

ORDINANCE NO. 9697-113

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

(604-702 ½ E. Main, Plan Case No. 1646-M-97)

WHEREAS, after due publication, a public hearing was held by the Urbana Plan Commission on March 20, 1997 concerning the petition filed by Jay Goff on behalf of Autozone in Plan Case #1646-M-97; and

WHEREAS, said requested rezoning is consistent with the City of Urbana's Official Comprehensive Plan Map and with the goals and objectives of the Comprehensive Plan; and

WHEREAS, the Urbana Plan Commission voted 6-0 to forward the case to the Urbana City Council with a recommendation to approve the rezoning request of the properties herein described below and commonly known as 604-702 ½ E. Main from In Industrial, R-4 Multifamily Residential, and B-3 General Business to B-3 General Business.

WHEREAS, staff findings indicate that approval of the rezoning request would promote the general health, safety, morals, and general welfare of the public:

NOW, THEREAFTER, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF URBANA, ILLINOIS, THAT:

Section 1. The Zoning Ordinance and Zoning Map of the City of Urbana, Illinois, are herewith and hereby amended to change the zoning classification of the following described area so that the properties commonly known as 604-702 ½ E. Main from In Industrial, R-4 Multifamily Residential, and B-3 General Business to B-3 General Business:

A part of Lots 1, 2, and 3 in Fisher's Replat, being a subdivision of a part of Lot 9 and 10 of a subdivision of the West Half of the Southwest Quarter of Section 9, and the East Half of the Southeast Quarter of Section 8, as recorded in Plat Book "C", Page 308 at the Champaign County Recorder's Office, and Lots 4, 6, and 10 and the portion of alley which adjoins Lot 10 described and vacated by Ordinance Number 9091-58, dated November 19, 1990 by the City of Urbana, Illinois, in Munhall's Elm Tree Addition, being a subdivision of Lot 5 of a subdivision of Lot 9 of a subdivision of the East Half of the Southeast Quarter of Section 8 and the West Half of the Southwest Quarter of Section 9, as recorded in Plat Book "B", Page 230 at the Champaign County Recorder's Office, and a parcel of land as described in Quit Claim Deed recorded in Book 1667, Page 411, dated November 28, 1989, being a part of Lot 10 of a subdivision of the East Half of the Southeast Quarter of Section 8 and the West Half of the Southwest Quarter of Section 9, all being in Township 19 North, Range 9 East of the Third Principal Meridian, situated in the City of Urbana, Illinois, being more particularly described as follows:

Commencing at the Southeast corner of Lot 4 of said Munhall's Elm Tree Addition as the POINT OF BEGINNING of the tract to be described, said point also being on the North right-of-way line of East Main Street; thence North 00°-40'-53" West (bearings assumed for the purpose of description only) along the East line of said Lot 4, a distance of 180.01 feet to the Northeast corner of said Lot 4; thence North 89°-20'-38" East, a distance of 6.00 feet to the centerline of a vacated alley; thence North 00°-40'-53" West along the centerline of a vacated alley, a distance of 160.87 feet to a point on the Southeasterly right-of-way line of an alley; thence South 63°-23'-06" West along the Southeasterly right-of-way line of an alley, a distance of 6.67 feet to a point on the East line of Lot 10 of said Munhall's Elm Tree Addition; thence North 00°-40'-53" West along the East line on said Lot 10, a distance of 13.34 feet to the Northeast corner of said Lot 10, said point also being the prior Southerly right-of-way line of Conrail (Peoria and Eastern Railway/C.C.C. and St. Louis Rail Road/Penn Central Rail Road); thence South 63°-23'-06" West along the Northerly line of said Munhall's Elm Tree Addition, a distance of 69.67 feet; thence South 56°-58'-49" West along the Northerly Line of said Munhall's Elm Tree Addition and the Northerly line of said Fisher's Replat, a distance of 15.88 feet; thence South 88°-42'-03" West along the Northerly line of said Fisher's Replat, a distance of 15.88 feet; thence South 64°-45'-15" West along the Northerly line of said Fisher's Replat, a distance of 81.49 feet; thence South 25°-47'-18" West along the Northerly line of said Fisher's Replat, a distance of 90.27 feet to a Northwesterly corner of Lot 1 of said Fisher's Replat; thence South 89°-21'-00" West parallel with the North right-of-way line of East Main Street, a distance of 10.36 feet to a point on the Easterly side of an existing woven wire fence (as described in said Quit Claim Deed recorded in Book 1667, Page 411); thence South 08°-30'-44" East along the Easterly side of said existing woven wire fence, a distance of 28.72 feet; then South 00°-29'-37" East along the Easterly side of said existing woven wire fence, a distance of 145.95 feet; thence South 06°-17'-24" West along the Easterly side of said existing woven fire fence, a distance of 23.14 feet to a point on the North right-of-way line of East Main Street; thence North 89°-21'-00" East along the North right-of-way line of East Main Street, a distance of 216.04 feet to the to the POINT OF BEGINNING, containing 1.471 acres, more or less, situated, lying and being in the County of Champaign and State of Illinois.

The said area above described being represented on the map attached hereto and incorporated herein by reference.

Section 2. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities. 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).

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

PASSED by the City Council this 21st day of April, 1997.

AYES: Hayes, Kearns, Patt, Pollock, Ryan, Taylor, Whelan

NAYS:

ABSTAINED:



Phyllis D. Clark
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this 24th day of April, 1997.

Tod Satterthwaite
Tod Satterthwaite, Mayor

CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

I, Phyllis D. Clark, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois.

