Urbana passed and approved Ordinance No. _____, entitled AN ORDINANCE GRANTING A SPECIAL USE PERMIT (To Allow a Residential Planned Unit Development at 1305 North Lincoln Avenue), which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. _____ was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the ___ day of _____, 19__, 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 ___ day of _____, 19__.

(SEAL) _____

Phyllis D. Clark, City Clerk

(pc1470.ord)

NIWC Facility

University Commons
Urbana, Illinois
Conceptual Site Plan



North
Scale: 1" = 120'

Goodwin Avenue

Lincoln Avenue

Girl Scouts

Future
Commercial
Development

Brown Property

Eads II Subdivision

Pedestrian
Access

Bike Shelter

Emergency Access Only
(Crash Gate)

Perimeter Fencing (Typ.)

Development Program		
APARTMENTS		
Units	Type	Total BR's
132	4 BR/2 BA	528
108	2 BR/2 BA	216
2	Duplex	4
242	TOTAL	748
Parking Provided:		780



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 January, 1997, the corporate authorities of the City of Urbana passed and approved Ordinance No. 9697-65, entitled "AN ORDINANCE GRANTING A SPECIAL USE PERMIT (TO ALLOW A RESIDENTIAL PLANNED UNIT DEVELOPMENT AT 1305 NORTH LINCOLN AVENUE) (PLAN CASE NO. 1637-SU-96)",

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

The pamphlet form of Ordinance No. 9697-65 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 13th day of January, 1997, 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 13th day of January, 1997.

(SEAL)



Phyllis D. Clark by
Phyllis D. Clark, City Clerk
Debra D. Robert, Deputy Clerk