

Recording Cover Sheet

**AN ORDINANCE APPROVING A SPECIAL USE PERMIT
(802, 804, 806, 808, 810, 812, 814 AND 816 CLARK STREET,
406, 406 ½ AND 408 NORTH LINCOLN AVENUE / RAEI
DEVELOPMENT CORPORATION – PLAN CASE 2362-SU-
18 [Ord. No. 2019-02-016]**

*ORDINANCE

*MAP

2019R02801

REC ON: 03/01/2019 12:53:23 PM

CHAMPAIGN COUNTY

MARK SHELDEN

REC FEE: 51.00

RHSPS Fee:

REV FEE:

PAGES 12

PLAT ACT: 0 PLAT PAGE:

Prepared for recording by:
Kay Meharry, Assistant Clerk

400 S. Vine Street, Urbana, IL 61801

Return to:

Charles A. Smyth, City Clerk
City of Urbana
400 S. Vine Street
Urbana, IL 61801

Recording Cover Sheet

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**AN ORDINANCE APPROVING A SPECIAL USE PERMIT
(802, 804, 806, 808, 810, 812, 814 AND 816 CLARK STREET,
406, 406 ½ AND 408 NORTH LINCOLN AVENUE / RAEL
DEVELOPMENT CORPORATION - PLAN CASE 2362-SU-
18 [Ord. No. 2019-02-016]**

***ORDINANCE**

***MAP**

Prepared for recording by:
Kay Meharry, Assistant Clerk

400 S. Vine Street, Urbana, IL 61801

Return to:

Charles A. Smyth, City Clerk
City of Urbana
400 S. Vine Street
Urbana, IL 61801

ORDINANCE NO. 2019-02-016

AN ORDINANCE APPROVING A SPECIAL USE PERMIT

(802, 804, 806, 808, 810, 812, 814, and 816 Clark Street, 406, 406 ½, and 408 North Lincoln Avenue / Rael Development Corporation – Plan Case 2362-SU-18)

WHEREAS, Rael Development Corporation has petitioned the City for approval of a Special Use Permit to allow Multiple-Family Residential use in the B-3, General Business, at 802, 804, 806, 808, 810, 812, 814, and 816 Clark Street, 406, 406 ½, and 408 North Lincoln Avenue.; and

WHEREAS, the Urbana Zoning Ordinance requires a Special Use Permit for multi-family dwellings in the B-3, General Business District; and

WHEREAS, the proposed use is conducive to the public convenience at this location and is located in an area that already contains residential and commercial uses; and

WHEREAS, the proposed use would not be unreasonably injurious or detrimental to the district in which it shall be located; and

WHEREAS, the proposed use conforms to the regulations and standards of, and preserves the essential character of the B-3, General Business Zoning District in which it shall be located; and

WHEREAS, after due publication, the Urbana Plan Commission held a public hearing on January 24, 2019, and February 7, 2019. On February 7, 2019, the Urbana Plan Commission voted with seven (7) ayes and one (1) nay to forward Plan Case 2362-SU-18 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-4 of the Urbana Zoning Ordinance, Special Use Procedures, and with the general intent of that Section of the Ordinance; and

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 a Dwelling, Multifamily in the B-3, General Business Zoning District with the following conditions:

1. The development shall be constructed in general conformance with the site plan and renderings in "Ordinance Attachment A".
2. The developer shall submit a final Traffic Impact Analysis, including analysis of pedestrian and transit use, prior to the City issuing any building permits.
3. The developer shall adequately mitigate negative impacts the final Traffic Impact Analysis anticipates prior to the City issuing a Certificate of Occupancy.
4. The maximum height of the building is 65 feet, except that the building height may reach 70 feet near the northeast corner of the building to accommodate roof access.
5. The developer shall work with the City Arborist to increase screening on the south side of the parking lot along Clark Street with the goal of reducing the impact of headlights from the parking lot.

Legal Description:

Tract 1:

Commencing 150 feet East of the Southwest Corner of Lot 17 of Col. M. W. Busey's Heirs' Addition of Town Lots to the Town, now City, of Urbana, Illinois, thence North 30 feet, thence East 50 feet, thence North 69.1 feet to the South Right-of-Way of the Wabash Railroad Company, thence Southeasterly along the said Right-of-Way line across Lots 16 and 15 of said Addition to the East line of said Lot 15, thence South on the East line of said Lot 15 to the Southeast corner of said Lot, thence West along the South line of said Lots 15 and 16 to the point of beginning, in Champaign County, Illinois.

Permanent Index Number: 91-21-08-352-003, Address: 406 1/2 North Lincoln Avenue

Tract 2:

The North 72 1/2 feet of the West Half of Lot 18 of M. W. Busey's Heirs' Addition to the Town (now City) of Urbana, as per plat recorded in Deed Record 8 at Page 444, situated in Champaign County, Illinois; and

That part of Lots 16 and 17 in M. W. Busey's Heirs' Addition to the Town (now City) of Urbana described as follows:

Commencing at the Southwest corner of Lot 17 of M. w. Busey's Heirs' Addition to the Town (now city) of Urbana, thence North 30 feet on the West line of said Lot, thence East 150 feet, thence South 30 feet to the South line of said Lot 16, thence West along the South line of said Lots 16 and 17 to the place of beginning; and

That part of Lots 16 and 17 in M. W. Busey's Heirs' Addition to the Town (now City) of Urbana described as follows:

Beginning at a point 178 1/2 feet North of the Southwest corner of Lot 18 of said Subdivision, thence East 200 feet to a point, thence North 69_1 feet to the right of way of the Wabash Railroad, thence Northwest along said Railroad right of way 98.3 feet to the South line of University Avenue, thence West along the South line of University Avenue 108.1 feet to the East line of Lincoln Avenue, thence South along the East line of Lincoln Avenue 102 feet to the place of beginning, in Champaign County, Illinois;

Permanent Index Number: 91-21-08-352-013, Address: 406 and 408 North Lincoln Avenue
Tract 3:

The East 1/3 of Lot 14 of M. w. Busey's Heirs' Addition to the Town (now City) of Urbana, as per plat recorded in Deed Record 8 at Page 444, situated in Champaign County, Illinois, except the following described tract:

Beginning at the Northeast corner of said Lot 14; thence Westerly along the North line of said Lot 14, a distance of 66.00 feet; thence Southeasterly along a curve convex to the North having a radius of 91.75 feet to a point on the East line of said Lot 14, said point being 28.17 feet South of the Northeast corner of said Lot 14; thence along the East line of said Lot 14, a distance of 28.17 feet to the Northeast corner of said Lot 14 to the point of beginning, situated in Champaign County, Illinois.

