



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: August 12, 2004

SUBJECT: Plan Case No. 1902-S-04, Combination Preliminary and Final Subdivision Plat of Prairie Winds Subdivision located on the south side of Colorado Avenue east of Philo Road.

Introduction & Background

Paul Tatman is requesting both preliminary and final plat approval for Prairie Winds Subdivision. The subdivision is proposed for a 31-acre tract of property on the south side of Colorado Avenue approximately 394 feet east of Philo Road. The subdivision proposes a total of 31 lots along with the dedication of public rights-of-way for Colorado Avenue extended and two other local level streets. The subdivision will foster the development of a Senior Retirement Center on Lot 31, 38 residential condominiums on Lot 30, and 29 single-family detached homes on Lots 1-29.

The Prairie Winds project has received various approvals over the past nine months. In December 2003 the Urbana City Council approved Ordinance No. 2003-12-139 which executed an annexation agreement with John Hingtgen and Virgil Naugle as owners, and Paul Tatman as developer for the 31 acres. The annexation agreement outlined the proposal to complete Colorado Avenue extended to Stone Creek Boulevard and develop the property as described above as a Residential Planned Unit Development. The annexation agreement contains specific site plans and proposed subdivision plats with waivers.

On July 6, 2004 the Urbana City Council also approved Ordinance No. 2004-07-080 which authorized a development agreement with Paul Tatman for the construction of Colorado Avenue. That agreement specifies the responsibilities for the design, engineering, construction and cost sharing for building Colorado Avenue. Construction on Colorado Avenue is expected to be completed this year.

On August 5, 2004 the Plan Commission unanimously recommended that City Council approve both the preliminary and final plats for the subdivision. Additional background information on this request is provided in the Plan Commission Memorandum, dated July 30, 2004.

Discussion

Access

Access to the subdivision will be accommodated via Colorado Avenue which will be built as a new urban collector level roadway connecting to Stone Creek Boulevard. Colorado Avenue will contain an eight-foot bicycle path on the north side of the road and a five-foot sidewalk on the south side. Two local level public streets will serve the single-family residential subdivision while a private street called Prairie Winds Drive will serve the Senior Retirement Center and condominiums.

Drainage

Drainage will be accommodated within a detention pond to be featured in the center of the condominium development. The detention basin will be functional but also designed to be an amenity to the development.

Utilities

The plats have been reviewed by the appropriate agencies for utilities. At this time the site is equipped with all the necessary utilities. The final plat indicates the proper easements necessary to accommodate the extended utilities.

Waivers

The annexation agreement adopted in December 2003 pre-approved waivers of the Subdivision and Land Development Code to allow the reduction in required width for Lucas Street and Kathryn Street (from 31-feet to 28-feet) and also for the private Prairie Winds Circle (from 31-foot to 25-feet). The reduction in width was justified considering the expected amount of traffic those roads will receive.

Summary of Findings

On August 5, 2004 the Urbana Plan Commission adopted the following findings related to the request.

1. The proposed Preliminary and Final Plats for the Prairie Winds Subdivision is consistent with the approved annexation agreement adopted under Council Ordinance No. 2003-12-139 and the Development Agreement for the completion of Colorado Avenue approved under Council Ordinance No. 2004-07-080.
2. The proposed Preliminary and Final Plat would be consistent with Comprehensive Plan land use and roadway designations for the site.

3. The proposed Preliminary and Final Plats would be consistent with existing zoning designations for the site.
4. The proposed Preliminary and Final Plat would allow for the establishment of a new collector street that will connect with Stone Creek Boulevard completing a desired east-west connection for the Southeast Urbana area.
5. The provision for an eight-foot multi-use path along the north side of Colorado Avenue extended will help meet one of the project goals of the Greenways and Trail Plan.
6. With the exception of the proposed waivers for street width and both sidewalks along Prairie Winds Drive, the proposed plat meets the requirements of the Urbana Subdivision and Land Development Code.
7. The requested waivers should not pose a negative impact to the neighborhood.

Options

The City Council has the following options in this case:

- a. The City Council may approve the Preliminary and Final Plats of the Prairie Winds Subdivision; or
- b. The City Council may deny approval of the Preliminary and Final Plats of the Prairie Winds Subdivision.

Staff Recommendation

At its meeting on August 5, 2004, the Urbana Plan Commission voted unanimously to recommend approval of the Preliminary and Final Plats of the Prairie Winds Subdivision. Staff concurs with this recommendation.

