

ORDINANCE NO. 9798-77

**AN ORDINANCE APPROVING A PRELIMINARY AND FINAL PLAT
(HARVEST GLEN SUBDIVISION - PLAN CASE NO. 1678-S-97)**

WHEREAS, Jon Callahan and Harvest Church have submitted a Preliminary and Final Plat of Harvest Glen 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 Harvest Glen Subdivision; and

WHEREAS, the Preliminary and Final Plat of Harvest Glen Subdivision comply with the City of Urbana's Comprehensive Plan, as amended; and

WHEREAS, in Plan Case No. 1678-S-97, the Urbana Plan Commission, on November 20, 1997, recommended approval of the Preliminary and Final Plat of Harvest Glen Subdivision with waiver of requirement and to provide functional or capped public sanitary sewers but not for the requirement for 31-foot-wide pavement; and

WHEREAS, subsequent to Plan Commission's giving its recommendation the City of Urbana determined that the petitioner in fact was not required to obtain a waiver of the provision of functional or capped public sanitary sewers because Section 21-41(A) of the *Urbana Subdivision and Land Development Code* states that "[t]his requirement shall not apply to any new development which lies outside the boundaries of the Urbana-Champaign Sanitary District and cannot be provided with sanitary sewer service by a sanitary district or public utility"; and

WHEREAS, the Urbana City Council hereby directs staff to present revisions and clarification of Section 21-41 of the *Urbana Subdivision and Land Development Code* for review by the Urbana Plan Commission and City Council; 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, do not justify the granting of the requested waiver in Plan Case 1678-S-97.

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

Section 1. The Preliminary and Final Plat of Harvest Glen Subdivision attached hereto are approved as platted with the condition that the street pavement width on the preliminary plat be increased from 28 feet to 31 feet.

Section 2. 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 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.

PASSED by the City Council on this 15th day of December, 1997.

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

NAYS:

ABSTAINED:



Phyllis D. Clark
Phyllis D. Clark, City Clerk

APPROVED by the Mayor the 5th day of January, ~~1997~~ ¹⁹⁹⁸.

Tod Satterthwaite
Tod Satterthwaite, Mayor

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