

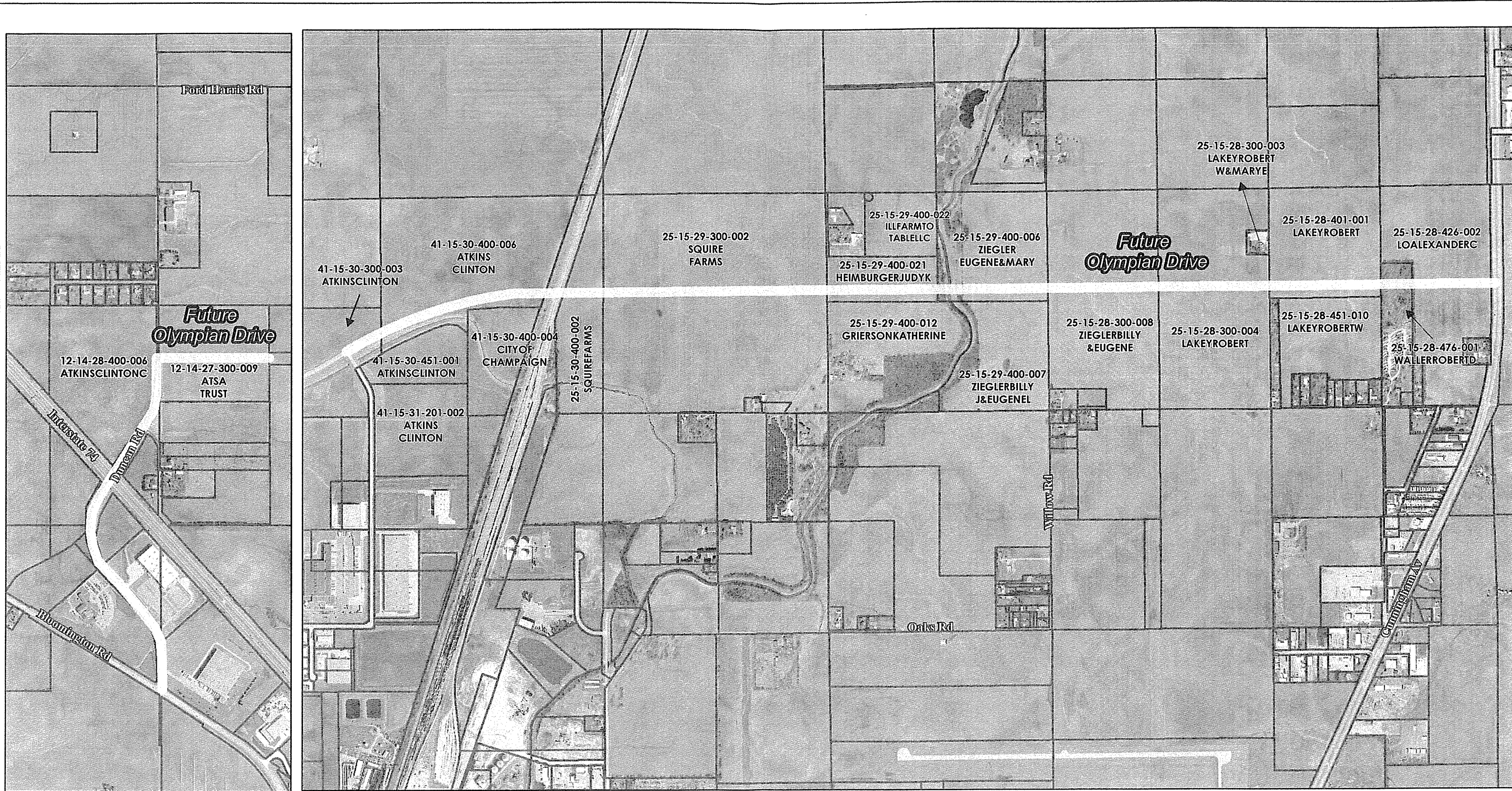
**DOCUMENTS DISTRIBUTED
TO THE COUNTY BOARD
AT THE MEETING**

**COMMITTEE OF THE WHOLE
FEBRUARY 4, 2010**

Contents:

1. Map of Olympian Drive Proposed Extension from County Engineer Jeff Blue – Agenda Item VIII.B.3
2. Requested Amendments to Champaign County Zoning Ordinance Zoning Case 658-AT-09 with amendments from Planning & Zoning Director John Hall (*additional amendments from version in agenda packet*) – Agenda Item X.A
3. January 2010 Monthly Report on Zoning Cases – Agenda Item X.C.2
4. Letters Distributed During Public Participation From:
 - A. Leslie Cooperband & Wesley Jarrell re Olympian Drive
 - B. William Bates re Olympian Drive
 - C. Somer Township Supervisor & Road Commissioner re Olympian Drive
 - D. Bill Cope re Olympian Drive
 - E. Champaign County Economic Development Corporation re Olympian Drive
 - F. Champaign County Lincoln-Oak & North Market Industrial Roundtables re Olympian Drive

- G. Janet Scharlau re Olympian Drive
- H. Champaign County Chamber of Commerce re Olympian Drive
- I. Champaign County Farm Bureau re Olympian Drive
- J. Herb Schildt re Amendments to Champaign County Zoning Ordinance Zoning Case 658-AT-09



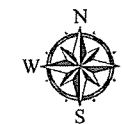
DISCLAIMER:

This map was prepared by the Champaign County GIS Consortium (CCGIS) using the best available data. This map and its underlying data is intended to be used as a general index to land related information and is not intended for detailed, site-specific analysis. CCGIS does not warrant or guarantee the accuracy of this information for any purpose.

