

ORDINANCE NO. 2012-10-097

**AN ORDINANCE APPROVING A SPECIAL USE PERMIT**

(To Allow Construction of Multi-Family Residential Dwellings in the B-3, General Business Zoning District - Plan Case No. 2188-SU-12 / 1008, 1010 and 1012 West University Avenue and 508 North Goodwin Avenue - Campus Circle Apartments)

WHEREAS, Bainbridge Communities Acquisition II, LLC has petitioned the City for a Special Use Permit to allow multi-family residential dwellings in the B-3, General Business Zoning District; and

WHEREAS, the Urbana Zoning Ordinance identifies *multi-family residential dwellings* within the B-3 Zoning District as being permitted with the granting of a Special Use Permit; and

WHEREAS, the proposed use is conducive to the public convenience at this location as the property is within commuting distance of the University of Illinois for pedestrians and bicyclists, and its mixed use aspect lends itself to shorter trips and less reliance on automotive transportation, and is otherwise convenient for residents; and

WHEREAS, the proposed use will not be unreasonably injurious or detrimental to the district in which it will be located, or otherwise injurious or detrimental to the public welfare because it would introduce a less intensive use in a more intensive zoning district and is separated from low density residential uses; and

WHEREAS, the proposed development is consistent with the development regulations for non-residential properties in the B-3 Zoning District and therefore preserves the essential character of the district in which it shall be located; and

WHEREAS, the proposed development has been designed so that it is consistent with the commercial nature of University Avenue and to minimize impacts on surrounding properties, with parking situated behind the building and along the secondary frontage on Goodwin Avenue; and

WHEREAS, the proposed development is consistent with the 2005 Urbana Comprehensive Plan in terms of its goals and objectives as well as the future land use designation of the subject property as "Community Business"; and

WHEREAS, after due publication, a public hearing was held by the Urbana Plan Commission on September 6, 2012 concerning the petition filed by the petitioner in Plan Case No. 2188-SU-12; and

WHEREAS, 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 specified in Section 1 herein; and

WHEREAS, approval of the Special Use Permit, with the conditions 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 construction of multi-family residential dwellings in the B-3, General Business Zoning District with the following conditions:

1. The development shall be constructed in general conformance with the revised site plan submitted on October 15, 2012 and attached as Attachment A. This Special Use Permit presumes obtaining two Major Variances regarding side and rear yard setbacks. The Zoning Administrator shall have the authority to approve minor changes substantially in compliance with the approved site plan 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 illustrations as Attachment A.
3. The petitioner shall submit a detailed drainage plan that is approved by the City Engineer.
4. The petitioner shall submit a Traffic Impact Analysis that is approved by the City Engineer.

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.

AND ALSO:

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.

AND ALSO:

LOT 1, EXCEPT THE EAST 135 FEET, AND ALSO EXCEPT THE SOUTH 48 FEET OF THE WEST 134.62 FEET THEREOF, 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.

PIN No:

91-21-07-431-023, 91-21-07-431-019, 91-21-07-431-007, 91-21-07-431-021

LOCATED AT: 1008, 1010 and 1012 West University Avenue and 508 North Goodwin Avenue, Urbana, Illinois.

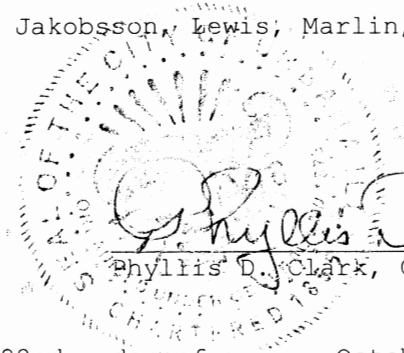
Section 2. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the City Council. This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Chapter 65, Section 1-2-4 of the Illinois Compiled Statutes (65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

PASSED by the City Council this 15th day of October, 2012.

AYES: Bowersox-Johnson, Jakobsson, Lewis, Marlin, Smyth

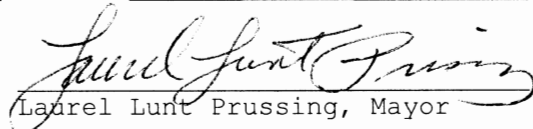
NAYS:

ABSTAINS:



*Phyllis D. Clark*  
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this 22nd day of October, 2012.



Laurel Lunt Prussing, Mayor