Permanent Index Number: 91-21-08-352-012, Address: 802 West Clark Street

Tract 4:

The West half of the East two-thirds of Lot 14 of M. W. Busey's Heirs' Addition to the Town (now City) of Urbana, as per plat recorded in Deed Record 8 at Page 444, situated in Champaign County, Illinois.

Permanent Index Number: 91-21-08-352-011, Address: 804 West Clark Street

Tract 5:

The West 1/3 of Lot 14 of M. W. Busey's Heirs' Addition to the Town (now City) of Urbana, as per plat recorded in Deed Record 8 at Page 444, situated in Champaign County, Illinois.

Permanent Index Number: 91-21-08-352-010, Address: 806 West Clark Street

Tract 6:

The East 1/3 of Lot 19 of M. W. Busey's Heirs' Addition to the City of Urbana, as per plat recorded in Deed Record at page 444, situated in Champaign County, Illinois.

Permanent Index Number: 91-21-08-352-009, Address: 808 West Clark Street

Tract 7:

The center one-third of Lot 19 of M. w. Busey's Heirs' Addition to the Town (now City) of Urbana, as per plat recorded in Deed Record 8 at ~age 444, situated in Champaign County, Illinois.

Permanent Index Number: 91-21-08-352-008, Address: 810 West Clark Street

Tract 8:

The West one-third of Lot 19 of M. W. Busey's Heirs' Addition to the Town (now City) of Urbana, as per plat recorded in Deed Record 8 at Page 444, situated in Champaign County, Illinois.

Permanent Index Number: 91-21-08-352-007, Address: 812 West Clark Street

Tract 9:

The East half of Lot 18 of M. W. Busey's Heirs' Addition to the Town (now City) of Urbana as per plat recorded in Deed Record 8 at Page 444, situated in Champaign County, Illinois.

Permanent Index Number: 91-21-08-352-006, Address: 814 West Clark Street

Tract 10:

The West Half of Lot 18 of M. W. Busey's Heirs' Addition to the Town (now City) of Urbana as per plat recorded in Deed Record a at Page 444, except the North 72 1/2 feet, and except the following part of said Lot 18:

Beginning at the Southwest corner of said Lot 18, said corner being 33 feet East of the centerline of Lincoln Avenue and 33 feet North of the centerline of Clark Street; thence in a Northerly direction along the East line of Lincoln Avenue, a distance of 16 feet; thence in a Southeasterly direction to a point on the North line of Clark Street , said point being 6 feet East of the said point of beginning; thence in a Westerly direction, a distance of 6 feet to the point of beginning, situated in Champaign County, Illinois.

Permanent Index Number: 91-21-08-352-005, Address: 816 West Clark Street

Section 2. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities, and this Ordinance shall be in full force and effect from and after its passage

and publication in accordance with Section 1-2-4 of the Illinois Municipal Code. Upon approval of this Ordinance, the City Clerk is directed to record a certified copy of this Ordinance with the Champaign County Office of Recorder of Deeds.

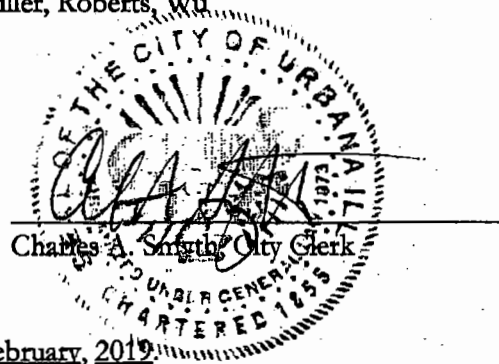
This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council

PASSED BY THE CITY COUNCIL this 25th day of February, 2019.

AYES: Brown, Hazen, Hursey, Jakobsson, Miller, Roberts, Wu

NAYS:

