



**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, AICP, Director, Community Development Services

**DATE:** November 3, 2006

**SUBJECT:** Plan Case No. 1784-S-01, Preliminary Subdivision Plat Approval Extension for Savannah Green Subdivision Preliminary Plat

Plan Case No. 1904-S-04, Final Subdivision Plat Approval Extension for Savannah Green Subdivision Phase 6

Plan Case No. 1905-S-04, Final Subdivision Plat Approval Extension for Savannah Green Subdivision Phase 7

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**Introduction**

The petitioner, Vic Armstrong, is requesting extension of the Preliminary Plat approval for the Savannah Green Subdivision and the Final Plat approvals for Phases 6 and 7 of the subdivision. All three plats were previously approved by the Urbana City Council. However, the Final Plats have not yet been recorded and the approval timeframe has since expired. None of the lots in either phase have been sold and no homes have been constructed, although infrastructure is already in place. Extension of the Preliminary Plat approval is necessary because the approval timeframe has expired as set forth in Section 21-14.H.1. Per Section 21-14.H.1 of the Urbana Subdivision and Land Development Code, the City Council has the authority to extend the approval timeframe when appropriate.

**Background**

In July 2001, the Urbana City Council approved an annexation agreement with the St. Agnes Company. The agreement addressed issues such as zoning, storm water detention, and special issues related to the neo-traditional development pattern of the subdivision. Several variances were granted which allowed the development to deviate from certain sections of the Urbana Zoning Ordinance. These include the following:

- Lot Size. Of the 297 single-family lots, the minimum lot size is 5,040 square feet, with no more than sixty percent of the lots less than 5,600 square feet.
- Lot Width. Of the 297 single-family lots, the minimum lot width is 42 feet, with no more than sixty percent of the lots less than 47 feet.
- Garages. Detached garages may encroach to zero inches when built as a common-lot line garage with a neighbor.
- Side Yard. The minimum side yard setback is five feet, or ten feet along a public street
- Average Front Yard. No front yard may be less than 15 feet or more than 25 feet.
- Chimney Encroachment. Chimneys may encroach into a side yard by no more than three feet.
- Floor Area Ratio. Finished basements do not count towards floor area ratio.

In July 2001, the Urbana City Council passed Ordinance No. 2001-06-069, which unanimously approved the Preliminary Subdivision Plat for the entire Savannah Green Subdivision (see Exhibit C). Several subdivision waivers were granted which allowed the development to deviate from certain sections of the Urbana Subdivision and Land Development Code. These include the following:

- Section 21-36.A.5. Minimum street corner radius of 150 feet instead of 250 feet
- Section 21-36.A.1. Fifty foot right-of-way on Michigan Avenue and Rainbow View Drive and 58 feet right-of-way on other streets in the subdivision
- Section 21-36.A.1. Twenty-five foot back-to-back street width on all streets in the subdivision, including Smith Road
- Section 21-36.A.1. Minimum street corner radius of 15 feet instead of 25 feet
- Section 21-36.A.1. Allow a “M” curb on Smith Road instead of a “B” curb
- Section 21-36.A.1. Sixteen foot right-of-way and width for alleys

In August and September 2004, the Urbana City Council passed Ordinance Nos. 2004-08-100 and 2004-08-115, which approved the Final Subdivision Plats for Phases 6 and 7 (see Exhibits D and E, respectively). These phases were comprised of 56 lots, located along Smith Road and Ogelthorpe Avenue between Michigan Avenue and Rainbow View Drive. Both Final Plats have not yet been recorded, and the approval has since exceeded the maximum timeframe that can be granted by the Administrative Review Committee (see Section 21-14.H.1). The delay was caused by a change of ownership of the subdivision. No additional waivers were requested as part of the Final Plats.

## **Discussion**

Section 21-14.H.1 of the Urbana Subdivision and Land Development Code states that application for a Final Plat must be made within one year after Preliminary Plat approval. This timeframe may be extended by the Administrative Review Committee (ARC) for up to two additional years. This section also states that a developer may request an additional extension subject to approval by the City Council. Since the three year approval period has ended, the petitioners are requesting an additional extension which will allow the Final Plat for Phases 6

and 7 to be recorded. The petitioners have also requested an extension of the Preliminary Plat approval since the approval timeframe has expired.

### *Land Use and Zoning*

Per the annexation agreement for Savannah Green, the entire subdivision is zoned R-2, Single-Family Residential including the area proposed for the Final Plats. All new home construction will be similar to previous development patterns in the subdivision.

### *Access*

Access to the subdivision will be accommodated via several existing collector-level roads. Smith Road and Ogelthorpe Avenue have already been constructed, as has the alley between the two roads. Sidewalks will be installed concurrent with general home construction.

### *Drainage*

Drainage will be accommodated within existing detention facilities in the subdivision.

### *Utilities*

The plats have been reviewed by the appropriate agencies for utilities. At this time the site is equipped with all the necessary utilities.

### *Waivers*

There are no additional waivers requested at this time.

