

ORDINANCE NO. 2018-09-059

AN ORDINANCE AMENDING THE URBANA ZONING MAP

**(Rezoning a Real Estate Parcel with Permanent Index Number 91-21-06-451-005
from R-3 to R-4 / Plan Case No. 2348-M-18)**

WHEREAS, Trinitas Development LLC, on behalf of the Judy Heimburger Trust, the owner of certain real property with Permanent Index Number 91-21-06-451-005, has applied to the City of Urbana (“City”) for a Zoning Map amendment to rezone the 11.33-acre property from R-3, Single and Two-Family Residential, to R-4, Medium-Density Multiple-Family Residential; and

WHEREAS, the Plan Commission held a public hearing on such application at 7:00 p.m. on Thursday, September 6, 2018, in Plan Case No. 2348-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 *Sinclair Pipe Line Co. v. Village of Richton Park* 19 Ill.2d 370 (1960); 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 the City of Urbana, Illinois, is herewith and hereby amended to change the zoning classification of the following described real property from R-3, Single- and Two-Family Residential, to R-4, Medium-Density Multiple-Family Residential:

BEGINNING AT AN IRON ROD SITUATED IN THE SOUTH ONE-HALF OF SECTION 6, TOWNSHIP 19 NORTH, RANGE 9 EAST, OF THE THIRD PRINCIPAL MERIDIAN, CITY OF URBANA, CHAMPAIGN COUNTY, ILLINOIS, SAID IRON PIPE ALSO BEING A PART OF THE BOUNDARY MONUMENTS OF THE "CHURCH OF THE LIVING GOD PLAT OF SURVEY, RECORDED AS DOCUMENT NO. 2011 R22983, IN THE OFFICE OF THE CHAMPAIGN COUNTY RECORDER, SAID PIPE ALSO BEING SITUATED AT THE SOUTHWEST CORNER OF PARK 74 INDUSTRIAL DEVELOPMENT N0.2; THENCE NORTH 89°12'55" EAST, ALONG THE SOUTH LINE OF SAID SUBDIVISION, A DISTANCE OF 766.77 FEET TO A CHISELED CROSS SITUATED AT THE NORTHWEST CORNER OF THE REPLATS OF LOTS 1 AND 2 OF MELROSE OF URBANA; THENCE SOUTH 00°44'22" EAST, ALONG THE WEST LINE OF SAID REPLATS OF LOTS 1 AND 2, A DISTANCE OF 725.77 FEET TO AN IRON ROD BEARING A DAMAGED CAP SITUATED AT THE NORTHEAST CORNER OF CARVER PARK SUBDIVISION TO URBANA; THENCE SOUTH 89°26'00" WEST, ALONG THE NORTH LINE OF SAID SUBDIVISION, A DISTANCE OF 229.91 FEET TO AN IRON PIPE FOUND SITUATED AT THE NORTHEAST CORNER OF LOT 18 OF SAID SUBDIVISION; THENCE NORTH 00°45'06" WEST, A DISTANCE OF 114.84 FEET TO AN IRON ROD BEARING A CAP STAMPED 2537 SAID ROD ALSO BEING SITUATED ON THE EASTERLY EXTENSION OF THE NORTH LINE OF LOT 48 OF SAID CARVER PARK SUBDIVISION; THENCE SOUTH 89°27'06" WEST, ALONG SAID EXTENSION, A DISTANCE OF 535.15 FEET TO A ROD BEARING A CAP STAMPED 2537 SITUATED ON THE EAST LINE OF THE BAPTIST MISSIONARY CHURCH PROPERTY; THENCE NORTH 00°41'20" W., ALONG SAID EAST LINE OF THE CHURCH PROPERTY, A DISTANCE OF 323.63 FEET TO AN IRON ROD BEARING

A CAP STAMPED 1462; THENCE NORTH 01°16'08" WEST, A DISTANCE OF 218.22 FEET TO AN IRON ROD SITUATED AT THE SOUTHEAST CORNER OF "THE BISHOP CRAWFORD SUBDIVISION", AS SAID SUBDIVISION IS RECORDED AS DOCUMENT NO. 2013R27410, DATED 11/21/2013, IN THE OFFICE OF THE AFORESAID CHAMPAIGN COUNTY RECORDER; THENCE CONTINUING NORTH 01°16'08" WEST, A DISTANCE OF 66.00 FEET TO THE POINT OF BEGINNING, BEING SITUATED WITHIN THE LIMITS OF THE CITY OF URBANA, IN CHAMPAIGN, COUNTY, ILLINOIS.

Permanent Index No.: 91-21-06-451-005

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.

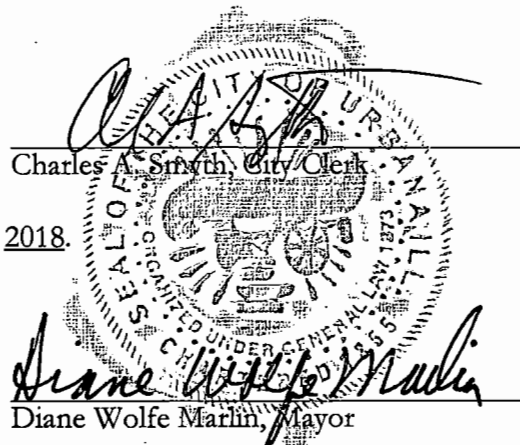
This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

PASSED BY THE CITY COUNCIL this 15th day of October, 2018.

AYES: Brown, Jakobsson, Roberts, Wu

NAYS: Ammons, Miller

ABSTENTIONS:



Charles A. Smith
Charles A. Smith, City Clerk

Diane Wolfe Marlin
Diane Wolfe Marlin, Mayor

APPROVED BY THE MAYOR this 19th day of October, 2018.



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 15th day of October 2018 the City Council of the City of Urbana passed and approved Ordinance No. 2018-09-059, entitled:


**AN ORDINANCE AMENDING THE URBANA ZONING MAP
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which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2018-09-059 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 19th day of October, 2018, 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 19th day of October, 2018.

(SEAL)



Charles A. Smyth, City Clerk