

AN ORDINANCE APPROVING A SPECIAL USE PERMIT

(Request to Establish a Church in the R-3, Single- and Two-Family Residential Zoning District - Plan Case No. 1819-SU-02)

WHEREAS, the subject property is zoned R-3, Single and Two-Family Residential and a church is allowed only as a Special Use in an R-3 zone.

WHEREAS, the Church of the Living God has petitioned the Urbana Plan Commission in Case No. 1819-SU-02 to consider a request for a special use permit to allow a Church Use on an 11.77-acre parcel located at northern termini of Dorie Miller Drive and Carver Drive; and

WHEREAS, all applicable development regulations are intended to be met by the petitioner, including those involving setbacks, drainage, and vehicular access considerations; and

WHEREAS, the conditions placed on the approval in Section 1 herein should minimize the impact of the proposed development on surrounding properties; and

WHEREAS, after due publication, a public hearing was held by the Urbana Plan Commission on May 9, 2002 concerning the petition filed by the petitioner in Plan Case No. 1819-SU-02; and

WHEREAS, on May 9, 2002, the Urbana Plan Commission voted 6 ayes and 0 nays to forward the case to the Urbana City Council with a recommendation to approve the request for a Special Use Permit, subject to the conditions as outlined in Section 1 herein; and

WHEREAS, the approval of the Special Use Permit, with the condition set forth below, is consistent with the requirements of Section VII-6 of the Urbana Zoning Ordinance, Special Use Permit Procedures, and with the general intent of that Section of the Ordinance; and

WHEREAS, the findings of the Plan Commission indicate that approval of the special use permit would promote the general health, safety, morals, and general welfare of the public.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. A Special Use Permit is hereby approved to allow the establishment of a Church Use on the subject 11.77-acre parcel with the following conditions upon approval:

1. Approval is herein granted only for Phase I of the project as described on the site plan description attached hereto as Page 2 of Exhibit "A" and illustrated on Page 3 of Exhibit "A". Phase II development shall require further Special Use Permit review and approval under the relevant provisions of the Zoning Ordinance, including a public hearing with the Plan Commission and final approval by the City Council.

2. That the layout of the facility shall closely resemble the submitted Site Development Plan, attached as Page 3 of Exhibit A of this ordinance. Any significant deviation from this Site Development Plan will require an amendment to the Special Use Permit, including further review by the Plan Commission and approval by City Council.

3. That an engineered drainage plan, including proper conveyance and detention of stormwater from the site shall be prepared and constructed consistent with the requirements of the Urbana Subdivision and Land Development Code and subject to the review and approval of the City Engineer.

4. There shall be no vehicular access to the site from Carver Drive or Dorie Miller Drive. Detailed access and parking plans shall be prepared and constructed consistent with the requirements of the Urbana Zoning Ordinance and Subdivision and Land Development Code and shall be subject to the review and approval of the Zoning Administrator and City Engineer.

5. That three additional handicapped parking spaces be provided to satisfy ADA regulations indicated in the Zoning Ordinance.

6. The Church shall work with the adjacent community to be sure that the residents of the subdivision are happy with the green space buffering between the Carver Park Subdivision and the Church property.

LEGAL DESCRIPTION:

Beginning at the Northwest corner of Lot 48 of Carver Park Addition to the City of Champaign, Illinois, thence West 190 feet to the West line of the Southeast Quarter (SE $\frac{1}{4}$) of Section 6, Township 19 North, Range 9 East of the Third Principal Meridian, thence North along said line 611 feet, thence East 765 feet to the East line of Carver Park Subdivision extended North thence South along said line 726 feet to the Northeast corner of Lot 16 of said subdivision, thence West 450 feet to the Southeast corner of Lot 48 of said Subdivision, thence North along East line of said Lot 48; 115 feet, thence West 125 feet along North line of Lot 48; to the place of beginning situated in Champaign County,

Illinois, EXCEPTING therefrom the following described tract:

Beginning at the Northeast corner of Lot 48 of Carver Park Addition to the City of Champaign, Illinois, a Subdivision; thence Easterly parallel with the North line of Lot 21 of said Subdivision, 55.00 feet; thence Southerly parallel with the East line of the said Lot 48, 115.00 feet to the common North Corner of Lots 20 and 21 of said Subdivision; thence westerly along the North line of Lot 21 of said Subdivision, 55.00 feet to the common corner of Lots 21 and 48 of said Subdivision; thence Northerly along the East line of said Lot 48, 115.00 feet to the point of beginning, containing 6.325 square feet (0.145 acres) more or less, all situated in the City of Urbana, Champaign County, Illinois, and having its Westerly and Southerly boundaries contiguous to the limits of the City of Champaign, Illinois.

Consisting of a total of 11.77 acres more or less, all situated in the City of Urbana, Champaign County, Illinois.

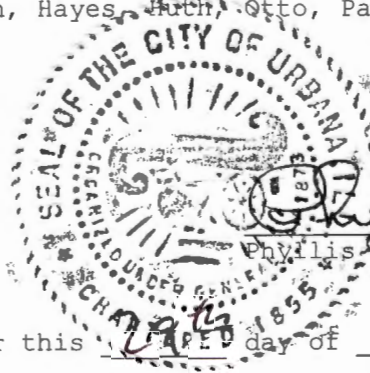
Section 2. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities. This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Chapter 65, Section 1-2-4 of the Illinois Compiled Statutes (65 ILCS 5/1-2-4).

PASSED by the City Council this 20th day of May,
2002 .

AYES: Chynoweth, Hayes, ~~Hutch~~, Otto, Patt, Whelan, Wyman

NAYS:

ABSTAINS:



Phyllis D. Clark
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this 20th day of May,
2002 .

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 20th day of May, 2002, the
Corporate Authorities of the City of Urbana passed and approved Ordinance
No. 2002-05-052, entitled:

**"AN ORDINANCE APPROVING A SPECIAL USE PERMIT (REQUEST TO
ESTABLISH A CHURCH IN THE R-3, SINGLE- AND TWO-FAMILY
RESIDENTIAL ZONING DISTRICT – PLAN CASE NO. 1819-SU-02)"**

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

The pamphlet form of Ordinance No. 2002-05-052 was
prepared, and a copy of such Ordinance was posted in the Urbana City Building
commencing on the 29th day of May, 2002, and continuing for
at least ten (10) days thereafter. Copies of said Ordinance were also available for
public inspection upon request at the Office of the City Clerk.

Dated at Urbana, Illinois, this 29th day of May,
2002.



Phyllis D. Clark
City Clerk
by *Robert J. Robert*
Deputy Clerk