For questions regarding availability of geo-data or the CCGIS, or to report a data concern/correction, please contact CCGIS at: 217-328-3313.

Olympian Drive Proposed Extension

Split View



0 275 550 1,100 Feet

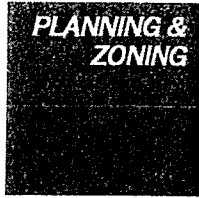
1 inch = 1,100 feet

Map Prepared By:



A Program of the Champaign County Regional Planning Commission

Champaign
County
Department of



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

Date: **February 2, 2010**

RE: **Zoning Case 658-AT-09**

Zoning Case 658-AT-09

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

(217) 334-3708

Request **Amend the Champaign County Zoning Ordinance as follows:**

Part A

1. **Amend paragraph 6.1.1 C.5. to reference the requirements of paragraph 6.1.4 P.5.**
2. **Amend paragraph 6.1.4 C.11. to (a) require the wind farm separation from restricted landing areas or residential airports only for restricted landing areas and residential airports that existed on the effective date of County Board adoption of Case 658-AT-09; and (b) reduce the distance of the wind farm separation from restricted landing areas or residential airports so that it is based on the height of the wind farm tower.**

Part B

1. **Amend paragraph 9.1.11 D.1. to include reference to subsection 6.1 instead of section 6.1.3.**

Petitioner **Zoning Administrator**

STATUS

The Zoning Board of Appeals voted to "RECOMMEND ENACTMENT" of this proposed Zoning Ordinance Text Amendment at their February 1, 2010, meeting. The Approved Finding of Fact is attached.

RESIDENTIAL AIRPORT AND RLA SEPARATIONS

There are two diagrams attached which illustrates the following:

- (1) The existing RLA separation; and
- (2) The proposed separation in the ZBA recommendation

Although the diagrams only explicitly show an RLA, the separations for a residential airport would be arranged the same way, but with a slightly larger approach zone separation.

