

A RESOLUTION OF PROTEST

(CCZBA #806-AM-92)

WHEREAS, Cheryl Manuel has petitioned the County of Champaign for a change in zoning from B-4, General Business zoning to I-2, Heavy Industrial zoning on the following described real estate:

Lots 4 and 5 of Gray Subdivision, situated in Urbana Township, Champaign County, and commonly known as 901 and 903 North Ward Street, Urbana; and

WHEREAS, said amendment has been submitted to the City of Urbana for comment and is being considered by the City of Urbana under the name and style of "Champaign County ZBA Case #806-AM-92, Request by Cheryl Manuel to Rezone 901 and 903 North Ward Street from B-4, General Business to I-2, Heavy Industry"; and

WHEREAS, the Urbana Plan Commission has considered matters pertaining to said rezoning request at their July 9, 1992 Plan Commission meeting and has forwarded said petition to the Urbana City Council with a recommendation that the Urbana City Council protest the proposed rezoning described in said CCZBA Case #806-AM-92; and

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

1. I-2 zoning west of Ward Street is not advisable because it would be directly adjacent to R-3 zoning and single family homes. The Champaign County Zoning Ordinance notes that I-2 zoning is appropriate only in areas that are "relatively remote" from residential zoning and land uses. The existing B-4 zoning provides a better transition between the I-2 zoning east of Ward Street and the R-3 zoning along Kerr Avenue; and
2. I-2 land uses and traffic in this area would negatively affect the residents who live along Kerr Avenue both in side and outside of the City limits as well as the patrons of Chief Schemauger Park; and
3. allowing more I-2 land uses and zoning along the Saline Ditch is not advisable.

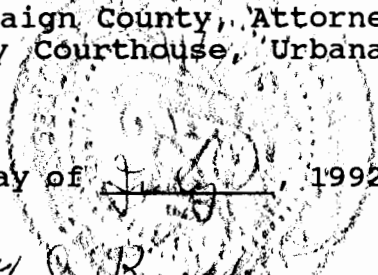
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

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

Section 2. The Urbana City Council, on behalf of said City, hereby resolves that the City of Urbana should and hereby does protest the proposed zoning change as requested in Champaign County ZBA Case #806-AM-92 and urges that it not be adopted.

Section 3. The City Clerk of the City of Urbana is hereby 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 Mr. Frank DiNovo at 1303 North Cunningham Avenue, Urbana, Illinois 61801 and to Mr. Thomas J. Difanis, State's Attorney of Champaign County, Attorney for the Petitioner, at the Champaign County Courthouse, Urbana, Illinois 61801.

PASSED by the City Council this 20th day of July, 1992.


Ruth S. Brookens
Ruth S. Brookens, City Clerk

APPROVED by the Mayor this 22nd day of July, 1992.

Jeffrey T. Markland
Jeffrey T. Markland, Mayor

(cczba806.res)