

**ORDINANCE NO. 9798-126**

**AN ORDINANCE APPROVING A FINAL PLAT  
(BERINGER COMMONS III - PLAN CASE NO. 1697-S-98)**

WHEREAS, Mr. Ivan Richardson has submitted a Final Plat of Beringer Commons Subdivision III in substantial conformance with the pertinent ordinances of the City of Urbana, Illinois; and,

WHEREAS, the City Engineer has reviewed and approved the Final Plat of Beringer Commons Subdivision III; and

WHEREAS, the Final Plat of Beringer Commons Subdivision III complies with the City of Urbana's Comprehensive Plan, as amended; and

WHEREAS, the Urbana City Council finds that the request to waive requirements of the Urbana Subdivision and Land Development Code as listed below are appropriate in accordance with the following criteria of Chapter 21 of the Urbana Code of Ordinances, the criteria being identified below as referenced under the request for waiver:

1. There are conditions of topography or other site specific reasons that make the application of any particular requirement of the Land Development code unnecessary or, in some cases perhaps, even useless; and
2. The granting of the requested waiver would not harm other nearby properties; and
3. The waiver would not negatively impact the public health, safety and welfare, including the objectives and goals set forth in the Comprehensive Plan.

*Waiver of requirement that each lot must be provided with a minimum six (6) inch service sewer connection into the main line, Section 21-57 (O).*

The Council finds that the granting of a waiver with respect to Lots 1301 through 1312 of the requirements in Section 21-57 (O) will do the following:

1. The Code requires that each lot contain an individual sewer hook-up. It does not seem practical or cost-effective to require an individual sewer hook-up in the present case of zero-lot line development because under that scenario, six separate hook-ups would be required for each of the two buildings.
2. The granting of the requested waiver would not harm other nearby properties so long as adequate pipe size is provided in accordance with the Code.

3. The waiver would not negatively impact the public health, safety and welfare, including the objective and goals set forth in the Comprehensive Plan. The granting of the waiver would permit the same number of sewer connections as were previously approved before the petitioner proposed to modify the plat to reflect zero lot line zoning.

WHEREAS, in Plan Case No. 1697-S-98, the Urbana Plan Commission, on May 21, 1998, recommended approval of the Final Plat of Beringer Commons Subdivision III, including the requested waiver of the aforementioned requirements of Chapter 21 of the Code of Ordinances.

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

Section 1. The Final Plat of Beringer Commons Subdivision III attached hereto are approved as platted.

Section 2. The following requirement of Chapter 21 of the Urbana Code of Ordinances is hereby waived:

*Waiver of requirement that each lot must be provided with a minimum six (6) inch service sewer connection into the main line, Section 21-57 (O).*

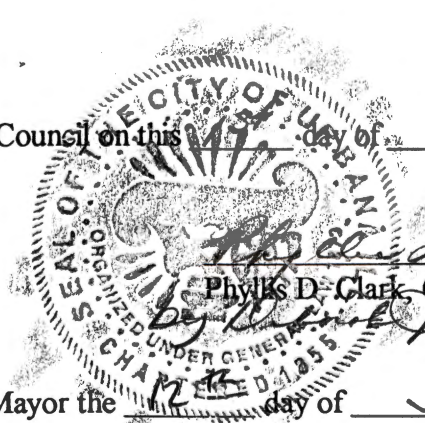
This Ordinance is hereby passed by the affirmative vote of the members of the corporate authorities then holding office, the "ayes" and "nays" being called at a regular meeting of said Council on the 1st day of June, 1998.

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

NAYS:

ABSTAINED:

PASSED by the City Council on this June day of June, 1998.

  
Phyllis D. Clark, City Clerk  
by Robert J. Roberts, Deputy Clerk

APPROVED by the Mayor the June day of June, 1998.

Tod Satterthwaite  
Tod Satterthwaite, Mayor