

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

(67 lots on Green, Elm, Birch, and Race)

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 rezoning petitions for many properties located in the Downtown to Campus area; and

WHEREAS, the Zoning Administrator submitted a petition to amend the Official Zoning Map by rezoning the properties described in Section 1 herein from R-5 (Medium High Density Multiple Family Residential) to MOR (Mixed Office Residential) as recommended in the Downtown to Campus Plan; and

WHEREAS, said petition was presented to the Urbana Plan Commission as Plan Case #1409-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 changes 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 #1409-M-91 to the Urbana City Council with a recommendation for approval for a change from R-5 zoning to MOR for all of the properties described in Section 1 herein; and

WHEREAS, the Urbana City Council finds that the MOR zoning district was designed to encourage the adaptive re-use of older residential structures for limited new office, commercial and residential uses as a desirable method of preserving their character and appearance; that the MOR district was designed to allow the compatible development of new residential, office and commercial uses in a residential setting; that all of the properties in this case are suitable for conversion to mixed residential and non-residential uses except for the property at 506 W. Elm which should remain zoned R-5; that the proposed MOR zoning will protect the historic character and appearance of the neighborhood; and that the development of business uses on these properties will improve the community's tax base and attract more business to Downtown Urbana; and

WHEREAS, after due and proper consideration, the Urbana City Council has determined that the zoning changes described in Section 1 herein conform 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 properties are hereby rezoned from R-5 (Medium-High Density Multiple Family Residential) to MOR (Mixed Office Residential):

1. Tax Parcel #92-21-17-106-009 and Tax Parcel #92-21-17-106-010, Lots 1 and 2 of Block 5 of Sim's Add., commonly known as 714 W. Green
2. Tax Parcel #92-21-17-106-011, the west 53.0' of Lot 3 of Block 5 of Sim's Add., commonly known as 710 W. Green
3. Tax Parcel #92-21-17-106-012 and Tax Parcel #92-21-17-106-013, Lot 4 plus the east 4.71' of Lot 3 of Block 5 of Sim's Add. plus the west 5.0' of Lot 3 of Russell's Sub., commonly known as 708 W. Green
4. Tax Parcel #92-21-17-106-015, Lot 4 of Russell's Sub., commonly known as 704 W. Green
5. Tax Parcel #92-21-17-106-016, Lot 5 of Russell's Sub., commonly known as 702 W. Green
6. Tax Parcel #92-21-17-106-018, the east 55.0' of Lot 3 of Russell's Sub., commonly known as 706 W. Green
7. Tax Parcel #92-21-17-107-001 and Tax Parcel #92-21-17-107-002, Lot 14 plus the west 10.71' of Lot 13 of Block 3 of Sim's Add., commonly known as 713 W. Green
8. Tax Parcel #92-21-17-107-003, the west 3.0' of Lot 12 plus the east 47.71' of Lot 13 of Block 3 of Sim's Add., commonly known as 711 W. Green
9. Tax Parcel #92-21-17-107-006, the west 50.0' of Lot 10 of Block 3 of Sim's Add., commonly known as 705 W. Green
10. Tax Parcel #92-21-17-107-007, the east 7.71' of Lot 10 plus the west 42.29' of Lot 9 of Block 3 of Sim's Add., commonly known as 703 W. Green
11. Tax Parcel #92-21-17-107-008, Lot 8 plus the east 15.42' of Lot 9 plus the north 14.0' of Lot 7 plus the north 14.0' of the east 15.42' of Lot 6 all in Block 3 of Sim's Add., commonly known as 701 W. Green
12. Tax Parcel #92-21-17-110-002, the south 100.0' of the west 50.0' of Lot 1 of Block 8 of Sim's Add., commonly known as 612 W. Elm

