

**ORDINANCE NO. 2018-03-019**

**AN ORDINANCE AMENDING THE URBANA ZONING MAP**

**(Rezoning Multiple Properties to B-4 / Plan Case No. 2329-M-18)**

**WHEREAS**, the Urbana Zoning Administrator has petitioned the City of Urbana ("City") to rezone multiple properties in downtown Urbana to B-4, Central Business; and

**WHEREAS**, the Plan Commission held a public hearing on such application at 7:00 p.m. on Thursday, February 22, 2018, in Plan Case No. 2329-M-18; and

**WHEREAS**, in accordance with Urbana Zoning Ordinance Section XI-10, due and proper notice of such public hearing was given by publication in The News-Gazette, a newspaper having a general circulation within the City, on a date at least 15 days but no more than 30 days before the time of the public hearing, and by posting a sign containing such notice on the real property identified herein; and

**WHEREAS**, the Urbana Plan Commission voted 6 ayes and 0 nays to forward the case to the Urbana City Council with a recommendation to approve the rezoning request; and

**WHEREAS**, the findings of the Plan Commission indicate that approval of the rezoning request will promote the general health, safety, and welfare of the public; and

**WHEREAS**, the City Council finds that the requested rezoning is consistent with the goals, objectives, and generalized land use designations of the City of Urbana 2005 Comprehensive Plan; and

**WHEREAS**, the City Council finds that the requested rezoning is consistent with the criteria contained in *La Salle Nat. Bank of Chicago v. Cook County*, 12 Ill. 2d 40, 145 N.E.2d 65 (1957); and

**WHEREAS**, after due consideration, the City Council further finds that an amendment to the Urbana Zoning Map as herein provided will protect the public health, safety, and welfare.

**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 properties:

The subject properties to be rezoned from R-6, High Density Multiple-Family Residential to B-4, Central Business are more accurately described as follows:

The East 85 feet of Lot 9 of James T. Roe's First Addition to Urbana, less the East 7.5 feet of said Lot and a triangular shaped portion of said Lot described as commencing at a point 7.5 feet West of the Southeast corner of said Lot, thence West 7.5 feet thence in a Northeasterly direction to a point 7.5 feet North of the point of beginning, thence South 7.5 feet to the point of beginning, all situated in Champaign County, Illinois.

Commonly known as 202 West Green Street, PIN: 92-21-17-210-008

AND

The West 50 feet of Lot 9 in James T. Roe's First Addition to the City of Urbana, in Champaign County, Illinois.

Commonly known as 206 West Green Street, PIN: 92-21-17-210-006

The subject property to be rezoned from B-1, Neighborhood Business to B-4, Central Business is more accurately described as follows:

The South 50 feet of Lot 33 and the South 50 feet of the west one-Half of Lot 34, all in James T. Roe's second Addition to the Town (now City) of Urbana, as per plat recorded in Plat Book "D" at Page 1B9, situated in Champaign County, Illinois.

Commonly known as 212 West Green Street, PIN: 92-21-17-141-005

The subject property to be rezoned from IN-1, Light Industrial/Office to B-4, Central Business is more accurately described as follows:

Parcel 1:

A part of Lot 1 of a Subdivision of the Southwest Quarter of the Southeast Quarter of Section 8, Township 19 North, Range 9 East of the Third Principal Meridian, as shown on Survey recorded in Deed Record 18, Page 246, described as follows:

Commencing at the Northeast corner of the Southwest Quarter of the Southeast Quarter of Section 8, Township 19 North, Range 9 East of the Third Principal Meridian, running South along the East line of said Southwest Quarter of the Southeast Quarter of Section 8, 287.31 feet to the South line of the road, thence running Southwesterly along the South line of said road with an angle to the right of 101 degrees, 52 minutes, 50.16 feet to the West line of State Aid Route 2 extension or widened-Vine Street; thence Southerly, along the West line of Right of Way of Vine Street, to a point 150 feet North of the North Right of Way line of Peoria & Eastern (Big Four) Railroad for a True Point of Beginning, thence Southerly, along the West line of the Right of Way of Vine Street, to the North Right of Way, line of Peoria and Eastern (Big Four) Railroad; thence Westerly along said Right of Way line on a tangent a distance of 24 feet, continuing thence Westerly along said Right of Way line with a curve to the right with a radius of 17,153 feet a distance of 176 feet; thence North parallel with the West Right of Way line of Highway and Vine Street, 135 feet, thence Easterly in a straight line to the Place of Beginning.