Prepared by:

Rob Kowalski, Planning Manager

c: Paul Tatman
Bob Dean, BWC

Attachments: Draft Ordinance Approving a Preliminary and Final Plat
Location Map
Preliminary and Final Plats of Prairie Winds Subdivision
Minutes of the August 5, 2004 Plan Commission meeting

ORDINANCE NO.2004-08-101

**An Ordinance Approving A Preliminary and Final Plat
(Prairie Winds Subdivision - Plan Case No. 1902-S-04)**

WHEREAS, Paul Tatman has submitted Preliminary and Final Subdivision Plats for the Prairie Winds Subdivision in general conformance with the pertinent ordinances of the City of Urbana, Illinois: and,

WHEREAS, The Preliminary and Final Plats for the Prairie Winds Subdivision are consistent with specific requirements and provisions of the Annexation Agreement between the City of Urbana and John Hingtgen, Virgil Naugle and Paul Tatman which was adopted by the City of Urbana on December 1, 2004 by Ordinance 2003-12-139 and,

WHEREAS, The Preliminary and Final Plats for the Prairie Winds Subdivision comply with the Urbana Comprehensive Plan, as amended; and,

WHEREAS, the Preliminary and Final Plats for the Prairie Winds Subdivision meet the requirements of the Urbana Subdivision and Land Development Code with the exception of three waivers from the requirements originally approved in above referenced annexation agreement; and

WHEREAS, The City Engineer has reviewed and approved the Preliminary and Final Plats for the Prairie Winds Subdivision along with the requested waivers; and,

WHEREAS, in Plan Case 1902-S-04, the Urbana Plan Commission,

on August 5, 2004, recommended approval of the Preliminary and Final Plats for the Prairie Winds Subdivision.

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

Section 1. The Preliminary and Final Plats for the Prairie Winds Subdivision attached hereto are hereby approved as platted.

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:

Phyllis D. Clark, City Clerk

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

Tod Satterthwaite, Mayor

Aerial Photo



Plan Case 1902-S-04
Preliminary and Final Plat
Prairie Winds Subdivision

Prepared 7/29/04 by Community Development Services - rgk

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

DRAFT

DATE: August 5, 2004
TIME: 7:30 P.M.
PLACE: Urbana City Building
400 South Vine Street
Urbana, IL 61801

MEMBERS PRESENT: Christopher Alix, Laurie Goscha, Lew Hopkins, Randy Kangas, Michael Pollock, Bernadine Stake, Marilyn Upah-Bant, Don White
MEMBERS EXCUSED: There were none.
STAFF PRESENT: Libby Tyler, Director of Community Development Services; Teri Andel, Planning Secretary
OTHERS PRESENT: Bob Dean, Cynthia Hoyle

1. CALL TO ORDER, ROLL CALL AND DECLARATION OF QUORUM

The meeting was called to order at 7:30 p.m., the roll call was taken, and a quorum was declared with full attendance of all the Plan Commissioners.

2. CHANGES TO THE AGENDA

There were none.

3. APPROVAL OF MINUTES

Mr. Hopkins moved to approve the minutes from the July 22, 2004 meeting of the Plan Commission as corrected. Mr. Alix seconded the motion. The minutes were approved by unanimous voice vote.

4. WRITTEN COMMUNICATIONS

- Flyer for the 29th Annual Sweetcorn Festival in Downtown Urbana on August 27th and 28th

5. CONTINUED PUBLIC HEARINGS

There were none.

6. OLD BUSINESS

There was none.

7. NEW PUBLIC HEARINGS

There were none.

8. NEW BUSINESS

Plan Case # 1902-S-04: Combination Preliminary and Final Plat for Prairie Winds Subdivision (South side of Colorado Avenue, 394 feet east of Philo Road)

Libby Tyler, Director of Community Development Services, presented the staff report for this case. She gave a brief background and description of the proposed development. She discussed the land use and zoning designations and access, drainage, and utilities for the proposed subdivision. She talked about the waivers that had been granted in the annexation agreement. She mentioned that City staff had met with the Urbana Park District in coordinating the proposed project with improvements in access to Lohmann Park. The Urbana Park District saw the development of Prairie Winds as an opportunity for them to improve the access and use of the park. She introduced Bob Dean as being one of the engineers for the project.