## **Summary of Findings**

1. The Preliminary Plat for the Savannah Green Subdivision was approved by the Urbana City Council as Ord. No. 2001-06-069 (July 2001). The attached Preliminary Plat has not changed.
2. The Final Plats for Phases 6 and 7 of the Savannah Green Subdivision were approved by the Urbana City Council as Ord. No. 2004-08-100 (August 2004) and 2004-08-115 (September 2004), respectively. The attached Final Plats have not changed.
3. The approval timeframe for both the Preliminary Plat and the Final Plats has expired, but may be extended by the Urbana City Council.
4. Extension of the Preliminary Plat approval is necessary since the approval timeframe has expired.
5. The proposed Final Plats for Phases 6 and 7 of the Savannah Green Subdivision meet the requirements of the Urbana Subdivision and Land Development Code, with the exception of waivers previously granted by the Annexation Agreement and Preliminary Plat.

## Options

In Plan Case 1784-S-01, 1904-S-04, and 1905-S-04, the City Council has the following options:

- a. The City Council may approve extending the approval for the Preliminary Plat and the Final Plats for Phases 6 and 7 of the Savannah Green Subdivision; or
- b. The City Council may deny extending the approval for the Preliminary Plat and the Final Plats for Phases 6 and 7 of the Savannah Green Subdivision. If denied, the City Council must state findings whereby the plats are deficient.

## Staff Recommendation

Staff recommends extending the approval for the Preliminary Plat for the entire Savannah Green Subdivision and the Final Plats for Phases 6 and 7 of the Savannah Green Subdivision.

Prepared by:

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Matt Wempe, Planner II

Cc: Tom Stoltz                      Vic Armstrong  
Farnsworth Group                204 North Prospect  
2709 McGraw Dr                 Bloomington, IL 61704  
Bloomington, IL 61704

Attachments:    Exhibit A: Location Map  
                      Exhibit B: Draft Preliminary Plat Ordinance  
                      Exhibit C: Draft Phase 6 Final Plat Ordinance  
                      Exhibit D: Draft Phase 7 Final Plat Ordinance  
                      Exhibit E: Preliminary Plat  
                      Exhibit F: Phase 6 Final Plat  
                      Exhibit G: Phase 7 Final Plat

# Exhibit A: Location Map



Plan Case: 1784-S-01; 1904-S-04; 1905-S-04

Petitioner: Farnsworth Group

Location: Along Smith Road and Ogelthorpe Avenue, between Michigan Avenue and Rainbow View Drive

Description: Approval Extension for the Preliminary Plat of Savannah Green Subdivision and Final Plats for Phases 6 & 7

Prepared 10/30/2006 by Community Development Services - mhw

ORDINANCE NO. 2006-11-132

An Ordinance Approving the Period of Approval of a Preliminary Plat  
(Savannah Green Subdivision - Plan Case No. 1784-S-01)

WHEREAS, The Preliminary Plat of Savannah Green Subdivision was approved by the Urbana City Council on July 2, 2001 by Ordinance 2001-06-069; and,

WHEREAS, The petitioner, Vic Armstrong, has submitted a Preliminary Plat for Savannah Green in general conformance with the pertinent ordinances of the City of Urbana, Illinois: and,

WHEREAS, The Preliminary Plat of Savannah Green Subdivision is consistent with specific requirements and provisions of the Annexation Agreement with Community Homes, Inc., Scott Weller Development, Scott E. Weller, and Scott E. Weller and Catherine Weller which was adopted by the City of Urbana on May 21, 1992 by Ord. No. 9192-92 and amended by the City of Urbana on July 2, 2001 by Ordinance 2001-06-069; and,

WHEREAS, The Administrative Review Committee extended the approval of the Preliminary Plat of Savannah Green Subdivision for an additional two years in accordance with Section 21-14.H.1 of the Urbana Subdivision and Land Development Code; and,

WHEREAS, The Preliminary Plat of Savannah Green Subdivision complies with the Urbana Comprehensive Plan, as amended; and,

WHEREAS, The Urbana City Council with recommendation from the City Engineer adopted specific waivers to the Subdivision and Land Development Code which are listed in Exhibit "A" attached hereto.

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

Section 1. The period of approval of the Preliminary Plat of Savannah Green Subdivision attached hereto is hereby extended for two years from the date of this Ordinance.

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 \_\_\_\_\_, 2006.

AYES:

NAYS:

ABSTAINED:

\_\_\_\_\_  
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
Laurel Lunt Prussing, Mayor

**Exhibit "A"**

**Preliminary Subdivision Plat Waivers for Savannah Green  
Plan Case 1784-S-01**

**SECTION 21-36.A.1.**

Allow a street width of 25 feet back-to-back of curb in lieu of 31-feet for all roads with the exception of Smith Road and Florida Avenue (parking to be allowed on one side).

**SECTION 21-36.A.1.**

Allow 50-foot right-of-way on Michigan Avenue, Rainbow View Drive and Country Squire Drive in lieu of 60 feet and to allow 58 feet right-of-way in lieu of 60 feet for all other streets except for Florida Avenue.

**SECTION 21-36.A.1.**

Allow a 16-foot right-of-way and a 16-foot pavement width for the alleys in lieu of 18 feet.

**SECTION 21-36.A.1.**

Allow a street corner radius of 20 feet in lieu of 25 feet.

**SECTION 21-36.B.5.**

Allow a minimum horizontal curve centerline radius of 150 feet in lieu of 250 feet.