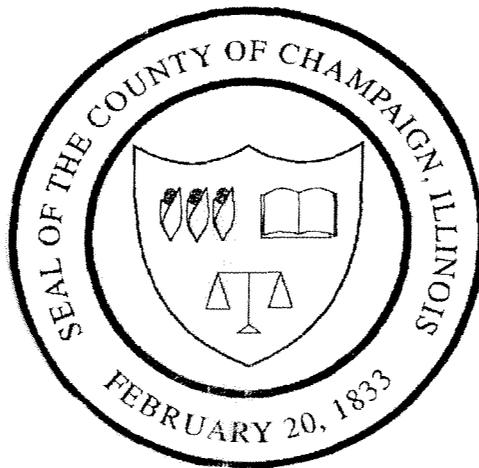


*Environment
& Land Use Committee
Agenda*

March 10, 2008



7:00 p.m.

*Lyle Shields Meeting Room
Brookens Administrative Center
1776 East Washington, Urbana, IL 61802
(217) 384-3708*

AGENDA

Champaign County Environment & Land Use Committee

Members:

*Jan Anderson, Chris Doenitz, Matthew Gladney,
Brad Jones, Ralph Langenheim, Carrie Melin, Steve Moser, Jon
Schroeder (VC), Barbara Wysocki (C)*

Date: *March 10, 2008*

Time: *7:00 p.m.*

Place: *Lyle Shields Meeting Room
Brookens Administrative Center
1776 E. Washington St.
Urbana, Illinois*

Phone: *(217) 384-3708*

AGENDA

Old Business shown in Italics

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes (February 11, 2008) 1 thru 11
4. Public Participation
5. Correspondence 12 thru 13
 - A. Mahomet Aquifer Consortium Meeting No. 57, December, 10, 2007 minutes.
 - B. Mahomet Aquifer Consortium Meeting No. 58, February 19, 2008, Agenda 14
6. CDAP Loan: Copeland Brothers, Inc. 15 thru 16
7. Zoning Case 596-AT-07 Petitioner: Champaign County Zoning Administrator 17 thru 28

Request: Amend the Champaign County Zoning Ordinance as follows:

 - A. Add as a standard condition for any Special Use Permit that all exterior lighting must be full cutoff type lighting fixtures with limited output and other relevant restrictions.
 - B. Add the use "Township Highway Maintenance Garage" to Section 5.2 Table of Authorized Uses and authorize as follows:
 1. Authorize by-right in the B-1, B-4, B-5, I-1 and I-2 Zoning Districts.
 2. Authorize by-right in the AG-1, AG-2, B-2, and B-3 Zoning Districts only if:
 - (a) the use is not located within 150 feet of an existing dwelling unless separated by a public right-of-way; and
 - (b) only if located more than one and one-half-miles from the corporate boundary of a municipality that has adopted a comprehensive plan; and

ENVIRONMENT AND LAND USE COMMITTEE AGENDA

March 10, 2008

PAGE 2

Zoning Case 596-AT-07 cont:

(c) the use complies with other standard conditions that may apply to all Special Use Permits; and otherwise authorize Special Use Permit.

3. Authorize only by Special Use Permit in the CR and all R Zoning Districts.

8. *Proposed Intergovernmental Agreement regarding development pursuant to municipal annexation agreement that is more than one-and-one half miles the municipality. (Information to be distributed at meeting)*
9. *Champaign County Land Resource Management Plan Update* 29
10. *Champaign County Pre-Disaster Mitigation Plan Update*
11. **Update on County Electronics Recycling Event** 30
12. **Senate Bill 2022** *(Information to be distributed at meeting)*
13. **Monthly Report (February, 2008)**
(Information to be distributed at meeting)
14. **Other Business**
15. **Adjournment**

MINUTES OF REGULAR MEETING

Champaign County Environment & Land Use Committee Champaign County Brookens Administrative Center Urbana, IL 61802	DATE: February 11, 2008 TIME: 7:00 p.m. PLACE: Lyle Shields Meeting Room Brookens Administrative Center 1776 E. Washington Street Urbana, IL 61802
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MEMBERS PRESENT: Chris Doenitz, Matthew Gladney, Brad Jones, Ralph Langenheim, Carrie Melin, Jan Anderson, Barbara Wysocki (C), Jon Schroeder (VC)

**OTHER COUNTY
BOARD MEMBERS
PRESENT:** None

DRAFT

MEMBERS ABSENT: Steve Moser

STAFF PRESENT: John Hall, Leroy Holliday, Susan McGrath (Senior Assistant State's Attorney), Susan Monte (Regional Planning Commission), Brent Rose (Regional Planning Commission)

OTHERS PRESENT: Bill Hoffschneider, Renee Hoffschneider, Joyce Lindley, Carrie Boone

1. Call to Order, Roll Call

The meeting was called to order at 7:00 p.m. The roll was called and a quorum declared present.

With the approval of Ms. Wysocki, Mr. Schroeder chaired the meeting.

2. Approval of Agenda

Mr. Langenheim moved, seconded by Ms. Wysocki to approve the agenda. Motion carried by voice vote.

3. Approval of Minutes (January 14, 2008)

Ms. Melin moved, seconded by Mr. Gladney to approve minutes dated January 14, 2008 as amended. Motion carried by voice vote.

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4. Public Participation

Bill and Renee Hoffschneider had no comment at this time.

Joyce Lindley said that she is from Bridle Brook Adult Communities and was here to answer any questions regarding the CDAP loan request.

Carrie Boone said that she is from Bridle Brook Adult Communities, LLC, and was here to answer any questions regarding the CDAP loan request.

5. Correspondence

There was no correspondence.

6. Subdivision Case 191-08: Hanna’s Acres Subdivision. Subdivision Plat approval for one lot minor subdivision in the AG-1 Zoning District in Section 12 of Stanton Township.

Mr. Langeheim moved, seconded by Mr. Doenitz to approve Subdivision Case 191-08: Hanna’s Acres Subdivision Plat for a one lot minor subdivision in the AG-1 Zoning District in Section 12 of Stanton Township.