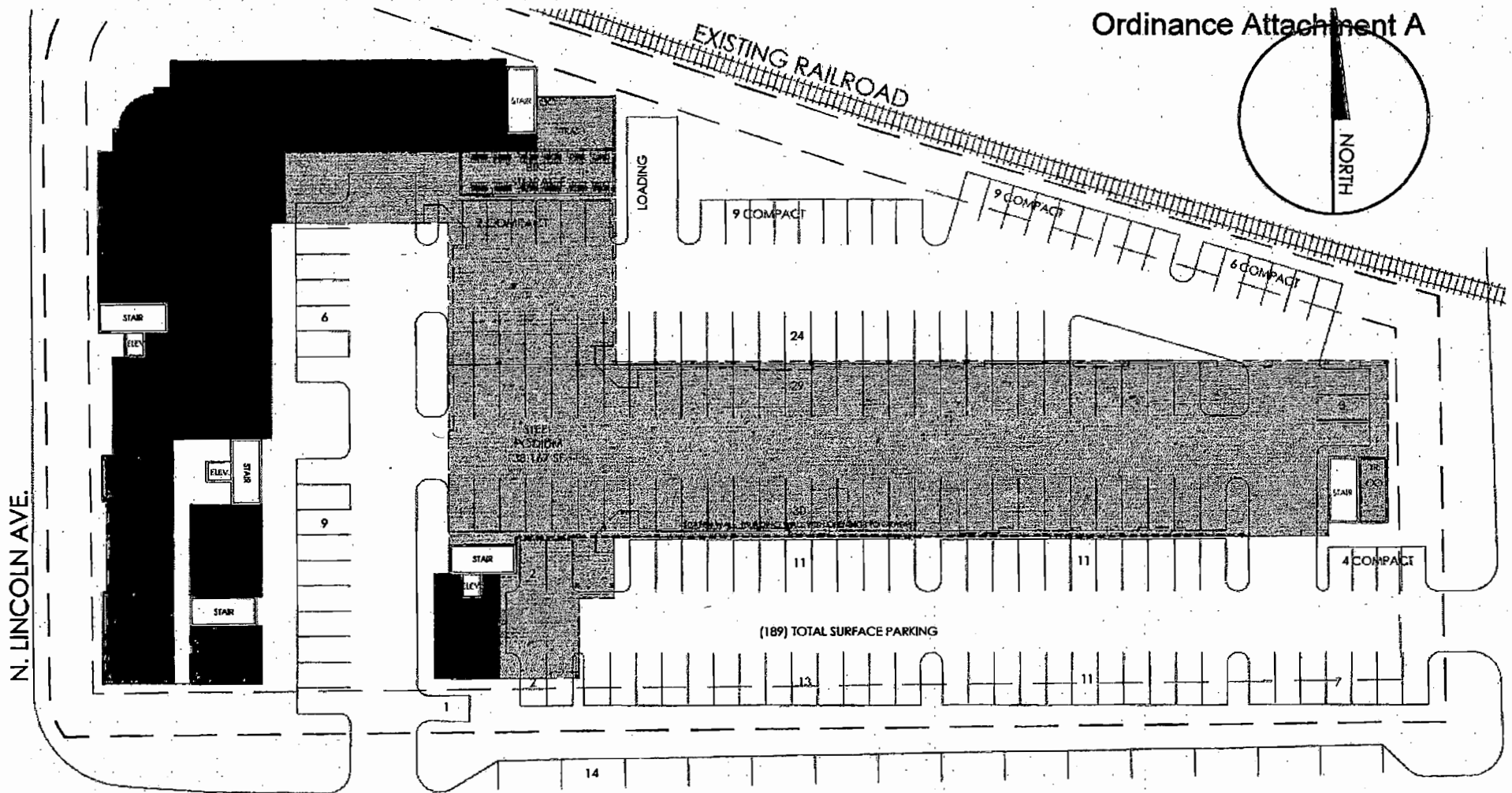
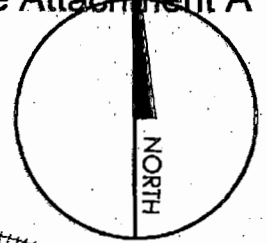
ABSTENTIONS:



APPROVED BY THE MAYOR this 27th day of February, 2019.

Diane Wolfe Marlin
Diane Wolfe Marlin, Mayor

Ordinance Attachment A



N. LINCOLN AVE.

W. CLARK STREET

LEVEL 1

URBANA SITE CONCEPT
URBANA, IL

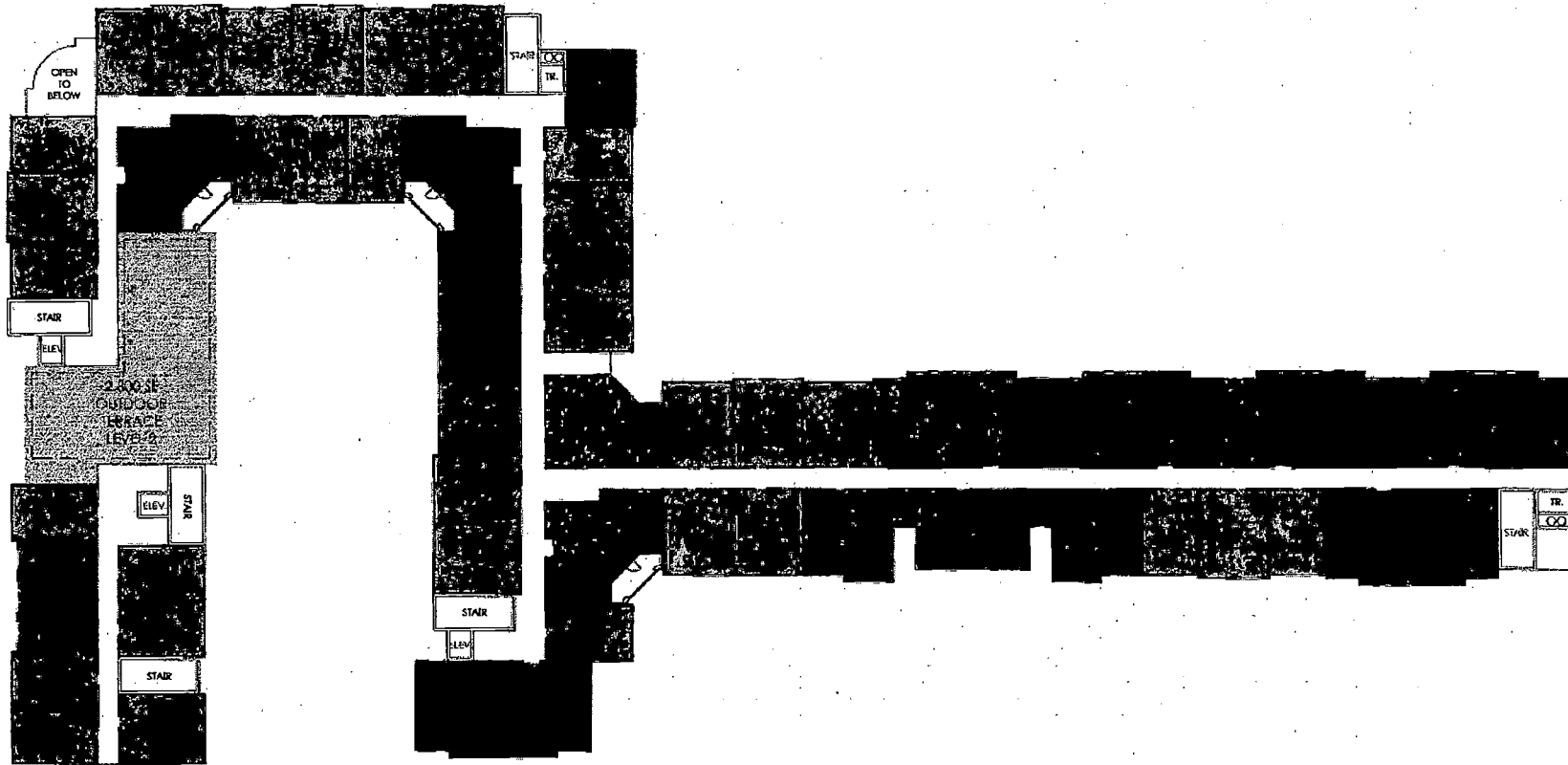
RAEL DEVELOPMENT

The drawings presented are illustrative of character and design intent only, and are subject to change based upon final design considerations (i.e. applicable codes, structural, and MEP design requirements, unit plan / floor plan changes, etc.) © 2017 BSB Design, Inc.

