

ELUC ADDENDUM

County of Champaign, Urbana, Illinois
Thursday, March 6, 2025 – 6:30 p.m.

Shields-Carter Meeting Room, Brookens Administrative Services
1776 East Washington Street, Urbana, Illinois

Agenda Item

VII. New Business: Items to be recommended to the County Board

- C. Zoning Case 163-AM-25.** A request by Premier Cooperative Inc. to amend the Zoning Map by changing the Zoning District designation from B-5 Central Business and AG-1 Agriculture to I-1 Light Industry on four tracts of land totaling 9.06 acres in the West Half of Section 34, Township 22 North Range 8 East of the Third Principal Meridian in East Bend Township located South of Second Street in the Village of Dewey with PIN's 10-02-34-326-006, 10-02-34-328-001, 10-02-34-181-002 and 10-02-34-182-002 commonly known as the Premier Cooperative facility on the South side of Second Street in Dewey.

All meetings are at Brookens Administrative Center – 1776 E Washington Street in Urbana – unless otherwise noted. To enter Brookens after 4:30 p.m., enter at the north (rear) entrance located off Lierman Avenue.

Champaign County will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities. Please contact Administrative Services, 217-384-3776, as soon as possible but no later than 48 hours before the scheduled meeting.

Champaign County
Department of



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

(217) 384-3708
zoningdept@co.champaign.il.us
www.co.champaign.il.us/zoning

To: **Champaign County Environment & Land Use Committee**

From: **John Hall, Zoning Administrator**
Charlie Campo, Senior Planner

Date: **March 6, 2025**

RE: **Recommendation for rezoning case 163-AM-25**

Request: **Amend the Zoning Map to change the zoning district designation from the B-5 Central Business District and AG-1 Agriculture Zoning Districts to the I-1 Light Industry Zoning District .**

Petitioner: **Premier Cooperative Inc.**

The Zoning Board of Appeals (ZBA) voted 5-0 with two members absent to “RECOMMEND ENACTMENT” of this map amendment at its February 27, 2025, meeting. The ZBA found that the rezoning achieved all relevant Goals, Objectives, and Policies from the Champaign County Land Resource Management Plan.

The subject property is not located within the one and one-half mile extraterritorial jurisdiction of a municipality with zoning. The subject property is located in Brown Township, which does not have a Planning Commission.

No comments were received from the notified jurisdictions or the public regarding the proposed rezoning.

Three special conditions were agreed to by the petitioner and approved by Zoning Board of Appeals.

BACKGROUND

The petitioner seeks to rezone the subject property from B-5 Central Business District, and AG-1 Agriculture to I-1 Light Industry to allow the construction of a new office building, truck scale, detention area and driveways.

The 9.06 acre subject property is a part of the Premier Cooperative Facility on the south side of Second St. in Dewey, which totals approximately 23 acres and is in use as a grain storage facility and elevator. A grain elevator has operated in this location since prior to the adoption of the Zoning Ordinance on October 10, 1973. The subject properties have been zoned B-5 and AG-1 since the Zoning Ordinance and Zoning Map were adopted. A Grain Storage Elevator and Bins is not an allowed use in the B-5 and AG-1 Districts. Other areas of the elevator were rezoned from AG-1 to I-1 in 1975 and in 2005.

Staff analysis indicates that the proposed Zoning Map amendment and potential use appear to be generally compatible with surrounding land uses and the Champaign County Land Resource Management Plan Goals, Objectives, and Policies adopted by the County Board on April 22, 2010.

Staff recommended affirmative findings for all decision points for the LRMP Goals, Objectives, and Policies, LaSalle and Sinclair Factors, and Purpose of the Zoning Ordinance.

continued

PROPOSED SPECIAL CONDITIONS

- A. **A Zoning Use Permit and applicable fees shall be required any future construction on the property.**

The special condition stated above is required to ensure the following:

Conformance with the Champaign County Zoning Ordinance.

- B. **The owners of the subject property hereby recognize and provide for the right of agricultural activities to continue on adjacent land consistent with the Right to Farm Resolution 3425.**

The special condition stated above is required to ensure the following:

Conformance with Policy 4.2.3 of the Land Resource Management Plan.

- C. **A complete Storm Water Drainage Plan that conforms to the requirements of the Storm Water Management and Erosion Control Ordinance shall be submitted and approved as part of the Zoning Use Permit application, and all required certifications shall be submitted prior to issuance of the Zoning Compliance Certificate.**

The special condition stated above is required to ensure the following:

That the drainage improvements conform to the requirements of the Storm Water Management and Erosion Control Ordinance.