Ms. Wysocki said that she had visited to site to help get a sense of what was being requested. Ms. Wysocki asked Mr. Hoffschneider how would the septic system be accommodated there.

Mr. Hoffschneider said that it would be a septic tank with a leach field type system.

Ms. Wysocki asked Mr. Hoffschneider if the house will be elevated.

Mr. Hoffschneider said yes the elevation of the property itself is 673.5 feet with a basic flood elevation of

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DRAFT SUBJECT TO APPROVAL DRAFT

ELUC

1 674.5 feet so they would be a minimum of one foot above 674.5 feet with the lowest part of the house being
2 the garage floor. He said that there are no plans for a basement.

3

4 Mr. Schroeder asked the Committee if they had any other questions for Mr. Hoffscheider and there were
5 none.

6

7 Mr. Schroeder asked if anyone else had any questions.

8

9 Mr. Hall said that there are three waivers necessary so the new way of doing subdivisions is if you are
10 inclined to approve the subdivision you should approve the Findings and then approve the Area General Plan
11 and then recommend approval of the final plat.

12

13 Ms. Wysocki asked Mr. Hall if each of those require separate motions.

14

15 Mr. Hall said yes.

16

17 **Mr. Langeheim moved, seconded by Mr. Doenitz to withdraw their motion. Motion carried by voice**
18 **vote.**

19

20 **Mr. Doenitz moved, seconded by Mr. Gladney to approve the Finding of Fact. Motion carried by voice**
21 **vote.**

22

23 **Mr. Doenitz moved, seconded by Ms. Anderson to approve the Area General Plan. Motion carried by**
24 **voice vote.**

25

26 **Mr. Langeheim moved, seconded by Doenitz to approve Case 191-08: Hanna's Acres Subdivision.**
27 **Subdivision Plat approval for one lot minor subdivision in the AG-1 Zoning District in Section 12 of**
28 **Stanton Township. Motion carried by voice vote.**

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7. CDAP Loan: Bridle Brook Adult Communities, LLC.

Brent Rose of the Regional Planning Commission said that they have most of the \$900,000.00 available in their loan fund for the Community Development Assistance Program. He said that they are applying for \$750,000.00 of new money that is available from the State of Illinois each year for Champaign County to lend out and what they are looking to do is to go up to \$900,000.00 and then apply for more money if they need to. Mr. Rose said that if they are any question he would be glad to answer but the owners of the development are here as well.

Mr. Gladney said that he is glad to have the information in our packets to review.

Mr. Rose said that there is a lot more information if the Committee would like to review it.

Ms. Wysocki asked if in regard to the \$750,000.00, could the County apply for it in each calendar year or fiscal year.

Mr. Rose said that the County could apply up to \$750,000.00 each fiscal year from July 1st to June 30th.

Ms. Anderson asked if we have money now could we request more money before its depleted.

Mr. Rose said that we cannot request funds if we have funds available or if the amount requested is more than we have currently.

Ms. Anderson asked Mr. Rose if there would be a time where we would not get any money from the State.

Mr. Rose said that we had not applied in a long time which is good but we have always received it.

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ELUC

1 Mr. Gladney asked what would happen if the State doesn't allocate money to the County.

2

3 Mr. Rose said that the loan amount would be lessened to whatever is available at that time. He said that right
4 now we have \$600,000.00 available and generally recapture approximately \$30,000.00 each month in
5 repayments. He said that he did not see any problems getting the any money from the State.

6

7 Ms. Anderson asked Mr. Rose if there would be a detrimental effect on Bridle Brook if it did not receive
8 these funds.

9

10 Mr. Rose said that there are other financial opportunities out there but this was a better route for them as far
11 as interest rate and if they have to use more of their own money it would be less capital they would have
12 once the business gets up and running.

13

14 Ms. Wysocki asked Joyce Lindley if they had any models that could be visited.

15

16 Ms. Lindley said that they have one for independent living but not for the assisted living.

17

18 Ms. Wysock asked Ms. Lindley if they have completed any marketing study or feasibility study.

19

20 Ms. Lindley said that they have a completed a feasibility study and Mr. Rose has a copy of it which was very
21 promising for the Mahomet area. She said that was done about a year and a half ago when they initially were
22 hoping to break ground. She said that since then they changed partners in the partnership and that helped us
23 to move forward. She said that the Committee may have copies of the study if they so choose.

24 Ms. Lindley said they have not done a lot of pre-marketing but they have done some that was geared to the
25 villas which are there now. She said that the brochures are complete for the assisted living and they had
26 inquiries because they knew the campus was coming. She said that recently she had done an interview with
27 the Mahomet Citizen and from that interview they have received numerous calls this week. She said that she
28 looks to have a good response once they get on the way.

1

2 Ms. Anderson asked Ms. Lindley where the facility would be located.

3

4 Ms. Lindley said that it would be east of Mahomet on U.S. 150 next to Carle and the Fisher Bank. She said
5 that Christie Clinic would be building next to them as well. She said that it would fit in very well especially
6 with the hospital and the new clinics going up.

7

8 Ms. Melin asked Ms. Lindley once the finances get in place when would they start construction.

9

10 Ms. Lindley said that as soon as the weather breaks they would like to start building. She said that they will
11 be meeting with their finance person this Thursday to get some things finalized. She said that they had
12 received some bids already so we know what the cost is going to be.

13

14 Mr. Doenitz asked Ms. Lindley if the financing from Farm Credit was secure.

15

16 Ms. Lindley said yes.

17

18 Mr. Schroeder asked Ms. Lindley if they are regulated by the Health Facilities Planning Board.

19

20 Ms. Lindley said that the assisted living part would be license through the State. She said that she contacted
21 the State and that was taken care of about a year ago. She said that the way it works is that approximately
22 four months before the opening date the State will do an initial inspection and then after you are opened they
23 issue a temporary license and after 180 days they do another inspection and if everything passes you are
24 licensed and if not then you will get another time span to fix whatever needs to be done before the license
25 could be issued. Ms. Lindley said that she had been an executive director and in health care since 1994 so
26 this is not her first time going through this.

