



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Bruce K. Walden, Chief Administrative Officer

FROM: Elizabeth H. Tyler, Director

DATE: September 2, 2004

SUBJECT: Extension of Final Plat approval for Plan Case 1884-S-04 – Walton Subdivision Phase I.

Introduction & Background

On March 1, 2004 the Urbana City Council approved Ordinance No. 2004-03-023 which approved a final subdivision plat for the Walton Subdivision Phase I. The Ordinance was signed by the Mayor on March 12, 2004. Sections 21-15 (F) and (H) of the Urbana Subdivision and Land Development Code specifies limitations on final plat approvals. These sections stipulate that an approved final plat must be recorded with the Champaign County Recorder within 180 days of the date the ordinance approving the final plat is signed by the Mayor. These sections also specify that the City Council may approve a written request for extension if the plat is not anticipated to be recorded in this time frame.

The final plat has been approved and is ready to be recorded. However, due to unforeseen legal circumstances associated with the real estate closing on the property, the plat has not been recorded and the property has not yet been transferred. In light of these circumstances, the project engineer has requested a 180-day extension of the final plat approval (see attached letter).

Recommendation

Staff recommends that the City Council *approve* the requested 180-day extension for the approval of Plan Case No. 1884-S-04 – Walton Subdivision Phase I.

c: Bill Harpole, Crawford, Murphy, Tilly Engineers
Tom Berns, Berns Clancy and Associates

Attachments: Proposed Ordinance
Copy of Approved Ordinance 2004-03-023
Request for extension

Prepared by:

Rob Kowalski, AICP, Planning Manager

ORDINANCE NO. 2004-09-116

**An Ordinance Approving the Extension of Final Plat Approval
(Walton Subdivision - Plan Case No. 1884-S-04)**

WHEREAS, On March 1, 2004 the Urbana City Council approved a request for a final subdivision in Plan Case 1884-S-04 entitled Walton Subdivision Phase I under Ordinance No. 2004-03-023; and

WHEREAS, the Urbana Subdivision and Land Development Code specifies that approved final subdivision plats shall be recorded with the Champaign County Recorder within 180 days of the date the ordinance approving the final plat is signed by the Mayor; and

WHEREAS, Ordinance No. 2004-03-023 was approved on March 1, 2004 and signed by the Mayor on March 12, 2004; and

WHEREAS, due to unforeseen circumstances associated with the real estate closing on the property at no fault of the developer the final plat for Walton Subdivision Phase I has not yet been recorded with the Champaign County Recorder; and,

WHEREAS, due to these unforeseen circumstances an 180-day extension of the approval for the Walton Subdivision Phase I Final Plat as approved in Ordinance No. 2004-03-023 has been requested.

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

Section 1. Final Plat approval for the Walton Subdivision Phase I, approved under Ordinance No. 2004-03-023, is hereby extended for an additional 180-day period commencing from the expiration of the original 180-day approval period.

Section 2. 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 _____ day of _____,
2004.

AYES:

NAYS:

ABSTAINED:

Clerk

Phyllis D. Clark, City

APPROVED by the Mayor this _____ day of _____,
2004.

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Tod Satterthwaite, Mayor

CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

I, Phyllis D. Clark, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois.

I certify that on the _____ day of _____, 2004, the corporate authorities of the City of Urbana passed and approved Ordinance No. _____, entitled "**An Ordinance Approving the Extension of Final Plat Approval (Walton Subdivision Phase I - Plan Case No. 1884-S-04)**" which provided by its terms that it should be published in pamphlet form. The pamphlet form of Ordinance No. _____ was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the _____ day of _____, 2004, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

DATED at Urbana, Illinois, this _____ day of _____, 2004.