



## DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

### MEMORANDUM

**TO:** Bruce K. Walden, CAO

**FROM:** Elizabeth H. Tyler, Director

**DATE:** September 16, 2004

**SUBJECT:** Plan Case No. 1871-A-03: Request to revise an approved Planned Unit Development (PUD) for the Prairie Winds Subdivision located on the south side of Colorado Avenue approximately 394 feet east of Philo Road.

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#### Introduction & Background

Paul Tatman is requesting approval of a minor revision to an approved Planned Unit Development (PUD) for the Prairie Winds development on the south side of Colorado Avenue extended. In December 2003 the Urbana City Council approved an annexation agreement with John Hingtgen and Virgil Naugle and a development proposal by Paul Tatman for PUD on a 31-acre tract commonly referred to as the "Golladay Tract". The development was approved having three primary components. The first component on the west end of the site featured a 70 to 75-unit Senior Retirement Center. The second component directly east of the Senior Retirement Center featured 38 residential condominiums in a series of duplex and four-plexes. All of the condominiums would be situated around the interior perimeter of a private loop road called Prairie Winds Circle. The final component of the development featured a 29-lot single-family subdivision at the east end of the site as the property abuts the Stone Creek Subdivision. Public infrastructure for the development includes the completion of Colorado Avenue to Stone Creek Boulevard along with two new local level roadways to allow access to the single-family residential subdivision.

The developer has begun construction of the site and in the process has determined that minor changes to the PUD plan were necessary. The change involves only the condominium portion of the development. It is proposed to eliminate the four-plexes and replace them with duplexes. It is also proposed to add four additional duplex buildings on the south side of Prairie Winds Circle (see attached maps). In total the number of units for the condominium development would increase from 38 to 42 units. The layout is generally similar to the original approval with the exception of the additional duplexes on the south side of Prairie Winds Circle.

On September 9, 2004 the Urbana Plan Commission had a public hearing to consider the proposed revision. The Commission forwarded a unanimous recommendation to the City Council to approve the proposed change without any special conditions.

## **Issues and Discussion**

### **Analysis of Proposed Change**

The developer has indicated that the desired change in the layout evolved when final engineering was completed for the stormwater detention basin. This final engineering indicated that the shape and depth of the basin needed to be slightly larger and deeper than originally anticipated. This reduced the amount of space available between the basin and the loop road at its southwest location to build the larger four-plex buildings. It was also determined at this time from a marketing perspective that the duplex units would be more marketable than the four-plex units.

The more significant change involves the proposal to add the four duplex buildings on the south side of the loop road along the Eagle Ridge Subdivision property line. Although this change is not expected to create any problems for the new development in terms of density, traffic flow or demand on public services or infrastructure, the units are located closer to neighboring properties than originally anticipated.

Staff has met with the developer and affected neighbors in Eagle Ridge to review the plans and determine their impact. The developer has agreed to situate the duplexes as far from the south property line as possible. Construction plans will indicate an approximately 25-foot setback from the condominium buildings to the property line. The most affected property in Eagle Ridge (2002 Morrow Court) is setback approximately 30-feet from the property. This gives a total separation distance between buildings of approximately 50-55 feet. Considering this distance, the Plan Commission did not recommend imposing any additional landscaping or screening requirements for the condominium development. The developer still intends to install a wrought-iron fence along the property line for security and aesthetic purposes. The site plan adjustment and wrought iron fence is acceptable to the neighbors.

## **Summary of Staff Findings**

On September 9, 2004 the Plan Commission adopted the following findings:

1. The proposed layout revisions to the originally approved Planned Unit Development for the condominium portion of the Prairie Winds development are generally consistent with the PUD approval granted in December 2003.

2. The addition of four extra condominium units (38 to 42) for the development will not create any additional burdens on the public services or infrastructure in the area.
3. Although the four newly proposed duplex buildings on the south side of Prairie Winds Circle would be situated closer to the adjacent single-family residential development to the south than originally proposed, the setback will still greatly exceed the requirements of the Urbana Zoning Ordinance.
4. The proposed rezoning would not be detrimental to the overall public health, safety or general welfare.

## **Options**

The City Council has the following options. In Plan Case 1871-A-03, the City Council may:

- a. approve the proposed revisions to the originally approved Planned Unit Development.
- b. deny the proposed revisions to the originally approved Planned Unit Development.
- c. approve the proposed revisions to the originally approved Planned Unit Development with any special conditions.