13. Tax Parcel #92-21-17-110-003, the south 100.0' of the east 10.54' of Lot 1 plus the south 100.0' of the west 39.35' of Lot 2 of Block 8 of Sim's Add., commonly known as 610 W. Elm
14. Tax Parcel #92-21-17-110-004, the east 21.19' of Lots 2 and 8 plus the west 34.89' of Lots 3 and 7 in Block 8 of Sim's Add., commonly known as 608 W. Elm
15. Tax Parcel #92-21-17-110-005, the east 25.65' of Lots 3 and 7 plus the west 31.67' of Lots 4 and 6 in Block 8 of Sim's Add., commonly known as 606 W. Elm
16. Tax Parcel #92-21-17-110-006, the east 60.0' of Lots 4 and 6 of Block 8 of Sim's Add., commonly known as 604 W. Elm
17. Tax Parcel #92-21-17-110-015, Lot 4 of Sutton's Sub., commonly known as 510 W. Elm
18. Tax Parcel #92-21-17-110-022, the south 146.0' of the west 60.0' of Lot 2 of Sutton's Sub., commonly known as 504 W. Elm
19. Tax Parcel #92-21-17-110-023, the south 145.64' of Lot 1 of Sutton's Sub., commonly known as 502 W. Elm
20. Tax Parcel #92-21-17-110-025, the south 155.67' of Lot 3 of Sutton's Sub., commonly known as 508 W. Elm
21. Tax Parcel #92-21-17-111-001, Lot 3 in the Sub. of Lot 1 of Block 6 of Sim's Add., commonly known as 611 W. Elm
22. Tax Parcel #92-21-17-111-002, Lot 2 in the Sub. of Lot 1 of Block 6 of Sim's Add., commonly known as 609 W. Elm
23. Tax Parcel #92-21-17-111-003, Lot 1 in the Sub. of Lot 1 of Block 3 of Sim's Add., commonly known as 607 W. Elm
24. Tax Parcel #92-21-17-111-004 and Tax Parcel #92-21-17-111-005 and Tax Parcel #92-21-17-111-006 and Tax Parcel #92-21-17-111-007, Lots 1, 2 and 3 of Mathews-Foote Sub., commonly known as 603 W. Elm
25. Tax Parcel #92-21-17-111-008, Lot 4 in the Sub. of Lot 1 of Block 6 of Sim's Add., commonly known as 612 W. Green
26. Tax Parcel #92-21-17-111-009, Lot 5 in the Sub. of Lot 1 of Block 6 of Sim's Add., commonly known as 608 W. Green
27. Tax Parcel #92-21-17-111-010 and Tax Parcel #92-21-17-111-011, Lots 2 and 3 of Block 6 of Sim's Add., commonly known as 604 W. Green

28. Tax Parcel #92-21-17-112-001, the north 118.0' of Lot 12 plus the north 118.0' of the west 29.46' of Lot 11 of Block 4 of Sim's Add., commonly known as 611 W. Green
29. Tax Parcel #92-21-17-112-002, Lot 10 plus the east 31.08' of Lot 11 of Block 4 of Sim's Add., commonly known as 609 W. Green
30. Tax Parcel #92-21-17-112-003, Lot 9 plus the north 13.5' of Lot 4 of Block 4 of Sim's Add., commonly known as 605 W. Green
31. Tax Parcel #92-21-17-112-004, Lot 8 plus the south 47.25' of the north half of Lot 4 of Block 4 of Sim's Add., commonly known as 603 W. Green
32. Tax Parcel #92-21-17-112-005, Lot 7 of Block 4 of Sim's Add., commonly known as 601 W. Green
33. Tax Parcel #92-21-17-127-002, the west 75.0' of Lots 22 and 23 plus the north half of the adjacent vacated alley right-of-way all in Snyder's Add., commonly known as 511 W. Elm
34. Tax Parcel #92-21-17-127-008, the west 75.0' of Lots 24 and 25 plus the south half of the adjacent vacated alley right-of-way all in Snyder's Add., commonly known as 510 W. Green
35. Tax Parcel #92-21-17-127-009, the east 23.83' of Lots 24 and 25 plus the adjacent vacated right-of-way of Snyder Avenue all in Snyder's Add., commonly known as 508 W. Green
36. Tax Parcel #92-21-17-127-014, the east 23.83' of Lots 22 and 23 plus the adjacent vacated right-of-way of Snyder Avenue all in Snyder's Add., commonly known as 507 W. Elm
37. Tax Parcel #92-21-17-128-001, the west 50.0' of Lots 27 and 28 plus the north half of the adjacent vacated alley right-of-way all in Snyder's Add., commonly known as 511 W. Green
38. Tax Parcel #92-21-17-128-002, the east 48.98' of Lots 27 and 28 plus the north half of the adjacent vacated alley right-of-way all in Snyder's Add., commonly known as 509 W. Green
39. Tax Parcel #92-21-17-128-003, the north half of the vacated right-of-way of Snyder Avenue between Green Street and High Street, commonly known as 507 W. Green
40. Tax Parcel #92-21-17-128-004, Lot 12 plus the north 23.5' of Lot 11 plus the adjacent vacated alley right-of-way all in Snyder's Add., commonly known as 505 W. Green

