

**AN ORDINANCE APPROVING A FINAL PLAT**

**WASCHER'S SECOND REPLAT**

WHEREAS, the City of Urbana has submitted a Final Plat of Wascher's Second Replat 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 the Wascher's Second Replat; and

WHEREAS, the Final Plat of the Wascher's Second Replat 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 Sections 21-14 requiring a Preliminary Plat and a waiver of the requirements of Section 21-38 to dedicate seven feet of right-of-way along the west side of Lincoln Avenue adjoining said subdivision 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 property is in a developed, inner urban area. There is no need for a preliminary plat for such a small subdivision of only two lots. Additional right-of-way along Lincoln Avenue is not needed for future improvements. The same waiver of the requirements to dedicate right-of-way was granted immediately north of Wascher's Second Replat on the Eads First Subdivision Plat.

(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. No waivers or deferrals requested herein will negatively impact the public health, safety and welfare. Lincoln Avenue is already fully improved. Acceptance of this portion of right-of-way will cause an odd jog in Lincoln Avenue right-of-way that is neither preferable or safe.

(4) The proposed waivers support and foster implementation of the goals, objectives and policies represented in the Urbana Official Comprehensive Plan, as amended since it allows the further development homes similar to the Eads at Lincoln development. Homes in the Wascher's Second Replat will be

affordable housing and developed similarly to those on Eads Street.

(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 is a replat of existing, previously developed property. Dedication of additional right-of-way is neither necessary or appropriate in this instance.

WHEREAS, in Plan Case No. 1503-S-93, the Urbana Plan Commission, on July 8, 1993, recommended approval of the Final Plat of the Wascher's Second Replat, 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 the Wascher's Second Replat 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 deferred or waived:

a. Waiver of the requirements of Sections 21-14 requiring the a preliminary plat of the property included in a subdivision plat.

b. Waiver of the requirements of Section 21-38 to dedicated seven feet of right-of-way along the west side of Lincoln Avenue adjacent to this subdivision.

**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 19th day of July, 1993.

PASSED by the City Council on this 19th day of July, 1993.

*Phyllis D. Clark*

Phyllis D. Clark, City Clerk



APPROVED by the Mayor the 29<sup>th</sup> day of July, 1993.

Tod Satterthwaite  
Tod Satterthwaite, Mayor

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