I certify that on the _____ day of _____, 1997, the corporate authorities of the City of Urbana passed and approved Ordinance No. _____, entitled "AN AMENDMENT TO A PART OF THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF URBANA, ILLINOIS "(604-702 ½ E. Main)" which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. _____ was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the _____ day of _____, 1997, 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 _____ day of _____, 1997.

(SEAL)

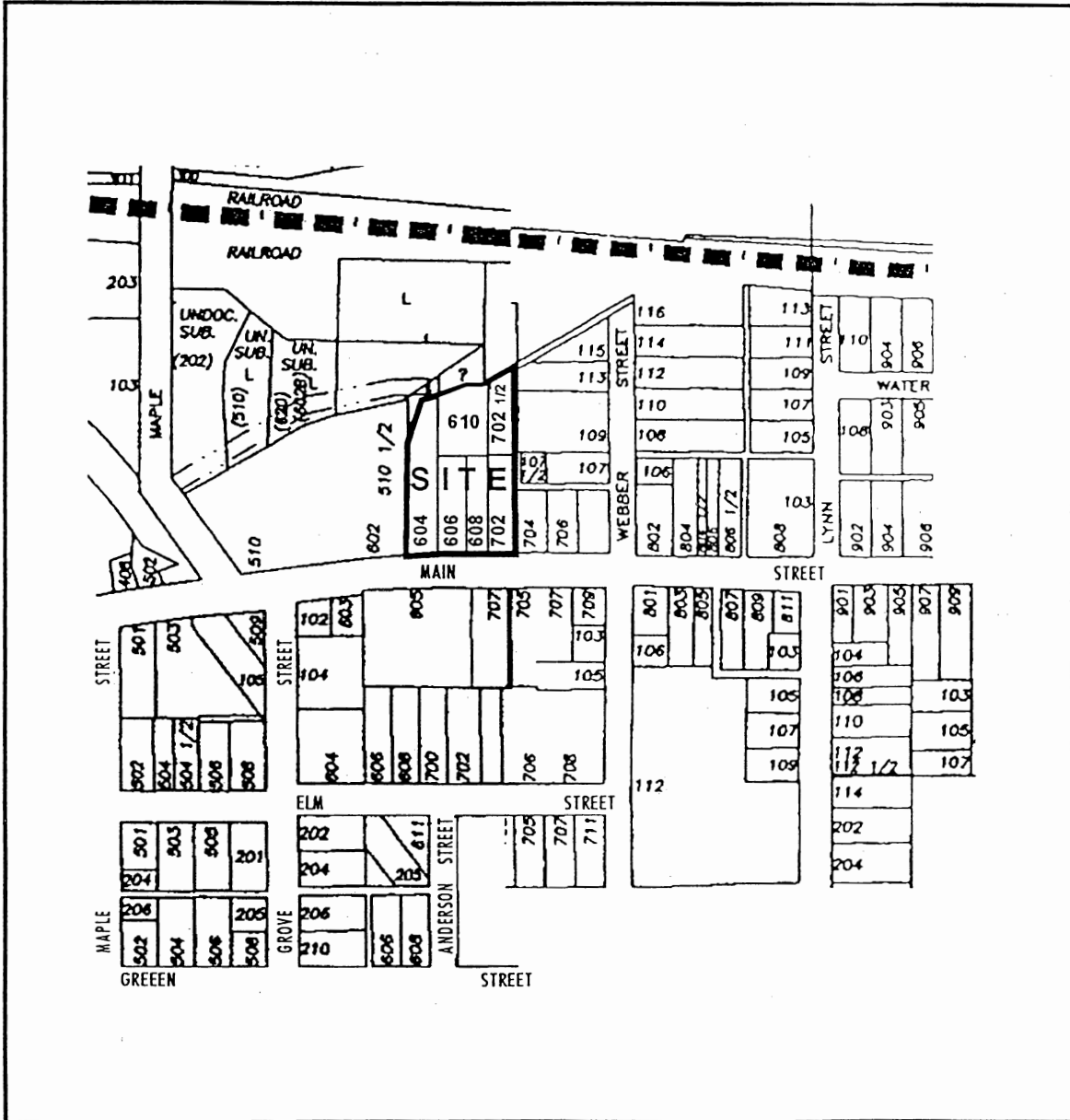
Phyllis D. Clark, City Clerk

LOCATION MAP

1646-M-97

1646-CP-97

NORTH





CERTIFICATE OF PUBLICATION



IN PAMPHLET FORM

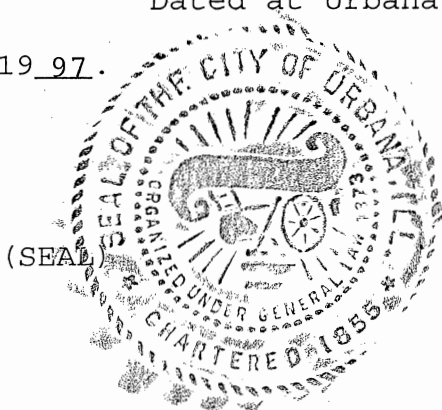
I, PHYLLIS D. CLARK, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois.

I certify that on the 21st day of April, 1997, the corporate authorities of the City of Urbana passed and approved Ordinance No. 9697-113, entitled "AN AMENDMENT TO A PART OF THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF URBANA, ILLINOIS (604-702 1/2 E. MAIN, PLAN CASE NO. 1646-M-97)"

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

The pamphlet form of Ordinance No. 9697-113 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 29th day of April, 1997, 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 29th, day of April, 1997.



Phyllis D. Clark by Phyllis D. Clark, City Clerk Deborah J. Roberts, Deputy Clerk