41. Tax Parcel #92-21-17-128-005, Lot 13 plus the north half of the adjacent vacated alley right-of-way all in Snyder's Add., commonly known as 503 W. Green
42. Tax Parcel #92-21-17-128-006, Lot 14 plus the north half of the adjacent vacated alley right-of-way all in Snyder's Add., commonly known as 501 W. Green
43. Tax Parcel #92-21-17-131-007, Lot 7 of Roe's 4th Add., commonly known as 412 W. Elm
44. Tax Parcel #92-21-17-131-008, Lot 8 of Roe's 4th Add., commonly known as 410 W. Elm
45. Tax Parcel #92-21-17-131-009, Lot 9 of Roe's 4th Add., commonly known as 408 W. Elm
46. Tax Parcel #92-21-17-131-010, Lot 10 of Roe's 4th Add., commonly known as 406 W. Elm
47. Tax Parcel #92-21-17-131-011, Lot 11 of Roe's 4th Add., commonly known as 404 W. Elm
48. Tax Parcel #92-21-17-131-012, the north 45.0' of Lot 12 of Roe's 4th Add., commonly known as 107 S. Birch
49. Tax Parcel #92-21-17-131-013, the south 70.5' of Lot 12 of Roe's 4th Add., commonly known as 402 W. Elm
50. Tax Parcel #92-21-17-132-002, Lot 16 of Roe's 4th Add., commonly known as 407 W. Elm
51. Tax Parcel #92-21-17-132-003, Lot 15 of Roe's 4th Add., commonly known as 405 W. Elm
52. Tax Parcel #92-21-17-132-004 and Tax Parcel #92-21-17-132-005, Lot 14 of Roe's 4th Add., commonly known as 403 W. Elm
53. Tax Parcel #92-21-17-132-006, the north 75.0' of Lot 13 of Roe's 4th Add., commonly known as 201 S. Birch
54. Tax Parcel #92-21-17-132-007, the south 40.0' of Lot 13 of Roe's 4th Add., commonly known as 203 S. Birch
55. Tax Parcel #92-21-17-132-008 and Tax Parcel #92-21-17-132-009, Lot 19 of Roe's 4th Add., commonly known as 412 W. Green
56. Tax Parcel #92-21-17-132-010, Lot 20 of Roe's 4th Add., commonly known as 410 W. Green
57. Tax Parcel #92-21-17-132-011, Lot 21 of Roe's 4th Add., commonly known as 408 W. Green

