



**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, City Planner, Director

**DATE:** May 11, 2006

**SUBJECT:** Plan Case No. 1995-S-06, Replat of Lot 455 Beringer Commons Subdivision No. 4

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**Introduction**

East Urbana Development, Inc. is requesting Final Plat approval of a replat of Lot 455 of the Beringer Commons Subdivision No. 4. The lot was originally platted for condominium development, but the developer has since replatted several lots in the subdivision for common-lot line dwelling units. The replat is proposed on 2.65 acres of the eastern portion of the existing Beringer Commons Subdivision. The subdivision would add a total of 20 lots along Rutherford Drive which would back up to High Cross Road. The replat will allow for construction of two 10-unit common-lot line buildings.

**Background**

The Beringer Commons Subdivision was the subject of an annexation agreement approved by the City Council on August 4, 1991 (Ord. No. 9192-20). The agreement approved the preliminary plat of the entire 140-acre tract. On August 20, 2001, the City Council approved an amendment to the annexation agreement (Ord. No. 2001-08-096) authorizing the revision of the original preliminary plat. Also passed was a combination preliminary and final subdivision plat for Beringer Commons Subdivision No. 4 (Ord. No. 2001-08-097), which made the authorized changes. In 2004, Lot 453 immediately southwest of Lot 455 was replatted and has subsequently been developed as common-lot line dwellings.

The proposed final plat is consistent with the preliminary plat for Beringer Commons approved by the City Council. According to the Urbana Subdivision and Land Development Code, a final plat only has to be approved by City Council if it is consistent with the preliminary plat.

## **Discussion**

### *Land Use and Zoning*

The single-family areas of the Beringer Commons Subdivision are zoned R-2, Single-Family Residential, while the common-lot line areas are zoned R-4, Medium Density Multiple Family Residential (Lot 455 is zoned R-4). The higher density residential areas are located in the southeast corner of the subdivision near the intersection of IL Route 130 and US Route 150. The two lots at the northwest corner of this intersection are zoned B-1, Neighborhood Business. The subject lot is immediately east of Lot 453 which was replatted to accommodate common-lot line development in 2004. The 2005 Urbana Comprehensive Plan classifies the future land use of the entire Beringer Commons Subdivision as Residential, and the proposed replat is consistent with this designation.

### *Access*

Access to the subdivision will be accommodated via several collector-level roads. Beringer Circle provides access off both US Route 150 and High Cross Road, and Abby Road provides an additional access off of US Route 150 (see Exhibit C).

Bicycle paths are planned along US Route 150 and IL Route 130, as well as sidewalks to connect the subdivision to future residential and commercial areas. Sidewalks already exist along both sides of Rutherford Road.

### *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. The final plat indicates the proper easements necessary to accommodate the extended utilities.

### *Waivers*

No new waivers are requested for this replat. Only the waiver granted in 2001 for a reduced pavement width of 31 feet to 28 feet for Rutherford Drive affects this area.

## **Summary of Findings**

### ***For Plan Case 1995-S-06:***

1. The proposed Final Plat for the Replat of Lot 455 Beringer Commons Subdivision No. 4 is consistent with the approved Preliminary Plat adopted under Council Ordinance No. 2001-08-096.

2. The proposed Final Plat would be consistent with Comprehensive Plan land use designations for the site.
3. The proposed Final Plat would be consistent with existing zoning designations for the site.
4. The proposed Final Plat meets the requirements of the Urbana Subdivision and Land Development Code, with the exception of waivers previously granted by the Preliminary Plat approval.

## **Options**

The City Council has the following options in this case:

- a. The City Council may approve the Final Plat; or
- b. The City Council may deny approval of the Final Plat. If denied, the City Council must state findings by where the plat is deficient.

## **Staff Recommendation**

Staff recommends approval of the Final Plat of Lot 455 Beringer Commons Subdivision No. 4.

Prepared by:

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Matt Wempe, Planner II

Cc: Ivan Richardson                      John Dabrowski

Attachments:      Exhibit A: Draft Ordinance Approving a Final Plat  
                          Exhibit B: Preliminary and Final Plats of Beringer Commons No. 4  
                          Exhibit C: Location Map  
                          Exhibit D: Zoning Map

**ORDINANCE NO. 2006-05-060**

An Ordinance Approving a Final Subdivision Plat  
(Lot 455 Beringer Commons Subdivision No. 4 - Plan Case 1995-S-06)

WHEREAS, East Urbana Development, Inc. has submitted a Final Subdivision Plat of Lot 455 of Beringer Commons Subdivision No. 4 in general conformance with the pertinent ordinances of the City of Urbana, Illinois; and

WHEREAS, The Final Plat of Lot 455 of Beringer Commons Subdivision No. 4 is consistent with the preliminary plat approved by the Urbana City Council on August 4, 1991 by Ordinance 9192-20; and

WHEREAS, The Final Plat of Lot 455 of Beringer Commons Subdivision No. 4 meets the requirements of the Urbana Subdivision and Land Development Code; and

WHEREAS, The City Engineer has reviewed and approved the Final Plat of Lot 455 of Beringer Commons Subdivision No. 4.

