

**ORDINANCE NO. 9697-97**

**AN ORDINANCE APPROVING A FINAL PLAT**  
**(Widick's First Subdivision - Plan Case No. 1608-S-96)**

WHEREAS, Dr. Helen M. Widick and Habitat for Humanity of Champaign County have submitted a Final Plat of Widick's First Subdivision 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 Widick's First Subdivision; and

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

WHEREAS, in Plan Case No. 1608-S-96, the Urbana Plan Commission, on January 9, 1997, recommended approval of the Final Plat of Widick's First Subdivision, including the waiver requests; and

WHEREAS, the Urbana City Council finds that the conditions set forth in Section 21-07 of the *Urbana Subdivision and Land Development Code*, when applied to the proposed development, justify the granting of the requested waivers in Plan Case 1608-S-96 for the reasons set forth below:

*Waiver of requirement to apply for preliminary plat approval prior to or concurrent with application for final plat approval, Section 21-14.*

This development would not require preliminary plat approval if it were not for the need for a waiver of the extension of Water Street and sidewalks. Except for this, the petition would be for a plat of minor development and would not require a preliminary plat. This proposal in this area has all necessary improvements. The additional information provided by a preliminary plat is not necessary for this development.

A preliminary plat is not necessary for this site. The development will meet drainage and other requirements.

The subdivision of property meets Comprehensive Plan goals and will benefit public health, safety and welfare. This development will be constructed in compliance with all City of Urbana codes and ordinances.

Although not submitting a preliminary plat, the petitioner is providing all information necessary for development under the Code.

Requiring a full preliminary plat would be excessive given the nature of the waiver that prompted this requirement and the presence of all other improvements and information necessary for a development of this scale.

*Waiver of requirements to extend Water Street to the east or provide a cul-de-sac, Section 21-36 (B) (8) and 21-36 (C)(1).*

Water Street need not continue to the east to connect this subdivision or the property to the east with the property to the west. The property to the east of the site is developed with a building that extends almost to the Water Street right-of-way line extended. There is no place for Water Street to go to the east. A cul-de-sac is not necessary.

Extension of Water Street is not necessary, and any development on Lot 2 must supply sufficient hard surface turning area to accommodate vehicles, including emergency vehicles, safely on site. Staff believes that waiving the requirement for street extension or cul-de-sac would pose no risk to the public health, safety and welfare. Also, strict adherence to the Code would unnecessarily reduce the buildable area of Lot 2.

The 1982 Comprehensive Plan includes an objective “to promote development in the City . . . in a manner which minimizes conflicting land uses and/or adjacent development.” Subdivision of property helps implement this objective.

This is the minimum deviation from requirements, given that the plat meets other requirements.

A new subdivision in a fully developed area with a stub street is a peculiar circumstance.

*Waiver of sidewalk construction along Water Street extended, Section 21-37 (A) (4).*

If the street is not extended, there is no need for sidewalks. See waiver of Section 21-36 (B) (8) and 21-36 (C) (1) above.

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

Section 1. The Final Plat of Widick’s First Subdivision attached hereto is approved as platted, including waivers.

Section 2. The following requirements of Chapter 21 of the Urbana Code of Ordinances are hereby waived:

*Waiver of requirement to apply for preliminary plat approval prior to or concurrent with application for final plat approval, Section 21-14.*

*Waiver of requirements to extend Water Street to the east or provide a cul-de-sac, Section 21-36 (B) (8) and 21-36 (C)(1).*

*Waiver of sidewalk construction along Water Street extended, Section 21-37 (A) (4).*

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.

Section 4. This Ordinance is hereby passed by the affirmative vote of the members of the corporate authorities then holding office, the "ayes" and "nays" being called at a special meeting of said Council.

PASSED by the City Council on this 24th day of February, 1997.

AYES: Hayes, Kearns, Patt, Ryan, Taylor

NAYS: Pollock, Whelan

ABSTAINED:

  
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Phyllis D. Clark, City Clerk

APPROVED by the Mayor the 28<sup>th</sup> day of February, 1997.

  
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Tod Satterthwaite, Mayor

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