

**ORDINANCE NO. 2017-10-057**

**AN ORDINANCE AMENDING THE ZONING MAP OF THE  
CITY OF URBANA, ILLINOIS**

**(Rezoning of a 3.86-acre parcel at 1303 Cunningham Avenue from R-4, Medium Density Multiple-Family Residential to B-3, General Business – Plan Case 2312-M-17 / Cunningham Children’s Home)**

**WHEREAS**, Cunningham Children’s Home of Urbana has petitioned the City for a Zoning Map Amendment to rezone a property comprising 3.86 acres and located at 1303 Cunningham Avenue from R-4, Medium Density Multiple-Family Residential to B-3, General Business; and

**WHEREAS**, after due publication, a public hearing was held by the Urbana Plan Commission on September 21, 2017 concerning the petition filed in Plan Case No. 2312-M-17; and

**WHEREAS**, the 2005 Urbana Comprehensive Plan future land use map designates the future land use of these properties as “Community Business”, and the proposed rezoning is consistent with this future land use type; and

**WHEREAS**, the proposed rezoning would facilitate the development of an infill site; and

**WHEREAS**, the proposed rezoning would generally conform to the La Salle Criteria; and

**WHEREAS**, the subject property is appropriate for general business uses due to its location along Cunningham Avenue, a major commercial corridor in Urbana; and

**WHEREAS**, the Urbana Plan Commission voted with 6 ayes to 1 nay to forward Plan Case No. 2312-M-17 with recommendation of approval for rezoning the subject property; and

**WHEREAS**, the findings of the Plan Commission indicate that the rezoning request would promote the general health, safety, morals, and general welfare of the public.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS**, as follows:

**Section 1.** The Official Zoning Map of Urbana, Illinois, is herewith and hereby amended to change the zoning classification of the following described property from R-4, Medium Density Multiple-Family Residential Zoning District to B-3, General Business Zoning District.

The subject property is more accurately described as follows:

**LEGAL DESCRIPTION:**

A PART OF THE NORTHEAST QUARTER OF SECTION 8 AND A PART OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 19 NORTH, RANGE 9 EAST OF

THE THIRD PRINCIPAL MERIDIAN, CITY OF URBANA, CHAMPAIGN COUNTY, ILLINOIS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 5/8 INCH REBAR WITH CAP STAMPED 'FEHR GRAHAM" INSIDE AN ILLINOIS DEPARTMENT OF TRANSPORTATION VAULT FOUND AT THE NORTHEAST CORNER OF SECTION 8, TOWNSHIP 19 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN AND ALSO BEING THE NORTHWEST CORNER OF SECTION 9, TOWNSHIP 19 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN PER MONUMENT RECORD 2010R18872 ON FILE AT THE OFFICE OF THE CHAMPAIGN COUNTY RECORDER; THENCE SOUTH 00 DEGREES 45 MINUTES 28 SECONDS EAST ALONG THE WESTERLY LINE OF LOT 4 OF A SUBDIVISION OF THE NORTHWEST QUARTER OF SAID SECTION 9, ALSO BEING THE EASTERLY LINE OF LOT 1 OF A SUBDIVISION OF THE NORTHEAST QUARTER OF SAID SECTION 8, ALSO BEING THE EASTERLY LINE OF THE NORTHEAST QUARTER OF SAID SECTION 8, ALSO BEING THE WESTERLY LINE OF THE NORTHWEST QUARTER OF SAID SECTION 9, A DISTANCE OF 37.31 FEET TO THE NORTHEAST CORNER OF ADDITIONAL RIGHT OF WAY TO BE DEDICATED TO THE CITY OF URBANA'S COUNTRY CLUB ROAD AND THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 00 DEGREES 45 MINUTES 28 SECONDS EAST ALONG SAID SECTION LINE, A DISTANCE OF 18.68 FEET TO THE SOUTHEAST CORNER OF ADDITIONAL RIGHT OF WAY TO BE DEDICATED TO THE CITY OF URBANA'S COUNTRY CLUB ROAD; THENCE SOUTH 89 DEGREES 49 MINUTES 13 SECONDS EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF COUNTRY CLUB ROAD, A DISTANCE OF 212.21 FEET TO AN IRON PIPE SURVEY MONUMENT FOUND; THENCE SOUTH 44 DEGREES 42 MINUTES 30 SECONDS EAST ALONG A BEND IN THE WESTERLY RIGHT OF WAY LINE OF U.S. ROUTE 45 (CUNNINGHAM AVENUE), A DISTANCE OF 49.86 FEET TO AN IRON PIPE SURVEY MONUMENT FOUND ON THE WESTERLY RIGHT OF WAY LINE OF U.S. ROUTE 45 (CUNNINGHAM AVENUE); THENCE SOUTHERLY ALONG THE ARC OF A NON-TANGENT CIRCULAR CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 7,790 FEET, A CHORD LENGTH OF 515.10 FEET ,A CHORD BEARING OF SOUTH 20 DEGREES 47 MINUTES 19 SECONDS WEST AND AN ARC LENGTH OF 515.20 FEET ALONG SAID WESTERLY RIGHT OF WAY LINE OF U.S. ROUTE 45 TO AN IRON PIPE SURVEY MONUMENT FOUND AT THE POINT OF CURVATURE; THENCE SOUTH 18 DEGREES 55 MINUTES 09 SECONDS WEST ALONG SAID WESTERLY RIGHT OF WAY LINE OF U.S. ROUTE 45, A DISTANCE OF 90.16 FEET TO AN IRON PIPE SURVEY MONUMENT FOUND ON THE SOUTH LINE OF SAID LOT 4; THENCE SOUTH 89 DEGREES 35 MINUTES 55 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 4, SAID LINE ALSO BEING THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 147.00 FEET TO AN IRON PIPE SURVEY MONUMENT SET; THENCE NORTH 00 DEGREES 19 MINUTES 06 SECONDS WEST, A DISTANCE OF 453.38 FEET TO AN IRON PIPE SURVEY MONUMENT SET; THENCE NORTH 89 DEGREES 40 MINUTES 54 SECONDS WEST, A DISTANCE OF 71.40 FEET TO AN IRON PIPE SURVEY MONUMENT SET; THENCE NORTH 00 DEGREES 19 MINUTES 06 SECONDS WEST, A DISTANCE OF 150.00 FEET TO