27

28 Mr. Schroeder asked if the Committee had any other questions and there were none.

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Mr. Doenitz moved, seconded by Ms. Melin to approve the CDAP Loan for Bridle Book Adult Communities, LLC. Motion carried by voice vote

8. Proposed Intergovernmental Agreement regarding development pursuant to municipal annexation agreement that is more than one-and-one half miles from the municipality

Mr. Hall said that last Wednesday the Policy Committee recommended to the full Board the adoption of a resolution calling for a change in the law concerning annexation agreements. He said that this resolution adds Champaign County to the list of counties that could vote to retain jurisdiction outside the mile-and-a-half and also provides for local intergovernmental agreements. He said that was the same resolution that was approved by St. Joseph, Savoy, and the City of Champaign. Mr. Hall said that Urbana was considering it last night but he had not heard the results of their action but it was recommended for approval by staff so hopefully the City Council passed it. Mr. Hall said that Rantoul has it on their agenda for February 12th so at this time the major municipalities support this. He said that Mahomet and Tolono had not passed a resolution and so far they did not have anything on their agendas. Mr. Hall said that in previous discussions with this Committee it was mentioned that if we did not get all of those municipalities behind it there might not be support for it but so far it looks like there is support for it and it is on the full Board agenda for Thursday night. He said that this is the resolution for legislative change and once the legislative change is in place which may take a year then we could revisit the idea of intergovernmental agreements. Mr. Hall said that no one was interested in intergovernmental agreements until it was authorized by state law so that is part of the legislative change. He said that at this point we did not know if this topic needs to be carried on the committee agenda or not but the Committee could contact Tolono and Mahomet to see if they are interested in passing a resolution.

Mr. Doenitz said that he would like to see it on the agenda for updates.

Ms. Anderson asked if the County needed to contact Tolono and Mahomet.

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Mr. Hall said that he did not know if they needed to be contacted however, one action of this resolution requires is that all municipalities receive a copy of the resolution. He said that he did not know the best way for this Committee to contact those municipalities and get them on board. He said that he was reviewing minutes from the Mahomet Village Board Meeting from October and they were waiting to see the action from this Committee so once they get a copy of the approved resolution that may spur the to take action.

Ms. McGrath said that since the shell bill was developed the City of Champaign has been in contact with all the municipalities.

Mr. Schroeder asked Ms. McGrath if any of the local legislators have been on board with this.

Ms. McGrath said that Representative Jakobsson and Representative Rose indicated that they would be in support of this resolution. She said that also they are looking at setting up a legislative session for either the last week of February or the first week of March but are waiting to see when people are available.

Mr. Schroeder asked Ms. McGrath if there was anyone from the Senate contacted.

Ms. McGrath said that Senator Frerichs has been contacted but she did not know if Senator Righter had been contacted.

Mr. Schroeder asked the Committee if there were any other questions or comments and there were none.

9. Champaign County Land Resource Management Plan

Ms. Monte said that this Thursday would be the sixth Steering Committee Meeting and they had been working on Stage Two Policy Framework Development. She said that in addition, they had been interviewing the twelve municipalities that had adopted comprehensive plans and so far we have gone

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ELUC

1 through ten interviews to discuss the extraterritorial jurisdiction and overlapping planning jurisdiction and to
2 identify concerns and get some feedback from those municipal representatives. She said that they formulated
3 a survey of eight questions that is open-ended to get more feedback from Township Supervisors as well as a
4 Trustee from each Township. She said that the survey will also be distributed to each Township Road
5 Commissioner and Township Plan Commission Chair. Ms. Monte said that a slightly adjusted version of the
6 same survey would be sent to all municipal and village presidents within the county. She said that at this
7 Thursday's meeting they will launch into some initial sorting and consolidating of some land use policies
8 and get started on considering some possible policy framework models. She said there will be a three part
9 workshop in April with two group exercises and a wrap-up session at the end.

10
11 Ms. Melin asked Ms. Monte if the April workshop would be a one day event in one place.

12
13 Ms. Monte said that there will be two workshops for the public, one will be Tuesday April 1st and the other
14 will be Saturday April 5th.

15
16 Ms. Melin said that she spoke with Susan Chavarria about ways you are planning to notify the public.

17
18 Ms. Monte said that she realized they have eight weeks until the workshops so we are serious about starting
19 the public information campaign. She said that they have several ideas and are open to additional ideas if the
20 Committee wants to share those. She said that their ideas include public service announcements, media
21 interviews, press releases, people from the farm bureau and seed companies.

22
23 Ms. Melin said that she spoke with Ms. Chavarria regarding an informal party with neighbors to discuss
24 other ideas with each other. She said that the reason she thought about that was because neighbors are more
25 likely to share ideas. She said that she thinks that Hal Barnhart would be interested in something like this.

26
27 **10. Champaign County Pre-Disaster Mitigation Plan**

1 Ms. Monte said that they are in the sixth month of organizing resources and during this time they were
2 contacting municipalities within the county and in addition the University of Illinois and Parkland College
3 also has been invited to participate in this plan. She said that they are nearly complete in filling spots for our
4 Planning Team she but still have some open slots. Ms. Monte said that she wanted to keep it limited to a
5 twelve member team. She said that she had not scheduled a Planning Team meeting but if possible it
6 probably will be the second week of March. She said that at the next ELUC Meeting the Committee would
7 get something in their packet describing more about the structure and the process.

8
9 Ms. Anderson asked Ms. Monte if this is done with FEMA involvement.

10
11 Ms. Monte said yes and Bill Keller is the Chair of the Planning Team

12
13 **11. Monthly Report (January, 2008)**

14
15 Mr. Hall distributed copies of the Monthly report. He said that the Department started the year with only
16 eleven zoning cases pending at the ZBA and the permitting is about where you would expect for January and
17 this is comparable to last year. He said that they made some headway as far as inspections in January and
18 actually ended January with fewer back log of enforcement cases than we had at the beginning of the month.
19 He said that he is hoping to make a significant impact by the end of the year.