ATTACHMENTS

- A Case Maps (Location, Land Use, Zoning)
- B Annotated Aerial Photo 2023 created by P&Z Staff
- C Aerial Photos 1973, 1988 and 2008
- D Site Plan Received January 16, 2025
- E Copy of Right to Farm Resolution 3425
- F Summary Finding of Fact and Final Determination for Case 163-AM-25 as approved by the ZBA on February 27, 2025



Location Map

Case 163-AM-25

February 27, 2025

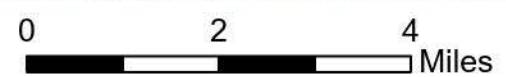
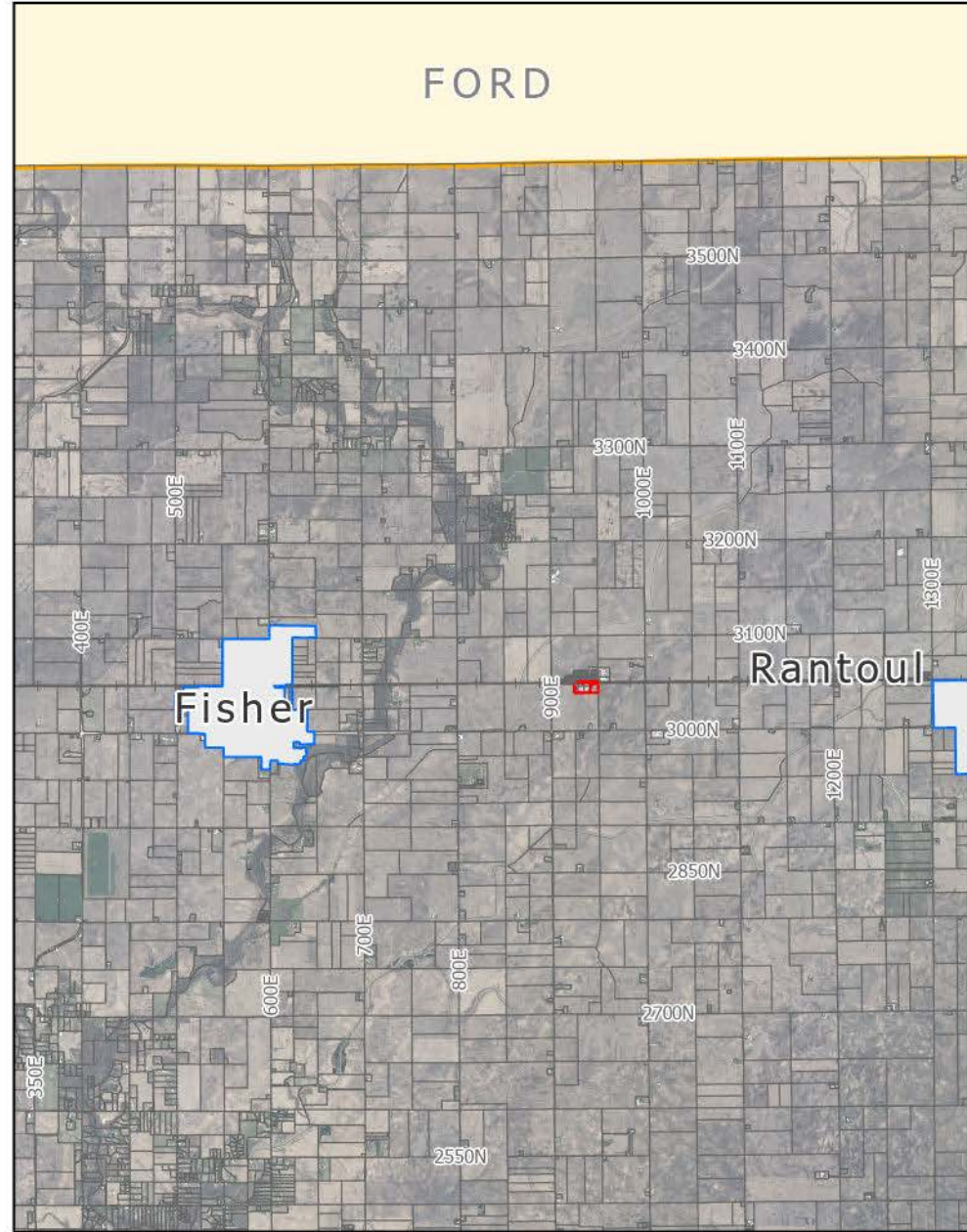
Subject Property



