

ORDINANCE NO. 2009-05-045

**AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN  
FOR A PLANNED UNIT DEVELOPMENT**

**(1002 South Lincoln Avenue and 805 West Iowa Street, Nabor  
House Fraternity - Plan Case No. 2105-PUD-09)**

WHEREAS, the Nabor House Fraternity proposes to establish a residential planned unit development (PUD) for property known as 1002 South Lincoln Avenue and 805 West Iowa Street in the R-7, University Residential Zoning District and the R-3, Single and Two-Family Residential Zoning District respectively; and

WHEREAS, Section XIII-3 of the Urbana Zoning Ordinance requires the submission and approval of a preliminary and final development plan for planned unit developments, and that all requested waivers from development standards be expressly written; and

WHEREAS, the Nabor House Fraternity has submitted a preliminary development plan for the proposed Nabor House Fraternity PUD that was approved by the City Council on March 2, 2009 by Ordinance No. 2009-03-014 (Plan Case 2100-PUD-09) with the following waivers:

1. Maximum height of 37 feet for a principal structure.
2. Floor area ratio of 0.66; and

WHEREAS, the Nabor House Fraternity has submitted a final development plan that is fully consistent with the preliminary development plan; and

WHEREAS, the subject property lies within the Lincoln-Busey Corridor Design Review Overlay District and has been reviewed and unanimously approved by the Design Review Board on April 16, 2009 with the following conditions:

1. Construction of the proposed building and parking lot shall be in conformance with the approved plans and architectural renderings as described herein. Any significant deviation from these plans and architectural renderings as described

herein shall require consideration by the Design Review Board;

2. A final Planned Unit Development plan must be approved with no significant deviation from the plans and architectural renderings approved by the Design Review Board;
3. The development be completed in full conformity with all applicable provisions of the Urbana Zoning Ordinance and Development Regulations;
4. The fence be limited to six feet in height in accordance with stated intent of the petitioner; and

WHEREAS, after due publication, the Urbana Plan Commission on April 23, 2009 held a public hearing concerning the proposed final development plan and voted 6 ayes and 0 nays to forward the case to the Urbana City Council with a recommendation to approve the final development plan for the Nabor House Fraternity with conditions outlined herein; and

WHEREAS, the approval of the final development plan is consistent with the requirements of Section XIII-3 of the Urbana Zoning Ordinance, Planned Unit Developments, and with the definitions and goals of this Section of the Ordinance.

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

Section 1. A final development plan for the Nabor House Fraternity PUD, as attached hereto in Exhibit 1, is hereby approved for property known as 1002 South Lincoln Avenue and 805 West Iowa Street, including the two waivers previously approved and herein stated and with the following conditions:

1. Construction be in conformance with the approved plans; and
2. The development be completed in full conformity with the conditions approved by the Design Review Board on April 16, 2009.

LEGAL DESCRIPTION:

Lot 1 and the North 12 feet of Lot 2 in Forest Park Addition to the City of Urbana, Champaign County, Illinois.

Permanent Parcel No.: 93-21-17-302-001

AND

Lots 7 and 8 in Forest Park Addition to the City of Urbana as recorded in Book D at Page 62, Champaign County, Illinois.

Permanent Parcel No.: 93-21-17-302-004

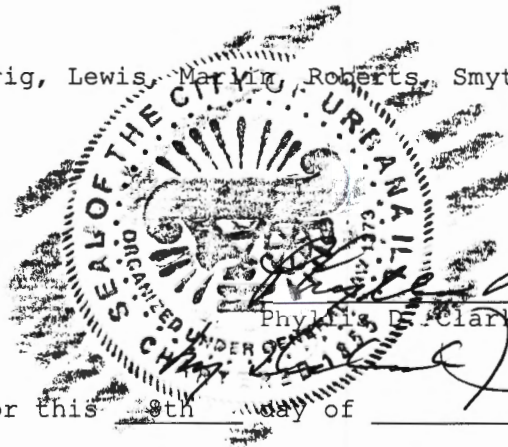
Section 2. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the Corporate Authorities. This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Chapter 65, Section 1-2-4 of the Illinois Compiled Statutes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

PASSED by the City Council this 4th day of May, 2009.

AYES: Bowersox, Gehrig, Lewis, ~~Marlin~~, Roberts, Smyth, Stevenson

NAYS:

ABSTAINS:



*Phyllis M. Clark*  
Phyllis M. Clark, City Clerk

*J. Belmont*  
Deputy Clerk

APPROVED by the Mayor this 9th day of May, 2009.

*Laurel Lunt Prussing*  
Laurel Lunt Prussing, Mayor