February 22, 2019 | SH190041.00



Ordinance Attachment A



LEVEL 2

RAEL DEVELOPMENT

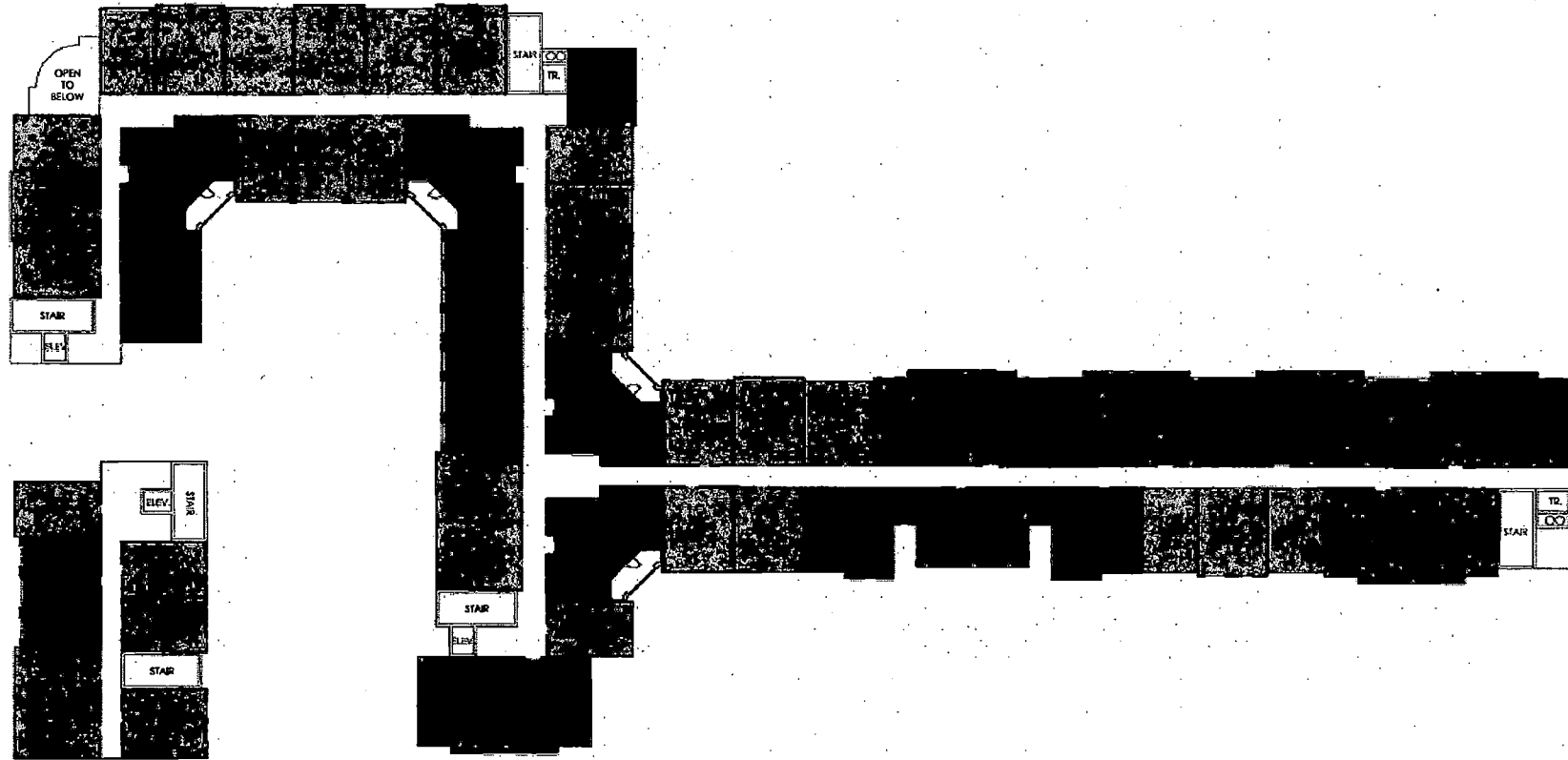
URBANA SITE CONCEPT
URBANA, IL

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February 22, 2019 | SH190041.00



