

**AN ORDINANCE APPROVING PRELIMINARY PLAT
AND FINAL PLAT OF PHASE ONE**

(South Ridge Subdivision)

WHEREAS, the South Ridge Subdivision Preliminary Plat and Final Plat of Phase One are in compliance with the pertinent ordinances of the City of Urbana, Illinois; and

WHEREAS, the City Engineer has reviewed and approved the Preliminary Plat and Final Plat of Phase One of the South Ridge Subdivision; and

WHEREAS, the Preliminary Plat and Final Plat of Phase One of South Ridge Subdivision comply with the City of Urbana's Comprehensive Plan; and

WHEREAS, the Urbana City Council finds that the request to waive the requirements in Section 21-36(B)5 regulating the curve of a street and the request to waive the requirements in Section 21-42(B) requiring a storm water management plan are appropriate and in accordance with the following criteria of Chapter 21 of the Code of Ordinances of the City of Urbana, Illinois:

(1) Due to existing conditions, there are site specific difficulties in complying with these regulations. This change shall only apply to existing conditions which are generally not applicable to other properties; and

(2) The granting of any waiver will not cause significant adverse affects on the public health, safety and welfare; and

(3) Sufficient evidence has been shown to both the Plan Commission and the City Council that the waivers will benefit the public health, safety and welfare. The City Council finds that due to the physical limitations of existing property lines that the waivers present a better alternative than the code requirements to best serve the public's interest; and

(4) The proposed waivers support and foster implementation of the goals, objectives and policies represented in the Urbana Official Comprehensive Plan as amended; and

(5) The enclosed waivers are the minimum variation from the requirements that will alleviate the difficulties; and

(6) The plight of the applicant is due to particular circumstances resulting from previous platting requirements and not of the applicant's own making.; and

WHEREAS, in Plan Case #1345-S-90, the Urbana Plan Commission on March 29, 1990 recommended approval of the Preliminary Plat and Final Plat of Phase One of South Ridge Subdivision subject to the conditions outlined herein.

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

Section 1. The Preliminary Plat and Final Plat of Phase One of South Ridge Subdivision as attached hereto are approved subject to the waivers and conditions outlined herein.

Section 2. The following waivers of Chapter 21 of the Urbana City Code are hereby granted:

A. The requirements in Section 21-36(B)5 are waived to the extent that it requires a radius for the curve on Ridge Park Drive which is not possible due to the current lot line of the previously platted Urbana Park District property.

B. The storm water management plan as required by Section 21-42(B) is waived because the detention basin previously dedicated to the Urbana Park District was designed at a capacity to accommodate the development of South Ridge Subdivision.

Section 3. A variation is granted from the standard in Section 21-42(A) which requires a subsidiary drainage connection to a storm sewer system for each lot. An alternative for this requirement has been proposed by the developer which would identify the specific lots requiring said connection and control the construction of buildings in order to protect the drainage pattern. This alternative complies with the intent of Chapter 21 of the Urbana City Code and is satisfactory to the City Engineer.

Section 4. The following conditions are hereby imposed on the approval of said waivers. The following language shall appear on the Subsidiary Drainage Plat and within the Owner's Certificate:

The final grade of each lot is shown on this Subsidiary Drainage Plat. The Subdivision has been designed so that storm water drains away from the building area in a systematic manner. The "as-built" Subsidiary Drainage Plat shows storm sewer connections for those lots for which the developer's engineer has determined connection is needed. The "as-built" Subsidiary Drainage Plat is on file at the City of Urbana's Building Safety Division and the Champaign County Recorder's Office.

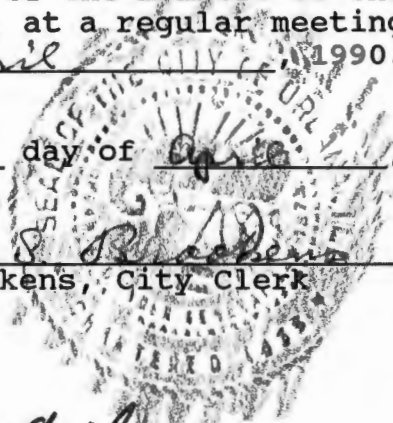
It is the responsibility of the builder and/or owner of each lot to preserve the grade for the designed drainage. Prior

to issuance of a building permit, a professional engineer, licensed by the State of Illinois, shall verify that the building plans conform with the previously approved Subsidiary Drainage Plat and maintain the integrity of said drainage plan. Said verification shall accompany each building permit application submitted to the City of Urbana's Building Safety Division. In addition, a professional engineer, licensed by the State of Illinois, must state that he or she has inspected the construction and certifies that grading has been completed in conformance with the previously approved Subsidiary Drainage Plat. Said Certification shall be submitted upon completion of the structure and prior to the City of Urbana's issuance of a Certificate of Occupancy. Each lot owner shall be responsible for maintaining the integrity of the individual lot drainage after construction and shall comply with the drainage plan when constructing accessory structures, fences or landscaping.

Section 5. The Secretary of the Urbana Plan Commission is hereby directed to record said plat with the Champaign County Recorder upon satisfaction of the above conditions.

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 16th day of April, 1990.

PASSED by the City Council on this 16th day of April, 1990.


Ruth S. Brookens
Ruth S. Brookens, City Clerk

APPROVED by the Mayor the 23rd day of April, 1990.

Jeffrey T. Markland
Jeffrey T. Markland, Mayor

(soridge.ord)