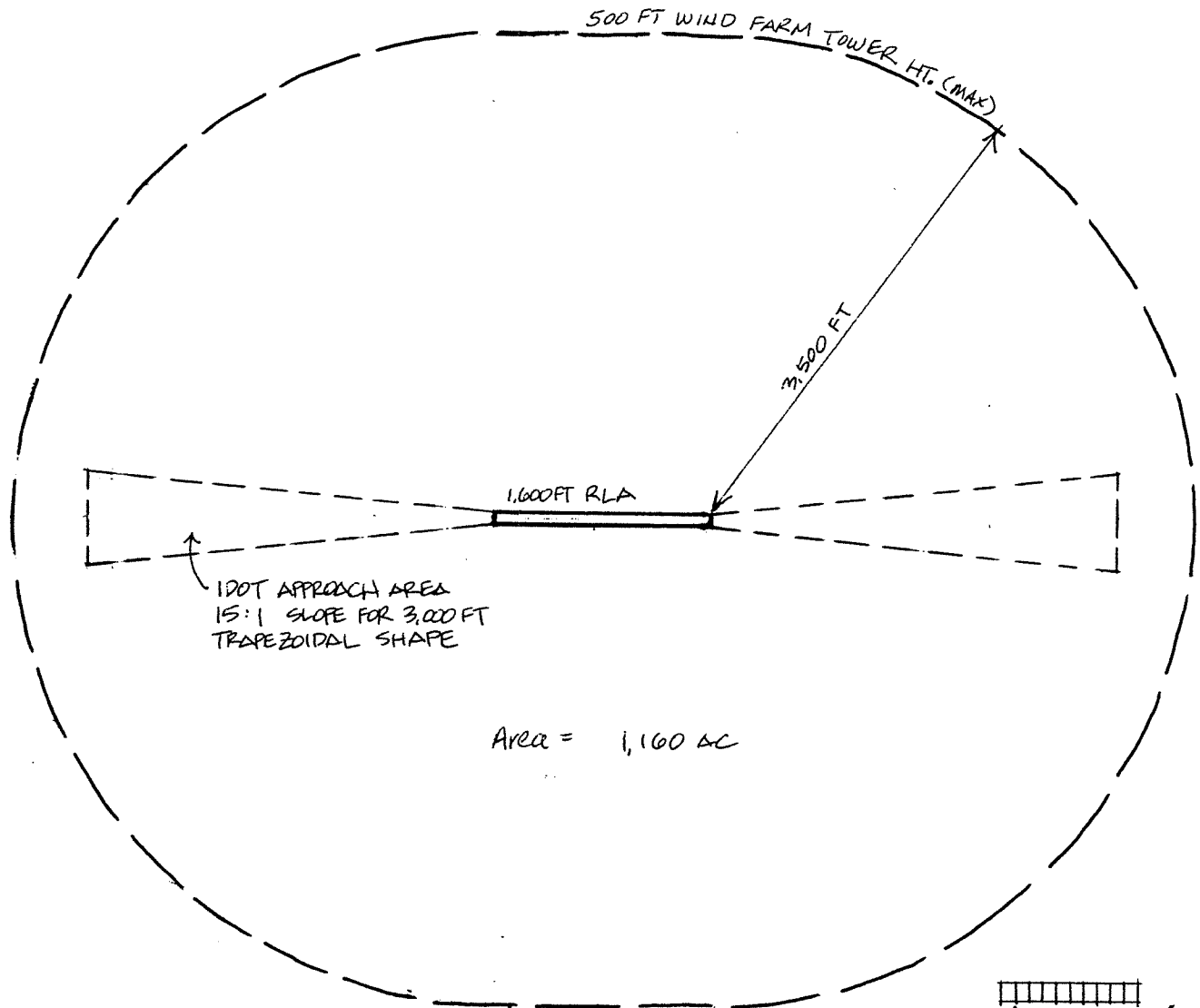
OTHER REVISIONS

Part A.1. of the proposed amendment is a change to improve the cross referencing between the basic reclamation agreement requirements in paragraph 6.1.1 A. 5 and the wind farm reclamation agreement in paragraph 6.1.4 P. The proposed change to paragraph 6.1.1 C.5. will make it clear which reclamation agreement requirement applies in the case of a wind farm special use permit.

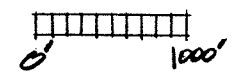
Part B.1. of the proposed amendment revises paragraph 9.1.11 D.1 to refer to Subsection 6.1 instead of 6.1.3. Case 634-AT-08 Part A was very clear that all of the requirements for wind farms in subsection 6.1.4 are standard conditions and the Ordinance is very clear that standard conditions may be waived in any special use permit. Case 634-AT-08 Part A also reorganized subsections 6.1.1, 6.1.2, and 6.1.3 in addition to introducing subsection 6.1.4. However, the existing reference to standard conditions in paragraph 9.1.11 D.1. only mentions subsection 6.1.3. and it should now refer to subsection 6.1.

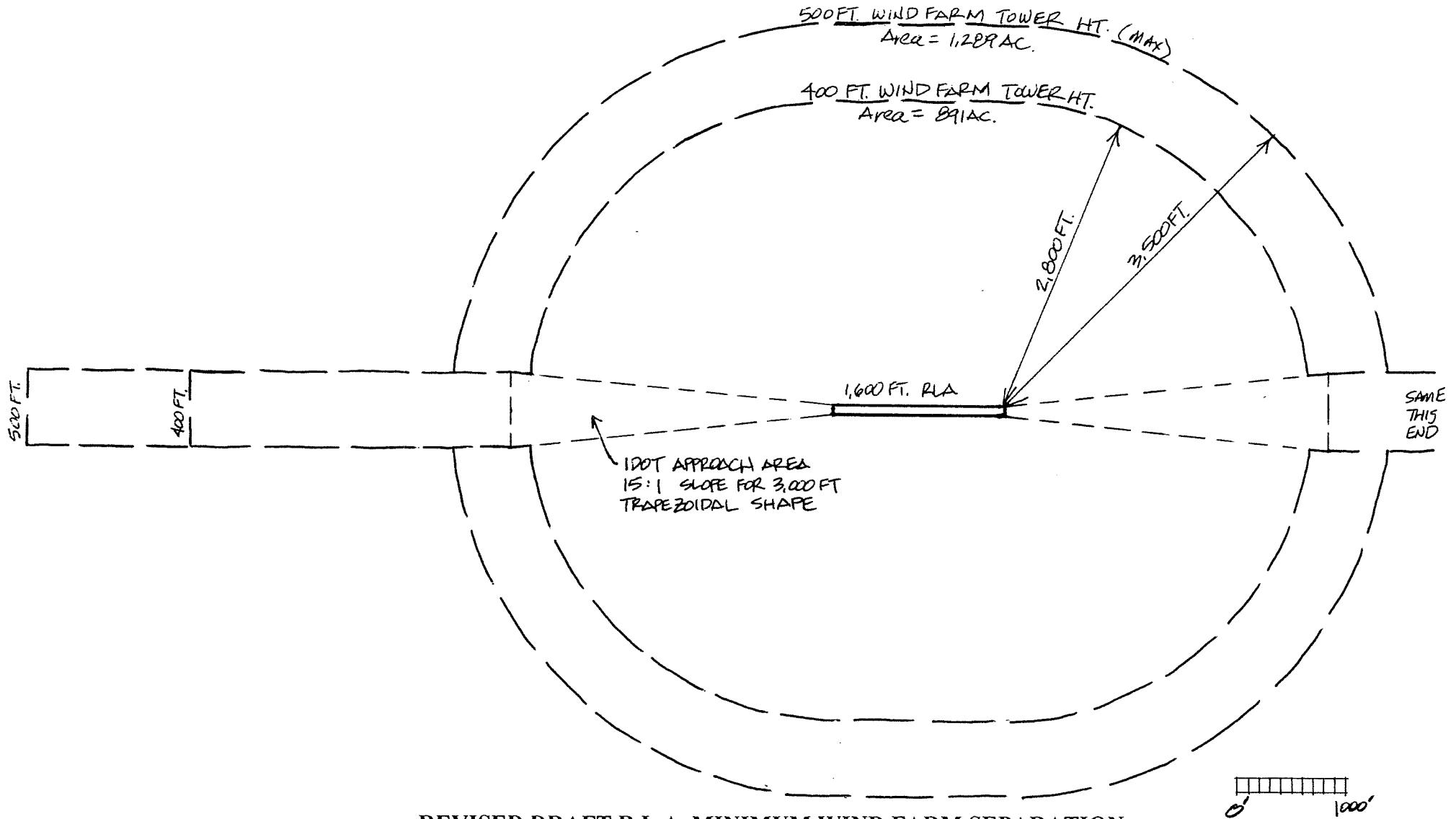
ATTACHMENTS (excerpted from Documents of Record)

