

**AN ORDINANCE APPROVING A FINAL PLAT**

**EADS SECOND SUBDIVISION**

WHEREAS, the City of Urbana has submitted a Final Plat of Eads Second Subdivision which 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 Second Subdivision; and

WHEREAS, the Final Plat of Eads Second Subdivision complies with the City of Urbana's Comprehensive Plan, as amended; and

WHEREAS, the Urbana City Council finds that the request to waive the requirements of Section 21-14, Subsection A requiring the submittal of a preliminary plat; Section 21-29, Subsection A requiring the posting of a construction bond; Section 21-30 requiring the posting of a maintenance bond; and modify the requirements Section 21-36, Subsection A that Eads Street right-of-way be 60 feet wide Section 21-38, Subsection B requiring the dedication of additional right-of-way on Goodwin Avenue 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 generally applicable to other properties since these lots are located in an older, developed City of Urbana neighborhood; 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 the peculiar circumstances not of the applicant's own making because this development in an infill development project in an already established, older neighborhood of the City.

WHEREAS, in Plan Case No. 1483-S-92, the Urbana Plan Commission on September 24, 1992 recommended approval of the Final Plat of Eads Second Subdivision, including the requested waivers of the aforementioned requirements of Chapter 21 of the Code of Ordinances.

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

Section 1. The Final Plat of Eads Second Subdivision as attached hereto as Exhibit A is approved as platted.

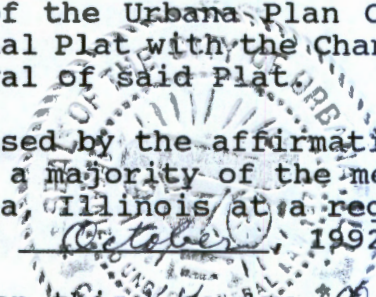
Section 2. The following requirements of Chapter 21 of the Urbana Code of Ordinances are hereby waived or amended as they apply to Eads Second Subdivision:

- a. Waiver of the requirements of Section 21-14, Subsection A to submit a preliminary plat;
- b. Waiver of the requirements of Section 21-29, Subsection A to post a construction bond for required public improvements; and
- c. Waiver of the requirements of Section 21-30 to post a maintenance bond for required public improvements.
- d. Waiver of the requirement of Section 21-36, Subsection A to the extent that section requires the dedication of sixty (60) feet of right-of-way along Eads Street rather than fifty (50) as dedicated by the attached plat;
- e. Waiver of the requirements of Section 21-38, Subsection B to dedicate approximately six (6) feet of right-of-way along Goodwin Avenue;

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

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 5<sup>th</sup> day of October, 1992.

PASSED by the City Council on this 5<sup>th</sup> day of October, 1992.

  
Ruth S. Brookens  
Ruth S. Brookens, City Clerk

APPROVED by the Mayor the 14<sup>th</sup> day of October, 1992.

Jeffrey T. Markland  
Jeffrey T. Markland, Mayor