-  Subject Parcels
-  Municipal Boundary



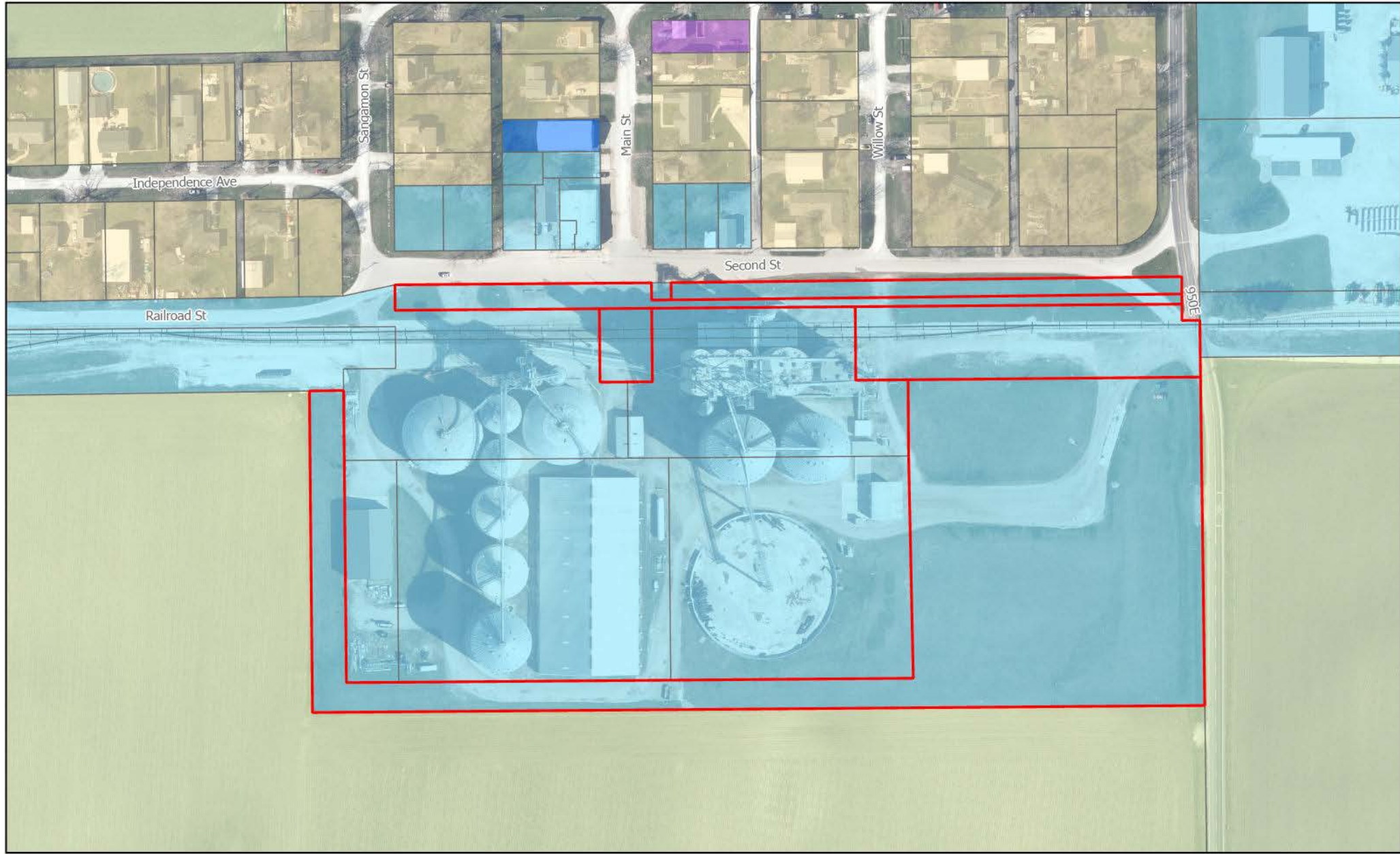
Property Location in Champaign County



Land Use Map

Case 163-AM-25

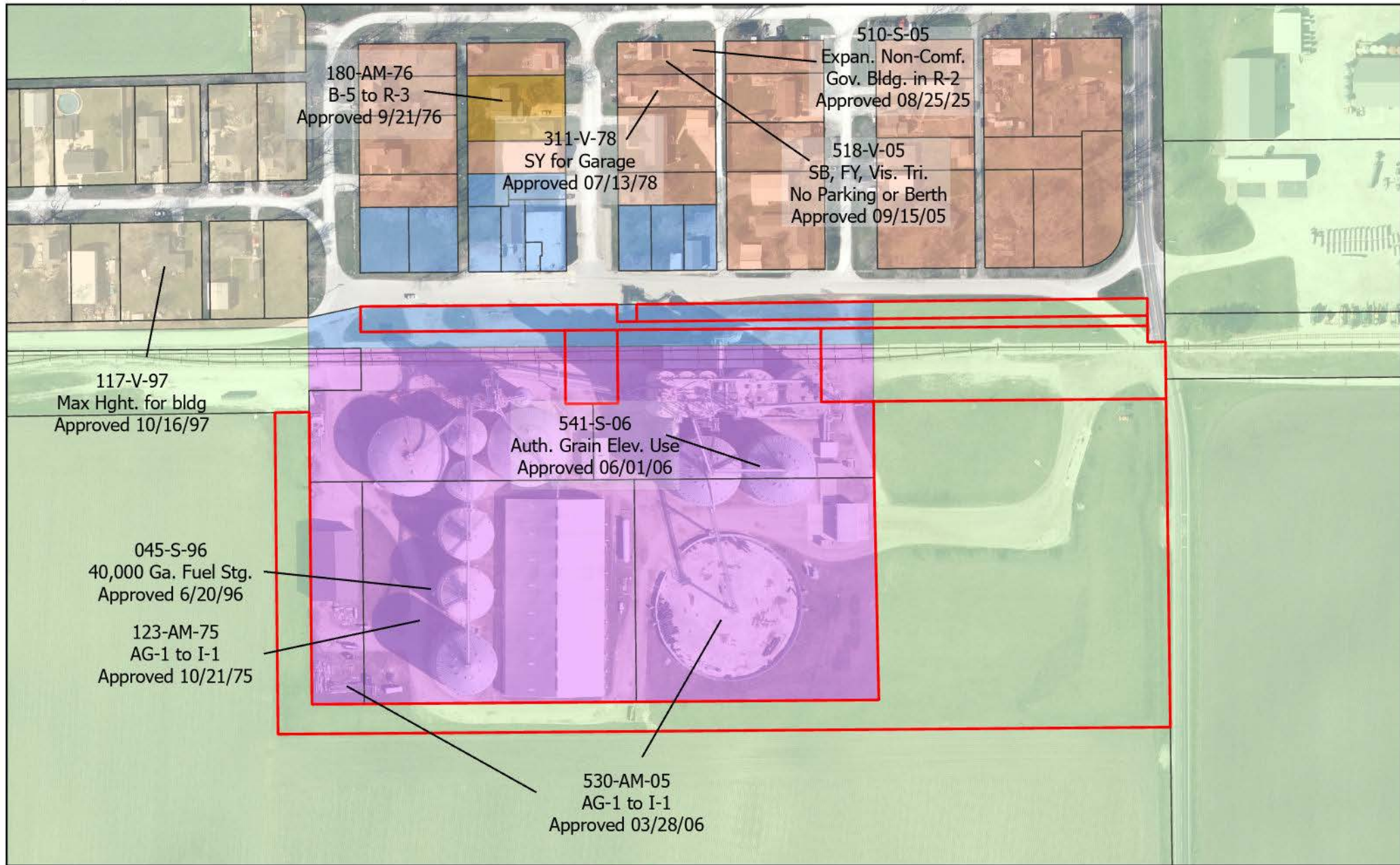
February 27, 2025



-  Agricultural
-  Commercial
-  Water Utility
-  Residential
-  Government



Zoning Map
 Case 163-AM-25
 February 27, 2025



- AG-1 Agriculture
- B-5 Central Business
- R-2 Single Family Residence
- I-1 Light Industry
- R-1 Single-Family Residence
- R-3 Two Family Residence