Ordinance Attachment A



LEVEL 3-5

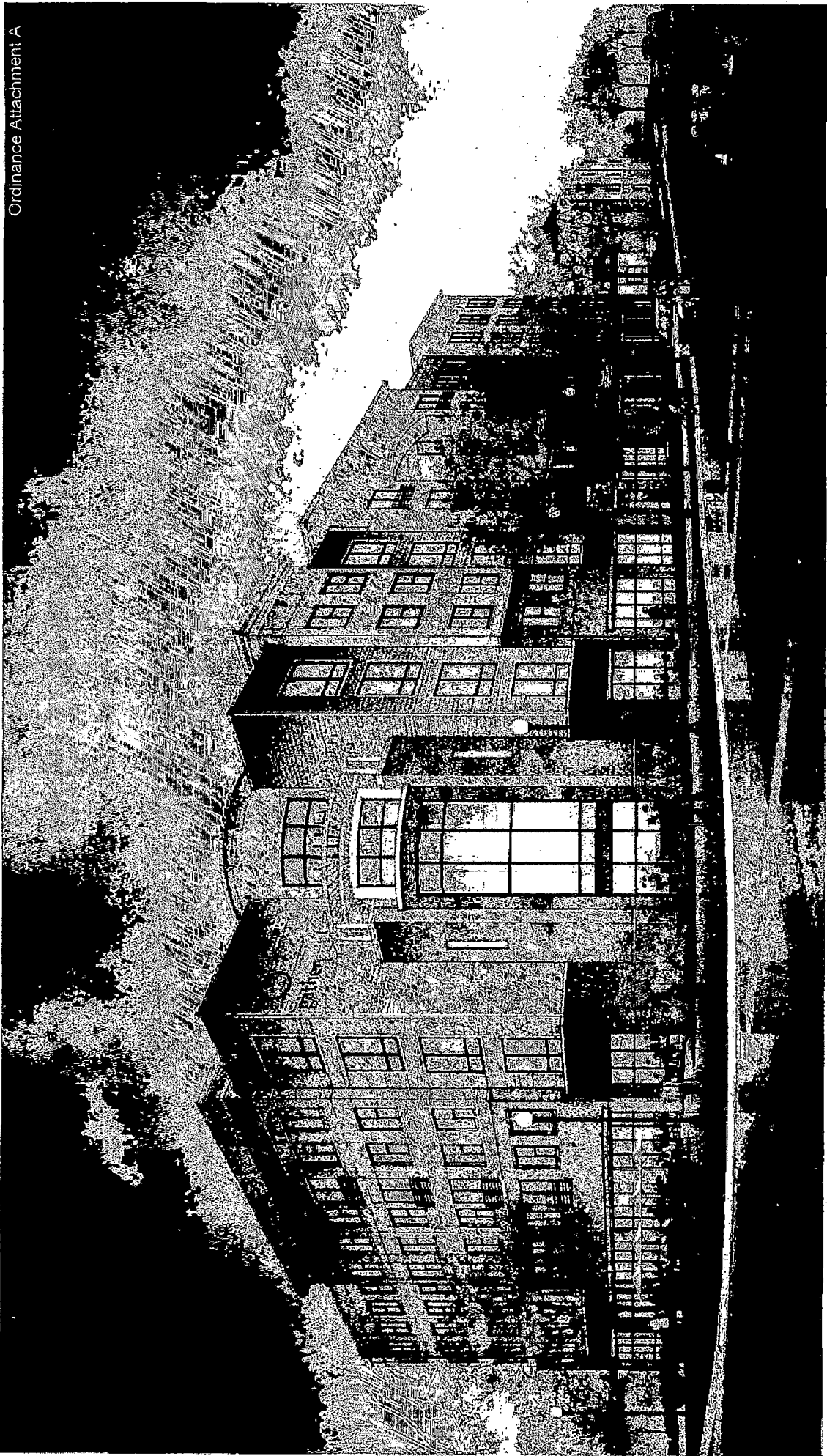
RAEL DEVELOPMENT

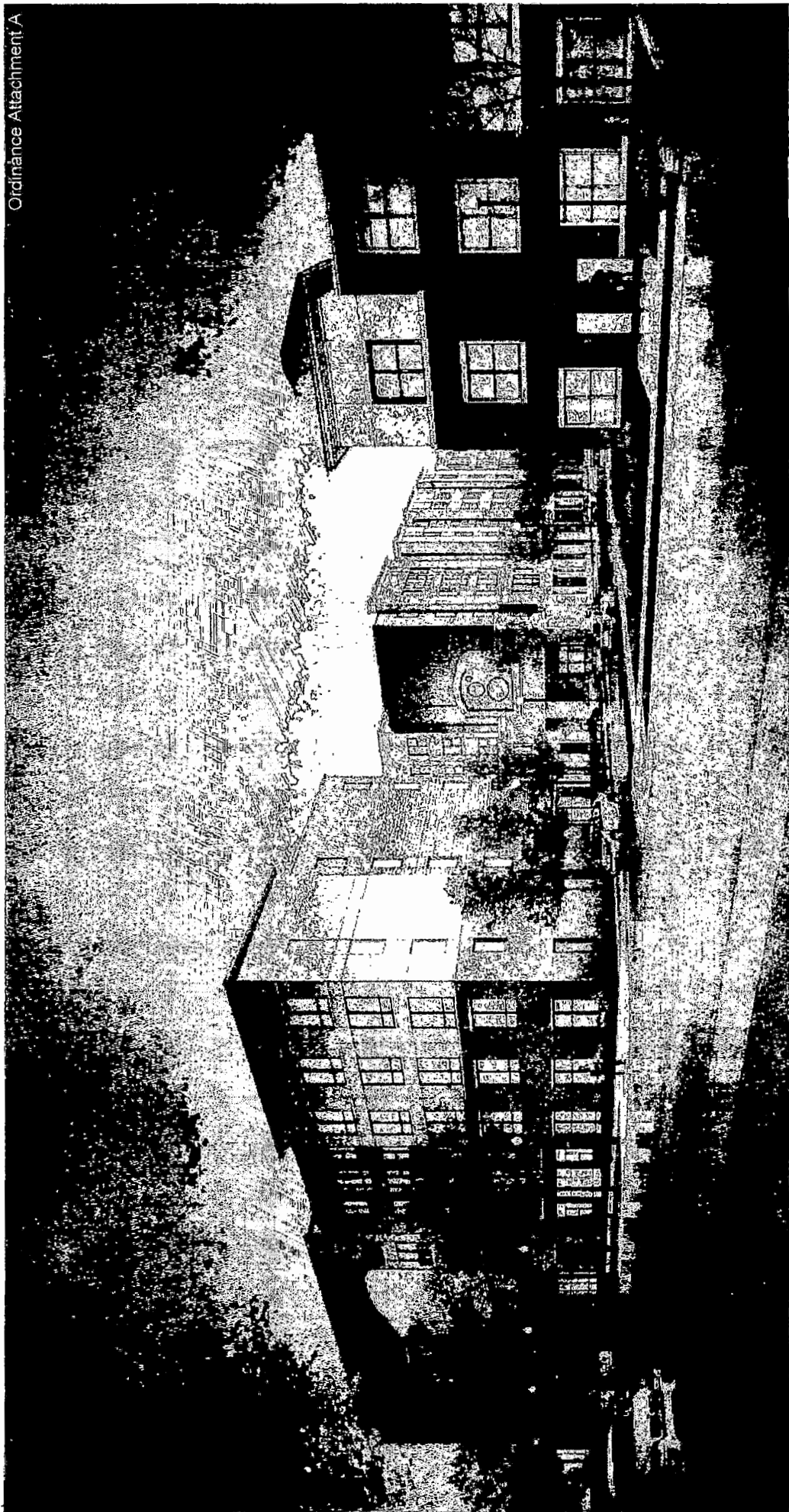
URBANA SITE CONCEPT
URBANA, IL

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February 22, 2019 | SH190041.00







