

ORDINANCE NO. 9798-36

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

(1009 A and 1009 B-C North Cunningham, Plan Case No. 1667-M-97)

WHEREAS, after due publication, a public hearing was held by the Urbana Plan Commission on August 21, 1997 concerning the petition filed by Neil and Linda Foltzler in Plan Case #1667-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 5-1 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 1009 A and 1009 B-C North Cunningham from R-3 Single/Two Family Residential 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; and

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:

Lot 3 of William F. Tipton Replat of parts of Lots 17 and 18 of a Subdivision of the Northeast Quarter of Section 8, Township 19 North, Range 9 East of the Third Principal Meridian, in the City of Urbana, Champaign County, and State of Illinois;

And also an easement for ingress and egress over the following described tract:
Commencing at the Southeast corner of Lot 3 of William F. Tipton Replat of parts of Lots 17 and 18 of a Subdivision of the Northeast Quarter of Section 8, Township 19 North, Range 9 East of the Third Principal Meridian; thence West along the South line of Lot 3, 29 feet; thence South 20 feet, thence East on a line parallel with the South line of said Lot 3 to the West right-of-way of Cunningham Avenue; thence Northerly along said right-of-way line to the Northeast corner of said Lot 2; thence West along the North line of said Lot 2 to the place of beginning, which easement shall be used for ingress and egress to and from Lot 3;

And also the easement for utilities, to include sanitary sewer, water supply, gas and electricity supply purposes, together with the rights of construction, maintenance and repair of the same, and rights of ingress and egress, in the following described real estate: Commencing at the Southeast corner of Lot 3 of said William F. Tipton Replat, thence West 29 feet on the South line of said Lot 3, thence South 6 feet, thence East on a line parallel with the North line of Lot 2 of said Replat, to the West right-of-way line of Cunningham Avenue, thence Northerly along the West right-of-way line of said Cunningham Avenue to the Northeast corner of said Lot 2, thence West on the North line of said Lot 2, to the point of beginning; situated in the City of Urbana, Champaign County, 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 2nd day of September, 1997.

AYES: Hayes, Huth, Kearns, Patt, Taylor, Whelan, Wyman

NAYS:

ABSTAINED:

Phyllis D. Clark
Phyllis D. Clark, City Clerk
by Robert J. Robert, Deputy Clerk

APPROVED by the Mayor this 10th day of September, 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 "(1009 A and 1009 B-C North Cunningham)" 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.

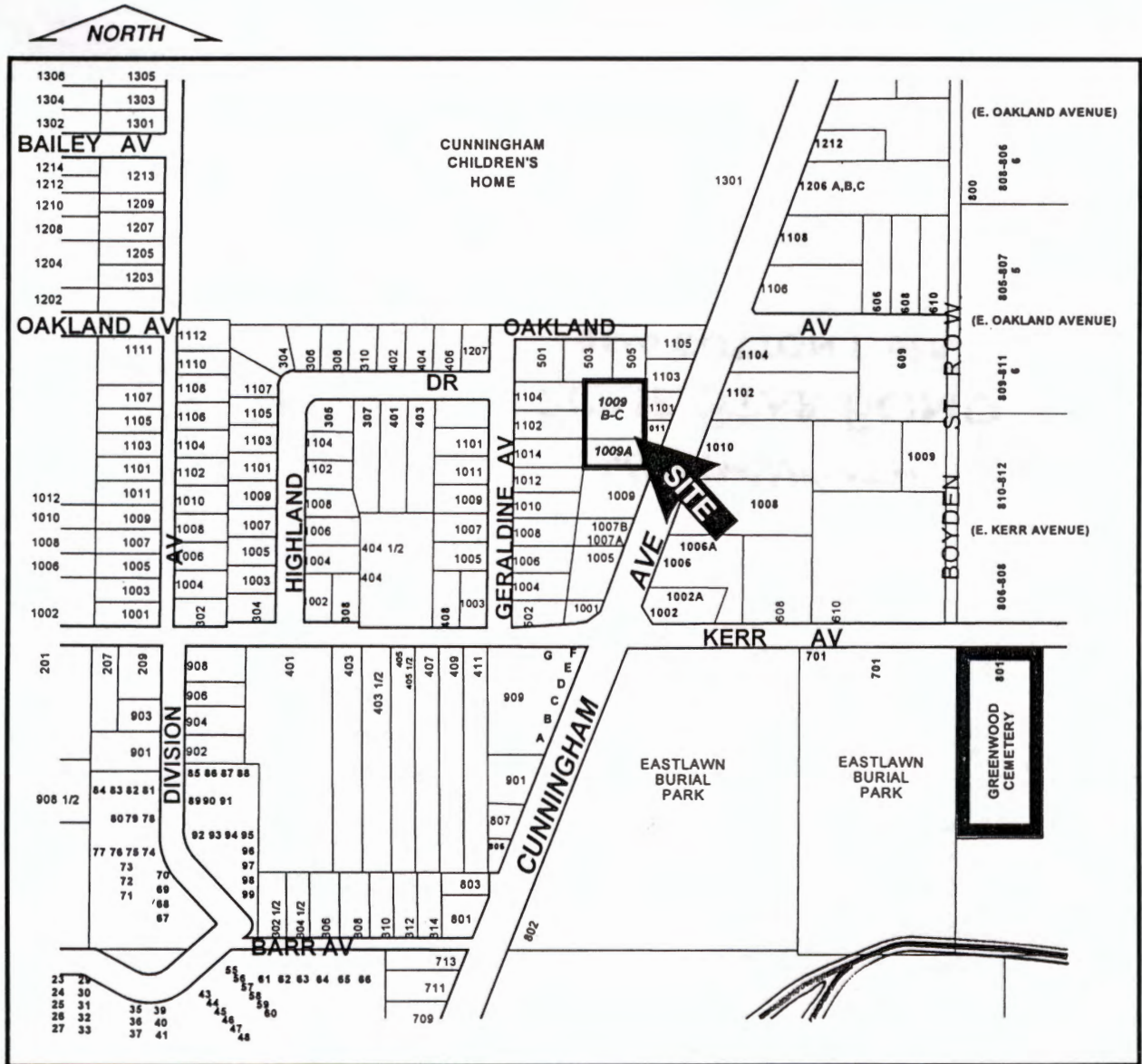
(SEAL)

Phyllis D. Clark, City Clerk

LOCATION MAP

1667-CP-97 and 1667-M-97

1009 A, B-C NORTH CUNNINGHAM AVENUE



PREPARED BY URBANA COMMUNITY DEVELOPMENT SERVICES

7/23/97