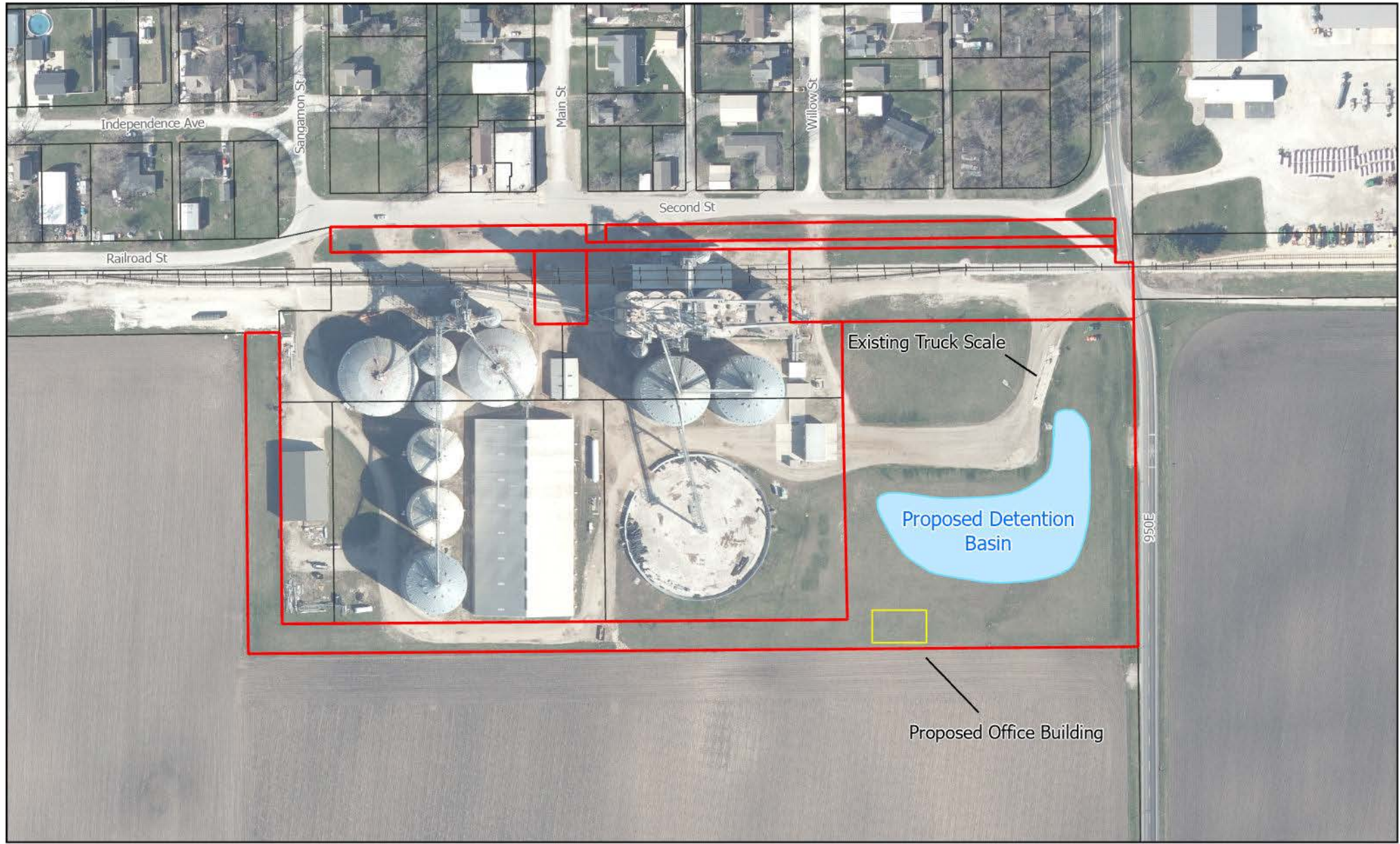
0 200 400 Feet

N

PLANNING & ZONING

Annotated 2023 Aerial

Case 163-AM-25
February 27, 2025



Existing Subject Parcels (5)



Annotated 1973 Aerial

Case 163-AM-25

February 27, 2025



 Existing Subject Parcels (5)



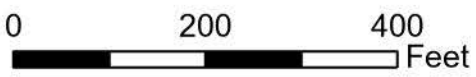
Annotated 1988 Aerial

Case 163-AM-25

February 27, 2025



 Existing Subject Parcels (5)