ORDINANCE NO. 2019-02-016

AN ORDINANCE APPROVING A SPECIAL USE PERMIT

(802, 804, 806, 808, 810, 812, 814, and 816 Clark Street, 406, 406 ½, and 408 North Lincoln Avenue / Rael Development Corporation – Plan Case 2362-SU-18)

WHEREAS, Rael Development Corporation has petitioned the City for approval of a Special Use Permit to allow Multiple-Family Residential use in the B-3, General Business, at 802, 804, 806, 808, 810, 812, 814, and 816 Clark Street, 406, 406 ½, and 408 North Lincoln Avenue.; and

WHEREAS, the Urbana Zoning Ordinance requires a Special Use Permit for multi-family dwellings in the B-3, General Business District; and

WHEREAS, the proposed use is conducive to the public convenience at this location and is located in an area that already contains residential and commercial uses; and

WHEREAS, the proposed use would not be unreasonably injurious or detrimental to the district in which it shall be located; and

WHEREAS, the proposed use conforms to the regulations and standards of, and preserves the essential character of the B-3, General Business Zoning District in which it shall be located; and

WHEREAS, after due publication, the Urbana Plan Commission held a public hearing on January 24, 2019, and February 7, 2019. On February 7, 2019, the Urbana Plan Commission voted with seven (7) ayes and one (1) nay to forward Plan Case 2362-SU-18 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-4 of the Urbana Zoning Ordinance, Special Use Procedures, and with the general intent of that Section of the Ordinance; and

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 a Dwelling, Multifamily in the B-3, General Business Zoning District with the following conditions:

1. The development shall be constructed in general conformance with the site plan and renderings in "Ordinance Attachment A".
2. The developer shall submit a final Traffic Impact Analysis, including analysis of pedestrian and transit use, prior to the City issuing any building permits.
3. The developer shall adequately mitigate negative impacts the final Traffic Impact Analysis anticipates prior to the City issuing a Certificate of Occupancy.
4. The maximum height of the building is 65 feet, except that the building height may reach 70 feet near the northeast corner of the building to accommodate roof access.
5. The developer shall work with the City Arborist to increase screening on the south side of the parking lot along Clark Street with the goal of reducing the impact of headlights from the parking lot.

Legal Description:

Tract 1:

Commencing 150 feet East of the Southwest Corner of Lot 17 of Col. M. W. Busey's Heirs' Addition of Town Lots to the Town, now City, of Urbana, Illinois, thence North 30 feet, thence East 50 feet, thence North 69.1 feet to the South Right-of-Way of the Wabash Railroad Company, thence Southeasterly along the said Right-of-Way line across Lots 16 and 15 of said Addition to the East line of said Lot 15, thence South on the East line of said Lot 15 to the Southeast corner of said Lot, thence West along the South line of said Lots 15 and 16 to the point of beginning, in Champaign County, Illinois.

Permanent Index Number: 91-21-08-352-003, Address: 406 ½ North Lincoln Avenue

Tract 2:

The North 72 1/2 feet of the West Half of Lot 18 of M. W. Busey's Heirs' Addition to the Town (now City) of Urbana, as per plat recorded in Deed Record 8 at Page 444, situated in Champaign County, Illinois; and

That part of Lots 16 and 17 in M. W. Busey's Heirs' Addition to the Town (now City) of Urbana described as follows:

Commencing at the Southwest corner of Lot 17 of M. w. Busey's Heirs' Addition to the Town (now city) of Urbana, thence North 30 feet on the West line of said Lot, thence East 150 feet, thence South 30 feet to the South line of said Lot 16, thence West along the South line of said Lots 16 and 17 to the place of beginning; and

That part of Lots 16 and 17 in M. W. Busey's Heirs' Addition to the Town (now City) of Urbana described as follows:

Beginning at a point 178 1/2 feet North of the Southwest corner of Lot 18 of said Subdivision, thence East 200 feet to a point, thence North 69_1 feet to the right of way of the Wabash Railroad, thence Northwest along said Railroad right of way 98.3 feet to the South .line of University Avenue, thence West along the South line of University Avenue 108.1 feet to the East line of Lincoln Avenue, thence South along the East line of Lincoln Avenue 102 feet to the place of beginning, in Champaign County, Illinois;

Permanent Index Number: 91-21-08-352-013, Address: 406 and 408 North Lincoln Avenue
Tract 3:

The East 1/3 of Lot 14 of M. w. Busey's Heirs' Addition to the Town (now City) of Urbana, as per plat recorded in Deed Record 8 at Page 444, situated in Champaign County, Illinois, except the following described tract:

Beginning at the Northeast corner of said Lot 14; thence Westerly along the North line of said Lot 14, a distance of 66.00 feet; thence Southeasterly along a curve convex to the North having a radius of 91.75 feet to a point on the East line of said Lot 14, said point being 28.17 feet South of the Northeast corner of said Lot 14; thence along the East line of said Lot 14, a distance of 28.17 feet to the Northeast corner of said Lot 14 to the point of beginning, situated in Champaign County, Illinois.

Permanent Index Number: 91-21-08-352-012, Address: 802 West Clark Street

Tract 4:

The West half of the East two-thirds of Lot 14 of M. W. Busey's Heirs' Addition to the Town (now City) of Urbana, as per plat recorded in Deed Record 8 at Page 444, situated in Champaign County, Illinois.

Permanent Index Number: 91-21-08-352-011, Address: 804 West Clark Street

Tract 5:

The West 1/3 of Lot 14 of M. W. Busey's Heirs' Addition to the Town (now City) of Urbana, as per plat recorded in Deed Record 8 at Page 444, situated in Champaign County, Illinois.

Permanent Index Number: 91-21-08-352-010, Address: 806 West Clark Street

Tract 6:

The East 1/3 of Lot 19 of M. W. Busey's Heirs' Addition to the City of Urbana, as per plat recorded in Deed Record at page 444, situated in Champaign County, Illinois.