Mr. Alix inquired about the thought process that resulted in creating the lots on the north side of Colorado Avenue as opposed to aligning Colorado Avenue along the south edge of the park and moving the stub connection on Stone Creek Drive. Ms. Tyler replied by saying that the Stone Creek Subdivision had been preliminarily platted to tie in at that location. It was seen as a given that they needed to tie in at that location given all of the work that had been done already in Stone Creek with their roadways and lot construction. She added that they had looked at a couple of different alignments of Colorado Avenue within the proposed site with respect to Lohmann Park. As proposed, the alignment would connect with the stub of Colorado Avenue to Stone Creek Boulevard, but it would also provide for good size residential lots along the north side.

Mr. Tyler stated that the Urbana Park District was currently happy with the proposed alignment of Colorado Avenue, because they could attain access to Lohmann Park on the west of Lot 29. They do not have any concerns with the proposed layout.

Mr. Alix asked what Lucas Street would connect to? Would it be consistent with the expansion plans for Eagle Ridge Subdivision? Ms. Tyler answered by saying that this would require an adjustment to the alignment of Lucas Street in the future plat for Eagle Ridge Subdivision. They talked with the developers of Eagle Ridge Subdivision, and it was acceptable to them. The developer would not have a problem making the required change.

Mr. Alix questioned if that was something that the City could make happen at the time when Eagle Ridge Subdivision expands? Or did they need something in writing now? Ms. Tyler believed that they had a sufficient commitment from the developer of Eagle Ridge Subdivision through their approval and their discussions with the City. Mr. Alix commented that he did not want to create another Baronry Drive.

Ms. Stake referred to #4 in the staff report under Summary. She asked if it would allow Colorado Avenue to be an east-west collector street for the Southeast Urbana area? Ms. Tyler explained that the proposed development would be funding a major portion of the connection of Colorado Avenue from Philo Road to Stone Creek Boulevard. Without the proposed development, Colorado Avenue would remain unbuilt. The proposed development would facilitate the connection by funding it through the annexation agreement in the order of around \$400,000, which would be the vast majority of the cost of constructing the road.

Ms. Stake read the drainage statement from the Preliminary Plat. She felt that the City of Urbana needed more of a guarantee. Ms. Tyler pointed out that the State Plat Act required the drainage statement on the Preliminary Plat. According to state laws, that language was the extent of which a developer had to attest to. Beyond that; however, the developer would be required by the City of Urbana to submit a drainage plan, which would be reviewed for approval by the City Engineer, Bill Gray, and by the relevant drainage district.

Ms. Stake commented that the City kept having drainage problems like with Beringer Commons. Therefore, she would like more assurance that it would not happen in the proposed development. Ms. Tyler responded by saying that many years ago, the City used to lack requirements, like a drainage statement and detention requirements. It had not been very long since the City started requiring these. So, some of the older developments have drainage problems, which the City was trying to solve. Since this was all urbanized, it was not as problematic as some of the properties located in the interface between urban development with detention basins and storm drains and agriculture uses with drainage tiles, swales and ditches.

Ms. Tyler mentioned that City staff would be amending the Subdivision Ordinance to reflect Phase II requirements, which control erosion and sedimentation. In terms of storm water runoff and detention requirements, she believed that the City's regulations were state-of-the-art and were very detailed in the application. There was a lot of work that went into subdivision and drainage plans.

Mr. Alix asked for confirmation that Colorado Avenue would be completed all the way to Stone Creek Boulevard? Ms. Tyler said that was the intent. They needed a right-of-way dedication from the Stone Creek developer. It may need to be completed in two phases, because the developer of the proposed Prairie Winds Subdivision, Paul Tatman, could not control beyond his property line on the east. Mr. Tatman and City staff would work with the developer of Stone Creek to make sure that the right-of-way was dedicated and do everything they can to get Colorado Avenue completely extended in the first construction season.

Mr. Alix questioned if there was any reason why they would accept a delay on the part of Stone Creek? Ms. Tyler felt that a delay would not be acceptable; however, the developer of Stone Creek was showing some hesitancy because they were not currently developing Stone Creek in that area. Staff would continue to work with them. If at the time of construction, Stone Creek should need additional subdivision approval, then the City would require them to complete the requirements for Colorado Avenue prior to any subdivision approvals being made. Mr. Alix commented that he was not happy with this answer. Ms. Tyler agreed and said that she believed that Colorado Avenue would be completed.

Mr. Alix inquired if this connection would be completed in a timely enough fashion. He explained that he was sensitive to the fact that we had the same problem on the north side of Stone Creek, which fairly recently had been resolved. Ms. Tyler noted that development in the north of Stone Creek was quite recent as well. For a long time, they did not have the same need to complete the street. In the proposed area, at such time that Stone Creek builds on lots on the east side, the need would become very obvious, and she felt that the developer of Stone Creek would cooperate in completing the connection of Colorado Avenue to Stone Creek Boulevard.

