

ORDINANCE NO. 9697-146

**AN ORDINANCE APPROVING A SITE PLAN FOR LOT 301 OF EASTGATE
SUBDIVISION NO. 3 (AMBERWOOD APARTMENTS)**

WHEREAS, Amberwood Apartments, L.P. has submitted a site plan for City Council approval in accordance with the Meijer-Douglas-Atkins Annexation Agreement, approved by Ordinance 9495-65 on January 3, 1995; and

WHEREAS, the Urbana Zoning Board of Appeals (ZBA) has considered said site plan as part of a conditional use permit after due notice at a public hearing on April 17, April 29, and March 21, 1997 in ZBA Case No. 97-C-3; and

WHEREAS, the ZBA has preliminarily approved the requested conditional use permit with the conditions set forth in Section 2 below; and

WHEREAS, the authorization of the site plan approval, with the conditions set forth below, is consistent with the requirements of the Urbana Zoning Ordinance and with the general intent of that Ordinance, and is in accordance with the City's and Optionees' representations and obligations in the Meijer-Douglas-Atkins Annexation Agreement.

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

Section 1. Site plan approval is hereby authorized for the proposed multi-family use of Amberwood Apartments on Lot 301 of Eastgate Subdivision No. 3, in substantial conformance to the attached site plan, subject to the conditions set forth in Section 2 below. The subject property where the site plan approval is hereby authorized is more particularly described as follows:

PART OF THE SOUTH ½ OF THE SE ¼ OF SECTION 21 AND PART OF THE SOUTH ½ OF THE NORTH ½ OF THE SE ¼ OF SECTION 21, T. 19 N., R. 9 E. OF THE 3RD P.M., CHAMPAIGN COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SE CORNER OF THE SE ¼ OF SECTION 21, T. 19 N., R. 9 E. OF THE 3RD P.M., CHAMPAIGN COUNTY, ILLINOIS; THENCE N. 00°24'39"W., ALONG THE EAST LINE OF THE SE ¼ OF SAID SECTION 21, 1,388.22 FEET TO THE TRUE POINT OF BEGINNING; THENCE N. 90°00'00" W., 274.27 FEET TO A POINT OF CURVATURE; THENCE WESTERLY ALONG A CURVE TO THE RIGHT, CONVEX TO THE SOUTH WITH A RADIUS OF 380.00 FEET, A DISTANCE OF 140.17 FEET TO A POINT OF REVERSE CURVATURE; THENCE WESTERLY ALONG A CURVE TO THE LEFT, CONVEX TO THE

NORTH WITH A RADIUS OF 320.00 FEET, A DISTANCE OF 118.04 FEET TO A POINT OF TANGENCY; THENCE N. 90° 00' 00" W., 104.40 FEET TO A POINT OF CURVATURE; THENCE WESTERLY ALONG A CURVE TO THE LEFT, CONVEX TO THE NORTH WITH A RADIUS OF 320.00 FEET, A DISTANCE OF 218.94 FEET TO A POINT OF REVERSE CURVATURE; THENCE WESTERLY ALONG A CURVE TO THE RIGHT, CONVEX TO THE SOUTH WITH A RADIUS OF 380.00 FEET, A DISTANCE OF 261.41 FEET TO A POINT OF TANGENCY; THENCE N. 89° 47' 10" W., 66.76 FEET TO A POINT ON THE EAST LINE OF EASTGATE SUBDIVISION NO. 1, CITY OF URBANA, CHAMPAIGN COUNTY, ILLINOIS, RECORDED IN BOOK CC OF PLATS AT PAGE 181 AS DOCUMENT NO. 96R15730 IN THE CHAMPAIGN COUNTY RECORDER'S OFFICE, SAID POINT ALSO BEING ON THE SOUTH RIGHT-OF-WAY LINE OF AMBER LANE; THENCE N. 00° 12' 50" E., ALONG SAID EAST LINE OF EASTGATE SUBDIVISION NO. 1, 60.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF AMBER LANE; THENCE N. 89° 47' 10" W., ALONG SAID NORTH RIGHT-OF-WAY LINE, 78.93 FEET; THENCE N. 00° 20' 35" W., 655.81 FEET TO A POINT ON THE SOUTH LINE OF EAGLE RIDGE OF URBANA PHASE 1, MONUMENTED AS THE NORTH LINE OF THE S ½ OF THE N ½ OF THE S.E. ¼ OF SAID SECTION 21; THENCE S. 89° 47' 10" E., ALONG SAID MONUMENTED NORTH LINE, 1220.00 FEET TO A POINT ON THE EAST LINE OF THE SE ¼ OF SAID SECTION 21; THENCE S. 00° 24' 39" E., ALONG SAID EAST LINE, 601.34 FEET TO THE POINT OF BEGINNING, ALL SITUATED IN THE CITY OF URBANA, CHAMPAIGN COUNTY, ILLINOIS,

