



**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:** April D. Getchius, AICP, Director

**DATE:** November 16, 2000

**SUBJECT:** Plan Case No. 1766-S-00, Combination Preliminary and Final Plat of Fairway Estates Subdivision

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**Introduction**

Tatman/Horve, L.L.C. have submitted the attached 49-lot preliminary and final plats for approval. The 18.51-acre property is located generally to the east of the eastern terminus of Florida Avenue and to the south and east of the southern terminus of Kinch Street. Forty-eight of the lots would be developed for single-family residential use and one of the lots (Lot 5) would be developed for two-family residential use. As a part of the subdivision, Kinch Street would be extended southward to Florida Avenue and Florida Avenue would be extended eastward to the property line. A small park and commons area/stormwater detention area are shown along the south side of proposed Florida Avenue. The property is zoned R-2, Single Family Residential, with a small strip along the west side of the property zoned R-3, Single and Two Family Residential.

**Background**

The subject site was previously platted as part of the Smith Estate Subdivision and represents a portion of the remainder acreage of Weller's Lincolnwood Subdivisions. The City of Urbana currently owns the property as a result of previous development agreements with Mr. Weller. The partnership of Tatman/Horve, L.L.C. was selected by the City to develop the property under the terms of a Development Agreement approved on September 5, 2000 by Ordinance No. 2000-09-104. The proposed Preliminary Plat and Final Plat are consistent with the development plan provisions specified in the Development Agreement.

Additional background information on this subdivision is provided in the Plan Commission Memorandum, dated November 3, 2000.

## **Discussion**

### *Land Use, Zoning, and Comprehensive Plan Designations*

The subject site is currently vacant and is surrounded by existing and future planned residential uses. The property is zoned R-2, Single Family Residential, with a small strip along the west side of the property zoned R-3, Single and Two Family Residential. The proposed subdivision is consistent with the requirements of the R-2 and R-3 zone. The 1982 Comprehensive Plan illustrates the future use of the site as “Low Density Residential”. The Comprehensive Plan also shows Kinch Street extended south as a collector street and Florida Avenue extended eastward across the site as a minor arterial. The proposed subdivision is consistent with the Comprehensive Plan land use and roadway designations for the site.

### *Site Plan Review*

The Development Agreement for the property includes a Site Plan that shall be used as the basis for the proposed subdivisions. The proposed Preliminary and Final Plats are consistent with this Site Plan. The Development Agreement also references a variety of floor plans and elevations that were proposed by the Developer for use at the site. The Agreement further requires that subdivision covenants be prepared that ensure architectural control, dwelling quality, and size requirements for the homes to be built at the site.

### *Access*

The proposed subdivision would involve a southward extension of Kinch Street and an eastward extension of Florida Avenue, helping to improve access for a large area in East Urbana. With the exception of proposed Lot 5, none of the proposed lots would be accessed off of Florida Avenue. This will allow proposed Florida Avenue to function well as a minor arterial. Consistent with Comprehensive Plan roadway designations, the proposed subdivision would improve Florida Avenue to arterial standards and Kinch Street to collector standards. The existing local streets of Hillside Drive and Greenridge Drive would be extended southward as cul-de-sacs. The proposed roadways would meet all of the requirements of the Urbana Subdivision and Land Development, except as requested below.

### *Drainage*

The subject site is currently characterized by poor drainage. The proposed subdivision would involve the extension of existing storm sewers onto the site and the construction of a stormwater detention area along the south side of proposed Florida Avenue. All proposed drainage improvements are in compliance with the Urbana Subdivision and Land Development Ordinance and with the terms of the Development Agreement.

### *Utilities*

An existing 15-inch sanitary sewer extends across the southern portion of the site in the proposed right-of-way of Florida Avenue. Additional sanitary sewer and water lines would be extended on to the site to provide service to the proposed lots. These utility lines are in compliance with the requirements of the Urbana Subdivision and Land Development Ordinance and with the terms of the Development Agreement.

### *Waivers*

Consistent with the terms of the Development Agreement, the developer is requesting a waiver from the requirements of the Urbana Subdivision and Land Development Code to allow a local street pavement width of 28 feet, rather than the currently required 31 feet. The proposed waiver would pertain to proposed Hillside Drive, Bermuda Drive, Delaware Avenue, Bunker Court, and Greenridge Drive. The Developer is requesting the waiver on the basis that today's consensus is that streets should be narrower in residential subdivisions because this leads to slower speeds and safer conditions and because less paved area allows for smaller stormwater detention facilities and increased opportunities for green space. It is the opinion of both the City Engineer and the City Planner that the current 31-foot paved width requirement for local streets is excessive and is not desirable from a traffic safety or urban design standpoint. In Urbana, this subdivision standard has been waived in similar circumstances on numerous occasions in the past.

