

**AN ORDINANCE TO REPEAL ORDINANCE NO. 2007-07-071
AND TO APPROVE A SPECIAL USE PERMIT**

**(To Allow the Construction of Multi-Family Dwellings at
1008, 1010 and 1012 West University Avenue to Include
a Parking Lot at 508 North Goodwin Avenue in the B-3,
General Business, Zoning District - Plan Case
No. 2078-SU-08 / Trammell Crow Company)**

WHEREAS, Trammel Crow Company was granted a Special Use Permit on July 9, 2007 by the Urbana City Council in Ordinance No. 2007-07-071 to allow the construction of multi-family dwellings at 1008, 1010 and 1012 W. University Avenue; and

WHEREAS, unforeseen circumstances have required Trammell Crow Company to redesign the project to include a surface parking lot at 508 N. Goodwin Avenue instead of providing underground parking as originally proposed; and

WHEREAS, Trammell Crow Company has petitioned the City of Urbana for a Special Use Permit to construct multi-family dwellings at 1008, 1010, and 1012 West University Avenue to include a parking lot at 508 North Goodwin 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 July 24, 2008 held a public hearing concerning the petition and voted 7 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; and

WHEREAS, after due and proper consideration, the Urbana City Council has deemed it to be in the best interests of the City of Urbana to repeal Ordinance No. 2007-07-071 and to enact the text in lieu thereof as described herein.

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

Section 1. Ordinance No. 2007-07-071 is hereby repealed upon the effective date of this Ordinance. The repeal of such Ordinance shall not abrogate or affect any act committed or done or any penalty or forfeiture incurred or any pending litigation or prosecution under such repealed ordinance.

Section 2. In place of said Ordinance herein repealed, a new Ordinance is hereby enacted and a Special Use Permit is hereby approved to allow the use of multi-family dwellings at 1008, 1010, and 1012 West University Avenue to include a parking lot at 508 North Goodwin Avenue in the B-3, General Business Zoning District with the following conditions upon approval:

1. The development shall be constructed in general conformance with the attached site plan labeled "Exhibit 1". 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 "Exhibit 2" submitted as part of the Special Use Permit application. This condition shall include a requirement for masonry construction such as brick, stone, tile and the like whether weight bearing or veneer.

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 Avenue, Urbana, Illinois.

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

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. More commonly known as 1012 West University Avenue, Urbana, Illinois.

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

AND

Lot 1 except the east 135 feet, and also the south 48 feet of the west 134.62 feet thereof, 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 508 North Goodwin Avenue, Urbana, Illinois.

Permanent Index No. 91-21-07-431-023

Section 3. 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).

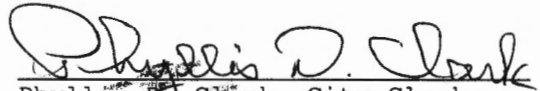
This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

PASSED by the City Council this 4th day of August, 2008.

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

NAYS:

ABSTAINS:


Phyllis D. Clark, City Clerk

APPROVED by the Mayor this 8th day of August, 2008.