Also, beginning at the Intersection of the North line of the New York Central Rail Road (P and E Division Right of Way with the East line of Broadway in the City of Urbana, Illinois; thence North along the East line of Broadway a distance of 5.16 feet to the South line of Cunningham Avenue; thence Northeasterly along the South line of Cunningham Avenue a distance of 300.58 feet to the South line of a public street known as Park Street; thence Northeasterly along the South line of Park Street a distance of 134.5 feet to the Northwest corner of property deeded to Royce E. Clark;

thence South parallel with Vine Street along the West line of the Clark and Herbert B. Marett properties a distance of 252.1 feet to the North line of said railroad Right of Way; thence Northwesterly along a curve to the right of the North line of said Railroad Right of Way a distance of 369.6 feet to the Place of Beginning. Situated in Champaign County, Illinois.

Parcel 2:

Grant of Easement for ingress and egress described as a part of Lot 1 of a Subdivision of the Southwest Quarter of the Southeast Quarter of Section 8, Township 19 North, Range 9 East of the Third Principal Meridian, as shown on s recorded In Deed Record 18, Page 246, described as follows:

Beginning at the intersection of the North line of the Norfolk Southern Railroad, formerly New York Central R.R. (P and E Div.) right-of-way with the East line of Broadway In the City of Urbana, Illinois; proceed North 00 degrees, 49 minutes, 03 seconds East along said East line of Broadway a distance of 5.16 feet to the South line of Courtesy Road, formerly Cunningham Avenue to the True Point of Beginning; thence North 52 degrees, 53 minutes, 29 seconds East along the South line of Courtesy Road, formerly Cunningham Avenue a distance of 300.58 feet to the South line of a public street known as Courtesy Road, formerly Park Street, thence North 18 degrees, 37 minutes, 48 seconds West 25.30 feet; thence South 52 degrees, 53 minutes, 29 seconds West 289.90 feet parallel to and 24.00 feet normal to the South line of said Courtesy Road to the East right-of-way line of Broadway Avenue; thence South 00 degrees, 49 minutes, 03 seconds West 30.43 feet along said East right-of-way line to the True Point of Beginning, encompassing 0.163 acres in Champaign County, Illinois, as described and shown in the Grant of Easement recorded June 20, 2006 as Document Number 2006R15994.

Commonly known as 302 North Broadway Avenue, PIN: 91-21-08-460-003.

## **Section 2.**

The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities, and this Ordinance shall be in full force and effect from and after its passage and publication in accordance with Section 1-2-4 of the Illinois Municipal Code.

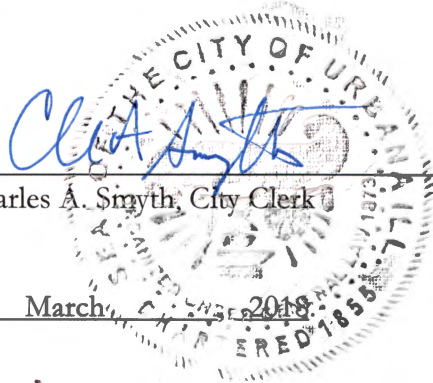
This Ordinance is hereby passed by the affirmative vote, the “ayes” and “nays” being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

**PASSED BY THE CITY COUNCIL** this 5<sup>th</sup> day of March, 2018.

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

NAYS:

ABSTENTIONS:



Charles A. Smyth  
Charles A. Smyth, City Clerk

**APPROVED BY THE MAYOR** this 6<sup>th</sup> day of March, 2018.

Diane Wolfe Marlin  
Diane Wolfe Marlin, Mayor