

AN ORDINANCE APPROVING A SPECIAL USE PERMIT

**(To Allow the Construction of Multi-Family Dwellings at 1008, 1010
and 1012 W. University Avenue in the B-3, General Business,
Zoning District - Plan Case 2043-SU-07 / Trammell Crow
Higher Education Development, Inc.)**

WHEREAS, Trammell Crow Higher Education Development, Inc. has petitioned the City of Urbana for a Special Use Permit to construct multi-family dwellings at 1008, 1010, and 1012 West University Avenue in the B-3, General Business District; and

WHEREAS, the Urbana Zoning Ordinance, Table V-1, Table of Uses, permits Multi-Family Dwellings in B-3 zoning districts subject to a Special Use Permit; and

WHEREAS, the 2005 Comprehensive Plan designates the future land use of this property as "Community Business"; and

WHEREAS, after due publication, the Urbana Plan Commission on June 21, 2007 held a public hearing concerning the petition and voted 8 ayes and 0 nays to forward the case to the Urbana City Council with a recommendation to approve the Special Use Permit application, subject to the conditions as specified in Section 1 herein; and

WHEREAS, the approval of the Special Use Permit, with the conditions set forth herein, is consistent with the requirements of Section VII-4 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; and

WHEREAS, The application demonstrates that the development will be generally conducive to the public convenience at this location; that it will not be injurious to the public or district in which it is located; and that it will meet the applicable standards of the Urbana Zoning Ordinance and enhance the character of the zoning district in which it will be located.

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

Section 1. A Special Use Permit is hereby approved to allow the use of multi-family dwellings in the B-3, General Business Zoning District at 1008, 1010, and 1012 West University Avenue with the following conditions upon approval:

1. The development shall be constructed in general conformance with the attached site plan labeled "Floor Concept Plans". The Zoning Administrator shall have the power to approve minor changes necessary for the project to comply with City regulations including building, fire, and site development codes.
2. The design and appearance of the development shall be of a high standard of quality in substantial conformance to the attached illustration labeled "Conceptual Elevation" submitted as part of the Special Use Permit application. This condition shall include a requirement for masonry construction.

LEGAL DESCRIPTION:

The East 135 feet of Lot 1, and all of Lots 9, 11 and 12, in John W Stipes Subdivision in the City of Urbana, Illinois, as per plat shown in Plat Book "B" at page 12, situated in Champaign County, Illinois. More commonly known as 1008 and 1010 West University, Urbana, Illinois.

Permanent Index Nos. 91-21-07-431-019, 91-21-07-431-021, and 91-21-07-431-009

AND

Lot 10 in John W. Stipes Subdivision in the City of Urbana, Illinois, as per plat shown in Plat Book "B" at page 12, situated in Champaign County, Illinois. Most commonly known as 1012 W. University, Urbana, Illinois.

Permanent Index No. 91-21-07-431-007

AND

Beginning at the Northwest Corner of Lot 1 of John W. Stipes Subdivision, Urbana, Illinois, said point being on the Southerly right-of-way line of the Norfolk and Western Railway Company, proceed thence North 00 degrees 10 minutes 21 seconds East, 21.33 feet along the East line of Goodwin Avenue to the Northerly right-of-way line of the Norfolk and Western Railway Company, said line being coincidental with the Southerly right-of-way line of the Penn Central Railroad; thence South 70 degrees 02 minutes 19 seconds East, 411.00 feet along the Northerly right-of-way line of the Norfolk and Western Railway Company, thence South 68 degrees 01 minutes 28 seconds East 158.13 feet to a point on the Northerly extension of the East line of Lot 9 of John W. Stipes Subdivision; thence South 00 degrees 01 minutes 49 seconds East, 31.50 feet along the Northerly extension of the said East line to the Southerly right-of-way line of the Norfolk and Western Railway Company, also being the Northerly line of John W. Stipes Subdivision; thence North 70 degrees 31 minutes 48 seconds West, 70.39 feet along the Southerly line of said railway company to a point being on the East line of Lot 1 of John W. Stipes Subdivision; thence North 00 degrees 06 minutes 46 seconds West, 21.23 feet along the said East line of Lot 1, being coincidental with the Southerly right-of-way line of Norfolk and Western Railway Company, thence North 70 degrees 31 minutes 49 seconds West, 493.93 feet along the Southerly right-of-way line of said Railroad to the true point of beginning, said property lying contiguous to the West limit of the property conveyed to Consolidated Railway Corporation by deed dated October 15, 1990, lying East of Goodwin Avenue, in 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 9th day of July,
2007.

AYES: Barnes, Bowersox, Gwyno, Lewis, Roberts, Smyth, Stevenson

NAYS:

ABSTAINS:



Charles D. Clark
Charles D. Clark, City Clerk

APPROVED by the Mayor this 12th day of July,
2007.

Laurel Lunt Prussing
Laurel Lunt Prussing, Mayor

[Special Council Meeting]