



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning and Economic Development Division

m e m o r a n d u m

TO: Bruce K. Walden, Chief Administrative Officer

FROM: Elizabeth H. Tyler, AICP, Director/City Planner

DATE: June 12, 2002

SUBJECT: Plan Case No. 1823-S-02, Request for Waivers of Subdivision Regulations for South Ridge V, VI, and VII Subdivisions.

Introduction

Carl Hill has submitted a petition for waivers of subdivision regulations for the South Ridge V, VI, and VII Subdivisions. One of the requested waivers is to allow mountable curbs to be constructed along Myra Ridge Drive instead of barrier curbs. The other waiver is to allow the south end of Baronry Drive to remain as a dead-end rather than terminate in a hammerhead cul-de-sac, with a barrier curb to be constructed by the developer.

Background

The Preliminary Plat for South Ridge V, VI, and VII was approved on May 21, 2001. During the hearing process, there was much discussion regarding how Baronry Drive should be configured in the new subdivision. The City supported the waiver to allow Baronry Drive to terminate at the southern end of the Deerfield Trails Subdivision rather than continue through the new subdivision. This approval required that a hammerhead turnaround be constructed south of the southern terminus of Baronry Drive (Ordinance # 2001-05-048). In response to concerns from neighborhood residents about the construction of a cul-de-sac, Mr. Hill is now requesting that the terminus of Baronry Drive remain as a dead end without the need to construct a hammerhead turnaround.

The neighbors along the southern end of Baronry Drive have agreed to allow vehicles to turn around in their respective driveways. If the requested waiver is denied, the neighbors have requested that the hammerhead be installed south of the proposed configuration to preserve the

trees near their properties that would otherwise need to be removed. Public Works has agreed to work with the developer in moving the hammerhead south to preserve the trees.

The petitioner also requests that Myra Ridge Drive be allowed to be constructed using mountable curbs, to match the curb type along Myra Ridge Drive in the existing subdivision.

On June 6, 2002, the Urbana Plan Commission voted unanimously to recommend denial of the requested waivers to the City Council. The Plan Commission did recommend that City Engineering Staff consider allowing the hammerhead cul-de-sac to be constructed south of the existing trees. For more information regarding this case, please refer to the June 3, 2002 Plan Commission memorandum and the draft minutes of the June 6 Plan Commission meeting (attached).

Discussion

Waivers

The developer is requesting two individual waivers from the Subdivision and Land Development Code. The following waivers are requested:

1. Waiver of the requirement for barrier curb, Section 21-54. D.

The developer believes that barrier curbs are not necessary, since the curbs along Myra Ridge Drive in the existing portions of South Ridge Subdivision are mountable. The developer believes the installation of barrier curbs will create an adverse aesthetic impact. City staff believes that the advantages of barrier curbs outweigh the disadvantages and therefore does not support this requested waiver (see below). Barrier curbs are required for collector streets per the Urbana Subdivision Ordinance, and are proposed to be required for all local streets through an upcoming Subdivision Ordinance amendment.

The City's Public Works Department views the following as the primary advantages of barrier curbs:

1. *Drainage from pavement runoff is handled more efficiently with a vertical-surfaced curb and gutter combination, in conjunction with proper gutter/street longitudinal slope and inlet placement.*
2. *Pedestrians, as well as parkway trees, utilities, and signs are best protected by curbs*
3. *Curbs establish a definite limit of vehicle encroachment on the border area, minimizing parkway erosion and reducing the probability of vehicles sliding off*

the roadway under unfavorable pavement and weather conditions.

- 4. Under snow conditions, curbs protect the grass and parkway from damage by snowplows.*
- 5. A barrier curb is more visible than a mountable curb because of height.*
- 6. Curbs offer improved control over any runaway parked vehicles.*
- 7. The pavement may be overlaid while maintaining a sufficient curb height. Overlaying of a street with mountable curb usually leaves little or no curb height.*
- 8. Depression of curbs is required at driveways to permit clear identification of driveways and to limit blockage by parkers.*
- 9. With a properly installed depressed curb across a driveway, there is little chance of a vehicle scraping bottom, as may occur when traversing over an improperly installed mountable curb across a driveway.*
- 10. For new driveways, barrier curbs may be cut without removing and replacing the entire curb and gutter, which is considerably less expensive.*

The disadvantages of barrier curbs are primarily associated with their higher cost in comparison to mountable curbs. There is also increased flexibility in timing and location of driveway construction if mountable curbs are installed versus barrier curbs.