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;

*Requiring the local streets of this subdivision to have a 31-foot paved width would provide no traffic capacity benefit and would provide excessive paved area.*

2. The granting of the requested waiver would not harm other nearby properties;

*The granting of the requested waiver would not harm other nearby properties.*

3. The waiver would not negatively impact the public health, safety and welfare, including the objectives and goals set forth in the Comprehensive Plan.

*The granting of the requested waiver would not cause any harm to the public health, safety and welfare of the community and would not be contrary to the objectives and goals set forth in the Comprehensive Plan. Allowing for narrower paved widths on local residential streets would be*

*consistent with current traffic engineering and urban design practice, would help to promote slower speeds and safer streets, would be more attractive from an urban design standpoint, and would allow for lesser paved area and resultant stormwater runoff.*

## **Summary**

1. The proposed Preliminary and Final Plats would be consistent with Comprehensive Plan land use and roadway designations for the site.
2. The proposed Preliminary and Final Plats would be consistent with existing zoning designations for the site.
3. The proposed Preliminary and Final Plats would be consistent with the Development Agreement between the City of Urbana and Tatman/Horve, L.L.C., as adopted by Ordinance No. 2000-09-104.
4. The proposed Preliminary and Final Plats would allow for a critical roadway connection that would benefit public safety and access for a large area in East Urbana.
5. The proposed Preliminary and Final Plats would involve stormwater drainage improvements that would correct existing problems on the site.
6. With the exception of the proposed local street paved width waiver, the proposed Preliminary and Final Plats would be consistent with the requirements of the Urbana Subdivision and Land Development Code.
7. The requested waiver to allow construction of a 28-foot wide pavement on the local streets, rather than the required 31-foot standard, would not be harmful to other properties and would not negatively impact the public health, safety and welfare of the community nor impede the attainment of goals and objectives contained in the Comprehensive Plan.

## **Options**

The City Council has the following options in this case:

- a. The City Council may approve the Preliminary and Final Plats of Fairway Estates Subdivision, along with the requested waiver; or
- b. The City Council may deny approval of the Preliminary and Final Plats of Fairway Estates Subdivision, along with the requested waiver.

## **Recommendation**

At its meeting on November 9, 2000, the Urbana Plan Commission voted 5-0 to recommend approval of the Preliminary and Final Plats of Fairway Estates Subdivision, along with the requested waiver.

Prepared by:

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Elizabeth H. Tyler, AICP/ASLA, Assistant City Planner

Attachments:

Minutes of the November 9, 2000 Plan Commission meeting  
Draft Ordinance Approving a Preliminary and a Final Plat  
Preliminary Plat for Fairway Estates Subdivision  
Final Plat for Fairway Estates Subdivision

c: Paul Tatman  
Steve Horve  
Phil Cochran, Consulting Engineer  
Rick Kirby



**ORDINANCE NO. 2000-11-139**

**AN ORDINANCE APPROVING A PRELIMINARY AND A FINAL PLAT  
(Fairway Estates Subdivision - Plan Case No. 1766-S-00)**

WHEREAS, Tatman/Horve, L.L.C. have submitted a Preliminary Plat and a Final Plat of Fairway Estates Subdivision in substantial conformance with the pertinent ordinances of the City of Urbana, Illinois; and,

WHEREAS, the Preliminary Plat and Final Plat of Fairway Estates Subdivision are consistent with the provisions of the Kinch/Florida Residential Development ("Fairway Estates") Development Agreement by and between the City of Urbana, Champaign County, Illinois and Tatman/Horve, L.L.C., which was adopted by the City of Urbana on September 5, 2000 by Ordinance No. 2000-09-104; and,

WHEREAS, the Preliminary Plat and the Final Plat of Fairway Estates Subdivision comply with the City of Urbana's Comprehensive Plan, as amended; and

WHEREAS, the City Engineer has reviewed and approved the Preliminary Plat and the Final Plat of Fairway Estates Subdivision.

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

Section 1. The Preliminary Plat and the Final Plat of Fairway Estates Subdivision attached hereto, are approved as platted.

Section 2. The Secretary of the Urbana Plan Commission is hereby directed to record said Final Plat with the Champaign County Recorder upon City Council approval of said plat.

Section 3. 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 \_\_\_\_\_, 2000.

AYES:

NAYS:

ABSTAINS:



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Phyllis D. Clark, City Clerk

APPROVED by the Mayor this \_\_\_\_\_ day of  
\_\_\_\_, 2000.