Annotated 2008 Aerial

Case 163-AM-25
February 27, 2025

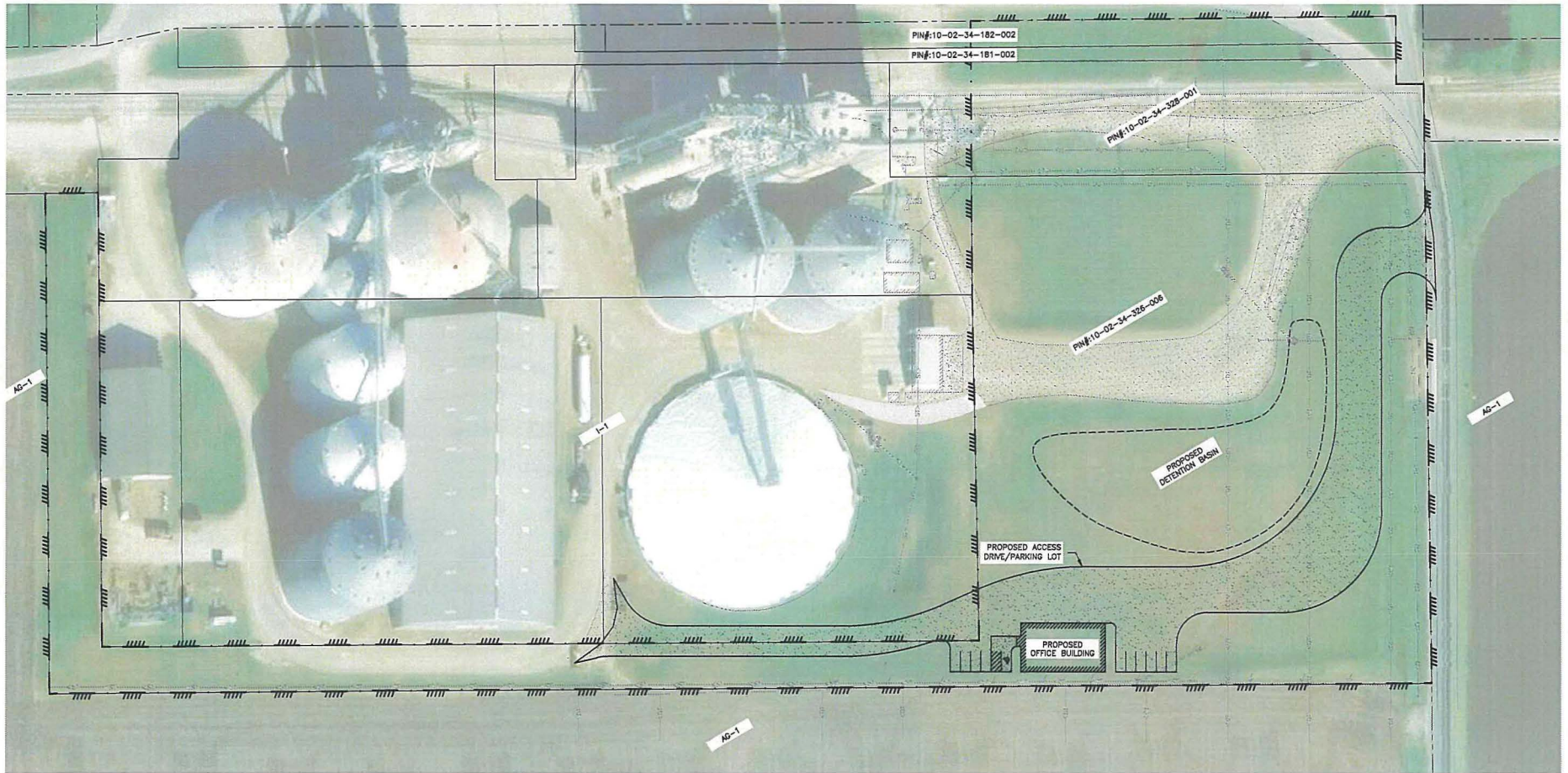


Existing Subject Parcels (5)

0 200 400 Feet

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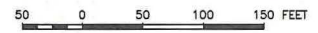
PLANNING & ZONING



RE-ZONING EXHIBIT



 AREA TO BE RE-ZONED FROM AG-1 TO I-1



FEHR GRAHAM
 ENGINEERING & ENVIRONMENTAL
ILLINOIS DESIGN FIRM NO. 184-003328
 © 2025 FEHR GRAHAM

ILLINOIS
 IOWA
 WISCONSIN

H:\2025\14-1702\0404\14-1702 - Zoning Exhibit.dwg, 2/20/25 10:07 AM
 PLOT DATE: 1/24/25

RESOLUTION NO. 3425

**A RESOLUTION PERTAINING TO THE
RIGHT TO FARM IN CHAMPAIGN COUNTY**

WHEREAS, the Chairman and the Board of Champaign County have determined that it is in the best interest of the residents of Champaign County to enact a Right to Farm Resolution which reflects the essence of the Farm Nuisance Suit Act as provided for in the Illinois Compiled Statutes, 740 ILCS 70 (1992); and

WHEREAS, the County wishes to conserve, protect, and encourage development and improvement of its agricultural land for the production of food and other agricultural products; and

WHEREAS, when nonagricultural land uses extend into agricultural areas, farms often become the subject of nuisance suits. As a result, farms are sometimes forced to cease operations. Others are discouraged from making investments in farm improvements.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Chairman and the Board of Champaign County as follows:

1. That the purpose of this resolution is to reduce the loss to the county of its agricultural resources by limiting the circumstances under which farming operations are deemed a nuisance.

2. That the term "farm" as used in this resolution means that part of any parcel of land used for the growing and harvesting of crops, for the feeding, breeding, and management of livestock; for dairying or other agricultural or horticultural use or combination thereof.


3. That no farm or any of its appurtenances should be or become a private or public nuisance because of any changed conditions in the surrounding area occurring after the farm has been in operation for more than one year, when such farm was not a nuisance at the time it began operation.