Permanent Index Number: 91-21-08-352-009, Address: 808 West Clark Street

Tract 7:

The center one-third of Lot 19 of M. w. Busey's Heirs' Addition to the Town (now City) of Urbana, as per plat recorded in Deed Record 8 at ~age 444, situated in Champaign County, Illinois.

Permanent Index Number: 91-21-08-352-008, Address: 810 West Clark Street

Tract 8:

The West one-third of Lot 19 of M. W. Busey's Heirs' Addition to the Town (now City) of Urbana, as per plat recorded in Deed Record 8 at Page 444, situated in Champaign County, Illinois.

Permanent Index Number: 91-21-08-352-007, Address: 812 West Clark Street

Tract 9:

The East half of Lot 18 of M. W. Busey's Heirs' Addition to the Town (now City) of Urbana as per plat recorded in Deed Record 8 at Page 444, situated in Champaign County, Illinois.

Permanent Index Number: 91-21-08-352-006, Address: 814 West Clark Street

Tract 10:

The West Half of Lot 18 of M. W. Busey's Heirs' Addition to the Town (now City) of Urbana as per plat recorded in Deed Record a at Page 444, except the North 72 1/2 feet, and except the following part of said Lot 18:

Beginning at the Southwest corner of said Lot 18, said corner being 33 feet East of the centerline of Lincoln Avenue and 33 feet North of the centerline of Clark Street; thence in a Northerly direction along the East line of Lincoln Avenue, a distance of 16 feet; thence in a Southeasterly direction to a point on the North line of Clark Street , said point being 6 feet East of the said point of beginning; thence in a Westerly direction, a distance of 6 feet to the point of beginning, situated in Champaign County, Illinois.

Permanent Index Number: 91-21-08-352-005, Address: 816 West Clark Street

Section 2. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities, and this Ordinance shall be in full force and effect from and after its passage

and publication in accordance with Section 1-2-4 of the Illinois Municipal Code. Upon approval of this Ordinance, the City Clerk is directed to record a certified copy of this Ordinance with the Champaign County Office of Recorder of Deeds.

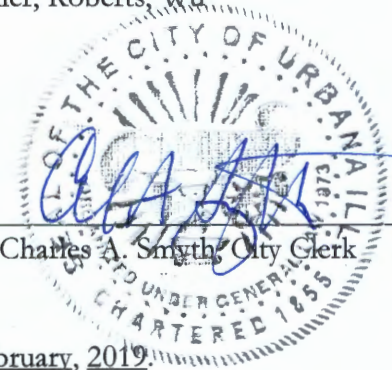
This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

PASSED BY THE CITY COUNCIL this 25th day of February, 2019.

AYES: Brown, Hazen, Hursey, Jakobsson, Miller, Roberts, Wu

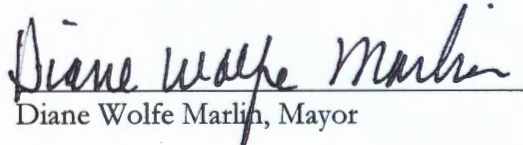
NAYS:

ABSTENTIONS:



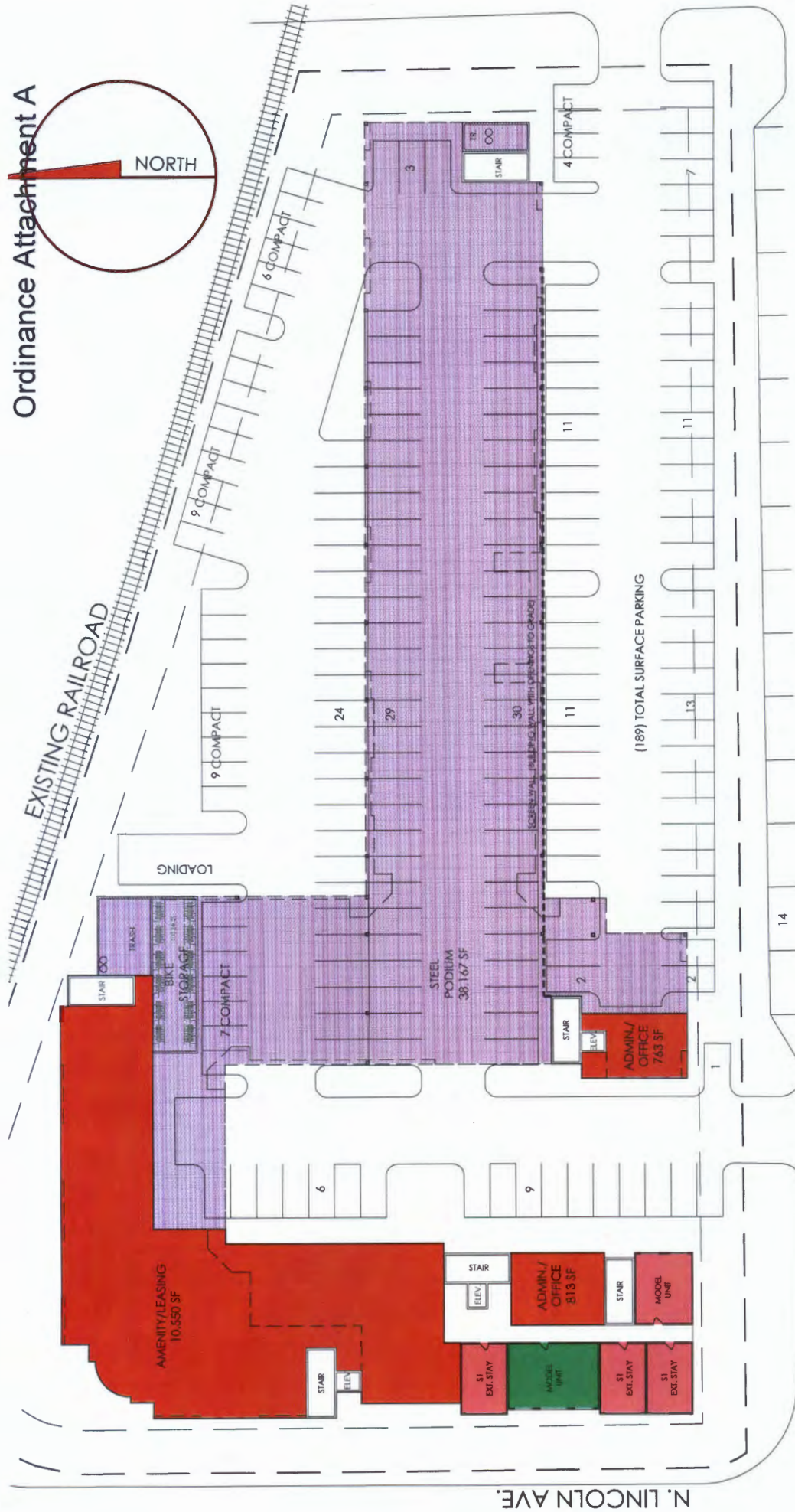
Charles A. Smyth
Charles A. Smyth, City Clerk