Mr. Alix remarked that Stone Creek Boulevard had been designated as a collector street in lieu of creating a north-south extension of something like Smith Road. He believed that was a considerable concession to the developers of Stone Creek. He would hope that they would be cooperative in connecting to Colorado Avenue, as well. If not, then he hoped that the City would explore ways to compel the developer of Stone Creek to provide the needed right-of-way in a timely enough fashion that everyone involved could save money and time. Ms. Tyler agreed. She recalled that the Subdivision Ordinance did require the connection, so that there could not be developments that fortress themselves off or prevent connections.

Mr. Hopkins believed that it was a significant improvement that Lucas Drive was proposed to go through the subdivision. However, it did not align with the existing walk network that was constructed in Eagle Ridge or shown in the Pathway Plan. He suggested having the walkway structure modified. Completing the walkway connection through to south of Windsor Road was important. It seemed to him that there would be a stub walkway at the end of the second north-heading cul-de-sac in the Eagle Ridge Subdivision. He assumed that the last bit of the stub would come out or the right-of-way would get vacated to the adjoining property owners. He questioned if the City wanted the walkways in the Eagle Ridge Subdivision and in the Atkins development to the south to line up with Lucas Street? Ms. Tyler commented that these walkways were not the same that were shown on the Greenways and Trail Plan, which were wider, multi-use, and more public pathways. Therefore, she could not speak to the genesis of the proposed walkways. They were not what the City had in mind for the north side of the proposed site. So, she was not sure to the legitimacy that they would have as a planning network.

Mr. Hopkins stated that he was not looking at the Greenways and Trail Plan. He had been using the Comprehensive Plan Area sketch documents, which show the walkway connection following this link and going to the north. It seemed to him that there was a good way to link up with Lucas Street. He wanted to make sure that someone was thinking about this in terms of the final platting of the eastern part of Eagle Ridge Subdivision and the final platting of the last part along Amber Lane. Ms. Tyler responded by saying that it was doable, because it had not been

developed in that area yet. Without the Greenway Plan and the Bike Path Plan, it was hard to resolve. She noted that there was a bike path along Philo Road, and there would be a bike path along Colorado Avenue, which would connect into a planned pathway system when Lohmann Park's pathway was laid out. It would also connect to the extensive bike path along Stone Creek Boulevard.

Mr. Alix remembered a discussion the previous time this proposal came before them. He had argued for an easement along Prairie Winds Drive to continue the existing walkway path, but for a number of reasons the developer declined. He also remembered that there was to be some provision made for a path running south from the end of either Lucas Street or Kathryn Street to tie into a path network that had been envisioned in Eagle Ridge. Ms. Tyler commented that the need for the path was mitigated by the presence of the street, so pedestrians could walk on the sidewalk along the street. There would be a pedestrian connection. It would be via a sidewalk and not a path.

Mr. Alix wondered if the street connection would be good enough. Mr. Pollock replied that it would provide access for pedestrians and bicycles. Mr. Hopkins stated that the issue for him was that the south edge of Eagle Ridge Subdivision would not have street connectivity through to Amber Lane. The connectivity would be by a sidewalk or path that was not associated directly with a street. At the moment, it was all to the west. If a school child walked from south of Windsor Road to Thomas Paine School, the path the child would need to take would not be straight. He realized that the kid would not walk along the path, but rather through areas not designated as pathways. He questioned if City staff had made a note somewhere that when Eagle Ridge Subdivision submits the final plat of the eastern part of the Eagle Ridge Subdivision that the City should vacate some paths that were required before and request some other short connectors at the ends of the some of the streets. Ms. Tyler noted that the developer of the Eagle Ridge Subdivision would need to redo their preliminary plat, because the streets have changed and the City has a Greenways and Trails Plan that did not exist when Eagle Ridge was platted. She was not sure if the City would need to vacate existing pathways when new pathways are created. Pathways serve lots of uses. The City's primary focus should be on whether a good network of the 8-foot multi-purpose pathways was being provided. She believed that the City was providing a good network, because there was one to the west of the proposed development and one to the east. They were connecting both with schools and recreational areas.

