



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

**TO:** Mayor Diane Wolfe Marlin and City Council Members

**FROM:** Lorrie Pearson, AICP, Community Development Services Director

**DATE:** August 5, 2021

**SUBJECT:** **An Ordinance Approving a Preliminary Development Plan for a Planned Unit Development** (101 West Windsor Road / Clark-Lindsey Village, Inc. & RLPS Architects – Plan Case No. 2422-PUD-21)

**An Ordinance Approving a Final Development Plan for a Planned Unit Development** (101 West Windsor Road / Clark-Lindsey Village, Inc. & RLPS Architects – Plan Case No. 2423-PUD-21)

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### **Amended Ordinances**

Upon final review of the preliminary planned unit development ordinance, staff discovered that the waivers to be granted were not specifically listed in Section 1, which should include all approved conditions and waivers. In addition, the final planned unit development ordinance referred to the waivers as part of the final development plan, when it did not need to, since waivers are only granted during the preliminary development review.<sup>1</sup> The attached ordinances have been updated to list the waivers referenced in the original staff memo only in the ordinance approving the preliminary development plan, and to strike their reference from the ordinance approving the final development plan. Those waivers were discussed at the August 2, 2021, Committee of the Whole meeting. Versions of both ordinances with the changes tracked have been provided for your convenience.

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<sup>1</sup> Section XIII-3.H.2 of the Zoning Ordinance requires Council to expressly grant waivers as part of the preliminary development review process. Since waivers are granted during the preliminary review, waivers do not need to be granted as part the final development review process as well.

**ORDINANCE NO. \_\_\_\_\_**

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

**(101 West Windsor Road / Plan Case No. 2422-PUD-21)**

**WHEREAS**, the City of Urbana (“City”) is a home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution, 1970, and may exercise any power and perform any function pertaining to its government and affairs, and the passage of this Ordinance constitutes an exercise of the City’s home rule powers and functions as granted in the Illinois Constitution, 1970; and

**WHEREAS**, Clark-Lindsey Village, Inc. and RLPS Architects have applied for approval of a preliminary development plan for a residential mixed-use planned unit development (PUD) for property known as 101 West Windsor Road in the R-3, Single and Two-Family Residential Zoning Districts; and

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

**WHEREAS**, the applicant has submitted a preliminary development plan with three requested waivers to increase the maximum building height from 35 feet to 43 feet, to allow for three monument signs and three walls sign to be installed on the campus, and to allow parking in the required front yard on Race Street where an access drive will be closed; and

**WHEREAS**, the applicant has also requested that two previously-approved waivers be reapproved: to allow a private street width of 25 feet, and to allow parking in the required front yard on Race Street; and

**WHEREAS**, after due publication, the Urbana Plan Commission held a public hearing on

such petition at 7:00 p.m. on July 8, 2021, in Plan Case No. 2422-PUD-21; and

**WHEREAS**, the Plan Commission voted five (5) ayes and zero (0) nays to forward the cases to the Urbana City Council with a recommendation to approve the requested preliminary PUD; and

**WHEREAS**, the City Council finds that the requested preliminary development plan is consistent with 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 preliminary development plan for the PUD, as attached hereto in Ordinance Attachment A, is hereby approved for property known as 101 West Windsor Road with the following conditions and waivers:

1. That construction be in general conformance with the attached site plans, elevations, and landscape plan in Ordinance Attachment A; and
2. That the wellness center will offer memberships to anyone 50 years or older, regardless of residency at Clark-Lindsey Village; and
3. That the auditorium be available for community events; and
4. That a waiver is granted to increase the maximum building height from 35 feet to 43 feet; and
5. That a waiver is granted to allow three monument signs and three walls sign to be installed on the campus; and
6. That a waiver is granted to allow parking in the required front yard on Race Street; and
- ~~3.7.~~ That a waiver is granted to allow a private street width of 25 feet.

**LEGAL DESCRIPTION:**

Lots 1 and 2 of Clark-Lindsey Village Subdivision Number One, as per Plat dated July 23, 2012 and recorded July 24, 2012 as Document Number 2012R18172, situated in the City of Urbana, Champaign County, Illinois.

Commonly known as 101 West Windsor Road, Urbana, Illinois.  
P.I.N.: 93-21-29-201-001 and 93-21-29-201-002

**Section 2.**

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. 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.

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 \_\_\_\_ day of \_\_\_\_\_, 2021.

AYES:

NAYS:

ABSTENTIONS:

\_\_\_\_\_  
Phyllis D. Clark, City Clerk

**APPROVED BY THE MAYOR** this \_\_\_\_ day of \_\_\_\_\_, 2021.

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Diane Wolfe Marlin, Mayor

**ORDINANCE NO. \_\_\_\_\_**

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

**(101 West Windsor Road / Plan Case No. 2423-PUD-21)**

**WHEREAS**, the City of Urbana (“City”) is a home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution, 1970, and may exercise any power and perform any function pertaining to its government and affairs, and the passage of this Ordinance constitutes an exercise of the City’s home rule powers and functions as granted in the Illinois Constitution, 1970; and

**WHEREAS**, Clark-Lindsey Village, Inc. and RLPS Architects have applied for approval of a final development plan for a residential mixed-use planned unit development (PUD) for property known as 101 West Windsor Road in the R-3, Single and Two-Family Residential Zoning Districts; and

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

~~**WHEREAS**, the applicant has submitted a final development plan with three requested waivers to increase the maximum building height from 35 feet to 43 feet, to allow for three monument signs and three walls sign to be installed on the campus, and to allow parking in the required front yard on Race Street where an access drive will be closed; and~~

**WHEREAS**, after due publication, the Urbana Plan Commission held a public hearing on such petition at 7:00 p.m. on July 8, 2021, in Plan Case No. 2423-PUD-21; and

**WHEREAS**, the Plan Commission voted five (5) ayes and zero (0) nays to forward the cases to the Urbana City Council with a recommendation to approve the requested final PUD; and

**WHEREAS**, the City Council finds that the requested final development plan is consistent with 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 PUD, as attached hereto in Ordinance Attachment A, is hereby approved for property known as 101 West Windsor Road with the following conditions:

1. That construction be in general conformance with the attached site plans, elevations, and landscape plan in Ordinance Attachment A; and
2. That the wellness center will offer memberships to anyone 50 years or older, regardless of residency at Clark-Lindsey Village; and
3. That the auditorium be available for community events.

LEGAL DESCRIPTION:

Lots 1 and 2 of Clark-Lindsey Village Subdivision Number One, as per Plat dated July 23, 2012 and recorded July 24, 2012 as Document Number 2012R18172, situated in the City of Urbana, Champaign County, Illinois.

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**Section 2.**

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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 \_\_\_\_ day of \_\_\_\_\_, 2021.

AYES:

NAYS:

ABSTENTIONS:

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Phyllis D. Clark, City Clerk

**APPROVED BY THE MAYOR** this \_\_\_\_ day of \_\_\_\_\_, 2021.

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Diane Wolfe Marlin, Mayor