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Tod Satterthwaite, Mayor



**DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES**

*Planning and Economic Development Division*

**m e m o r a n d u m**

**TO:** The Urbana Plan Commission

**FROM:** Elizabeth H. Tyler, AICP/ASLA, Assistant City Planner

**DATE:** November 3, 2000

**SUBJECT:** Plan Case No. 1766-S-00, Combination Preliminary and Final Plat of Fairway Estates Subdivision

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**Introduction**

Tatman/Horve, L.L.C. have submitted the attached 49-lot preliminary and final plats for approval. The 18.51-acre property is located generally to the east of the eastern terminus of Florida Avenue and to the south and east of the southern terminus of Kinch Street. Forty-eight of the lots would be developed for single-family residential use and one of the lots (Lot 5) would be developed for two-family residential use. As a part of the subdivision, Kinch Street would be extended southward to Florida Avenue and Florida Avenue would be extended eastward to the property line. A small park and commons area/stormwater detention area are shown along the south side of proposed Florida Avenue. The property is zoned R-2, Single Family Residential, with a small strip along the west side of the property zoned R-3, Single and Two Family Residential.

**Background**

The subject site was previously platted as part of the Smith Estate Subdivision and represents a portion of the remainder acreage of Weller's Lincolnwood Subdivisions. The City of Urbana currently owns the property as a result of previous development agreements with Mr. Weller. In the Spring of 1999 and again

in the Spring of 2000, the City of Urbana issued Requests for Proposals to developers and builders who might be interested in development of the site. The development partnership of Tatman/Horve, L.L.C. were the successful respondents to the proposal.

Development of the proposed Fairway Estates subdivision by Tatman/Horve, L.L.C. would occur under the terms of a Development Agreement between the developer and the City. This Development Agreement was approved by the City on September 5, 2000 by Ordinance No. 2000-09-104 (Copy attached). Under the terms of the Development Agreement, the City would pay for the cost of construction of Florida Avenue and infrastructure along Florida Avenue and would provide a partial grant for stormwater drainage improvements, while the developer would pay for all other site improvement costs, including Kinch Street, interior local streets and the remaining costs for stormwater drainage improvements and stormwater detention. Among the Developer's obligations under this agreement is the submittal of a Preliminary Plat and Final Plat for development of the site consistent with specific development criteria that are outlined in the Agreement. The proposed Preliminary Plat and Final Plat are consistent with the development plan provisions specified in the Development Agreement.

## **Discussion**

### *Land Use, Zoning, and Comprehensive Plan Designations*

The subject site is currently vacant. The eastern portion of the site has previously been leased by the City for agricultural uses. The site is surrounded by existing and future planned residential uses, including Weller's Lincolnwood Subdivision to the north and west, the Stonecreek golf course community to the south, and the undeveloped remainder of the Smith Estate Subdivision to the east.

The property is zoned R-2, Single Family Residential, with a small strip along the west side of the property zoned R-3, Single and Two Family Residential. The proposed subdivision is consistent with the requirements of the R-2 and R-3 zone. The site is surrounded by additional R-2 zoning to the east and north, additional R-3 zoning to the west, and R-4, Medium Density Multiple Family Residential, to the south. (See attached zoning map).

The 1982 Comprehensive Plan illustrates the future use of the site as "Low Density Residential". The Comprehensive Plan also shows Kinch Street extended south as a collector street and Florida Avenue extended eastward across the site as a minor arterial. The proposed subdivision is entirely consistent with the Comprehensive Plan land use and roadway designations for the site.

### *Site Plan Review*

The Development Agreement for the property includes a Site Plan that shall be used as the basis for the proposed subdivisions. The proposed Preliminary and Final Plats are consistent with this Site Plan. The

Development Agreement also references a variety of floor plans and elevations that were proposed by the Developer for use at the site. The Agreement further requires that subdivision covenants be prepared that ensure architectural control, dwelling quality, and size requirements for the homes to be built at the site.

### *Access*

Roadway access and circulation in the vicinity of the site is limited because Florida Avenue and Kinch Street currently do not connect. The proposed subdivision would involve a southward extension of Kinch Street and an eastward extension of Florida Avenue, helping to improve access for a large area in East Urbana. This improved access has positive implications both for public safety and for driver convenience. With the exception of proposed Lot 5, none of the proposed lots would be accessed off of Florida Avenue. This will allow proposed Florida Avenue to function well as a minor arterial.

Consistent with Comprehensive Plan roadway designations, the proposed subdivision would improve Florida Avenue to arterial standards and Kinch Street to collector standards. The existing local streets of Hillside Drive and Greenridge Drive would be extended southward as cul-de-sacs. Other local street construction with the subdivision would include an additional section of Delaware Avenue and a new north-south connection between proposed Delaware Avenue and proposed Florida Avenue, shown on the Plat as Bermuda Drive. The proposed roadways would meet all of the requirements of the Urbana Subdivision and Land Development, except as requested below.

