

Passed: June 2, 2014
Signed: June 4, 2014

ORDINANCE NO. 2014-06-056

**An Ordinance Approving a Preliminary and Final Subdivision Plat
(Country Side Second Subdivision - Plan Case 2233-S-14)**

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, The City of Urbana has subdivision plat jurisdiction within the Extra Territorial Jurisdiction (ETJ) area contiguous to and within one and one-half miles beyond the corporate limits; and,

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

WHEREAS, Country Side Second Subdivision was approved by the Urbana City Council by Ordinance No. 2013-06-053, but was never recorded due to concerns with drainage and construction of a new public street; and

WHEREAS, Marcus Harris has submitted a revised Preliminary Plat and Final Plat for an 8.38-acre subdivision called Country Side Second Subdivision, located at the northeast corner of Cottonwood Road and Anthony Drive; and

WHEREAS, the proposed Preliminary and Final Plats would allow for development of the site for Rural Residential use, in conformance with the City of Urbana's 2005 Comprehensive Plan; and

WHEREAS, the existing Country Side Subdivision was approved by Champaign County on June 7, 1962; and

WHEREAS, in Plan Case 2233-S-14, the Urbana Plan Commission, on May 29, 2014, recommended approval by a vote of _ ayes to _ nays of the Preliminary and Final Plats for Country Side Second Subdivision along with certain deferrals; and,

WHEREAS, The Preliminary and Final Plats for Country Side Second Subdivision meet the requirements of the Urbana Subdivision and Land Development Code; and

WHEREAS, The Preliminary and Final Plats for Country Side Second Subdivision are generally consistent with the City of Urbana's 2005 Comprehensive Plan; and,

WHEREAS, The City Engineer has reviewed and approved the Preliminary and Final Plats for Country Side Second Subdivision with certain deferrals; and,

WHEREAS, the proposed Preliminary and Final Plat would be consistent with existing County CR, Conservation Recreation and AG-2, Agriculture zoning designations for the site; and,

WHEREAS, the proposed Final Plat meets the technical requirements of the Urbana Subdivision and Land Development Code and is consistent with the proposed Preliminary Plat.

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

Section 1. The Preliminary and Final Plats for Country Side Second Subdivision attached hereto are hereby approved, subject to the following condition:

- Upon sale of each parcel in the subdivision, the developer shall record a deed restriction stating that property's owner(s) or successor(s) shall install a sanitary sewer connection within six months of a public sanitary sewer system becoming available to that lot in accordance with the original Final Plat of Country Side Second Subdivision.

Section 2. The Preliminary and Final Plats for Country Side Second Subdivision comply with the requirements of the Urbana Subdivision and Land

Development Code with the exception of the following time deferrals which are hereby granted:

1. Deferral of construction of sidewalks along Cottonwood Road and Anthony Drive until such time as the City Engineer determines that increased development in the area justifies its construction.
2. The developer / owner or subsequent owner(s) shall be required to construct sidewalks on the subject lots at the developer's / owner's or subsequent owner's expense within six (6) months of written notice by the City Engineer that they are required to do so. The governing authority (i.e the City or Urbana Township) shall have the authority to construct the sidewalk and charge the then owner(s) for the construction if the owner(s) does not install the sidewalks as requested. It is agreed by the developer that this obligation shall be a covenant running with the land.


Section 3. This Ordinance is hereby passed by the affirmative vote of a majority of the Urbana Corporate Authorities, the "ayes" and "nays" being called at a regular meeting of the City Council.

PASSED by the Corporate Authorities this 2nd day of June, 2014.

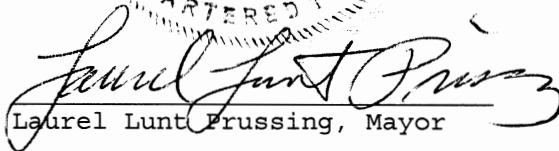
AYES: Brown, Madigan, Marlin, Roberts, Smyth

NAYS:

ABSTAINED:


Phyllis D. Clark, City Clerk

APPROVED by the Mayor this 4th day of June, 2014.


Laurel Lunt Prussing, Mayor