

ORDINANCE NO. 9697-43

**AN ORDINANCE APPROVING A PRELIMINARY AND FINAL PLAT
COLER SUBDIVISION (PLAN CASE NO. 1623-S-96)**

WHEREAS, the City of Urbana has submitted a Preliminary and Final Plat of Coler 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 Coler Subdivision; and

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

WHEREAS, in Plan Case No. 1623-S-96, the Urbana Plan Commission, on September 19, 1996, recommended approval of the Preliminary and Final Plats of Coler Subdivision, including the requested waivers and deferral of the requirements of Chapter 21 of the Code of Ordinances; 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 and deferral in Plan Case 1623-S-96 for the reasons set forth below:

Waiver of requirement to improve/widen the north half of Sunset Drive, Section 21-36 and Table A.

Waiver of requirement to construct storm sewers and other drainage facilities, Section 21-37.

Deferral of sidewalk construction along the north side of Sunset Drive until that portion of Sunset Drive is reconstructed, Section 21-37 (A).

The city is subdividing and developing these seven lots, and is responsible for building the improvements. The city is building sanitary sewer improvements, which alone amount to over \$5000 per lot, even without street and storm sewer improvements.

Sunset Drive currently is not improved nor widened to urban street standards. The street is not improved with storm sewers. If improvements were constructed now, they may have to be torn up when Sunset Drive as a whole is improved. By waiving or deferring the improvements, the city will still be responsible for completing the construction of the street

and sewer improvements, but improvements can be timed to coincide with the Capital Improvements Plan for Sunset Drive. In this way the work does not have to be done twice, each time at the cost of the city.

Staff believes that waiving the requirements for Sunset Drive would pose no risk to the public health, safety and welfare. Rather, the requests are to help the city spur development of affordable housing on long-vacant parcels.

The 1982 Comprehensive Plan includes a goal of “sound and attractive residential neighborhoods” with several related objectives, including:

Expand the housing supply to include a variety of housing types and price ranges through preservation, development, and redevelopment.

The waivers and deferral help implement this goal and objective.

This is the minimum deviation from requirements, given that (1) the right-of-way width is sufficient to meet code, (2) sanitary sewer improvements are being constructed and borne by the city to make these lots available to buyers of affordable homes and (3) the city will be responsible for additional improvements in the future.

Future street improvement and widening, sidewalk construction and storm sewer construction will be built in conjunction with the improvement of Sunset Drive as a whole. Storm water management will be accomplished in the meantime through surface drainage ditches designed to the City Engineer’s approval and will not increase drainage onto adjacent property.

A new residential subdivision built along an older existing street is a peculiar circumstance. The development of these lots for single-family use would probably not be cost-effective if all improvements were to be done now, particularly when they can be done during improvement of the length of Sunset Drive in the future.

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

Section 1. The Preliminary and Final Plats of Coler 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 improve/widen the north half of Sunset Drive, Section 21-36 and Table A.

Waiver of requirement to construct storm sewers and other drainage facilities, Section 21-37.

Deferral of sidewalk construction along the north side of Sunset Drive until that portion of Sunset Drive is reconstructed, Section 21-37 (A).

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.

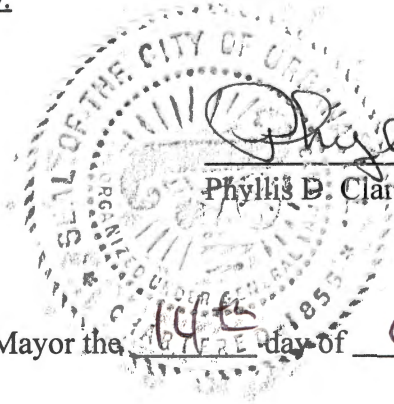
Section 4. This Ordinance is hereby passed by the affirmative vote of the members of the corporate authorities then holding office, the "ayes" and "nays" being called at a regular meeting of said Council.

PASSED by the City Council on this 7th day of October, 1996.

AYES: Hayes, Kearns, Patt, Pollock, Ryan, Taylor, Whelan

NAYS:

ABSTAINED:



Phyllis D. Clark
Phyllis D. Clark, City Clerk

APPROVED by the Mayor the 14th day of October, 1996.

Tod Satterthwaite
Tod Satterthwaite, Mayor

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