

**ORDINANCE NO. 9798-127**

**AN ORDINANCE APPROVING A PRELIMINARY PLAT  
(SOMERSET SUBDIVISION III - PLAN CASE NO. 1698-S-98)**

WHEREAS, Mr. Donald Flessner has submitted a Preliminary Plat of Somerset 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 Preliminary Plat of Somerset Subdivision III; and

WHEREAS, the Preliminary Plat of Somerset 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 for 31-foot street width for local residential streets developed with up to 8 units per acre, Section 21-36 (A) (1) and Table A.*

1. This subdivision has only local streets, no collector streets. The requirement for these local streets to be 31 feet wide rather than 28 feet wide is not considered necessary.
2. Urbana's present requirement for local streets is three feet wider than Champaign's or Savoy's. Public Works Staff do not feel that the extra feet are necessary to benefit the public health, safety and welfare.
3. Narrower local streets will decrease the amount of paved surface in a residential subdivision. Storm sewer service will not be taxed quite as heavily as if three additional feet were paved. The waiver is for less than 10 percent of the currently required street width. Public Works Staff consider a 28-foot street width to be desirable. Staff considers reduction of street width to be appropriate in this case,

especially considering the proposed revisions to the code and the existing street widths in Somerset II.

WHEREAS, in Plan Case No. 1698-S-98, the Urbana Plan Commission, on May 21, 1998, recommended approval of the Preliminary Plat of Somerset 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 Preliminary Plat of Somerset 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 for 31-foot-wide pavement, Section 21-36(A)(1) and Table A to allow construction of a 28-foot street pavement.*

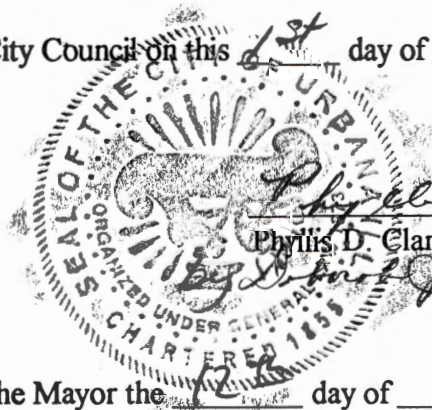
This Ordinance is hereby passed by the affirmative vote of the members of the corporate authorities then holding office, the "ayes" and "nays" being called at a regular meeting of said Council on the 1st day of June, 1998.

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

NAYS:

ABSTAINED:

PASSED by the City Council on this 1st day of June, 1998.

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

APPROVED by the Mayor the 12th day of June, 1998.

Tod Satterthwaite  
Tod Satterthwaite, Mayor