RESOLUTION NO. 3425

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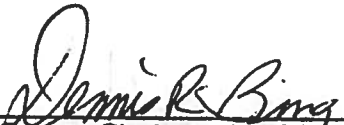
4. That these provisions shall not apply whenever a nuisance results from the negligent or improper operation of any farm or its appurtenances.

PRESENTED, ADOPTED, APPROVED AND RECORDED this 24th day of
May, A.D., 1994.



Chairman, County Board of the
County of Champaign, Illinois

ATTEST:



County Clerk and Ex-Officio
Clerk of the County Board

SUMMARY FINDING OF FACT AND FINAL DETERMINATION FOR CASE 163-AM-25

As approved by the ZBA on February 27, 2025

SUMMARY FINDING OF FACT

From the documents of record and the testimony and exhibits received at the public hearing conducted on **February 27, 2025**, the Zoning Board of Appeals of Champaign County finds that:

1. The proposed Zoning Ordinance map amendment will **HELP ACHIEVE** the Land Resource Management Plan because:
 - A. Regarding Goal 3:
 - (1) Although the proposed rezoning is **NOT DIRECTLY RELEVANT** to any of the Goal 3 objectives, the proposed rezoning will allow Premier Cooperative to continue operations at the Dewey location with proper zoning and to continue to serve the needs of the farmers of Champaign County.
 - (2) Based on achievement of the above and because it will either not impede or is not relevant to the other Objectives and Policies under this goal, the proposed map amendment **WILL HELP ACHIEVE** Goal 3 Prosperity.
 - B. Regarding Goal 4 Agriculture:
 - (1) It **WILL HELP ACHIEVE** Objective 4.1 requiring minimization of the fragmentation of farmland, conservation of farmland, and stringent development standards on best prime farmland because it **WILL HELP ACHIEVE** the following:
 - a. Policy 4.1.1, which states that commercial agriculture is the highest and best use of land in the areas of Champaign County that are by virtue of topography, soil and drainage, suited to its pursuit. The County will not accommodate other land uses except under very restricted conditions or in areas of less productive soils (see Item 13.A.(1)).
 - b. Policy 4.1.6 requiring that the use, design, site and location are consistent with policies regarding suitability, adequacy of infrastructure and public services, conflict with agriculture, conversion of farmland, and disturbance of natural areas (see Item 13.A.(2)).
 - (2) It will **HELP ACHIEVE** Objective 4.2 requiring discretionary development to not interfere with agriculture because it will **HELP ACHIEVE** the following:
 - a. Policy 4.2.1 requiring a proposed business in a rural area to support agriculture or provide a service that is better provided in the rural area (see Item 13.B.(1)).
 - b. Policy 4.2.2 requiring discretionary development in a rural area to not interfere with agriculture or negatively affect rural infrastructure (see Item 13.B.(2)).
 - c. Policy 4.2.3 requiring that each proposed *discretionary development* explicitly recognize and provide for the right of agricultural activities to continue on adjacent land (see Item 13.B.(3)).

SUMMARY FINDING OF FACT AND FINAL DETERMINATION FOR CASE 163-AM-25

As approved by the ZBA on February 27, 2025

- d. Policy 4.2.4 requiring that all discretionary review consider whether a buffer between existing agricultural operations and the proposed development is necessary (see Item 13.B.(4)).
- (3) It will **HELP ACHIEVE** Objective 4.3 requiring any discretionary development to be on a suitable site because it will **HELP ACHIEVE** the following:
 - a. Policy 4.3.2 requiring a discretionary development on best prime farmland to be well-suited overall (see Item 13.C.(1)).
 - b. Policy 4.3.3 requiring existing public services be adequate to support the proposed development effectively and safely without undue public expense (see Item 13.C.(2)).
 - c. Policy 4.3.4 requiring existing public infrastructure be adequate to support the proposed development effectively and safely without undue public expense (see Item 13.C.(3)).
 - d. Policy 4.3.5 requiring that a business or non-residential use establish on best prime farmland only if it serves surrounding agriculture and is appropriate in a rural area (see Item 13.C.(4)).
 - (4) Based on achievement of the above Objectives and Policies, the proposed map amendment will **HELP ACHIEVE** Goal 4 Agriculture.
- C. Regarding Goal 5 Urban Land Use:
- (1) It **WILL HELP ACHIEVE** Objective 5.1 requiring the preponderance of population growth and economic development is accommodated by new urban development in or adjacent to existing population centers, because it **WILL HELP ACHIEVE** the following:
 - a. Policy 5.1.2 requiring the county to encourage only compact and contiguous discretionary development occur within or adjacent to existing unincorporated settlements (see Item 14.A.(2)).
- D. Regarding Goal 7 Transportation:
- (1) The proposed amendment will **HELP ACHIEVE** Objective 7.1 requiring the consideration of traffic impact in land use decisions because it will **HELP ACHIEVE** the following:
 - a. Policy 7.1.1 requiring traffic impact analyses for projects with significant traffic generation (see Item 16.A.(1)).
 - (2) Based on achievement of the above Objectives and Policies and because it will either not impede or is not relevant to the other Objectives and Policies under this goal, the proposed map amendment will **HELP ACHIEVE** Goal 7 Transportation
- E. The proposed amendment will **NOT IMPEDE** the following LRMP goal(s):
- Goal 1 Planning and Public Involvement
 - Goal 2 Governmental Coordination