20
21 **Ms. Wysocki moved, seconded by Mr. Jones to accept and place on file the January 2008, Monthly**
22 **Report. Motion carried by voice vote.**

23
24 **12. Other Business**

25
26 Ms. Wysocki said that in case the Committee was not aware the Clinton Landfill Resolution was defeated at
27 Dewitt County. She said that she did not know what other recourse the developers have regarding that site
28 but the DeWitt County Residents spoke loud and clear.

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DRAFT SUBJECT TO APPROVAL DRAFT

ELUC

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2 Mr. Langenheim asked if anything else will happen or will that stop it.

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4 Ms. Wysocki said that she did not know.

5

6 Mr. Doenitz said that if he remembered correctly it was not binding.

7

8 Ms. Monte said that the electronics computer recycling is on April 19th with Mac's Recycling but they are
9 still looking for a site.

10

11 **13. Determination of items to be placed on the County Board Consent Agenda**

12

13 Mr. Schroeder said that Item #6 would be on the Consent Agenda.

14

15 **14. Adjournment**

16

17 **Mr. Langenheim moved, seconded by Mr. Doenitz to adjourn the meeting. Motion carried by voice**

18 **vote.**

19

20 The meeting adjourned at 7:42pm.

Respectfully submitted,

Secretary to the Environment and Land Use Committee

eluc\minutes\minutes.frm

Mahomet Aquifer Consortium
Member Meeting No. 57
December 10, 2007
Minutes

1. A meeting of the members of the Mahomet Aquifer Consortium (MAC) was held on December 10, 2007 at the offices of Illinois State Water Survey (ISWS) in Champaign, IL. MAC Board member Nancy Erickson called the meeting to order at 10:10 a.m. Sixteen people were in attendance.
2. Introductions were made and roll call was accomplished by signing the MAC mailing list.
3. Minutes of the October 22, 2007 meeting (Meeting No. 56) were e-mailed and reviewed by those in attendance. A correction was made regarding the spelling of Ralph Langenheim's name. No other changes were noted. Motion to accept and approve the minutes of the previous meeting was made by Paul DuMontelle and seconded by Gale Jamison. Motion carried.
4. Treasurer's Report made by Al Wehrmann. The balance on hand for the general MAC account as of November 30, 2007 was \$517.25. The balance on hand for the IDNR grant account as of November 30, 2007 was \$177,192.71 Motion to approve the Treasurer's Report was made by Ed Mehnert and Al Wehrmann. Motion carried.
5. Committee Reports
 - a) Funding – Al Wehrmann reported that the funding for the second year of the IDNR grant had been received.
 - b) Education and Public Relations – Ed Mehnert said that the RWSPC web site was up and running. The site is RWSPC.org.
 - c) Data & Scientific Assessment – George Roadcap reported that 14 new wells had been installed in Champaign County and 3 new wells had been installed in Piatt County.
 - d) Progress of the RWSPC – The last meeting of the RWSPC was held on November 30 in Bloomington at the Illinois Farm Bureau office. William Smith reported that Whitman and Associates continues to work on the project. A power point presentation has been developed so that members of the RWSPC can provide information to different groups about the progress of the group. Ed reported that potential management options may vary from the east side of the aquifer area to the west side of the area. The recharge is about 12 inches in the west while the recharge in the eastern part of the aquifer was much less. Derek reported that an informal meeting of the northeast RWSPG would be held on December 18, 2007.
6. Presentation – Dr. Derek Winstanley gave a power point presentation to the committee regarding Water Supply Planning and Management. Topics presented included management of regional water supplies, groundwater sustainability, consequences, and conservation and reuse.
7. Old Business - There was no old business to come before the meeting.
8. New Business – There was no new business to come before the meeting.
9. The next meeting will be held on February 19, 2008.

10. Paul DuMontelle moved that the meeting adjourn and Anthony Hall seconded the motion.

Meeting adjourned at 11:30 a.m.

Respectfully submitted,

Nancy Erickson for
Dorland W. Smith
Secretary-Treasurer

Mahomet Aquifer Consortium
Meeting No. 58
February 19, 2008, 10:00 a.m.

Illinois State Water Survey, Champaign, IL

AGENDA

1. Call to Order – Mel Pleines
2. Approval of Agenda
3. Roll Call – (Initial Attendance Sheet or sign in)
4. Minutes of – December 10, 2007 Meeting No. 57
5. Treasurer’s Report – Dorland W. Smith, Sec-Treas
6. Committee Reports
 - a) Funding – Mel Pleines
 - b) Education & Public Relations – Ed Mehnert, Chairman
 - c) Data & Scientific Assessment – George Roadcap, Chairman
 - d) Progress of RWSPC – Dorland W. Smith
7. Presentation – Water Conservation in Illinois – By Kishore Rajagopalian, WMRC
8. Old Business
9. New Business
10. Next Meeting Date – Meeting No. 59 - April , 2008
11. Adjourn -



To: Environment & Land Use Committee
From: Brent Rose
Re: Loan request from Copeland Brothers, Inc.
Date: March 10, 2008

This is a request for \$50,000 in Community Development Assistance Program (CDAP) loan funding.

Background

Copeland Brothers, Inc., located in Mahomet, is a recently started business in the agriculture industry. The business specializes in custom detasseling, crop spraying and trucking. Its purpose is to work with seed corn companies and farmers in Central Illinois to meet the growing demand for seed corn in the area. The need for custom contract work in the seed corn industry is evolving at a rapid pace.

The total cost of this project is \$235,000. Funds are being obtained from Leasing Specialists, Inc., Illinois Ventures for Community Action, the CDAP program, and owners' cash.

Andy Copeland is the owner of the corporation. Before starting Copeland Brothers, Inc., Andy spent his career working for Monsanto as an operations supervisor for three of its seed corn sites and was recognized by Monsanto for his ideas and work ethic.

Loan Request

Copeland Brothers, Inc. is requesting financing of \$50,000 for the purchase of a service truck and for working capital needs.