APPROVED BY THE MAYOR this 27th day of February, 2019.



Diane Wolfe Marlin, Mayor

Ordinance Attachment A



LEVEL 1

W. CLARK STREET

RAEL DEVELOPMENT

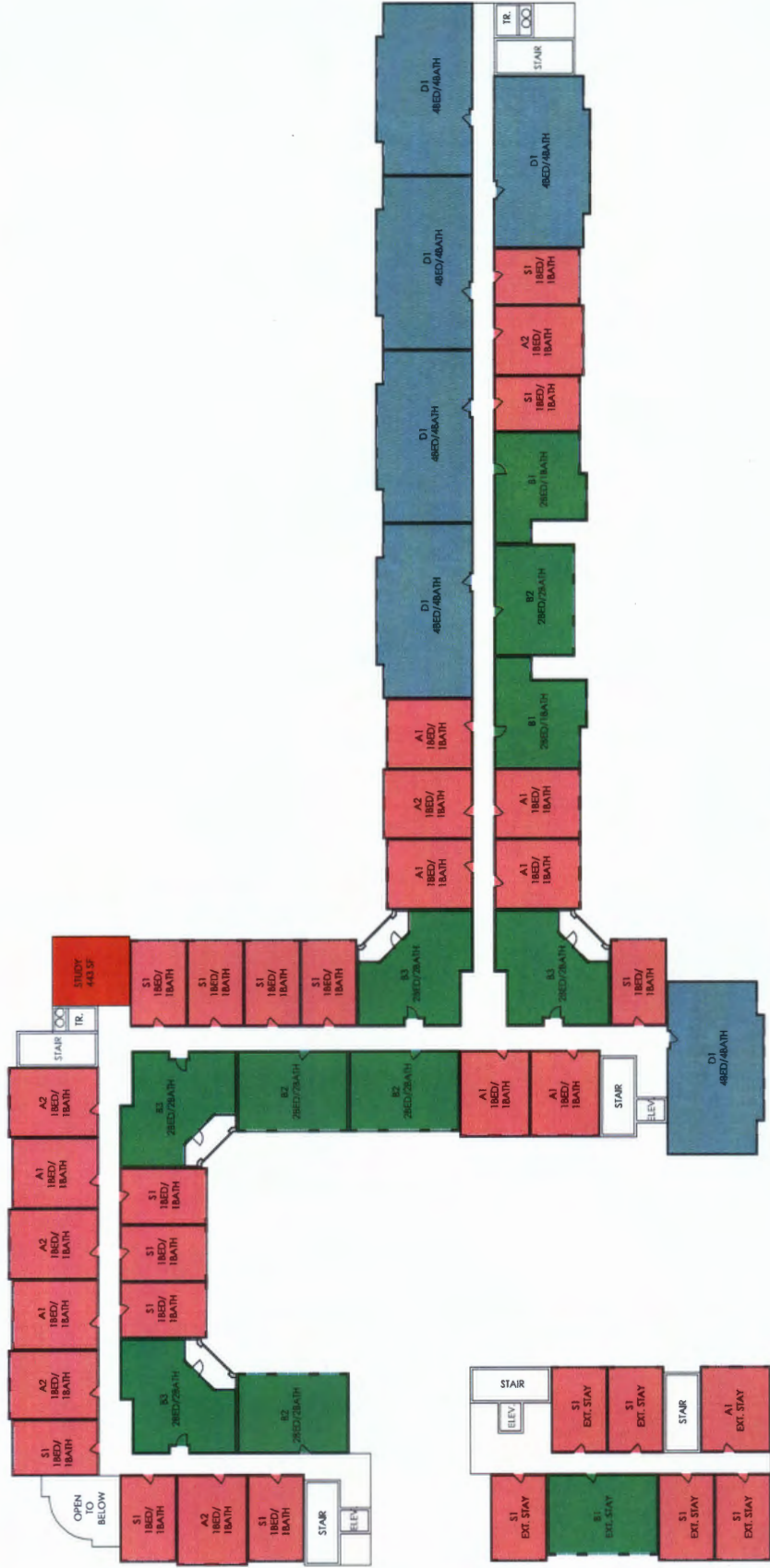


URBANA SITE CONCEPT
URBANA, IL

February 22, 2019 | SH190041.00

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Ordinance Attachment A



LEVEL 3-5

RAEL DEVELOPMENT

URBANA SITE CONCEPT

URBANA, IL

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Ordinance Attachment A



CERTIFICATE OF PUBLICATION IN PAMPHLET FORM



I, Charles A. Smyth, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois. I certify that on the 25th day of February 2019 the City Council of the City of Urbana passed and approved Ordinance No. 2019-02-016, entitled:

**AN ORDINANCE APPROVING A SPECIAL USE PERMIT
(802, 804, 806, 808, 810, 812, 814, AND 816 CLARK STREET, 406, 406 ½, AND 408 NORTH
LINCOLN AVENUE / RAEI DEVELOPMENT CORPORATION – PLAN CASE 2362-
SU-18)**

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

The pamphlet form of Ordinance No. 2019-02-016 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 27th day of February, 2019, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

Dated at Urbana, Illinois, this 27th day of February, 2019.





Charles A. Smyth, City Clerk