

ORDINANCE NO. 8990-114

**AN ORDINANCE APPROVING PRELIMINARY PLAT  
(N. Lincoln Avenue Industrial Park)**

WHEREAS, the North Lincoln Avenue Industrial Park Preliminary Plat is in compliance with the pertinent ordinances of the City of Urbana, Illinois; and

WHEREAS, the City Engineer has reviewed and approved the preliminary plat of the North Lincoln Avenue Industrial Park Subdivision; and

WHEREAS, the Urbana Plan Commission has forwarded the North Lincoln Avenue Industrial Park Subdivision Preliminary Plat as Plan Case #1346-S-90 to the City Council with a recommendation for approval subject to the terms and conditions outlined herein; and

WHEREAS, the preliminary plat of North Lincoln Avenue Industrial Park complies with the City of Urbana Comprehensive Plan; and

WHEREAS, due to the lack of contiguous urban development in the immediate vicinity of the proposed plats, the deferral of required street, curb, gutter, underground drainage and sidewalk improvements otherwise required under the Urbana Code of Ordinances is deemed necessary at this time but provision for the future construction of said improvements along North Lincoln Avenue should be made along with the approval of the proposed plats because of the potential impact of industrial development and associated traffic on Lincoln Avenue; and

WHEREAS, the Urbana City Council finds that the request to waive Section 21-13(F), requiring a Traffic Impact Analysis; Section 21-14(H) requesting an extension from one year to two years of the validity of the preliminary plat, Section 21-36(A)(2) requiring each lot to have public street frontage; Section 21-36(C)(1) to allow a three point turnaround; Section 21-37(A) to require sidewalks on only one side of the street is appropriate in accordance with the following criteria of Chapter 21 of the Urbana Code of Ordinances:

- (1) Due to existing conditions, there are site specific difficulties in complying with these regulations. This change shall only apply to existing conditions which are not generally applicable to other properties; and

(2) The granting of any waiver will not cause significant adverse effects on the public health, safety and welfare; and

(3) Sufficient evidence is shown to both the Plan Commission and City Council that the waiver will benefit the public health, safety and welfare. The City Council finds that due to the physical limitations of the Saline Branch Drainage Ditch requiring the construction of bridges and the unique topographic conditions of the site, the waivers present a better alternative than the code requirements to best serve the public's interest; and

(4) The proposed waivers support and foster implementation of the goals, objectives and policies represented in the Urbana Official Comprehensive Plan, as amended; and

(5) The proposed waivers are the minimum deviation from the requirements that will alleviate the difficulties; and

(6) The plight of the applicant is due to peculiar circumstances not of the applicant's own making. The waivers are generally resulting from the unique topography of the area as well as the need to impose private bridge costs on the developer rather than the City.

WHEREAS, in Plan Case #1346-S-90, the Urbana Plan Commission has recommended approval of the preliminary plat of North Lincoln Avenue Industrial Park subject to the conditions outlined herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS THAT:

Section 1. The preliminary plat of the North Lincoln Avenue Industrial Park as attached hereto is approved subject to the waivers, deferrals and conditions outlined herein.

Section 2. The following waivers of Chapter 21 of the Urbana Code of Ordinances are hereby granted:

A. Section 21-13(F) requiring traffic impact study.

B. Section 21-14(H) establishing the validity of the preliminary plat for one year. This section is waived to the extent that the preliminary plat of North Lincoln Avenue Industrial Park shall be valid for two (2) years.

C. Section 21-36(A)(2) requiring each lot to have public street frontage as it applies to Lots 3 and 4.

D. Section 21-36(C)(1) requiring a cul-de-sac as a turnaround on Street B. This waiver will allow a three point

turnaround at Street B which will be incorporated as a driveway for Lots 7 and 9 upon the construction of the extension of Street B.

E. Section 21-37(A)(2) requiring sidewalks on both sides of the streets. Waiver of this section will allow sidewalk construction on one side of the street.

F. Section 21-37(B)(1) requiring all lots designed in conformance with appropriate zoning. Waiver of this section allows the creation of the Outlot along the east side of Lot 8.

Section 3. The deferral of sidewalk, street pavement, curb and gutter construction along Lincoln Avenue and deferral of posting of bonds for said improvements required under Sections 21-29, 21-30, 21-36 and 21-37 of Chapter 21 of the Code of Ordinances, City of Urbana, Illinois is granted subject to the terms and conditions stated herein.

Section 4. The following conditions are hereby imposed on the approval of said waivers and deferrals.

A. The following language shall be stated on the face of the preliminary and upon the final plat and within the Owner's certificate at the time of their approval.


The property Owner(s) will install the required sidewalks, street pavement, curb and gutter improvements for the west one-half (1/2) of the Lincoln Avenue Subdivision Frontage within ninety (90) days of the City of Urbana Engineer's written request to do so or in accordance with arrangement satisfactory to the City Council of Urbana and in compliance with the then current standards of the City of Urbana Code of Ordinances.

B. Lot 5 is reserved for storm water detention and compensatory storage. No buildings shall be constructed within Lot 5.

C. That portion of public Street B connecting Lincoln Avenue to the remainder of Street B shall be built according to public street standards.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the members of the City Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 7<sup>th</sup> day of May, 1990.

PASSED by the city Council on this 7<sup>th</sup> day of May,  
1990.

  
Ruth S. Brookens  
Ruth S. Brookens, City Clerk

APPROVED by the Mayor the 14<sup>th</sup> day of May,  
1990.

Jeffrey T. Markland  
Jeffrey T. Markland, Mayor

(nlincsub.ord)