



**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, Director

**DATE:** April 14, 2005

**SUBJECT:** Plan Case 1929-S-05, Final Replat of Lot 453 Beringer Commons Subdivision No.4.

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**Introduction**

Plan Case 1929-S-05 is a request by Ivan Richardson for approval of a final replat of Lot 453 in Beringer Commons Subdivision No. 4. The approved preliminary and final plat for Beringer Commons Subdivision No. 4 shows Lot 453 west of Rutherford Drive and east of Rutherford Lake. The lot is 1.63 acres and is zoned R-4 Medium Density Multiple Family Residential. The developers had always envisioned this lot to be developed with a row of condominium townhouses. Recently the developer has determined that a subdivision of the lot into common-lot-line parcels is preferable.

The proposed development creates 15 individual lots from the parent lot so that they may be sold as common-lot-line townhouses. Platting the lots in this manner allows the developer better marketability over the previously envisioned condominium ownership method. Platting the lot as common-lot-line development does not change the design, layout, or method of construction of the structures.

The lots will be in two groups; one of seven lots, and one of eight lots. One structure of seven common-lot-line townhouse units will cover one “lot group”, and one structure of eight common-lot-line townhouse units will cover the other “lot group”.

Staff recommends that this case of a replat of Lot 453 be considered a revision to the final plat of Beringer Commons Subdivision No. 4. Since the requested revised final plat is generally consistent with the approved preliminary plan, the Urbana Plan Commission does not need to review the request and the plat is forwarded directly to the City Council.

## **Background**

Beringer Commons Subdivision was the subject of an annexation agreement approved by City Council August 4, 1991 (Ordinance 9192-20). That agreement approved the preliminary plat of the entire 140 acre tract. On August 20, 2001 City Council approved an amended annexation agreement (Ordinance 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 (Ordinance 2001-08-097), which made the authorized changes.

## **Discussion**

The newly proposed final subdivision plat for Lot 453 has been sent to the appropriate agencies for their review and approval. The proposed plat meets the approval of these agencies for utilities, access, drainage and other necessary services.

### *Use*

As originally envisioned Lot 453 would have contained condominium ownership townhouse structures functionally identical to those now proposed to be common-lot-line plated townhouses under fee simple ownership. The density of the development in either method is the same.

### *Zoning*

As stated previously Lot 453 is zoned R-4, Medium Density Multiple Family Residential. Common-lot-line developments are permitted in the R-4 zoning district under subdivision review procedures.

### *Access*

Access to the individual lots will be from Rutherford Drive. The general layout of Rutherford Drive was approved in 1991. A waiver to the subdivision regulations was approved in 2001 so that the drive would be only 25-feet wide with no parking on either side rather than 31-feet wide.

### *Drainage*

The original annexation agreement and preliminary plat provided for stormwater runoff within the entire Beringer Commons Subdivision to be detained onsite in ponds. All provisions for stormwater drainage were reviewed and approved by the City Engineer at that time. This replat makes no changes to the existing drainage plan.

### *Utilities and Sewers*

All utilities are available to the site and capacities are sufficient to accommodate proposed development.

### *Waivers*

No new waivers are requested for this replat. Only the one waiver granted in 2001 for a reduced width of Rutherford Drive affects this area.

## **Summary of Findings**

### ***For Plan Case 1929-S-05:***

1. The proposed final plat is entirely consistent with the approved preliminary plat as it relates to the road network, access, drainage and utilities.
2. The proposed final plat is consistent with the recently passed 2005 Comprehensive Plan land use and roadway designations for the site.
3. The final plat is consistent with the requirements of the Urbana Subdivision and Land Development Code.
4. On August 20, 2001 the Urbana City Council approved a final plat for Beringer Commons Subdivision No. 4 under Ordinance 2001-08-097. The proposed revised final plat simply subdivides lot 453 into 15 common-lot-line townhouse parcels and does not alter the remainder of the previously approved plat.
5. There are no requested waivers to the Urbana Subdivision and Land Development Code.

## **Options**

The City Council has the following options in Plan Case 1929-S-05. The City Council may:

- a. Approve of the proposed final plat.
- b. Deny the proposed final plat.

## **Staff Recommendation**

Staff recommends that the City Council approve the requested final plat for Plan Case 1929-S-05.

Attachments:      Proposed Ordinance for Final Plat  
                         Proposed Final Plat for Lot 453, Beringer Commons Subdivision No. 4  
                         Location Map

cc: Ivan Richardson, Beringer Commons

ORDINANCE NO. 2005-04-058

An Ordinance Approving A Final Subdivision Plat  
(Replat of Lot 453 of Beringer Commons Subdivision No. 4 - Plan Case No.  
1929-S-05)

WHEREAS, The East Urbana Development Corporation has submitted a Replat of Lot 453 of Beringer Commons Subdivision No. 4 in general conformance with the pertinent ordinances of the City of Urbana, Illinois; and,

