

ORDINANCE NO. 2010-05-031

**AN ORDINANCE APPROVING A REQUEST
FOR A WAIVER OF SUBDIVISION REGULATIONS**

(Wisley Inn/Super 8 Motel First Subdivision - Plan Case No. 2127-S-10)

WHEREAS, the Urbana City Council approved the Final Plat for the Wisley Inn/Super 8 Motel First Subdivision on June 2, 2008 in Plan Case 2069-S-08 under Ordinance No. 2008-06-046; and

WHEREAS, the Urbana City Council subsequently approved two extensions to the approval of the Final Plat for the Wisley Inn/Super 8 Motel First Subdivision on November 17, 2008 and June 15, 2009 under Ordinance No. 2008-11-136 and Ordinance 2009-06-066 respectively; and

WHEREAS, Khalid Hussain has submitted a Petition for Waiver of Subdivision Regulations from the sidewalk requirements of Section 21-37.A of the Urbana Subdivision and Land Development Code for said subdivision in the City of Urbana, Illinois; and

WHEREAS, the petitioner, in lieu of constructing a sidewalk along Kenyon Road per the Code, is proposing to construct connecting sidewalks from the proposed Wisley Inn (Lot 12) to adjacent developed property to the south, east and west; and

WHEREAS, Kenyon Road is a frontage road that only provides access to the proposed subdivision and the proposed connecting sidewalks will provide access to adjacent properties consistent with the intent of the sidewalk requirements of the Urbana Subdivision and Land Development Code; and

WHEREAS, the requested waiver will not be harmful to other properties and would not negatively impact the public health, safety and welfare of the community, nor impede the attainment of goals and objectives contained in the Urbana 2005 Comprehensive Plan; and

WHEREAS, on April 22, 2010, the Urbana Plan Commission voted 5 ayes and 0 nays to forward the waiver requested in Plan Case No. 2127-S-10 to the Urbana City Council with a recommendation for approval of the requested waiver from the sidewalk requirement of Section 21-37.A of the Urbana Subdivision contingent upon the following:

- a) construction of connecting sidewalks from the proposed Wisley Inn (Lot 12) to adjacent property to the south, east and west; and
- b) construction of a driveway connection between the two lots in the subdivision.

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

Section 1. The requested Waiver of Subdivision Regulations from the sidewalk requirements of Section 21-37.A of the Urbana Subdivision and Land

Development Code for the Wisley Inn/Super 8 Motel First Subdivision is hereby approved.

Section 3. 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.

Section 4. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the Corporate Authorities, and this Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Section 1-2-4 of the Illinois Municipal Code.

PASSED by the City Council this 3rd day of May, 2010.

AYES: Bowersox, Gehrig, Lewis, Marlin, Roberts, Smyth, Stevenson

NAYS:

ABSTAINS:

Phyllis D. Clark
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this 11th day of 4 May, 2010.

Laurel Lunt Prussing
Laurel Lunt Prussing, Mayor