AN IRON PIPE SURVEY MONUMENT SET AT THE SOUTHWEST CORNER OF SAID ADDITIONAL RIGHT OF WAY TO BE DEDICATED TO THE CITY OF URBANA'S COUNTRY CLUB ROAD; THENCE CONTINUE NORTH 00 DEGREES 19 MINUTES 06 SECONDS EAST, A DISTANCE OF 18.66 FEET TO AN IRON PIPE SURVEY MONUMENT SET AT THE NORTHWEST CORNER OF SAID ADDITIONAL RIGHT OF WAY TO BE DEDICATED TO THE CITY OF URBANA'S COUNTRY CLUB ROAD, SAID SURVEY MONUMENT SET ALSO BEING ON THE SOUTHERLY RIGHT OF WAY OF COUNTRY CLUB ROAD; THENCE NORTH 89 DEGREES 40 MINUTES 54 SECONDS EAST ALONG THE NORTHERLY LINE OF SAID ADDITIONAL RIGHT OF WAY TO BE DEDICATED TO THE CITY OF URBANA'S COUNTRY CLUB ROAD AND THE SOUTHERLY RIGHT OF WAY LINE OF COUNTRY CLUB ROAD, A DISTANCE OF 186.38 FEET TO THE POINT OF BEGINNING.

PINs: 91-21-09-101-001 and part of 91-21-08-229-001

Address: 1303 Cunningham Avenue

**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).

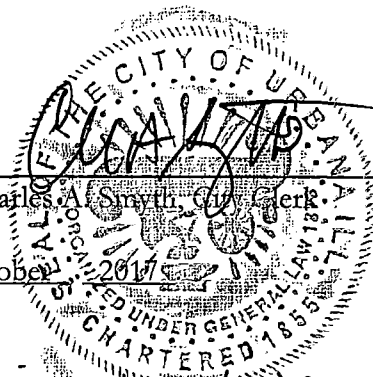

**PASSED BY THE CITY COUNCIL** this 2<sup>nd</sup> day of October, 2017.

AYES: Ammons, Brown, Hazen, Jakobsson, Miller, Wu

NAYS:

ABSTENTIONS:

**APPROVED BY THE MAYOR** this 4<sup>th</sup> day of October, 2017

  
Charles A. Smyth, City Clerk  
  
Diane Wolfe Marlin, Mayor



## CERTIFICATE OF PUBLICATION IN PAMPHLET FORM



I, Charles A. Smyth, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois. I certify that on the 2<sup>nd</sup> day of October 2017, the City Council of the City of Urbana passed and approved Ordinance No. 2017-10-057, entitled:

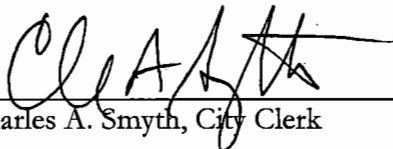
**AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF URBANA, ILLINOIS (REZONING OF A 3.86-ACRE PARCEL AT 1303 CUNNINGHAM AVENUE FROM R-4, MEDIUM DENSITY MULTIPLE-FAMILY RESIDENTIAL TO B-3, GENERAL BUSINESS – PLAN CASE 2312-M-17 / CUNNINGHAM CHILDREN'S HOME)**

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

The pamphlet form of Ordinance No. 2017-10-057 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 4<sup>th</sup> day of October, 2017, 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 4<sup>th</sup> day of October, 2017.



  
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Charles A. Smyth, City Clerk