2. Waiver to allow Baronry Drive north of the site to be terminated in its current dead-end, with a barrier curb to be installed by the developer. The requirement for Baronry Drive was created through Ordinance No. 2001-05-048, which approved the Preliminary Plat for South Ridge V, VI, and VII and allowed a hammerhead cul-de-sac to be constructed at the southern terminus of Baronry Drive rather than continue through the subdivision.

Baronry Drive terminates in a stub-out at the southern end of the Deerfield Trails subdivision. The developer believes that the requirement to build a hammerhead cul-de-sac is not necessary since the owners of the two properties located at the southern terminus of Baronry Drive have agreed to allow vehicles to turn around in their respective driveways and because Baronry has existed in this configuration for several years without apparent adverse impacts. The developer proposes to build a barrier curb across the south end of Baronry Drive. The City Fire Department has indicated they will not be able to effectively use the driveways for turnaround, since the driveways will not support the weight of the fire trucks. The required hammerheads will allow for turnarounds of emergency vehicles. The City also has a concern that future owners may not agree to the provision for using the driveways. Finally, the requested waiver could set a precedent for other unfinished streets in the City. For these reasons City staff does not support this requested waiver.



Southern end of Baronry Drive looking north



According to the Urbana Subdivision and Land Development Code, the petitioner must justify the granting of a waiver from strict compliance with the Code by showing that the waiver meets the following criteria. These criteria are identified and discussed below:

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;
 - *The City believes requiring barrier curbs is preferable to allowing mountable curbs in new subdivisions throughout the City, for the reasons stated above. The potential for an adverse aesthetic impact caused by installing barrier curbs next to mountable curbs does not justify the granting of the requested waiver.*
 - *The City believes the hammerhead cul-de-sac requirement at the end of Baronry Drive would prevent any potential conflicts with future landowners related to allowing vehicles to turn around in their driveways, and would provide for improved emergency access than the current dead-end.*
2. The granting of the waivers would not harm other nearby properties;
 - *The City believes the granting of the waivers could cause greater harm to adjacent properties, as drainage is handled more efficiently and errant vehicles are less likely to damage grass and trees with a vertical-surfaced curb and gutter combination. The potential for parked vehicles blocking driveways is reduced with barrier curbs because the driveway width limits are better defined.*
 - *The construction of a hammerhead at the end of Baronry Drive will prevent potential damage to nearby properties caused by vehicles turning around in their driveways*

3. The waivers would not negatively impact the public health, safety and welfare, including the objectives and goals set forth in the Comprehensive Plan;
 - *The City believes the granting of the requested waivers could have a negative impact on the public health, safety and welfare of the community and would be contrary to the objectives and goals set forth in the Comprehensive Plan.*

Summary of Findings

1. The requested waiver requirement for barrier curb is not justified based on the advantages barrier curbs have over mountable curbs.
2. The requested waiver to allow private property to be used for turnarounds rather than the required hammerhead cul-de-sac is not justified based on interests of public health, safety, and welfare.
3. The requested waivers are inconsistent with the goals and objectives of the Comprehensive Plan.

Options

The City Council has the following for these cases. In Plan Case 1823-S-02, the City Council may:

- a. Approve the requested waivers of subdivision regulations for South Ridge V, VI, and VII
- b. Deny the requested waivers of subdivision regulations for South Ridge V, VI, and VII

Recommendation

The Plan Commission voted unanimously to deny both requested waivers. The Plan Commission recommended that City Council consider locating the hammerhead cul-de-sac south from Baronry Drive. Public Works has indicated they would work with the developer to locate the hammerhead south of the existing trees. Staff concurs and recommends that the City Council deny the requested waivers for Plan Case 1823-S-02.