## **Staff Recommendation**

Based on the evidence presented in the discussion above, along with evidence presented at the public hearing, staff recommends that the City Council approve the revisions to Plan Case No. 1871-A-03.

Prepared By:

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Rob Kowalski, Planning Manager

c: Paul Tatman, Developer  
Bob Dean, BWC Engineers

Attachments: Proposed Ordinance  
Location Map  
Aerial Photo  
Originally approved PUD Development Plan (December 2003)  
(Not available in digital format)  
Proposed PUD Development Plan (September 2004)  
(Not available in digital format)  
Draft Minutes from the September 9, 2004 Plan Commission meeting

ORDINANCE NO. 2004-09-127

An Ordinance Approving a Revised Planned Unit Development (PUD)  
(Prairie Winds Development / South side of Colorado Avenue approximately 394 feet east of  
Philo Road – Plan Case 1871-A-03)

WHEREAS, an Annexation Agreement between the City of Urbana, Illinois and John Hingtgen, Virgil Naugle and Tatman Enterprises, Inc. was approved on December 1, 2003 under Ordinance 2002003-12-139; and,

WHEREAS, said agreement governs a tract totaling approximately 31 acres on three separate tracts located on the south side of Colorado Avenue approximately 394 feet east of Philo Road: and,

WHEREAS, the approved agreement stipulated approval of a Planned Unit Development (PUD) incorporating 38 residential four-plex and duplex condominiums situated around an private street to be called Prairie Winds Circle; and

WHEREAS, the developer has determined that minor revisions in the approved layout to the PUD are necessary; and

WHEREAS, the proposed revisions include replacing the four-plex buildings with duplex buildings and adding four duplex buildings on the south side of Prairie Winds Circle at the southwest corner of the PUD site; and

WHEREAS, On September 9, 2004 the Urbana City Council conducted a public hearing to consider the PUD revisions under Plan Case 1871-A-03; and,

WHEREAS, after public testimony the Plan Commission unanimously recommended approval of the revised PUD plan without any special conditions given the fact that the proposed

new duplex buildings would be located approximately 50-55 feet away from neighboring structures in the Eagle Ridge Subdivision; and,

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

Section 1. That the revised Planned Unit Development (PUD) for the Prairie Winds development, a copy of which is attached and hereby incorporated by reference, be and the same is hereby authorized and approved.

Section 2. That the Mayor of the City of Urbana, Illinois, be and the same is hereby authorized to execute and deliver, and the City Clerk of the City of Urbana, Illinois, be and the same is hereby authorized to attest to said execution of said Annexation Agreement, for and on behalf of the City of Urbana, Illinois.

Section 3. The City Clerk is directed to record a certified copy of this Ordinance and the Annexation Agreement herein approved, as amended, with the Recorder of Deeds of Champaign County, Illinois.

This Ordinance is hereby passed by the affirmative vote, the “ayes” and “nays” being called of two-thirds of the members of the Corporate Authorities of the City of Urbana, Illinois, then holding office, at a regular meeting of said Council.

PASSED by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2004.

AYES:

NAYS:

ABSTAINED:

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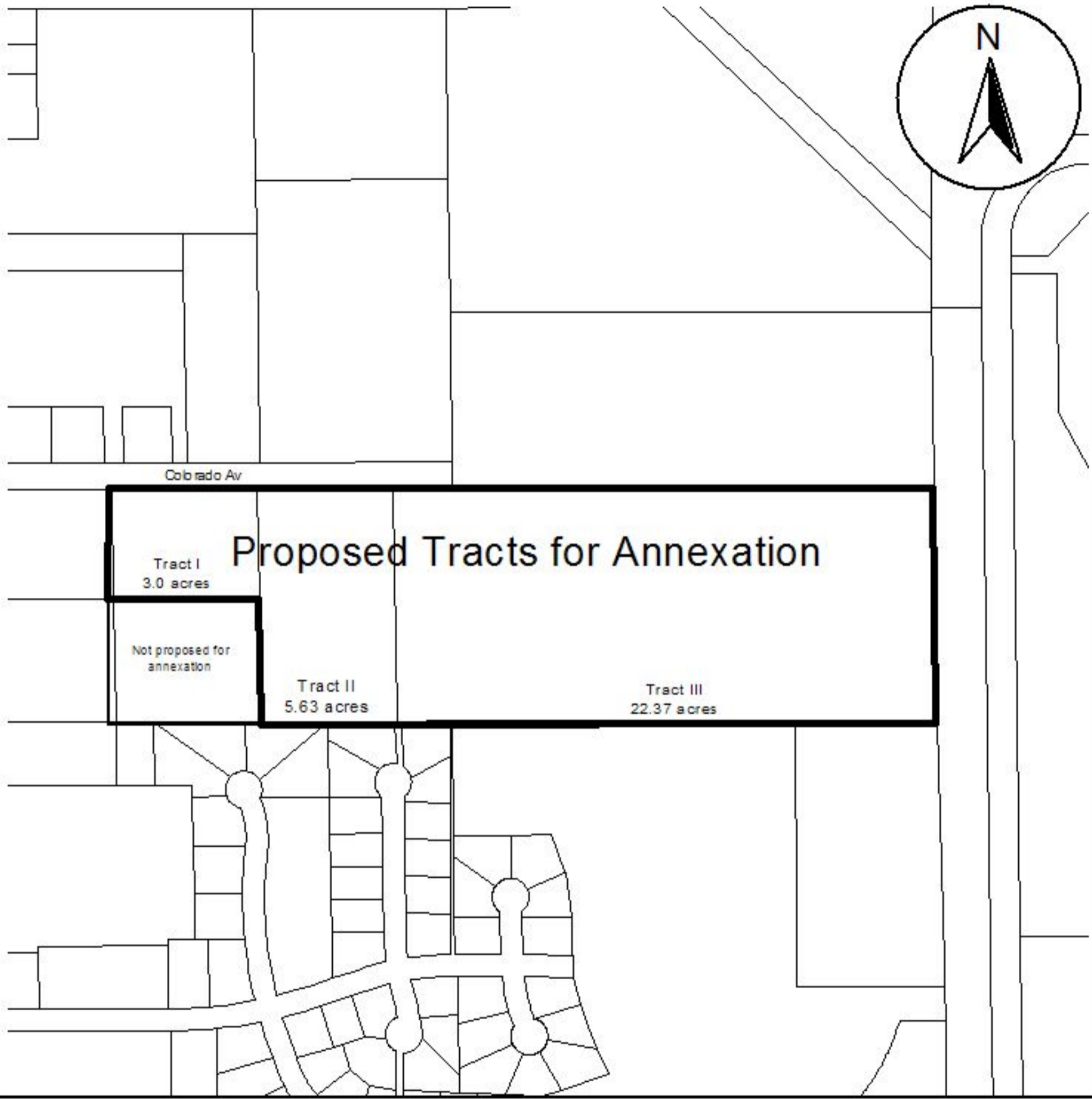
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

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Tod Satterthwaite, Mayor


# Exhibit "A": Location Map



0 250 500 750 1000 Feet



Petitioner: John Hingtgen and Virgil J. Naugle  
South side of Colorado Ave. east of Philo Rd.  
Golliday Tract  
1871-A-03 Golliday Tract Annexation Agreement  
1871-M-03 Rezone from County R-2 to City B-3 General Business for Tract I  
Prepared November 5, 2003 by Community Development Services - lof

 Properties Within 250+ Feet



**MINUTES OF A REGULAR MEETING**

**URBANA PLAN COMMISSION**

**DRAFT**

**DATE:** September 9, 2004  
**TIME:** 7:30 P.M.  
**PLACE:** Urbana City Building  
400 South Vine Street  
Urbana, IL 61801

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**MEMBERS PRESENT:** Christopher Alix, Lew Hopkins, Michael Pollock, Bernadine Stake, Don White

**MEMBERS EXCUSED:** Laurie Goscha, Randy Kangas, Marilyn Upah-Bant

**STAFF PRESENT:** Libby Tyler, Director of Community Development Services; Rob Kowalski, Planning Manager; Paul Lindahl, Planner; Teri Andel, Planning Secretary