SUMMARY FINDING OF FACT AND FINAL DETERMINATION FOR CASE 163-AM-25

As approved by the ZBA on February 27, 2025

- Goal 6 Public Health and Public Safety
- Goal 8 Natural Resources
- Goal 9 Energy Conservation
- Goal 10 Cultural Amenities

- F. Overall, the proposed map amendment will **HELP ACHIEVE** the Land Resource Management Plan.
2. The proposed Zoning Ordinance map amendment **IS** consistent with the *LaSalle* and *Sinclair* factors because of the following:
- A. The proposed map amendment would allow Premier Cooperative to continue to support area agricultural activities and expand its operations at the Dewey facility.
- B. The map amendment will help ensure the value of the subject property by allowing the continued operation of the grain elevator.
- F. The subject property and its vicinity have maintained the same uses for years.
- G. The subject property is well-suited overall for the proposed land use.
- H. The proposed use is a service better provided in a rural area.
- F. The ZBA has recommended that the proposed rezoning will **HELP ACHIEVE** the Champaign County Land Resource Management Plan.
3. The proposed Zoning Ordinance map amendment will **HELP ACHIEVE** the purpose of the Zoning Ordinance because:
- A. The rezoning would achieve Purpose 2.0 (b), by conserving the value of the subject property by allowing the continued operation of the grain elevator (see Item 21. B).
- B. The rezoning would achieve Purpose 2.0 (c) to lessen and avoid congestion in the public streets because there would be no significant increase in traffic (see Item 21. C).
- C. The rezoning would achieve Purpose 2.0 (d) of the Ordinance to lessen and avoid hazards to persons and damage to property resulting from the accumulation of runoff of storm or flood waters because the proposed site plan includes an area for stormwater detention (see Item 21. D).
- D. The rezoning would achieve Purpose 2.0 (i) of the Ordinance. Establishing the I-1 District at this location will help classify, regulate, and restrict the location of the uses authorized in the I-1 District (see Item 21.G.).
- E. The rezoning would achieve Purpose 2.0 (q) of the Ordinance to encourage the preservation of agricultural belts surrounding urban areas, to retain the agricultural nature of the County and the individual character of existing communities (see Item 21.L.).

SUMMARY FINDING OF FACT AND FINAL DETERMINATION FOR CASE 163-AM-25

As approved by the ZBA on February 27, 2025

4. THE SPECIAL CONDITION IMPOSED HEREIN IS REQUIRED FOR THE PARTICULAR PURPOSES DESCRIBED BELOW:

- A. **A Zoning Use Permit and applicable fees shall be required any future construction on the property.**

The special condition stated above is required to ensure the following:

Conformance with the Champaign County Zoning Ordinance.

- B. **The owners of the subject property hereby recognize and provide for the right of agricultural activities to continue on adjacent land consistent with the Right to Farm Resolution 3425.**

The special condition stated above is required to ensure the following:

Conformance with Policy 4.2.3 of the Land Resource Management Plan.

- C. **A complete Storm Water Drainage Plan that conforms to the requirements of the Storm Water Management and Erosion Control Ordinance shall be submitted and approved as part of the Zoning Use Permit application, and all required certifications shall be submitted prior to issuance of the Zoning Compliance Certificate.**

The special condition stated above is required to ensure the following:

That the drainage improvements conform to the requirements of the Storm Water Management and Erosion Control Ordinance.

SUMMARY FINDING OF FACT AND FINAL DETERMINATION FOR CASE 163-AM-25

As approved by the ZBA on February 27, 2025

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 recommends that:

The Zoning Ordinance Amendment requested in **Case 163-AM-25 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:

ATTEST:

Cynthia Cunningham, Interim Chair
Champaign County Zoning Board of Appeals

Secretary to the Zoning Board of Appeals

Date