EXCEPT THE (APPROXIMATE) SOUTH 60 FEET THEREOF TO BE USED FOR FUTURE RIGHT-OF-WAY FOR AMBER LANE, AND

EXCEPT THE SOUTH 250 FEET OF THE WEST 200 FEET THEREOF, LYING NORTH OF SAID FUTURE RIGHT-OF-WAY FOR AMBER LANE,

CONTAINING 631,540 SQUARE FEET (14.498 ACRES), MORE OR LESS,

TO BE PLATTED AS LOT 301 OF EASTGATE SUBDIVISION NO. 3.

Section 2. The site plan approval shall be valid only under the following conditions:

1. The City Arborist must review and give final approval of the location and species of materials to be used in the landscape/screening plan for the site, including parking lot shade trees. Where the conceptual landscape plan shows plantings in the same location that the site plan shows fencing, the landscaping will be moved if necessary to allow the fencing. Planting sizes shown on the North Property Line Buffer Landscaping drawing will be

followed, except that where planting sizes differ with the requirements of the Urbana Zoning Ordinance, the larger planting size will be used, subject to the approval of the City Arborist.

2. The development must provide headlight screening according to ordinance requirements for outdoor parking spaces and access drives facing adjacent property to the west, north and east.
3. Hydrant locations must be approved by the Fire Chief.
4. The development of the site will be in substantial conformance to the May 8, 1997 site plan, and the May 8, 1997 typical garage elevations, the May 14, 1997 North Property Line Buffer Landscaping drawing, and the April 15, 1997 color conceptual landscape plan.
5. There will be no dumpsters on the project site other than the trash compactor shown on the site plan at the southwest corner of the project.
6. The developer will construct two fences along the north side of the tract in addition to the fences shown on the site plan: one between the two garage structures at the northeast corner of the tract, and one extending east of the existing garage structure with similar geometry and limits as the proposed fence at the northwest corner of the site.
7. The berm height along the north line of the tract will be four feet high with evergreen trees shown on the landscape plan to be a minimum of four feet high. All plantings are to be approved by the City Arborist.
8. Materials for the garage units will be hardboard siding with cultured stone to match buildings. The connecting fence will be solid wood with a decorative cap and cultured stone pilasters to match buildings.
9. Lighting units will be constructed as shown on the site plan and be 400-watt metal halide with intensities at the north property line at a maximum of 0.10 footcandle.

Section 3. The site plan as set forth in the attached exhibits is approved by the City Council. Minor adjustments in implementing the site plan may be approved by the Zoning Administrator of the City.

Section 4. This Ordinance is hereby passed by the affirmative vote of the members of the corporate authorities then holding office, the "ayes" and "nays" being called at a regular meeting of said Council.

PASSED by the City Council on this 2nd day of June, 1997.

AYES: Hayes, Huth, Kearns, Patt, Taylor, Whelan, Wyman

NAYS:

ABSTAINED:



Phyllis D. Clark
Phyllis D. Clark, City Clerk

By Robert, Deputy Clerk

APPROVED by the Mayor this 11th day of June, 1997.