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

Section 1. The Final Plat of Lot 455 of Beringer Commons Subdivision No. 4 attached hereto is 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 \_\_\_\_\_, 2006.

AYES:

NAYS:

ABSTAINED:

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

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

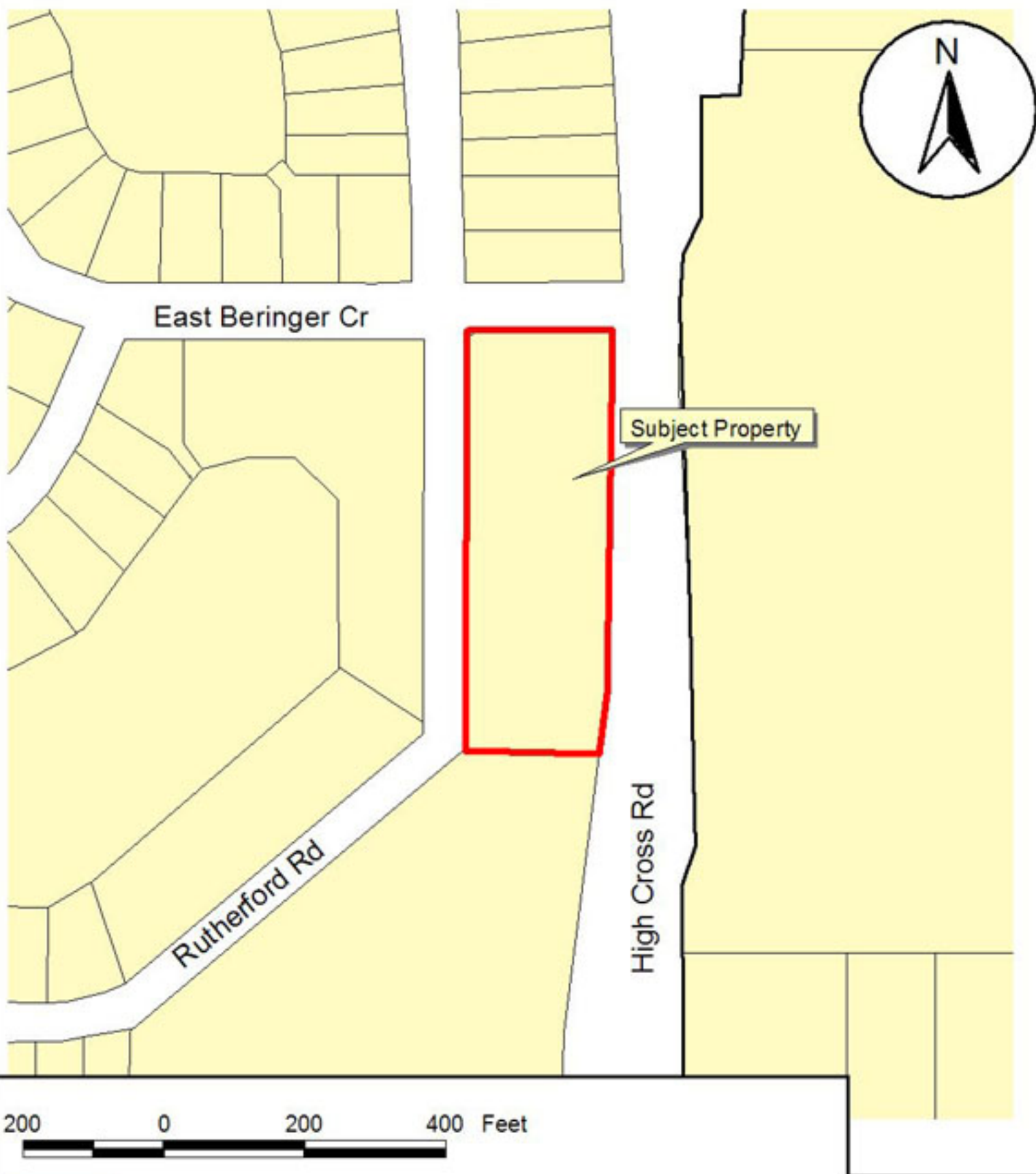
\_\_\_\_\_  
Laurel Lunt Prussing, Mayor

**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 \_\_\_\_\_, 2006, the corporate authorities of the City of Urbana passed and approved Ordinance No. \_\_\_\_\_, entitled "An Ordinance Approving A Final Subdivision Plat (Lot 455 Beringer Commons Subdivision No. 4 - Plan Case 1995-S-06)" 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 \_\_\_\_\_, 2006, 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.