### *Drainage*

The subject site is currently characterized by poor drainage. The proposed subdivision would involve the extension of existing storm sewers onto the site and the construction of a stormwater detention area along the south side of proposed Florida Avenue. Because the proposed subdivision would resolve existing drainage concerns, the Development Agreement includes partial grant assistance on storm drainage improvements. All proposed drainage improvements are in compliance with the Urbana Subdivision and Land Development Ordinance and with the terms of the Development Agreement.

### *Utilities*

An existing 15-inch sanitary sewer extends across the southern portion of the site in the proposed right-of-way of Florida Avenue. Additional sanitary sewer and water lines would be extended on to the site to provide service to the proposed lots. These utility lines are in compliance with the requirements of the Urbana Subdivision and Land Development Ordinance and with the terms of the Development Agreement.

### *Waivers*

Consistent with the terms of the Development Agreement, the developer is requesting a waiver from the requirements of the Urbana Subdivision and Land Development Code to allow a local street pavement width of 28 feet, rather than the currently required 31 feet. The proposed waiver would pertain to proposed Hillside Drive, Bermuda Drive, Delaware Avenue, Bunker Court, and Greenridge Drive. The Developer is requesting the waiver on the basis that today's consensus is that streets should be narrower in residential subdivisions because this leads to slower speeds and safer conditions and because less paved area allows for smaller stormwater detention facilities and increased opportunities for green space.

It is the opinion of both the City Engineer and the City Planner that the current 31-foot paved width requirement for local streets is excessive and is not desirable from a traffic safety or urban design standpoint. In Urbana, this subdivision standard has been waived in similar circumstances on numerous occasions in the past. A proposed reduction of this standard is part of a comprehensive amendment to the Urbana Subdivision and Land Development Code that is currently under preparation. It is also noted that the City of Champaign has a pavement width standard for local streets of 28-feet and has had this standard for several years.

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:

2. 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;

*Requiring the local streets of this subdivision to have a 31-foot paved width would provide no traffic capacity benefit and would provide excessive paved area.*

2. The granting of the requested waiver would not harm other nearby properties;

*The granting of the requested waiver would not harm other nearby properties.*

3. The waiver would not negatively impact the public health, safety and welfare, including the objectives and goals set forth in the Comprehensive Plan.

*The granting of the requested waiver would not cause any harm to the public health, safety and welfare of the community and would not be contrary to the objectives and goals set forth in the Comprehensive Plan. Allowing for narrower paved widths on local residential streets would be consistent with current traffic engineering and urban design practice, would help to promote slower speeds and safer streets, would be more attractive from an urban design standpoint, and would allow for lesser paved area and resultant stormwater runoff.*

## Summary

8. The proposed Preliminary and Final Plat would be consistent with Comprehensive Plan land use and roadway designations for the site.
9. The proposed Preliminary and Final Plats would be consistent with existing zoning designations for the site.
10. The proposed Preliminary and Final Plats would be consistent with the Development Agreement between the City of Urbana and Tatman/Horve, L.L.C., as adopted by Ordinance No. 2000-09-104.
11. The proposed Preliminary and Final Plat would allow for a critical roadway connection that would benefit public safety and access for a large area in East Urbana.
12. The proposed Preliminary and Final Plat would involve stormwater drainage improvements that would correct existing problems on the site.
13. With the exception of the proposed local street paved width waiver, the proposed Preliminary and Final Plats would be consistent with the requirements of the Urbana Subdivision and Land Development Code.
14. The requested waiver to allow construction of a 28-foot wide pavement on the local streets, rather than the required 31-foot standard, would not be harmful to other properties and would not negatively impact the public health, safety and welfare of the community nor impede the attainment of goals and objectives contained in the Comprehensive Plan.

## Options

The Plan Commission has the following options in this case:

- c. Forward the plan case to the City Council with a recommendation to approve the Preliminary and Final Plats of Fairway Estates Subdivision, along with the requested waiver; or
- d. Forward the plan case to the City Council with a recommendation to deny approval of the Preliminary and Final Plats of Fairway Estates Subdivision, along with the requested waiver.

## **Recommendation**

Staff recommends that the Plan Commission forward this case to the City Council with a recommendation to approve the Preliminary and Final Plats of Fairway Estates Subdivision, along with the requested waiver.

### Attachments:

Zoning/Location Map  
Aerial Photo Exhibit  
Petition for Combination Preliminary/Final Plat  
Petition for Waiver of Subdivision Regulations  
Proposed Preliminary Plat for Fairway Estates Subdivision  
Proposed Final Plat for Fairway Estates Subdivision  
Ordinance No. 2000-09-104

c: Paul Tatman  
Steve Horve  
Phil Cochran, Consulting Engineer  
Rick Kirby

ehtyler/fairwayest.pcmem.doc