

ORDINANCE NO. 9798-18

**AN ORDINANCE APPROVING A PRELIMINARY AND FINAL PLAT
(URBANA SCHOOL DISTRICT 116 SUBDIVISION NO. 1 -
PLAN CASE NO. 1664-S-97)**

WHEREAS, Northern Illinois Water Corporation has submitted a Preliminary and Final Plat of Urbana School District 116 Subdivision No. 1 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 Urbana School District 116 Subdivision No. 1; and

WHEREAS, the Preliminary and Final Plat of Urbana School District 116 Subdivision No. 1 comply with the City of Urbana's Comprehensive Plan, as amended; and

WHEREAS, in Plan Case No. 1664-S-97, the Urbana Plan Commission, on July 31, 1997, recommended approval of the Preliminary and Final Plat of Urbana School District 116 Subdivision No. 1; 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 1664-S-97 for the reasons set forth below:

Waiver of requirement that all lots be adjacent to a public street, Section 21-36(A)(2).

The site is well suited for this NIWC water storage facility. This location is relatively high ground on the east side of Urbana. A water storage tank can gain pressure by being located on high ground and/or by being elevated as a water tower. The ground elevation on this site permits NIWC to construct water storage facilities that are not as tall as a water tower. The access easement is sufficient for maintenance checks by NIWC without requiring them to build a public street to reach this lot.

The proposed waiver causes no clear adverse effect on the public health, safety and welfare. In fact, it moves the water storage facility farther from existing residential uses and closer to industrially-zoned land.

The subdivision of property meets Comprehensive Plan goals and will benefit public health, safety and welfare. An additional water storage tank--and one possibly in the future--will add water pressure and better fire-fighting ability to this side of Urbana. The location of the tower off the road will also lessen the possible impact of the tower on nearby residents. The

water tank(s) would be considered an amenity by most industrial users, including those users that could locate on industrially-zoned land to the north and east.

The access easement is sufficient to permit occasional access to the site by NIWC but does not burden NIWC with building an unnecessary public street to the site.

The site was chosen by NIWC based on a number of factors, most significantly the existing topography.

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

There is no development currently proposed for Lot 2 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 Urbana School District 116 Subdivision No. 1 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 that all lots be adjacent to a public street, Section 21-36(A)(2).

Deferral of sidewalk construction, Sections 21-17(B)(3)(b) and 21-37(A)(1), is granted until such time as Urbana School District No. 116 either (a) develops Lot 2 or (b) sells Lot 2, in which event then sidewalks shall be constructed within six months of a resolution passed by the Urbana City Council requesting such be constructed.

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 18th day of August, 1997.

AYES: Hayes, Huth, Kearns, Patt, Taylor, Whelan, Wyman

NAYS:

ABSTAINED:



Phyllis D. Clark, City Clerk

APPROVED by the Mayor the 26th day of August, 1997.



Tod Satterthwaite, Mayor

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