

**ORDINANCE NO. 9798-16**

**AN ORDINANCE APPROVING A PRELIMINARY AND FINAL PLAT  
(REPLAT OF LOT 4 OF BUTZOW INDUSTRIAL SUBDIVISION -  
PLAN CASE NO. 1662-S-97)**

WHEREAS, Ironworkers Local 380 has submitted a Preliminary and Final Plat of Replat of Lot 4 of Butzow Industrial Subdivision in substantial conformance with the pertinent ordinances of the City of Urbana, Illinois; and,

WHEREAS, the City Engineer has reviewed and approved the Preliminary and Final Plat of Replat of Lot 4 of Butzow Industrial Subdivision; and

WHEREAS, the Preliminary and Final Plat of Replat of Lot 4 of Butzow Industrial Subdivision comply with the City of Urbana's Comprehensive Plan, as amended; and

WHEREAS, in Plan Case No. 1662-S-97, the Urbana Plan Commission, on July 10, 1997, recommended approval of the Preliminary and Final Plat of Replat of Lot 4 of Butzow Industrial Subdivision; 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 waiver and deferral in Plan Case 1662-S-97 for the reasons set forth below:

*Waiver of requirement to allow 72.50-foot width on Lot 4A, Sections 21-37(B)(2) and 21-37(B)(7)(a).*

If not for the waiver, the subdivision of a lot on the western portion would be impractical. A 90-foot wide access drive to Lot 4A is not possible because the property line would fall on the existing building on Lot 4B. With the proposed detention in the northwest corner of the subdivision and a required 25-foot rear yard setback from the CRE zoning district to the north, the northern portion of Lot 4A has very little room for parking..

The proposed waiver causes no clear adverse effect on the public health, safety and welfare.

The subdivision of property meets Comprehensive Plan goals and will benefit public health, safety and welfare. A much greater width for Lot 4A would encroach on the existing building or, if less than 90 feet, would permit buildings on Lots 4A and 4B to be built very close together--there are no required side yard setbacks in the IN Industrial zoning district. In addition, this will permit additional industrial users at the site, in accordance with the Comprehensive Plan recommendation for Industrial use on this site.

The proposed lot width for Lot 4A is close to the ideal width to alleviate the difficulties and still permit parking on the western portion of Lot 4A. The proposed lot width also creates a separation between the existing building on Lot 4B and potential development on Lot 4A. Lots 4B and 4C both meet the required lot width and size in the IN zoning district.

*Deferral of extension of Butzow Drive and sidewalk construction, Sections 21-17(B)(3)(b) and 21-37(A)(1).*

The final alignment of Butzow Drive is not yet determined. Further, there is no development currently proposed for the undeveloped lots and sidewalks are not needed now.

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

Section 1. The Preliminary and Final Plat of Replat of Lot 4 of Butzow Industrial Subdivision attached hereto are approved as platted.

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

*Waiver of requirement to allow 72.50-foot width on Lot 4A, Sections 21-37(B)(2) and 21-37(B)(7)(a).*

*Deferral of extension of Butzow Drive and sidewalk construction, Sections 21-17(B)(3)(b) and 21-37(A)(1).*

Section 3. Plat approval is conditioned on the following:

That the Butzow Drive extension and sidewalk deferral be noted on the face of the plat in accordance with Section 21-17(B)(3)(b) of the Subdivision and Land Development Code.

That a Certificate of Occupancy not be issued for Lot 4A until a hard-surfaced access drive is constructed from Butzow Drive to the northern portion of Lot 4A.

Section 4. 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.

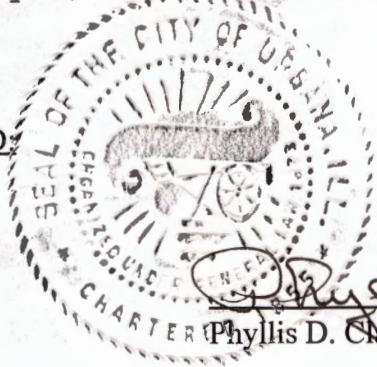
Section 5. This Ordinance is hereby passed by the affirmative vote of the members of the corporate authorities then holding office, the "ayes" and "nays" being called at a regular meeting of said Council.

PASSED by the City Council on this 4th day of August, 1997.

AYES: Hayes, Huth, Kearns, Patt, Wyman

NAYS:

ABSTAINED:



Phyllis D. Clark  
Phyllis D. Clark, City Clerk

APPROVED by the Mayor the 11th day of August, 1997.

Tod Satterthwaite  
Tod Satterthwaite, Mayor

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