Sources and Uses of Funds

<u>Uses</u>		<u>Sources</u>	
Purchase semi and hopper bottom trailer	\$110,000	IVCA	\$45,000
Service Truck	\$40,000	CDAP / RPC	\$50,000
Working Capital	\$55,000	CSBG/Other	\$120,000
Repairs, maintenance	\$30,000	Cash	\$20,000
Total	\$235,000		\$235,000

Total Debt Service Coverage

Projected for 2008

Cash Flow Available for Debt Service	\$234,400
Total Debt Service	<u>\$33,696</u>
Cash Flow after Debt Service	\$200,704
Debt Service Coverage Ratio	6.96%

Projected for 2009

Cash Flow Available for Debt Service	\$324,000
Total Debt Service	<u>\$33,696</u>
Cash Flow after Debt Service	\$290,304
Debt Service Coverage Ratio	9.62%

Projected for 2010

Cash Flow Available for Debt Service	\$381,500
Total Debt Service	<u>\$33,696</u>
Cash Flow after Debt Service	\$347,804
Debt Service Coverage Ratio	11.32%

Collateral Coverage

Collateral coverage is sufficient. The Champaign County Regional Planning Commission will have a lien on a service truck (make and model to be determined).

Jobs Created

As a result of the CDAP assistance, this project will create at least 3 full-time equivalent jobs.

Rate and Term of CDAP loan

This is a loan request for \$50,000, amortized over 10 years with a 6% fixed interest rate. There will be a 1% closing fee and monthly payments of \$555.10.

Staff Recommendation

The projected debt service coverage is excellent. The Guarantor's experience in this type of business setting and his contacts in this industry give the business a great chance for success.

Champaign County Regional Planning Commission staff recommends approval of \$50,000 for 10 years with a fixed interest rate of 6% for the term of the loan, the personal guarantees of Andy Copeland and Jennifer Copeland, and a 1% fee at closing.

Champaign
County
Department of

**PLANNING &
ZONING**

To: **Environment and Land Use Committee**
From: **JR Knight, Associate Planner**
John Hall, Zoning Administrator

Date: **March 5, 2008**

RE: **Zoning Case 596-AT-07**

Zoning Case 573-AM-06

Brookens
Administrative Center
1776 E. Washington Street
Urbana, Illinois 61802

(217) 384-3708
FAX (217) 328-2426

- Request **Amend the Champaign County Zoning Ordinance as follows:**
- A. Add as a standard condition for any Special Use Permit that all exterior lighting must be full cutoff type lighting fixtures with limited output and other relevant restrictions.**
 - B. Add the use "Township Highway Maintenance Garage" to Section 5.2 Table of Authorized Uses and authorize as follows:**
 - 1. Authorize by-right in the B-1, B-4, B-5, I-1, and I-2 Zoning Districts.**
 - 2. Authorize by-right in the AG-1, AG-2, B-2, and B-3 Zoning Districts only if (a) the use is not located within 150 feet of an existing dwelling unless separated by a public right-of-way; and (b) only if located more than one and one-half-miles from the corporate boundary of a municipality that has adopted a comprehensive plan; and (c) the use complies with other standard conditions that may apply to all Special Use Permits; and otherwise authorize only as a Special Use Permit.**
 - 3. Authorize only by Special Use Permit in the CR and all R Zoning Districts.**

Petitioner **Zoning Administrator**

STATUS

The Zoning Board of Appeals voted to "RECOMMEND ENACTMENT" of this proposed Zoning Ordinance Text Amendment at their February 28, 2008, meeting. The Approved Finding of Fact is attached.

Staff has received notice that neither the City of Champaign nor the City of Urbana intend to protest the proposed amendment. However, it is recommended that the proposed amendment be deferred for one month as is customary.

BACKGROUND

On November 13, 2007, the Environment and Land Use Committee (ELUC) directed staff to prepare a text amendment to establish standards for exterior lighting for Special Use Permits (SUP's) and to change the type of zoning approval required for township highway maintenance garages.

The original ELUC recommendation was based on a staff recommendation, which only included lighting standards for SUP's within 1,000 feet of a dwelling conforming to use. However, during the public hearing the Zoning Board of Appeals recommended the amendment be revised to include all SUP's regardless of location.

ATTACHMENTS (excerpted from Documents of Record)

- A Summary of Evidence, Finding of Fact, and Final Determination of the Champaign County Zoning Board of Appeals as approved on February 28, 2008

AS APPROVED

596-AT-07

**FINDING OF FACT
AND FINAL DETERMINATION
of
Champaign County Zoning Board of Appeals**

Final Determination: *{RECOMMEND ENACTMENT/ RECOMMEND DENIAL}*

Date: February 28, 2008

Petitioner: Zoning Administrator

Request: Amend the Champaign County Zoning Ordinance as follows:

- A. Add as a standard condition for any Special Use Permit that all exterior lighting must be full cutoff type lighting fixtures with limited output and other relevant restrictions
- B. Add the use "Township Highway Maintenance Garage" to Section 5.2 Table of Authorized Uses and authorize as follows:
 - 1. Authorize by-right in the B-1, B-4, B-5, I-1, and I-2 Zoning Districts.
 - 2. Authorize by-right in the AG-1, AG-2, B-2, and B-3 Zoning Districts only if (a) the use is not located within 150 feet of an existing dwelling; and (b) only if located more than one and one-half-miles from the corporate boundary of a municipality that has adopted a comprehensive plan; and (c) the use complies with other standard conditions that may apply to all Special Use Permits; and otherwise authorize only as a Special Use Permit.
 - 3. Authorize only by Special Use Permit in the CR and all R Zoning Districts.

FINDING OF FACT

From the documents of record and the testimony and exhibits received at the public hearing conducted on **January 17, 2008, February 14, 2008, and February 28, 2008**, the Zoning Board of Appeals of Champaign County finds that:

- 1. The petitioner is the Zoning Administrator.

2. The need for the amendment came about as follows:
 - A. Regarding Part A, the Zoning Ordinance contains no lighting standards and the Zoning Board of Appeals (ZBA) regularly requires as a condition for nearly any Special Use Permit (SUP) that the exterior lighting not create glare on adjacent properties or the roadway. The ZBA has recently asked if the Ordinance could be amended to include standards for exterior lighting.
 - B. Two townships will be building highway maintenance garages in the coming year in the AG-1 and AG-2 Zoning Districts and both garages require a Special Use Permit. A Special Use Permit requires a public hearing at the Zoning Board of Appeals. Compared to a “by right” use which only requires a Zoning Use Permit, the need for a Special Use Permit necessarily results in a delay to the applicant of at least one month or more depending upon how many zoning cases are docketed at the ZBA.
 - C. On November 17, 2007, ELUC directed staff to prepare a text amendment to establish standards for exterior lighting for Special Use Permits (SUP’s) and to change the type of zoning approval required for township highway maintenance garages.