**OTHERS PRESENT:** Bob Dean, JaeHong Kim, DongJun Lim, Barbara Morgan, Paul Tatman, Elizabeth Wirt, Charles Zukoski

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**7. NEW PUBLIC HEARINGS**

**Plan Case # 1871-A-04: Request to revise the approved Planned Unit Development (PUD) plan for the Prairie Winds development (south side of Colorado Avenue, 394 feet east of Philo Road).**

Rob Kowalski, Planning Manager, presented this case to the Plan Commission. He recapped the previous cases regarding the annexation agreement and the Planned Unit Development, which were approved in November 2003. He noted the changes that were made to the preliminary and final plats when they were submitted and approved in August 2003. When the petitioner, Paul Tatman, and his engineers were working on the details for the Prairie Winds development, they found that the size and the shape of the detention area needed to be changed slightly to better serve the entire development. As a result, the change caused a little less room between Prairie Winds Circle and the detention area, which made it difficult to plan the four-plex buildings that were originally proposed. Therefore, the proposed change was to keep the road as a loop-road, change the four-plex buildings to duplexes, and add four new duplex units to the south side of Prairie Winds Circle. Staff felt this was a substantial enough change to warrant a new public hearing and consideration by the Plan Commission and City Council. He summarized staff findings and noted that staff recommended approval of the proposed changes.

Mr. Alix asked what the existing setback was between the house at 2002 Morrow Court and the back property line? Charles Zukoski, of 2002 Morrow Court, stated that the setback was about 30 feet. Mr. Alix asked what the setback from the property line to the proposed four new duplexes would be? Mr. Kowalski replied that there would be about 23 feet from the back of the closest duplex to the property line. Therefore, there would be about 53 feet from the edge of the duplex to the edge of the existing house at 2002 Morrow Court.

Mr. Alix inquired if the adjacent property lines met or was there any buffering or easements between the two? Mr. Kowalski said no. However, there was some vegetation that straddled the property line. Mr. Alix questioned if there was a requirement as to where the wrought iron fence would need to be built? Mr. Kowalski mentioned that the fence could be built on the property line.

Ms. Stake wondered why the developer did not include the four new duplex units on the inside of Prairie Winds Circle rather than have them on the south side of the road. Mr. Kowalski was not sure if the developer could fit the four units inside the looped street.

Ms. Stake inquired if the four new duplex units would be the same size as the units inside the looped road. Mr. Kowalski stated that some of the units would be smaller than other units.

Ms. Stake asked why the detention area was smaller than originally planned? Mr. Kowalski explained that the detention area would be bigger than originally planned, which squeezed the space between the detention area and Prairie Winds Circle. It made it difficult to plan the four-plex units.

He noted that the two detention basins on the west side of Prairie Winds Circle would be temporary detention areas to collect the water that flows over the land until the senior retirement center was built. The temporary detention basins would then be filled, and stormwater would be piped over to the new detention area.

Ms. Stake inquired if the Floor Area Ratio (FAR) would be the same for the residential. Mr. Kowalski answered by saying that overall the lot size would not change. He mentioned that all of the condominiums would be on one lot rather than being on individual lots. So, reducing the four-plex units down to duplexes would keep the FAR consistent, even though there would be an additional two duplex units being added. He stated the FAR was lower than the maximum allowed in the original proposal. It did not come anywhere close to exceeding the FAR requirement.

Mr. Pollock questioned if staff had received any comments from any residents or developers of the Eagle Ridge Subdivision about a preference in terms of what type of screening would be used. Mr. Kowalski responded by saying that he had not heard any specific preferences on the screening. However, he mentioned that he received one phone call from a resident in the condominium part of Eagle Ridge Subdivision who disapproved of the plan. She felt that the original plan was better, and she did not see the need for change.

Mr. Alix inquired as to how far to the east was the east property line of 2002 Morrow Court extended relative to the proposed duplexes? Mr. Kowalski pointed out on a map where the property line was.

Ms. Stake asked what had been decided about the screening? Mr. Kowalski noted that there would be a fence either of wrought iron or opaque. Staff did not offer an official recommendation of what type of screening or fencing should be used. Staff felt that the proposed setbacks would exceed the City's requirements.