- A Illustration of existing RLA wind farm separation
- B Illustration of revised Draft RLA wind farm separation
- C Draft Proposed Amendment (all sections)
- D Finding of Fact and Final Determination of the Champaign County Zoning Board of Appeals as approved on February 1, 2010



EXISTING ORDINANCE R.L.A. MINIMUM WIND FARM SEPARATION
 Case 658-AT-09 Feb. 1, 2010





REVISED DRAFT R.L.A. MINIMUM WIND FARM SEPARATION
Case 658-AT-09 Feb. 1, 2010

Attachment C. Case 658-AT-09 Draft Proposed Amendment
FEBRUARY 2, 2010

1. Revise paragraph 6.1.1 C.5. to reference the requirements of paragraph 6.1.4 P.5.

5. No Zoning Use Permit for such SPECIAL USE will be issued until the developer provides the COUNTY with an irrevocable letter of credit to be drawn upon a federally insured financial institution within 200 miles of Urbana or reasonable and anticipated travel costs shall be added to the amount of the letter of credit. The irrevocable letter of credit shall be in the amount of one hundred fifty percent (150%) of an independent engineer's cost estimate to complete the work described in Section 6.1.1C4a, except as a different amount may be required as a standard condition in Paragraph 6.1.4 P. This letter of credit, or a successor letter of credit pursuant to Section 6.1.1C6 or 6.1.1C12 shall remain in effect and shall be made available to the COUNTY for an indefinite term, or for a different term that may be required as a standard condition in Paragraph 6.1.4 P.

2. Revise subparagraph 6.1.4 C. 11. as follows:

11. ~~At least 3,500 feet separation from the exterior above ground base of a WIND FARM TOWER to any RESTRICTED LANDING AREA or RESIDENTIAL AIRPORT. For any legal RESTRICTED LANDING AREA that existed on or for which there had been a complete special use permit application received by *{the date of adoption}*, there shall be a separation from the runway to the nearest tip of a blade of the nearest WIND FARM TOWER as follows:~~
- (a) The separation from the sides and ends of the runway shall be seven horizontal feet for each one foot of overall WIND FARM TOWER HEIGHT.
- (b) An additional separation from the end of the runway shall be 15 feet for each one foot of overall WIND FARM TOWER HEIGHT in a trapezoidal shape that is the width of the runway approach zone based on the requirements of 92 Ill. Admin. Code 14.520, except as follows:
- (1) that part of the separation that is more than 3,000 feet from the end of a runway may be a consistent width based on the widest point of the runway approach zone.
12. For any legal RESIDENTIAL AIRPORT that existed on or for which there had been a complete special use permit application received by *{the date of adoption}*, there shall be a separation from the runway to the nearest tip of a blade of the nearest WIND FARM TOWER as follows:
- (a) The separation from the sides and ends of the runway shall be seven horizontal feet for each one foot of overall WIND FARM TOWER HEIGHT.
- (b) An additional separation from the end of the runway and for a distance of 50 feet on either side of an end of the runway, shall be 20 feet for each one foot of overall WIND FARM TOWER HEIGHT in a trapezoidal shape that

Attachment C. Case 658-AT-09 Draft Proposed Amendment
FEBRUARY 2, 2010

is the width of the runway approach zone based on the requirements of 92 Ill. Admin. Code 14.520, except as follows:

- (1) that part of the required separation that is more than 3,000 feet from the end of a runway may be a consistent width based on the widest part of the runway approach zone.