Tod Satterthwaite
Tod Satterthwaite, Mayor

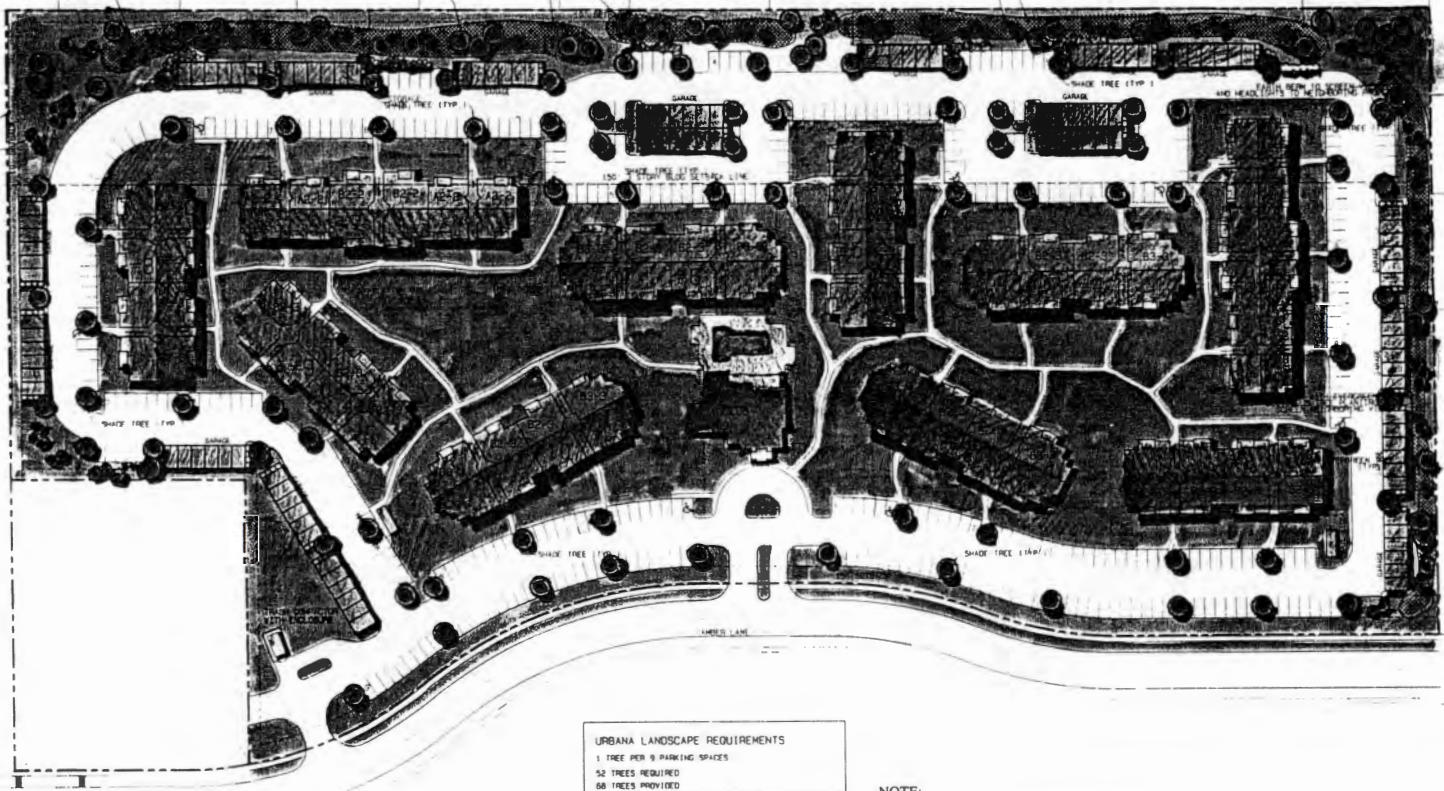
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OF URBANA PH. 1

(FUTURE EAGLE RIDGE)

EAGLE RIDGE
DETENTION BASIN

STONE CREEK



URBANA LANDSCAPE REQUIREMENTS
 1 TREE PER 9 PARKING SPACES
 52 TREES REQUIRED
 66 TREES PROVIDED

SCREEN NEIGHBORING VIEWS OF PARKING AND HEADLIGHTS AN EARTH BERM WITH EVERGREEN AND DECIDUOUS TREES HAS BEEN PROVIDED TO SCREEN THE NORTH AND EAST PROPERTIES.
 A 6'-0" WOOD SCREEN FENCE HAS ALSO BEEN PROVIDED ALONG THE WEST PROPERTY LINE TO SCREEN VIEWS

NOTE:
 3' HEIGHT BARRIER SHALL BE PROVIDED THROUGH A COMBINATION OF SHRUBS AND/OR BERMING. SHRUBS SHALL MEET CITY REQUIREMENT OF 18"-24" HEIGHT.

1 CONCEPTUAL LANDSCAPE PLAN



<p>RIBACK DESIGN ASSOCIATES, INC. LANDSCAPE ARCHITECTS 1000 N. W. 10th St. Fort Lauderdale, FL 33304 TEL: 954-561-1100 FAX: 954-561-1100</p>	<p>MLP Investments 11700 WASHINGTON ROAD, SUITE 200 DRY HITES, MISSISSAUGA, ONTARIO L4X 1L7 CANADA TEL: 905-886-7447 FAX: 905-886-7448</p>
	<p>JOB NUMBER: 07010 CREATED BY: J.P., B.M., M.T. DATE: 11/23/07</p>
<p>TOTAL NO. SHEETS: 10 SHEET NO.: 01 DATE: 11/23/07</p>	<p>SHEET NUMBER: 01 OF 10</p>