

ORDINANCE NO. 9192-19

**AN ORDINANCE APPROVING A PRELIMINARY PLAT**

**Beringer Commons**

WHEREAS, the Beringer Commons Park Preliminary 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 Preliminary Plat of Beringer Commons; and

WHEREAS, the Preliminary Plat of Beringer Commons complies with the City of Urbana's Comprehensive Plat, as amended; and

WHEREAS, the Urbana City Council finds that the requested waivers listed in Section 2 of this ordinance are appropriate and 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 since Illinois Route 130 was recently improved, High Cross Road includes an overpass and difficult construction grades; and
- (2) The granting of the waivers as set forth herein will not cause significant adverse effects on the public health, safety and welfare since the Illinois Department of Transportation constructed improvements to Route 130 so that additional improvements are impractical; and the development's impacts on High Cross Road do not appear to warrant the developer bearing the entire cost of improvements to High Cross Road; the extension of McGee Street is not needed for traffic circulation in either Edgewood or Beringer Commons subdivisions; and
- (3) Sufficient evidence was presented to both the Plan Commission and the City Council that the waivers 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 as; 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. 1448-S-91, the Urbana Plan Commission on July 18, 1991 recommended approval of the Preliminary Plat of Beringer Commons.

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

Section 1. The Preliminary Plat of Beringer Commons as attached hereto is approved as platted conditioned upon the execution of the annexation agreement proposed under Plan Case No. 1449-A-91 and subject to the Saline Branch Drainage District's approval of the final storm water management design as it relates to the said District's existing drainage tile located on the site.

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

a. Waiver of requirements of Section 21-36 which would require the construction of one-half of the street pavement along the west side of High Cross Road and the north side of Illinois Route 130/U.S. Route 150 for the length of the subdivision fronting said streets.

b. Waiver of requirements of Section 21-36 which would require the extension and/or construction of a turnaround at McGee Street.

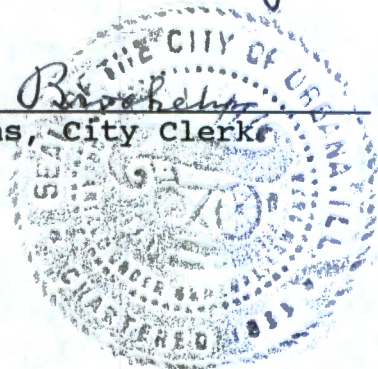
c. Waiver of requirements of Section 21-37 which would require sidewalks to be constructed by the owner along the west side of High Cross Road and north of proposed Beringer Circle. All other required sidewalks will be constructed by the owner.

Section 3. The Preliminary Plat of Beringer Commons shall be valid for a period of ten years from the date the Mayor signs the Preliminary Plat. As set forth in the annexation agreement referred to Section 1 above.

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

PASSED by the City Council on this 5th day of August, 1991.

Ruth S. Brookens  
Ruth S. Brookens, City Clerk



APPROVED by the Mayor this 12<sup>th</sup> day of August,  
1991.

  
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Jeffrey T. Markland, Mayor

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