3. Revise subparagraph 9.1.11 D.1. as follows:

D. Conditions

1. Any other provision of this ordinance notwithstanding, the BOARD or GOVERNING BODY, in granting any SPECIAL USE, may waive upon application any standard or requirement for the specific SPECIAL USE enumerated in Section ~~6.1.3 Schedule of Requirements and Standard Conditions~~ Standards for Special Uses, to the extent that they exceed the minimum standards of the DISTRICT, except for any state or federal regulation incorporated by reference, upon finding that such waiver is in accordance with the general purpose and intent of this ordinance, and will not be injurious to the neighborhood or to the public health, safety and welfare.

AS APPROVED

658-AT-09

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

Final Determination: **RECOMMEND ENACTMENT**

Date: February 1, 2010

Petitioner: Zoning Administrator

Request: Amend the Champaign County Zoning Ordinance as follows:

PART A:

1. Amend paragraph 6.1.1 C.5. to reference the requirements of paragraph 6.1.4 P.5.
2. Amend paragraph 6.1.4 C.11. to require the wind farm separation from restricted landing areas or residential airports only for restricted landing areas and residential airports that existed on the effective date of County Board adoption of Case 658-AT-09.

PART B:

1. Amend paragraph 9.1.11 D.1. to include reference to subsection 6.1 instead of subsection 6.1.3.

FINDING OF FACT

From the documents of record and the testimony and exhibits received at the public hearing conducted on **January 14, 2010, and February 1, 2010**, 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. New requirements for wind farm development were added to the Zoning Ordinance by the adoption of Ordinance No. 848 (Case 634-AT-08 Part A) by the County Board on May 21, 2009.
 - B. Case 645-S-09 for a proposed restricted landing area within the area of an anticipated wind farm has revealed what appears to be a weakness in the wind farm amendment.

AS APPROVED

- C. The weakness in the wind farm regulations is that an agricultural RLA can be established with no approval necessary from the County and once established it will create an area of approximately 1,100 acres where no wind farm tower may be established.
 - D. Wind farm towers provide tremendous economic benefit to the landowner and more importantly the local school system and eliminating so much possible income would be injurious to the district.
 - E. There were also several minor errors or oversights in the final wording of Ordinance No. 848 that if not corrected could cause unnecessary complications for any wind farm review and so those oversights have also been included in this case.
3. Municipalities with zoning and townships with planning commissions have protest rights on all text amendments and they are notified of such cases. No comments have been received to date.

GENERALLY REGARDING THE EXISTING ZONING REGULATIONS

4. Existing Zoning regulations regarding the separate parts of the proposed amendment are as follows:
- A. Requirements for the development of wind farms were added to the *Zoning Ordinance* in Ordinance No. 848 (Case 634-AT-09 Part A) on May 21, 2009. These requirements included a 3,500 feet separation from any restricted landing area or residential airport to the base of any wind farm tower.
 - B. Ordinance No. 848 also reorganized Section 6 of the *Zoning Ordinance* to make it more clear that all the requirements in Section 6.1 are standard conditions and are waiveable as part of a Special Use Permit. However, some references to standard conditions and Section 6 in other parts of the *Zoning Ordinance* were not updated.
 - C. The following definitions from the *Zoning Ordinance* are especially relevant to this amendment (capitalized words are defined in the Ordinance):
 - (1) "BUILDING, MAIN or PRINCIPAL" is the BUILDING in which is conducted the main or principal USE of the LOT on which it is located.
 - (2) "NON-ADAPTABLE STRUCTURE" is any STRUCTURE or physical alteration to the land which requires a SPECIAL USE permit, and which is likely to become economically unfeasible to remove or put to an alternate USE allowable in the DISTRIC (by-right or by SPECIAL USE).
 - (3) "RESIDENTIAL AIRPORT" is any area described or defined as an AIRPORT under the *Illinois Aviation Safety Rules* (92 Ill. Admin. Code Part 14) and which is classified as a Residential Airport by the Illinois Department of Transportation, Division of Aeronautics.

- (4) "RESTRICTED LANDING AREA" is any area described or defined as a Restricted Landing Area under the *Illinois Aviation Safety Rules* (92 Ill. Admin. Code Part 14) and as further regulated by the Illinois Department of Transportation, Division of Aeronautics.
- (5) "SPECIAL CONDITION" is a condition for the establishment of the SPECIAL USE.
- (6) "SPECIAL USE" is a USE which may be permitted in a DISTRICT pursuant to, and in compliance with, procedures specified herein.

