

**AN AMENDMENT TO A PART OF THE ZONING ORDINANCE  
OF THE CITY OF URBANA, ILLINOIS  
AND THE ZONING MAP OF THE CITY OF URBANA**

(709 W. Michigan Avenue)

WHEREAS, the City of Urbana, Illinois is a home rule municipal corporation pursuant to Article VII, Section 6(a) of the Illinois Constitution and has all governmental, corporate and proprietary powers necessary to conduct municipal government, perform municipal functions and render municipal services, including the authority to adopt and enforce land use plans, zoning and subdivision regulations and other land use controls to protect and promote the public health, safety and general welfare of its citizens; and

WHEREAS, the City Council of the City of Urbana, Illinois adopted Ordinance #7980-68 on December 17, 1979 which adopted the 1979 Comprehensive Amendment to the 1950 Zoning Ordinance of the City of Urbana which included changes to the Official Zoning Map and Zoning Ordinance of the City of Urbana; and

WHEREAS, the Urbana City Council adopted Ordinance #8283-17 on September 7, 1982 which adopted the 1982 Comprehensive Plan that established immediate and long-range goals, objectives and policies to guide the future preservation and development of the city; and

WHEREAS, following nearly two years of study and numerous public meetings, the Urbana City Council adopted Ordinance #8990-132 on June 4, 1990 which adopted the Downtown to Campus Plan and amended the City's 1982 Comprehensive Plan; and

WHEREAS, the Downtown to Campus Plan adopted new goals and objectives for the Downtown to Campus area as well as a new Proposed Land Use Map to replace the Official Comprehensive Plan Map that was included in the 1982 Comprehensive Plan; and

WHEREAS, the Downtown to Campus Plan recommended a variety of actions to achieve the goals and objectives established in said Plan including a recommendation to change the zoning of many properties in the neighborhood to conform with the Proposed Land Use Map in said Plan; and

WHEREAS, the Urbana City Council approved Resolution #9091-R19 on December 17, 1990 which directed the Zoning Administrator to submit a rezoning petition for the property at 709 W. Michigan Avenue which is actually located outside the Downtown to Campus area; and

WHEREAS, the Zoning Administrator submitted a petition to amend the Official Zoning Map by rezoning the property described

in Section 1 herein from R-6 (High Density Multiple Family Residential) to R-1 (Single Family Residential); and

WHEREAS, said petition was presented to the Urbana Plan Commission as Plan Case #1422-M-91; and

WHEREAS, after due publication in accordance with Section XI-7 of the Urbana Zoning Ordinance and with Chapter 24, Section 11-13-14 of the Illinois Revised Statutes, the Urbana Plan Commission held a public hearing on the proposed zoning change on January 10 and 24, February 7 and 21 and March 7, 1991; and

WHEREAS, the Urbana Plan Commission voted on March 7, 1991 to forward Plan Case #1422-M-91 to the Urbana City Council with a recommendation for approval of a change from R-6 zoning to R-1 for the property at 709 W. Michigan as described in Section 1 herein; and

WHEREAS, the Urbana City Council finds that the existing zoning of the property at 709 W. Michigan may permit new multiple-family residential development which is considered incompatible with the existing residential density and character of the neighborhood; that the preservation of the neighborhood would be threatened by such incompatible and inappropriate development if multiple-family residential development occurred at the densities permitted by the existing R-6 zoning; that the structure on the property was first built as and is still being used as a single-family home; that it is an owner occupied dwelling; that it is located near many other single-family homes in an area which is zoned R-1; that it is located in an area experiencing parking shortages; and that this property was apparently shown as R-6 zoning as a result of a drafting error that occurred when the Official Zoning Map was revised in 1979; and

WHEREAS, after due and proper consideration, the Urbana City Council has determined that the zoning change described herein conforms to the goals, objectives and policies of the City's 1982 Comprehensive Plan as amended by the Downtown to Campus Plan; 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 agree with the recommendation of the Urbana Plan Commission and to amend the Official Zoning Map as described in Section 1 herein for the reasons contained herein as well as for the reasons spread upon the records of both this Plan Case and the Downtown to Campus Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS that the Official Zoning Map of the City of Urbana, Illinois is hereby amended as follows:

Section 1.

The following property is hereby rezoned from R-6 (High Density Multiple Family Residential) to R-1 (Single Family Residential):

1. Tax Parcel #93-21-17-355-002, Lot 7 of University Heights Add., commonly known as 709 W. Michigan

The property described above being represented on the map attached hereto as Exhibit PC1422-A and incorporated herein by reference.

Section 2.

If any provision of this Ordinance, or the application of such provision to any parcel(s), is held invalid for any reason whatsoever, the remainder of this Ordinance, or the application of the provision to other parcel(s) shall not be affected thereby.

Section 3.

This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of 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 two-thirds majority of the members of the City Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 15<sup>th</sup> day of April, 1991.

PASSED by the City Council on this 15<sup>th</sup> day of April, 1991.

*Ruth S. Brookens*  
 Ruth S. Brookens, City Clerk  
*by Sharon K. Menges, Deputy Clerk*

APPROVED by the Mayor this 25<sup>th</sup> day of April, 1991.

*Jeffrey T. Markland*  
 Jeffrey T. Markland, Mayor

Certificate of Publication

I, Ruth S. Brookens, City Clerk of the City of Urbana, Illinois, do herewith certify that I caused the above Ordinance to be duly published in the News-Gazette on the 10<sup>th</sup> day of May, 1991, and a Certificate of Publication is attached hereto.

*Ruth S. Brookens*  
 Ruth S. Brookens, City Clerk

(pc1422.ord) /bg