GENERALLY REGARDING THE EXISTING ZONING REGULATIONS

3. Existing Zoning regulations regarding the separate parts of the proposed amendment are as follows:
 - A. Regarding Part A of the proposed amendment, the *Zoning Ordinance* has no provisions or requirements for exterior lighting.
 - B. Regarding Part B of the proposed amendment:
 - (1) “Township Highway Maintenance Garage” is not currently a specific use in Section 5.2 Table of Authorized Uses.
 - (2) There are three similar uses currently in Section 5.2 Table of Authorized Principal Uses: “Municipal or GOVERNMENT BUILDING,” “Contractor’s Facility with Outdoor STORAGE and/or Outdoor OPERATIONS,” and “Truck Terminal.”
 - (3) Of the last four highway maintenance garages approved by the ZBA two were authorized as “Contractor’s Facilities” and two were authorized as detached storage buildings for township hall facilities:
 - (a) Zoning Case 211-S-90 was a request by Urbana Township for a Special Use Permit for a detached storage building for a “Municipal or GOVERNMENT BUILDING” in the CR Conservation Recreation Zoning District. It was located within one-and-one-half miles of the corporate boundary of the City of Urbana. There are dwellings on the west, north, and east sides of the property. There was one special condition that exterior lighting shall be limited to the west side of the building and shall have solid shielding to prevent glare onto Perkins Road and adjacent properties.

- (b) Zoning Case 163-S-98 was a request by Scott Township for a Special Use Permit for a Contractor's Facility with outdoor storage in the AG-1 Agriculture District. There are three adjacent dwellings on the north side of the property. There were two special conditions imposed by the ZBA in this case. The first required that no Zoning Use Permit (ZUP) be issued for the property until a Final Plat of Subdivision (required for the subject property in this case) was approved and recorded, and the second required that no Zoning Compliance Certificate be issued until an Illinois Professional Engineer certified the as-built volume of the detention basin and provided as-built drawings of the drainage system, in compliance with the *Champaign County Stormwater Management Policy*.
- (c) Zoning Case 181-S-99 was a request by Hensley Township for a Special Use Permit for a detached storage building and future township hall facility as a "Municipal or GOVERNMENT BUILDING" in the AG-1 Agriculture District. There are dwellings to the north of the property across CR 2100N (Hensley Road). There was one special condition imposed by the ZBA in this case; it required that no ZUP be issued for the property until the Zoning Administrator determined that the provisions of the *Interim Stormwater Management Policy* would be met on the subject property.
- (d) Zoning Case 290-S-01 was a request by Rantoul Township Road District for a Special Use Permit for a Contractor's facility in the AG-1 Agriculture District. There is a dwelling to the east and apartments to the west across the US 45 right-of-way. There were two special conditions imposed by the ZBA in this case. The first required that exterior lighting shall not produce glare onto adjacent properties or roadways, and the second required that a Type D screen be provided in accordance with the *Zoning Ordinance* to screen outdoor storage areas as they may be moved or expanded on the property.

C. The following definitions from the *Zoning Ordinance* are especially relevant to this amendment (capitalized words are defined in the Ordinance):

- (1) "GOVERNMENT BUILDING" is a BUILDING owned or formerly owned by a government agency and which was designed and constructed for a public purpose and located on the LOT on which it was originally constructed.
- (2) "SPECIAL CONDITION" is a condition for the establishment of a SPECIAL USE.
- (3) "SPECIAL USE" is a USE which may be permitted in a DISTRICT pursuant to, and in compliance with, procedures specified herein. A PLANNED UNIT DEVELOPMENT shall be considered a SPECIAL USE.

SUMMARY OF THE PROPOSED AMENDMENT

- 4. The proposed amendment establishes standards for exterior lighting for Special Use Permits (SUP's) and changes the type of zoning approval required for township highway maintenance garages:

AS APPROVED

- A. Add the following as new paragraph D in Subsection 6.1.1 Standards and Requirements:
- (1) All Special Use Permits with exterior lighting shall be required to minimize glare on adjacent properties and roadways by the following means:
- (a) All exterior light fixtures shall be full-cutoff type lighting fixtures and shall be located and installed so as to minimize glare and light trespass. Full cutoff means that the lighting fixture emits no light above the horizontal plane.
 - (b) No lamp shall be greater than 250 watts and the Board may require smaller lamps when necessary.
 - (c) Locations and numbers of fixtures shall be indicated on the site plan (including floor plans and building elevations) approved by the Board.
 - (d) The Board may also require conditions regarding the hours of operation and other conditions for outdoor recreational uses and other large outdoor lighting installations.
 - (e) The Zoning Administrator shall not approve a Zoning Use Permit without the manufacturer's documentation of the full-cutoff feature for all exterior light fixtures.
- B. Amend Section 5.2 Table of Authorized Principal Uses, as follows:

Add "Township Highway Maintenance Garage" as a new use in the table on the row below "Municipal or GOVERNMENT BUILDING" and indicate type of use as follows:

- (1) In the CR District and all R Districts the use shall be authorized by Special Use Permit only;
- (2) In the B-1, B-4, B-5, and all I Districts the use shall be by-right; and
- (3) In the AG-1, AG-2, B-2, and B-3 Districts the use shall be authorized by Special Use Permit or by-right with reference to Footnote 17.
- (4) Add new Footnote 17, as follows:

Township Highway Maintenance Garage is authorized by-right only if:

- (a) The use is not located within 150 feet of an existing dwelling;
- (b) The use is located outside the one and one-half-mile extraterritorial jurisdiction of a municipality that has adopted a comprehensive plan; and

- (c) The use complies with all standard conditions that apply to all Special Use Permits (See Section 6.1.2).