Ms. Tyler stated that on a micro scale of whether a pedestrian/bicyclist could get from Point A to Point B would need to be reviewed each time a subdivision plat comes before them. She stated that Developer A had some advantage, because they get to make some of these decisions because they were the first to develop. Developer B would need to accommodate. Mr. Hopkins agreed, but they were about to stub such a path. So, in this case, Developer A, developer of Eagle Ridge Subdivision, did not get to set what someone else was to follow. Therefore, it would be appropriate in some way to record the notion that the Plan Commission was expecting this change. Ms. Tyler noted that the Plan Commission could add it to the adopting ordinance as a record or they could tie it to a requirement of the Subdivision Ordinance.

Ms. Stake asked if the Plan Commission could approve the Preliminary Plat and not the Final Plat? Ms. Tyler replied yes, but they would hold up the project. The developer had done both the Preliminary and Final Plats and now he was ready to begin construction.

Mr. Pollock believed that the solution to this issue laid with the plat that would follow for Eagle Ridge Subdivision. Therefore, they should put a note on the preliminary plat for when the final plat was submitted. Ms. Tyler added that they could put a note on the Comprehensive Plan map as well.

Cynthia Hoyle, consultant with C-U Mass Transit District, mentioned a letter that had been submitted to the Plan Commission last November regarding the original application for the proposed development about the lack of connectivity to the Eagle Ridge Subdivision. She stated that they were certainly pleased to have Lucas Street provide that connectivity for transit services.

She inquired about the sidewalk system around Prairie Winds Drive. Was the developer planning to fence off the development from the roadway? If the sidewalk were going to be interior to a fence between Prairie Winds Circle and Colorado Avenue, then how would people access Colorado Avenue to catch the bus? Mr. Pollock answered by saying that the residents along Prairie Winds Drive would have to walk to the west end of the development to exit to Colorado Avenue. Mr. Alix added that the developer declined on building an access on the east end to Colorado Avenue due to security purposes. The intention of the developer was to have a fence completely surrounding the Prairie Winds Circle area and the property to the west of it with the only entrance/egress being at the one intersection off of Colorado Avenue.

Ms. Hoyle suggested that the developer provide a gate that would utilize the same security as the main gate would. Mr. Pollock stated that the issue was for the developer to decide upon. He would hope that the developer would do what would be in the best interest of the residents in order to make it easier to market. He mentioned that the Plan Commission did not know what type of security system the developer planned to use.

Ms. Hoyle remarked that residents in these types of facilities tend to use transit transportation, and as a result, C-U MTD only wanted to make it easier for these residents to do so. Ms. Tyler added that a gate on the east end would provide easier access to Lohmann Park as well.

Ms. Hoyle expressed C-U MTD appreciativeness in the improvements that were made to the plat, especially the additional connectivity to the Eagle Ridge Subdivision. She suggested that the City make it clear what they wanted from future developers, so that the developers knew from the beginning what was expected, such as providing easy access to public sidewalks.

Mr. White moved that the Plan Commission forward the proposed subdivision to the City Council with a recommendation for approval of the preliminary and final plats. Mr. Hopkins seconded the motion. The roll call was as follows:

Ms. Goscha	-	Yes	Mr. Hopkins	-	Yes
Mr. Kangas	-	Yes	Mr. Pollock	-	Yes

Ms. Stake	-	Yes	Ms. Upah-Bant	-	Yes
Mr. White	-	Yes	Mr. Alix	-	Yes

The motion was approved by unanimous vote.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

Ms. Tyler gave a staff report on the following:

- **The rezoning requests for 505 South Urbana** was denied by City Council.
- **Gateway Condominiums rezoning and special use permit requests** were approved by City Council.
- **Upcoming text amendment** to the Subdivision Ordinance regarding utility easement decisions will be presented to the Plan Commission at the next scheduled meeting on August 19, 2004. The text amendment was to ensure that they do not cause future relocation costs.
- **Interim Development Ordinance (IDO) on Outdoor Advertising Sign Structures (OASS)** will be presented to the City Council meeting at the next Committee of the Whole meeting on August 9, 2004. Due to a rash of applications for the construction of OASS structures, the many complaints against such structures, and to some problematic structures being constructed, City staff would present a text amendment on OASS to the Plan Commission and City Council.
- **Sweetcorn Festival** will be held on August 27th and August 28th. Volunteers were still being accepted. There would be contests to enter and music provided.

11. STUDY SESSION

There was none.

12. ADJOURNMENT OF MEETING

Chair Pollock adjourned the meeting at 8:25 p.m.

Respectfully submitted,

Rob Kowalski, Secretary
Urbana Plan Commission