

ORDINANCE NO. 9091-38

**AN ORDINANCE APPROVING A FINAL PLAT**

**EADS FIRST SUBDIVISION**

WHEREAS, the Eads First Subdivision Final Plat is in substantial conformance with the pertinent ordinances of the City of Urbana, Illinois; and

WHEREAS, the City Engineer has reviewed and approved the Final Plat of Eads First Subdivision; and

WHEREAS, the Final Plat of Eads First Subdivision complies with the City of Urbana's Comprehensive Plan as amended by the King Park adopted by the Urbana City Council on June 5, 1989; and

Whereas, the Urbana City Council finds that the request to waive Section 21-14, Subsection A requiring submittal of a preliminary plat; Section 21-15, Subsection K requiring the submittal of a subsidiary drainage plat; Subsection 21-38, Subsection B requiring the dedication of seven (7) feet of right-of-way along Lincoln Avenue; and Section 21-29 and Section 21-30 requiring the posting of construction and maintenance bonds for required public improvements are 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 the City Council that the waiver will benefit the public health, safety and welfare.

(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.

WHEREAS, in Plan Case No. 1362-S-90, the Urbana Plan Commission on September 6, 1990 recommended approval of the Final Plat of Eads First Subdivision.

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

Section 1. The Final Plat of Eads First Subdivision as attached hereto is approved as platted.

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

- a. Waiver of Section 21-14, Subsection A requiring submittal of a preliminary plat; and
- b. Waiver of Section 21-15, Subsection K requiring the submittal of a subsidiary drainage plat; and
- c. Waiver of Section 21-38, Subsection B requiring the dedication of seven (7) feet of right of way along Lincoln Avenue; and
- d. Waiver of Section 21-29, Subsection A requiring the posting of a construction bond for required public improvements; and
- e. Waiver of Section 21-30, requiring the posting of a maintenance bond for public improvements.

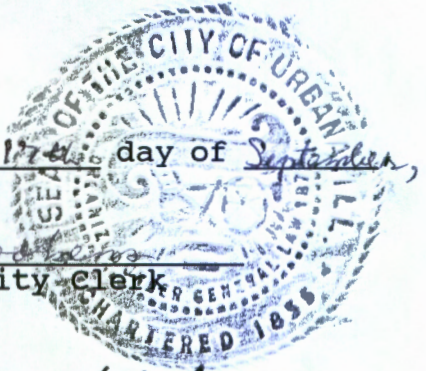
Section 3. The Secretary of the Urbana Plan Commission is hereby directed to record said Plat with the Champaign County Recorder upon City Council approval of said Plat and waiver requests.

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 17th day of September, 1990.

1990.

PASSED by the City Council on this 17<sup>th</sup> day of September,

Ruth S. Brookens  
Ruth S. Brookens, City Clerk



APPROVED by the Mayor the 21<sup>st</sup> day of September, 1990.

Jeffrey T. Markland  
Jeffrey T. Markland, Mayor

(Eads.ord)