58. Tax Parcel #92-21-17-132-012, Lot 22 of Roe's 4th Add., commonly known as 406 W. Green
59. Tax Parcel #92-21-17-132-013, Lots 23 and 24 of Roe's 4th Add., commonly known as 404 W. Green
60. Tax Parcel #92-21-17-133-001, Lot 30 plus the west 27.0' of Lot 29 of Roe's 4th Add., commonly known as 411 W. Green
61. Tax Parcel #92-21-17-133-002, Lot 28 plus the east 27.08' of Lot 29 of Roe's 4th Add., commonly known as 407 W. Green
62. Tax Parcel #92-21-17-133-003, Lot 27 of Roe's 4th Add., commonly known as 405 W. Green
63. Tax Parcel #92-21-17-133-004, Lot 26 of Roe's 4th Add., commonly known as 403 W. Green
64. Tax Parcel #92-21-17-133-005, Lot 25 of Roe's 4th Add., commonly known as 401 W. Green
65. Tax Parcel #92-21-17-251-006, the south 53.35' of Lots 7 and 8 of Busey's Add., commonly known as 503 S. Race
66. Tax Parcel #92-21-17-251-007, the north half of Lots 29 and 30 of Busey's Add., commonly known as 505 S. Race
67. Tax Parcel #92-21-17-251-008, the south half of Lots 29 and 30 of Busey's Add., commonly known as 509 S. Race

The said properties described above being represented on the map attached hereto as Exhibit PC1409-A and incorporated herein by reference.

Section 2.

The following properties are not being rezoned by this ordinance and are hereby no longer subject to the land use regulations adopted in Ordinance #8889-32, commonly known as the Interim Development Ordinance as amended from time to time and also known as Article XII of the Urbana Zoning Ordinance:

1. Tax Parcel #92-21-17-107-018, Lot 11 plus the east 54.71' of Lot 12 of Block 3 of Sim's Add., commonly known as 707 W. Green
2. Tax Parcel #92-21-17-110-001, Lot 9 plus the north 21.5' of Lot 1 plus the north 21.5' of the west 39.35' of Lot 2 plus the west 39.35' of Lot 8 in Block 8 of Sim's Add., commonly known as 106 S. Coler

3. Tax Parcel #92-21-17-127-013, Lots 15, 16, 17, 18, 19, and 20 plus the adjacent vacated alley right-of-way all in Snyder's Add., commonly known as 502 W. Green (Campus Oaks)
4. Tax Parcel #92-21-17-132-001, Lots 17 and 18 of Roe's 4th Add., commonly known as 409 W. Elm
5. Tax Parcel #92-21-17-110-021, the south 146.0' of the west 60.0' of Lot 2 of Sutton's Sub., commonly known as 506 W. Elm

Section 3.

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 4.

Ordinance #8889-32 as amended from time to time, commonly known as the Interim Development Ordinance and also known as Article XII of the Urbana Zoning Ordinance, was adopted in 1988 to preserve the status quo of the area involved in the study and implementation of the Downtown to Campus Plan. The Interim Development Ordinance, which restricted development of the parcels that are rezoned in this Ordinance, shall expire on the 30th day of April, 1991. Therefore, it is declared by the Urbana City Council that it is a matter of urgency that this Ordinance, which rezones the said parcels in accordance with the Downtown to Campus Plan, take effect immediately upon its passage and the Urbana City Council so directs. The Urbana City Council also directs the City Clerk to publish this Ordinance in a newspaper of general circulation within Urbana at least once within 30 days after it is passed and takes effect.

Upon this ordinance coming into effect, the properties herein rezoned shall no longer be subject to the land use regulations adopted in Ordinance #8889-32, commonly known as the Interim Development Ordinance as amended from time to time and also known as Article XII of the Urbana Zoning Ordinance.

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 Corporate Authorities of the City of Urbana, Illinois, at a regular meeting of said Authorities on the 15th day of April, 1991.

PASSED by the Corporate Authorities on this 15th day of April, 1991.

Ruth S. Brookens
Ruth S. Brookens, City Clerk
By Sharon H. Menges, Deputy Clerk



APPROVED by the Mayor this 26th 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 19th day of May, 1991, and a Certificate of Publication is attached hereto.

Ruth S. Brookens
Ruth S. Brookens, City Clerk

(pc1409.ord) /bg