WHEREAS, The Replat of Lot 453 of Beringer Commons Subdivision No. 4 is consistent with specific requirements and provisions of the Annexation Agreement between the City of Urbana and the East Urbana Development Corporation which was adopted by the City of Urbana on August 4, 1992 by Ordinance 9192-20 and as amended by the City of Urbana on August 20, 2001 by Ordinance 2001-08-096; and,

WHEREAS, The Replat of Lot 453 of Beringer Commons Subdivision No. 4 is generally consistent with the approved Preliminary Plat Update for Beringer Commons Subdivision approved by the Urbana City Council on August 20, 2001 by Ordinance 2001-08-097; and,

WHEREAS, The Replat of Lot 453 of Beringer Commons Subdivision No. 4 complies with the Urbana Comprehensive Plan; and,

WHEREAS, the Replat of Lot 453 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 Replat of Lot 453 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 Replat of Lot 453 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 \_\_\_\_\_, 2005.

AYES:

NAYS:

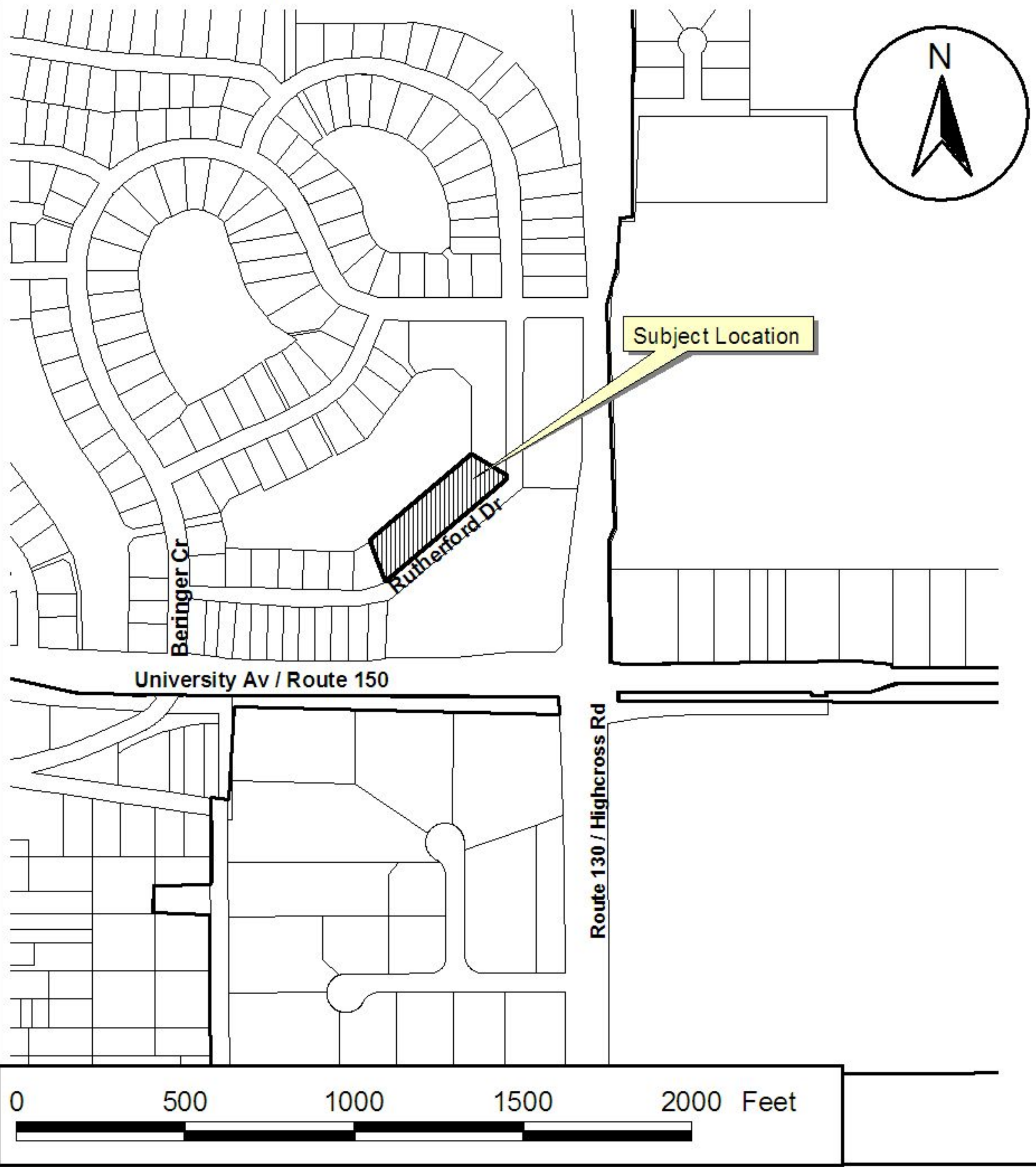
ABSTAINED:

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

APPROVED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
Tod Satterthwaite, Mayor

# Location Map



Plan Case: 1929-S-05  
Final Replat of Lot 453  
Beringer Commons Subdivision No. 4  
Petitioner: Ivan Richardson