- c: Carl Hill
Deerfield Trails Homeowners Association
Karl Radnitzer
Robert McCartney, Jr.

Prepared by:

Tim Ross, Senior Planner

Attachments:

Proposed Ordinance Granting Requested Waivers
Ordinance 2001-05-048 Approving a Preliminary Plat
Approved Preliminary Plat
Photos submitted by Karl Radnitzer and Robert McCartney, Jr.
Draft Minutes from June 6, 2002 Plan Commission meeting

ORDINANCE NO.2002-06-067

AN ORDINANCE APPROVING A REQUEST FOR WAIVERS OF SUBDIVISION REGULATIONS

(South Ridge V, VI, and VII Subdivisions - Plan Case No. 1823-S-02)

WHEREAS, The Preliminary Plat of South Ridge V, VI, and VII Subdivision was approved by the Urbana City Council on May 21, 2001 under Ordinance 2001-05-048; and,

WHEREAS, Carl E. Hill has submitted a Petition for Waiver of Subdivision Regulations for said subdivision in the City of Urbana, Illinois; and,

WHEREAS, the first of the requested waivers is to allow the installation of mountable curb along Myra Ridge Drive instead of barrier curb required for such collector streets (Section 21-54.D); and,

WHEREAS, the petitioner believes said requested waiver is justified because the existing ½-mile of Myra Ridge Drive has a mountable curb, and that there will be several driveways along the street which will require that curbs be sawed out under existing regulations, and that the requested waiver will prevent a potential adverse aesthetic effect; and,

WHEREAS, after reviewing said requested waiver, City Engineering and Planning Staff do not support the request based on the belief that barrier curbs are preferable to mountable curbs throughout the City for various reasons including, but not limited to: better efficiency in handling drainage from pavement runoff, increased safety, increased visibility of curbs and driveways, better maintained parkway area, and maintenance of sufficient curb height upon overlaying new street pavement; and,

WHEREAS, the second requested waiver is to allow Baronry Drive north of the site to be terminated in its current dead-end, with a barrier curb to be installed by the developer. The requirement for Baronry Drive was created

through Ordinance No. 2001-05-048, which approved the Preliminary Plat for South Ridge V, VI, and VII. This approval included a waiver to allow a hammerhead cul-de-sac to be constructed at the southern terminus of Baronry Drive, rather than continue through the subdivision; and,

WHEREAS, in response to neighbor concerns, the petitioner requests that private driveways be allowed to be used for vehicle turnarounds since Baronry Drive has existed in this configuration for several years without apparent adverse impacts; and

WHEREAS, City Staff does not support said requested waiver, based on the belief that the hammerhead cul-de-sac requirement at the end of Baronry Drive would prevent any potential conflicts with future landowners related to allowing vehicles to turn around in their driveways, and would provide for improved emergency access than the current dead-end. Staff also believes the construction of a hammerhead at the end of Baronry Drive will prevent potential damage to nearby properties caused by vehicles turning around in their driveways; and,

WHEREAS, on June 6, 2002, the Urbana Plan Commission voted 5 ayes and 0 nays to forward the proposed amendment set forth in Plan Case No. 1823-S-02 to the Urbana City Council with a recommendation for denial of the requested waivers, with the additional recommendation that City Council consider locating the hammerhead south from Baronry Drive. The City Engineer has agreed to work with the developer to locate the hammerhead south of the proposed configuration.

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

Section 1. The requested Waivers of Subdivision Regulations are hereby approved.

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 _____, 2002.

AYES:

NAYS:

ABSTAINED:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____, 2002.

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 _____, 2002, the corporate authorities of the City of Urbana passed and approved Ordinance No. _____, entitled "An Ordinance Approving A Request for Waivers of Subdivision Regulations (South Ridge V, VI, and VII Subdivisions - Plan Case No. 1823-S-02)", 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 _____, 2002, 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 _____, 2002.

Submitted Photos