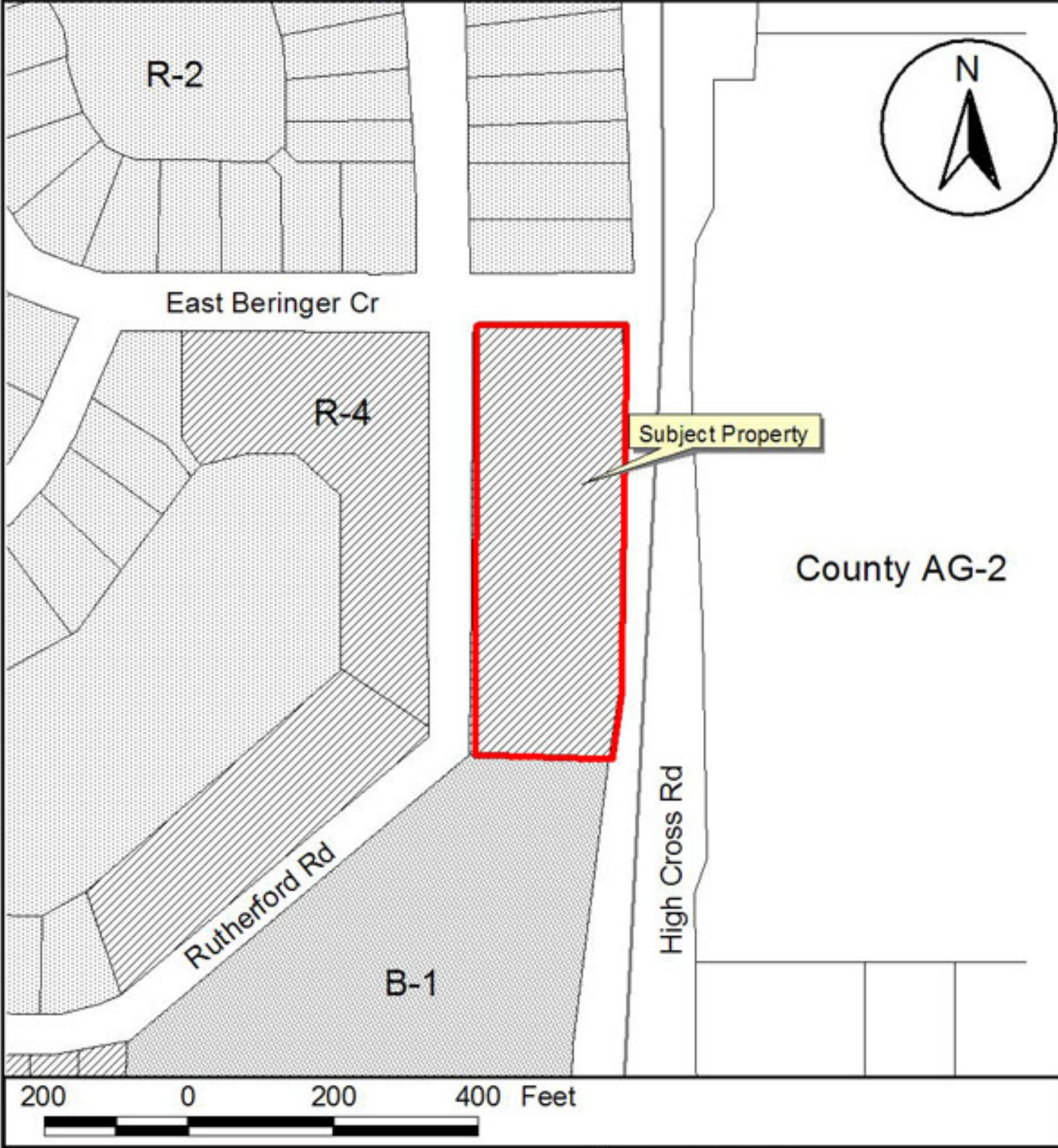
DATED at Urbana, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

# Exhibit A: Location Map



Plan Case: 1995-S-06  
Petitioner: East Urbana Development, Inc.  
Location: Rutherford Road west of High Cross Road  
Description: Replat Lot 455

# Exhibit B: Zoning Map



Plan Case: 1995-S-06  
Petitioner: East Urbana Development, Inc.  
Location: Rutherford Road west of High Cross Road  
Description: Replat Lot 455

- R2 - Single Family
- R4 - Medium Density Multiple-Family
- B1 - Neighborhood Business