SUMMARY OF THE PROPOSED AMENDMENT

5. The proposed amendment revises portions of the recently adopted Ordinance No. 848 (Zoning Case 634-AT-09 Part A), as follows:
 - A. There is a proposed revision to Paragraph 6.1.1 C.5. to reference the requirements of Paragraph 6.1.4 P.5., as follows:
 - (1) Paragraph 6.1.1 C.5. is a part of the requirements for reclamation agreements for non-adaptable structures. It describes the requirements for the term and amount of an irrevocable letter of credit. This letter is provided so that if the County has to remove the non-adaptable structure it can draw on those funds.
 - (2) Paragraph 6.1.4 P.5 is part of the recent wind farm text amendment and modifies the requirements of Paragraph 6.1.1 C.5. for the special case of a wind farm.
 - (3) The proposed revision will make it clear that the specific provisions in Paragraph 6.1.4 P.5. are the relevant requirement for wind farms, instead of Paragraph 6.1.1 C.5
 - B. There is a proposed revision to Subparagraph 6.1.4 C.11 to change the requirements for separation of wind farm towers from Restricted Landing Areas (RLA's) and Residential Airports, as follows:
 - (1) Originally, there was a flat 3500 feet separation between RLA's and wind farm towers.
 - (2) The proposed amendment first revises the separation so that it only applies to RLA's and Residential Airports that were existing or for which a complete application had been received by the date of adoption of this text amendment.
 - (3) The separation is also divided into two different separations, as follows:
 - (a) A separation from the sides of the runway of seven feet for every vertical foot of wind farm tower height.
 - (b) A separation from the ends of the runway that is trapezoidal in shape and based on IDOT approach slopes. The approach separation extends 15 feet for every vertical foot of tower height for RLA's and 20 feet for every vertical foot of tower height for Residential Airports.

AS APPROVED

- (c) These separations are from the edge of the runway to the tip of the nearest blade of the nearest wind farm tower to prevent any wind farm tower blades from overhanging into the area of the separation.
- C. There is a proposed revision to Subparagraph 9.1.11 D.1 that changes a reference to Subsection 6.1.3 to a reference to 6.1 because Section 6 was reorganized in the wind farm text amendment to make it clear that every requirement listed in Subsection 6.1 is a standard condition.

GENERALLY REGARDING RELEVANT LAND USE GOALS AND POLICIES

- 6. 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.

REGARDING SPECIFICALLY RELEVANT LAND USE GOALS AND POLICIES

- 7. There are goals and policies for agricultural, commercial, industrial, and residential land uses, as well as conservation, transportation, and utilities goals and policies in the Land Use Goals and Policies, but due to the nature of the changes being proposed none of these specific goals and policies are relevant to the proposed amendment.

REGARDING THE GENERAL LAND USE GOALS AND POLICIES

- 8. Regarding the General Land Use Goals and Policies:
 - A. The first, third, fourth, and fifth General Land Use Goals appear to be relevant to the proposed amendment, and are as follows:
 - (1) 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.
 - (2) The third General Land Use Goal is land uses appropriately located in terms of utilities, public facilities, site characteristics, and public services.

- (3) The fourth General Land Use Goal is arrangement of land use patterns designed to promote mutual compatibility.
- B. The proposed amendment **ACHIEVES** the first, third, and fourth General Land Use Goals because of the following:
- (1) Based on evidence that there will be significant positive effects on Equalized Assessed Valuation that will benefit local taxing bodies from the establishment of wind farms in the County.
 - (2) The need for bona fide Restricted Landing Areas and Residential Airports appears to be very limited because in the 21 years since the requirements for those uses were added to the *Zoning Ordinance* only four applications for RLA's have been received and only one residential airport has been established in the county.
 - (3) At this time it is believed there are no existing RLAs in any area proposed for wind farm development but it is impossible to verify.
 - (4) The proposed amendment will have no effect on any pending RLA Special Use Permit (SUP) or complete SUP application that has been received. At this time the only pending RLA SUP is Case 645-S-09 and that Case will be unaffected by the proposed amendment.
 - (5) The proposed amendment could have an unintended consequence for Restricted Landing Areas (RLA) that are established after the effective date and that could eventually be affected by wind farm development (or expansion of future established wind farms) that may have been unforeseen at the time the RLA was established. The Board could require a separation as a special condition of a wind farm special use permit approval.
 - (6) There is only one Residential Airport in the County and it is nowhere near any area proposed for a wind farm. There are unlikely to be any future residential airports because the Illinois Department of Transportation Division of Aeronautics has no guidelines for residential airports.
 - (7) Airports have an FAA protected separation that amounts to nearly four miles.
 - (8) Regarding safety concerns at RLA's and Residential Airports:
 - (a) IDOT only requires a height restriction to the side of an RLA for a distance of 135 feet from the runway centerline.
 - (b) In addition to eliminating the wind farm separation for any new RLA or Residential Airport, the amendment readvertised on January 17, 2010, also reduces the basic separation from a standard 3,500 feet for each wind farm to a formula based separation based on the actual height of the wind farm tower and also expands the approach zone separation based on the height of the wind farm towers.