GENERALLY REGARDING RELEVANT LAND USE GOALS AND POLICIES

- 5. The *Land Use Goals and Policies* (LUGP) were adopted on November 29, 1977, and were the only guidance for amendments to the *Champaign County Zoning Ordinance* until the *Land Use Regulatory Policies- Rural Districts* were adopted on November 20, 2001, as part of the Rural Districts Phase of the Comprehensive Zoning Review (CZR) and subsequently revised on September 22, 2005. The relationship of the Land Use Goals and Policies to the Land Use Regulatory Policies is as follows:
 - A. Land Use Regulatory Policy 0.1.1 gives the Land Use Regulatory Policies dominance over the earlier Land Use Goals and Policies.
 - B. The Land Use Goals and Policies cannot be directly compared to the Land Use Regulatory Policies because the two sets of policies are so different. Some of the Land Use Regulatory Policies relate to specific types of land uses and relate to a particular chapter in the land use goals and policies and some of the Land Use Regulatory Policies relate to overall considerations and are similar to general land use goals and policies.
- 6. Regarding the General Land Use Goals and Policies, the first, third, and fourth General Land Use Goals appear to be relevant to the proposed amendment, as follows:
 - A. The first General Land Use Goal is:

Promotion and protection of the health, safety, economy, convenience, appearance, and general welfare of the County by guiding the overall environmental development of the County through the continuous comprehensive planning process.

 - (1) Part A of the proposed amendment appears to **ACHIEVE** this goal because the amendment will prevent exterior lighting from Special Use Permits from causing significant glare on nearby residences and adjacent roadways.
 - (2) Part B of the proposed amendment appears to **ACHIEVE** this goal because it provides specific requirements for a necessary rural use and provides a means to allow those uses without a public hearing. It also supports the comprehensive planning process by requiring a Special Use Permit when located within the one and one-half mile extraterritorial jurisdiction of a municipality that has adopted a comprehensive plan.
 - B. The third General Land Use Goal is:

Land uses appropriately located in terms of utilities, public facilities, site characteristics, and public services.

 - (1) Part A of the proposed amendment appears to **ACHIEVE** this goal because it will reduce the incompatibilities that may arise between Special Use Permits that require exterior lighting and nearby residences.

- (2) Part B of the proposed amendment appears to **ACHIEVE** this goal because it provides conditions to ensure a Township Highway Maintenance Garage is appropriately located or requires a Special Use Permit.

C. The fourth General Land Use Goal is:

Arrangement of land use patterns designed to promote mutual compatibility.

- (1) Part A of the proposed amendment appears to **ACHIEVE** this goal because:
 - (a) Full cut-off lighting fixtures do not emit light above the horizontal plane, and therefore, do not allow significant light trespass on adjacent properties or glare on roadways.
 - (b) The International Dark Sky Association indicates on its website (www.darksky.org) that more light does not always result in better safety and security at night.
- (2) Part B of the proposed amendment appears to **ACHIEVE** this goal because it allows some Township Maintenance Garages to be authorized by-right, while requiring a Special Use Permit for garages that are less than 150 feet from nearby dwellings; garages that are within the planning area of a municipality with a comprehensive plan; and garages that do not meet the exterior lighting requirements proposed in Part A of this amendment.

D. None of the General Land Use Policies appear to be relevant to the proposed amendment.

7. The Land Use Goals and Policies for Commercial Land Uses appear to be relevant because township highway maintenance garages are similar to commercial uses such as contractor's facilities. The Land Use Goals and Policies for Commercial Land Uses are as follows:

A. There are four Commercial Land Use Goals: the first, second, and third goals appear to be relevant to Part B of the proposed amendment, as follows:

(1) The first Commercial Land Use Goal is:

Provision of a sufficient amount of land designated or various types of commercial land use to serve the needs of the residents of the County.

Part B of the proposed amendment appears to **ACHIEVE** this goal because this amendment will specifically authorize a use that serves the community and allow these uses by-right where appropriate.

(2) The second Commercial Land Use Goal is:

Location of commercial uses within ready accessibility to sewer, water and other utilities as well as adequate streets and highways. Adequate public transit will also be considered.

Part B of the proposed amendment appears to **ACHIEVE** this goal because:

- (a) These types of facilities have no extraordinary requirements for utilities.
- (b) In most situations where there is a question of whether the local streets are adequate for the proposed use a Special Use Permit is required.
- (c) These facilities are intended to serve the rural area, and therefore do not require access to public transit.

- (3) The third Commercial Land Use Goal is:

Commercial areas designed to promote compatibility with non-commercial uses and at the same time provide ease of access.

Part B of the proposed amendment appears to **ACHIEVE** this goal because it allows some Township Maintenance Garages to be authorized by-right, while requiring a Special Use Permit for garages that are less than 150 feet from nearby dwellings; garages that are within the planning area of a municipality with a comprehensive plan; and garages that do not meet the exterior lighting requirements proposed in Part A of this amendment.

- B. There are seven Commercial Land Use Policies, as follows:

- (1) The first commercial land use policy is:

The County Board will encourage only those new commercial developments which are found to be needed to serve the demands of the residents of Champaign County and its trade area.

Part B of the proposed amendment **CONFORMS** to this policy because

- (2) The second commercial land use policy is:

The County Board will establish, by amendment to the Zoning Ordinance or other means, a process for reviewing petitions for new commercial land to include a determination of the need for new commercial development based on market demand.

This policy does not appear to be relevant to this proposed amendment.

- (3) The third commercial land use policy is:

The Environment and Land Use Committee will examine the Zoning Ordinance to institute more flexible commercial development controls such as planned unit development and transfer of development rights in order to provide a wider variety of commercial development techniques and better compatibility with non-commercial uses.

AS APPROVED

Part B of the proposed amendment **CONFORMS** to this policy because it will create a conditional by-right use, which will provide some townships with the ability to construct a Township Highway Maintenance Garage without a public hearing.

- (4) The fourth commercial land use policy is:

The County Board will not encourage major new commercial development except in those areas where sewer, water, adequate fire protection and other utilities are readily available.