Paul Tatman, developer of the proposed development, and Bob Dean, engineer approached the Plan Commission. Mr. Tatman mentioned that the development was going to cost more than anticipated due to some changes that they had to do because of the existing conditions on the site. They had also anticipated a little more financial participation from the City on constructing Colorado Avenue. Therefore, they were trying to maximize their investment to hopefully be able to make some profit off of the proposed development. For this reason and because of the necessary changes to the detention area, they decided to develop duplexes in place of the fourplex units. He commented that he had received some calls from a number of single women in their fifties or above requesting units in the 1200 to 1400-foot range.

Mr. Alix believed that having three units on the south side of Prairie Winds Circle instead of four units would be keeping more in the spirit of the original plan and would potentially make those three units more marketable because they would have bigger yards. He wondered if the petitioner had considered this possibility. Mr. Tatman remarked that they had considered several different options.

Mr. Pollock asked if Mr. Tatman had talked to the neighbors in Eagle Ridge Subdivision in terms of screening? Mr. Tatman mentioned that he had talked with Barbara Morgan and Charles Zukoski. He agreed that they preferred a wrought iron fence. Mr. Pollock felt that if Mr. Tatman and the neighbors agreed upon what type of screening they wanted, then there was not much of an issue.

Mr. Alix questioned if the wrought iron fence would be constructed on the property line? Mr. Tatman replied yes.

Charles Zukoski, of 2002 Morrow Court, thanked Mr. Tatman and Mr. Kowalski for working with him to address his concerns. When an intermediate plan came forward, the setback from the property line to the proposed duplex units was around 5 feet. After working with Mr. Tatman and Mr. Kowalski, it was a changed to 23 feet. Regarding the issue of screening, he agreed that the general consensus was that a wrought iron fence would be much nicer than an opaque privacy fence. Therefore, they were satisfied with the current proposal.

Fred Wirt, of 2007B Eagle Ridge, questioned if there was any more information on the retirement center in terms of whether the job had been put up for bid, etc.? Mr. Tatman responded by saying that the proposed development was about a 22 million dollar project, and they could not do it all at once. They were trying to get the site developed so that they could sell some home lots and start building the condominiums. The retirement center would probably not begin being constructed until spring of 2005.

Mr. Kowalski noted that there had been a lot of discussion about the parking lot for the retirement center. There was a requirement put into the annexation agreement that landscaping had to be put in around the parking lot. The landscaping would need to be reviewed by the City Arborist.

He noted that there had been a lot of work done to the site, as well. Staff had approved the construction plans for Colorado Avenue, which would include an 8-foot bicycle path on the north side of the street. He mentioned that they had received some federal funding for 2006 to improve Colorado Avenue from Philo Road to the site, which would complete the improvement of Colorado Avenue, provide for a signalized intersection at Colorado Avenue and Philo Road, and improve Philo Road from Colorado Avenue south to Mumford Drive.

Mr. Alix asked Mr. Kowalski to speak to the issue of the City's contribution to Colorado Avenue. What was the disconnect between the original plan and what the City paid? Mr. Kowalski did not believe that there was a disconnect. The City agreed to contribute \$60,000 to the overall cost of Colorado Avenue. It was about a \$460,000 investment. The City had a requirement on new development to pay for half the construction of a road when one was being built. This case was unique in that most of the land to the north of Colorado Avenue extended was not in a position to pay for the other half of the improvement for the road. Most of the frontage on the north side of Colorado Avenue was Lohmann Park and pre-existing apartment buildings.

Mr. Alix questioned as to who paid to build the current half of Colorado Avenue? Mr. Kowalski did not know. The north half was improved when Osco Drugs was built.

Mr. Hopkins moved to recommend approval of the proposed changes to the Prairie Winds Planned Unit Development to the Urbana City Council. Mr. White seconded the motion.

Mr. Pollock commented that it was a pleasure to see a case in which there were possible conflicts between neighbors that had been worked out before the public hearing.

The roll call was as follows:

Ms. Stake	-	Yes	Mr. Pollock	-	Yes
Mr. Hopkins	-	Yes	Mr. Alix	-	Yes
Mr. White	-	Yes			

The motion was passed by unanimous vote.

Mr. Kowalski noted that the Urbana City Council would hear the case on Monday, September 20, 2004.

**A more detailed  
aerial map  
illustrating the  
layout of the  
development will  
be presented at the  
meeting on Sept.  
9th.**



**Aerial Map  
Plan Case 1871-A-03  
Prairie Winds Planned Unit Development (PUD)**