AS APPROVED

- (c) The revised approach zone separation is also related to whether the approach zone is for an RLA or a residential airport. The Illinois Department of Transportation has adopted a 15 to 1 approach slope for Restricted Landing Areas (RLAs) and a 20 to 1 slope that applies to airports and presumably to residential airports.
- (d) The existing original version of the RLA wind farm separation is based on the “side transition surface” for airports that is a slope of seven horizontal feet for each vertical foot and that extends to a height of 150 feet above the ground. See 92 Ill. Admin. Code 14 APPENDIX A Airport Standards.
- (e) The existing originally adopted RLA wind farm separation was simply based on the maximum allowable wind farm tower height of 500 feet times the seven horizontal feet for a total separation of 3,500 feet. For a minimum 1,600 feet long RLA the existing simple RLA wind farm separation requires approximately 1,160 acres per each RLA.
- (f) There will probably be waivers requested for most wind farms because wind farm towers are generally less than 500 feet tall. Waivers for wind farms will probably be controversial and it would be best to improve the Ordinance to reduce any unnecessary waivers.
- (g) For wind farm towers that are 400 feet tall this revised RLA separation at the sides of both an RLA and a residential airport will be 2,800 feet. The separation at the end of an RLA with 400 feet tall wind farm towers will increase to 6,000 feet. Assuming a minimum 1,600 feet long RLA and wind farm towers that are 400 feet tall, the total area of RLA separation will be 891 acres which is only about 77% of the current requirement of 1,160 acres.
- (h) If wind farm turbines are installed at a density of about 70 acres per wind turbine, the change could result in nearly four additional wind turbines per RLA even though the degree of safety is arguably increased due to the longer separation at the ends of the runways.
- (i) The Board could require a separation for a RLA or Residential Airport as a special condition of a wind farm special use permit approval.

C. The fifth General Land Use Goal is:

Establishment of processes of development to encourage the development of the types and uses of land that are in agreement with the Goals and Policies of this Land Use Plan

The proposed amendment appears to **ACHIEVE** the fifth General Land Use Goal because it will make the *Zoning Ordinance* more consistent and clear, as follows:

- (a) Clarifying that the Site Reclamation requirements in Subparagraph 6.1.1 A. are standard conditions, which are therefore able to be waived, matches the intent of

the original legal advertisement for Case 273-AT-00, which added those requirements to the *Zoning Ordinance*.

(b) The proposed change to Subparagraph 6.1.1 C.5. will make it clear which reclamation agreement requirement applies in the case of a wind farm special use permit.

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

DOCUMENTS OF RECORD

1. Application for Text Amendment from Zoning Administrator, dated December 4, 2009
2. Preliminary Memorandum for Case 658-AT-09, dated January 7, 2010, with attachments:
 - A Draft Proposed Change to Subparagraph 6.1.4 A. 1.(c)
 - B Draft Proposed Change to Subparagraph 6.1.4 C. 11.
 - C Draft Proposed Change to Subparagraph 9.1.11 D.1.
 - E Excerpts from Section 6 of the *Zoning Ordinance* (with revisions from recent text amendments)
 - F Draft Finding of Fact for Case 658-AT-09 (attached separately)
3. Supplemental Memorandum for Case 658-AT-09, dated January 14, 2010, with attachments:
 - A Revised Draft Proposed Change to Subparagraph 6.1.4 C.11.
 - B *92 Ill. Admin. Code* 14 APPENDIX A Airport Standards
 - C *ALTERNATIVE* Proposed Change to Subparagraph 6.1.4 C.11
 - D *92 Ill Admin. Code* 14 APPENDIX E Restricted Landing Area Standards
4. Excerpts of the Minutes of March 12, 2009, and March 26, 2009, submitted by Sherry Schildt on January 14, 2010
5. Supplemental Memorandum for Case 658-AT-09, dated January 26, 2010, with attachments:
 - A Draft Proposed Change to Subparagraph 6.1.1 C.5.
 - B Revised Draft Proposed Change to Subparagraph 6.1.4 C. 11.
 - C Draft Proposed Change to Subparagraph 9.1.11 D.1.
 - D Draft Proposed Amendment
 - E Revised Finding of Fact
6. Supplemental Memorandum for Case 658-AT-09, dated February 1, 2010, with attachments:
 - A Revised Draft Proposed Change to Subparagraph 6.1.4 C. 11.
 - B Illustration of existing RLA wind farm separation
 - C Illustration of revised Draft RLA wind farm separation

AS APPROVED

Cases 658-AT-09
Page 9 of 9

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 658-AT-09** 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:

Doug Bluhm, Chair
Champaign County Zoning Board of Appeals

ATTEST:

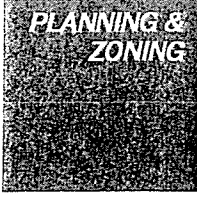
Secretary to the Zoning Board of Appeals

Date

MONTHLY REPORT for JANUARY 2010

Zoning Cases

Champaign
County
Department of



Brookens

Administrative Center
1776 E. Washington Street
Urbana, Illinois 61802

(217) 384-3708

The distribution of cases filed, completed, and pending is detailed in Table 1. Two zoning cases were filed in January and one case was filed in January 2009. The five-year average for cases filed in January is 3.2.

One ZBA meeting was held in January but no cases were finalized. Two ZBA meetings were held in January 2009 and six cases were completed. The five-year average for cases finalized in January is 2.8.

By the end of January there were nine cases pending. By the end of January 2009 there were 6 cases pending.

