

MAR 14 1983

RESOLUTION NO. 8283-R44

A RESOLUTION OF PROTEST

Genevieve L. Bing
COUNTY CLERK

WHEREAS, Irwin Rose has petitioned that the following described real estate currently zoned AG-2 (Agriculture) under the Champaign County Zoning Ordinance be rezoned to B-2 (Neighborhood Business), to-wit:

The West 838.33 feet of the North 848.33 feet of the West Half of the Northeast Quarter of Section 28, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, being subject to a strip of land along the West and North lines of the described tract used by the public for road purposes.

The above area is comprised of approximately 16 acres at the Southeast corner of Philo and Ridge Roads; and

WHEREAS, the said proposal is being considered by the various governmental authorities concerned under the style and name of Case No. CCZBA 465-AM-83; and

WHEREAS, after consideration of the petition for the said rezoning by the Urbana Plan Commission, the said body forwarded its unanimous vote recommending that the City of Urbana protest said proposed rezoning; and

WHEREAS, the Urbana City Council, having duly considered all matters pertaining thereto, finds and determines that the proposed map amendment would not be in the best interests of the City of Urbana and its citizens for the following reasons:

1. There is no demonstrable need for additional commercially zoned property in Southeast Urbana at this time.

2. The petition is opposed by a significant number of nearby residential property owners. All testimony with the exception of testimony given by representatives of the petitioner was in opposition to the proposed rezoning.

3. While the 1982 Urbana Comprehensive Plan supports the eventual development of this property, the best use of this property is foreseen to be residential.

4. A rezoning to commercial at this location would contribute to the strip commercial development of Philo Road. The Philo Road entrance to the City is now perhaps the most

aesthetically pleasing gateway to the City. This perception would be seriously undermined by strip commercial development and the signage that would accompany it.

5. The Philo/Windsor/Ridge Road intersection needs major improvements which will probably not be made until and if the Windsor Road corridor is improved. Locating 16 acres of commercial development at the southeast corner of the intersection without making any improvements would exacerbate a dangerous situation.

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

Section 1. This City Council finds and determines that the facts contained in the above recitations are true.

Section 2. That the Urbana City Council, on behalf of the said City, hereby resolves that the City of Urbana should and hereby does protest the proposed map amendment as set forth in CCZBA Case No. 465-AM-83 for the reasons set forth above, and urges that the amendment not be adopted.

Section 3. The City Clerk of the City of Urbana is authorized and directed to file a certified copy of this Resolution of Protest with the County Clerk of the County of Champaign, and to mail a certified copy of this Resolution to the aforesaid Irwin Rose, 9135 N. Meridian, Suite A-6, Indianapolis, Indiana 46240, and Timothy V. Johnson, Johnson, Frank & Frederick, P.O. Box 57, 129 W. Main Street, Urbana, Illinois 61801, as Attorney for the Petitioner by certified mail at their respective addresses as shown above.

PASSED by the City Council this March, 1983.

Ruth S. Brookens
Ruth S. Brookens, City Clerk

APPROVED by the Mayor this 11th day of March, 1983.

Jeffrey T. Markland
Jeffrey T. Markland, Mayor