

**AN ORDINANCE APPROVING COMBINED PRELIMINARY  
AND FINAL SUBDIVISION PLATS**

**(Crystal View Townhomes First Subdivision - Plan Case No. 2085-S-08)**

WHEREAS, The Corporate Authorities of the City of Urbana are empowered by Illinois Municipal Code Article 11 Divisions 12 and 15 (65/ILCS 5/11-12 and 5/11-15) to approve subdivision plats; and

WHEREAS, Under Section 21-7 of the City's Subdivision and Land Development Code the City Council is empowered to grant waivers from the requirements of the code; and

WHEREAS, Brinshore Development, L.L.C. has submitted Combined Preliminary and Final Plats for Crystal View Townhomes First Subdivision in general conformance with the pertinent ordinances of the City of Urbana, Illinois; and

WHEREAS, in Plan Case 2085-S-08, the Urbana Plan Commission, on August 21, 2008, recommended approval (6-0) of the Combined Preliminary and Final Plats for Crystal View Townhomes First Subdivision along with waivers from Sections 21.36.A.1 and 21.37.A.1 of the Subdivision and Land Development Code; and

WHEREAS, in Plan Case 2085-S-08, the Urbana Plan Commission, on August 21, 2008, recommended approval (5-1) of the Combined Preliminary and Final Plats for Crystal View Townhomes First Subdivision along with waivers from Sections 21.36.C.4 of the Subdivision and Land Development Code; and

WHEREAS, The Combined Preliminary and Final Plats for Crystal View Townhomes First Subdivision meet the requirements of the Urbana Subdivision and Land Development Code with the exception of waivers stated herein; and

WHEREAS, The Combined Preliminary and Final Plats for Crystal View Townhomes First Subdivision are generally consistent with the City of Urbana's 2005 Comprehensive Plan, 2005-2009 Consolidated Plan, and 2004 Lakeside Terrace Redevelopment Plan; and

WHEREAS, the City Engineer has reviewed the requested waivers and has determined that those which are to be granted will not negatively affect the public benefit or general welfare; and

WHEREAS, The City Engineer has reviewed and approved the Combined Preliminary and Final Plats for Crystal View Townhomes First Subdivision with certain waivers and conditions as set forth herein.

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

Section 1. The Combined Preliminary and Final Plats for Crystal View Townhomes First Subdivision as referenced herein are hereby approved.

Section 2. The Combined Preliminary and Final Plats for Crystal View Townhomes First Subdivision comply with the requirements of the Urbana Subdivision and Land Development Code with the exception of the following waivers which are hereby granted:

1. Waiver of the pavement width requirements of Section 21-36.A.1 and Table "A" entitled "Minimum Street and Alley Design Standards" to allow Stebbins Drive and Division Avenue, local residential streets, to be constructed with pavement width of 28 feet, rather than the minimum required 31 feet.

2. Waiver of Section 21-37.A.1 to allow construction of no sidewalk on the south side of Stebbins Drive to the east of Division Avenue only, rather than on both sides of the street.

3. Waiver of Section 21-36.C.4 to allow a cul-de-sac with a 70-foot right-of-way diameter, rather than the required

100 feet, and a 40-foot pavement diameter, rather than the required 80 feet.

Said waivers from strict compliance with the provisions of the Urbana Subdivision and Land Development Code are appropriate due to unusual and abnormal development conditions, and furthermore are justified by conditions of topography and other site specific reasons, by the waivers granted herein not harming nearby properties, and by not negatively impacting the public health, safety and welfare.

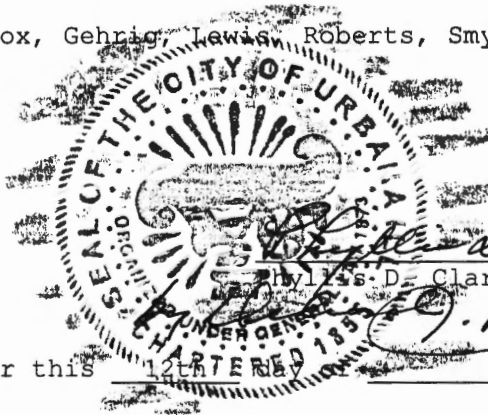
Section 3. This Ordinance is hereby passed by the affirmative vote of the members of the corporate authorities then holding office, the "ayes" and "nays" being called at a regular meeting of said Council.

PASSED by the City Council this 2nd day of September, 2008.

AYES: Barnes, Bowersox, Gehrig, Lewis, Roberts, Smyth, Stevenson

NAYS:

ABSTAINS:



APPROVED by the Mayor this 12th day of September, 2008.

*Laurel Lunt Prussing*  
Laurel Lunt Prussing, Mayor