This policy does not appear to be relevant to the proposed amendment because a Township Highway Maintenance Garage will not generate the same kind of impacts as major commercial development.

- (5) The fifth commercial land use policy is:

The County Board will not encourage major new commercial developments except in those areas which can be adequately served by public mass transit.

This policy does not appear to be relevant to the proposed amendment because Township Highway Maintenance Garages are not major new commercial development.

- (6) The sixth commercial land use policy is:

The County Board will strongly discourage proposals for new commercial development not making adequate provisions for drainage and other site considerations.

This policy is not relevant to the proposed amendment because Township Highway Maintenance Garages are not major new commercial development.

- (7) The seventh commercial land use policy is:

The County Board will strongly discourage proposals for new commercial development along arterial streets and highways if the proposals contribute to the establishment or maintenance of a strip commercial pattern. As an alternative, concentrated or nodal patterns of development may be considered when there is adequate provision for safe, controlled access to the arterial streets and highways.

This policy does not appear to be relevant to the proposed amendment.

DOCUMENTS OF RECORD

1. Preliminary Memorandum dated January 11, 2008 with attachments:
 - A ELUC Memorandum seeking guidance in regard to exterior lighting standards for SUP's
 - B ELUC Memorandum seeking guidance in regard to requirements for township highway maintenance garages dated November 7, 2007
 - C ELUC Memorandum seeking guidance in regard to requirements for township highway maintenance garages dated November 7, 2007 (actually handed out on November 13, 2007)
 - D Excerpt of the Draft ELUC Minutes of November 13, 2007
 - E Approved Summary of Evidence, Findings of Fact, and Final Determination for Case 163-S-98
 - F Approved Site Plan for Case 163-S-98
 - G Approved Summary of Evidence, Findings of Fact, and Final Determination for Case 181-S-99
 - H Approved Site Plan for Case 181-S-99, received on April 22, 1999
 - I Approved Summary of Evidence, Findings of Fact, and Final Determination for Case 290-S-01
 - J Approved Site Plan for Case 290-S-01
 - K Excerpt of Amended Section 5.2 Table of Authorized Principal Uses
 - L Draft Finding of Fact for Case 596-AT-07
2. Supplemental Memorandum dated February 8, 2008, with attachment:
 - A Revised Excerpt of Amended Section 5.2 Table of Authorized Principal Uses
3. Email from Eva Sweeney received on February 12, 2008
4. Supplemental Memorandum dated February 28, 2008, with attachment:
 - A Letter from Jeff Engstrom, City of Urbana, received on February 21, 2008
 - B Summary of Evidence, Finding of Fact, and Final Determination for Case 211-S-99
 - C Land Use Map for Case 211-S-99
 - D Site Plan for Case 211-S-99
 - E Revised Finding of Fact for Case 596-AT-07

FINAL DETERMINATION

Pursuant to the authority granted by Section 9.2 of the Champaign County Zoning Ordinance, the Zoning Board of Appeals of Champaign County determines that:

The Zoning Ordinance Amendment requested in Case 596-AT-07 should **BE ENACTED** by the County Board in the form attached hereto.

The foregoing is an accurate and complete record of the Findings and Determination of the Zoning Board of Appeals of Champaign County.

SIGNED:

Debra Griest, Chair
Champaign County Zoning Board of Appeals

ATTEST:

Secretary to the Zoning Board of Appeals

Date

CHAMPAIGN COUNTY

LRMP

LAND RESOURCE
MANAGEMENT PLAN

Location:

First Christian Church
Gymnasium
3601 South Staley Road
Champaign

Dates and Times:

Two opportunities, both with
the same structure and content:

Tuesday, April 1, 2008
6:00 – 8:30 p.m.

Saturday, April 5, 2008
9:00 – 11:30 a.m.

Public Workshop

Do you have an interest in shaping land use
policies in rural Champaign County?

Are there parts of the County that you think
need special consideration?

Join us and share your ideas at the
Land Resource Management Plan Public Workshop!

For more information, please contact Susan Chavarria at 328-3313
or visit the project website at www.ccrpc.org ("County LRMP" under Quick Links).

Please RSVP to Mary Cummings at 328-3313 by Friday, March 28th.
If you need more information, special accommodations or assistance,
please contact Mary at least two business days before the workshop.

Champaign County Regional Planning Commission
1776 East Washington, Urbana, IL 61802
Phone: 217.328.3313
Fax: 217.328.2426
www.ccrpc.org



Date: March 4, 2008

To: Champaign County Environment and Land Use Committee

From: Susan Monte, CCRPC County Planner

Re: **2008 Countywide Electronics & Computer Recycling Event**

The second countywide electronics & computer recycling event is being planned.

For the first time, the University of Illinois is joining in and participating in this countywide event with the County and other participating municipalities. This year's event will take place at the U of I Materials Recycling Facility located at 10 E. St. Mary's Road in Champaign.

This year, a local recycling contractor (Mack's Recycling) will facilitate the electronics/computer recycling collection. Volunteers to assist at the event are needed; please contact Susan Monte at (217) 328-3313 if interested in volunteering.

Date: Saturday, April 19, 2008, rain or shine

Time: 9 a.m. – 3:30 pm.

Location: U of I Materials Recycling Facility located at 10 E. St. Mary's Road in Champaign.

'E-Cycling' Items Accepted (no fee):

- Computers/PCs
- Stereos & Equipment
- Monitors
- Copiers
- Printers/Scanners/Fax Machines
- PC Peripherals & Loose Hardware
- Video Conferencing Equipment
- Networking Equipment/Servers
- Entertainment Equipment
- Telephones/Cell Phones
- Answering Machines
- Circuit Boards (not blanks)
- MP3 Players
- DVD Players/VCR's
- Digital Cameras

- TV's (fees involved):
 - 6" - 19" Diagonal screen = \$5
(if cases are wood = \$10)
 - 20" - 27" Diagonal screen = \$10
(if cases are wood = \$20)
 - 28" and up Diagonal screen = \$20
(if cases are wood = \$30)
 - Wood consoles/Projection consoles = \$50