Table 1. Zoning Case Activity in January 2010

Type of Case	January 2010 1 ZBA meeting		January 2009 2 ZBA meeting	
	Cases Filed	Cases Completed	Cases Filed	Cases Completed
Variance	1	0	1	2
SFHA Variance	0	0	0	0
Special Use	0	0	0	1
Map Amendment	0	0	0	1
Text Amendment	0	0	0	0
Change of Non-conforming Use	0	0	0	0
Administrative Variance	1	0	0	2
Interpretation / Appeal	0	0	0	0
TOTALS	2	0	1	6
Total cases filed (fiscal year to date)	4 cases		3 cases	
Total cases completed (fiscal year to date)	1 cases		7 cases	
Case pending*	9 cases		6 cases	
* Cases pending includes all cases continued and new cases filed				

Subdivisions

There was no subdivision approval in January and no applications. No municipal subdivisions were reviewed for compliance with County zoning.

Zoning Use Permits

A detailed breakdown of permitting activity appears in Table 2. A list of all Zoning Use Permits issued for the month is at Appendix A. Permitting activity in January can be summarized as follows:

- There were no permits received in January compared to a total of 8 permits for 5 structures in January 2009. The five-year average for permits in the month of January is 7.8.
- Only one month in the last 13 months (June 2009) exceeded the five-year average for number of permits.
- Because no permits were received there was no average turnaround (review) time for complete initial residential permit applications.
- Because no permits were received and no construction was authorized in January there was no reported value for construction authorized compared to \$67,400 in January 2009. The five-year average reported value for authorized construction in January is \$359, 693.
- Only one month in the last 13 months (September 2009) equaled or exceeded the five-year average for reported value of construction.
- Because there were no permit applications in January the County collected no fees compared to \$1,254 in January 2009. The five-year average for fees collected in January is \$1,534.
- Two months in the last 13 months (June and September 2009) equaled or exceeded the five-year average for collected permit fees.
- There were also seven lot split inquiries and 191 other zoning inquiries in January.
- Staff began inserting recent amendments into the text of the Zoning Ordinance and a long needed conversion of the Ordinance from WordPerfect to Word and also worked on completing past Zoning Board of Appeals minutes.

Zoning Compliance Inspections

A list of the Zoning Compliance Certificates approved in January is included as Appendix B. Compliance inspection activity in January can be summarized as follows:

- There were five compliance inspections in January. Note that compliance inspections should occur no longer than 12 months after the permit was issued so this compares to the total of 8 permits for 5 structures that were approved in January 2009. Thus, the backlog of compliance inspections increased

TABLE 2. PERMIT ACTIVITY JANUARY, 2010

PERMITS	CURRENT MONTH			FISCAL YEAR TO DATE		
	#	Total Fee	\$ Value	#	Total Fee	\$ Value
AGRICULTURAL:						
Residential		N.A.			N.A.	
Other		N.A.			N.A.	
SINGLE FAMILY Residential:						
New - Site Built						
Manufactured				1	237	100,000
Additions				2	243	99,678
Accessory to Residential				1	609	32,000
TWO-FAMILY Residential						
Average turn-around time for permit approval						
MULTI - FAMILY Residential						
HOME OCCUPATION:						
Rural						
Neighborhood		N.A.		1	N.A.	0
COMMERCIAL:						
New						
Other						
INDUSTRIAL:						
New						
Other						
OTHER USES:						
New						
Other						
SIGNS						
TOWERS (Includes Acc. Bldg.)						
OTHER PERMITS						
TOTAL	0	\$0	\$0	5/4	\$1,089	\$231,678

*0 permits were issued for 0 structures during January, 2010

◇5 permits have been issued for 4 structures since December, 2009 (FY 12/2009 - 11/2010)

NOTE: Home occupations and other permits (change of use, temporary use) total 1 since December, 2009, (this number is not included in the total # of structures).

slightly in January.

- There were three compliance certificates issued in January.
- There have been a total of only seven compliance inspections for the fiscal year (since December 1, 2009) which averages to .8 compliance inspections per week for FY10. The FY10 budget had anticipated an average of 11.1 compliance inspections per week before staffing was reduced.

Zoning and Nuisance Enforcement

Table 3 contains the detailed breakdown of enforcement activity for January 2010 that can be summarized as follows:

- There were 2 new complaints received in January compared to five in January 2009. One complaint in January was referred to other agencies and one complaint in January 2009 was also referred to other agencies.
- Seven enforcement inspections were conducted in January compared to 16 inspections in January 2009.
- No contacts were made prior to written notification in January compared to three in January 2009.
- A total of seven initial investigation inquiries were made in January for an average 2.5 inquiries per week for the fiscal year. The FY10 budget had anticipated an average of 7.6 initial investigation inquiries per week before total Department staffing was reduced.
- There were no First Notices and one Final Notice issued in January compared to three First Notices and no Final Notices in January 2009.
- There were two new cases referred to the State's Attorney in January and one case was referred in January 2009.
- Three cases were resolved in January compared to four cases that were resolved in January 2009.
- There were 582 open cases at the end of January compared to 599 open cases at the end of January 2009. January is the ninth month in a row that ended with fewer open enforcement cases than there were at the end of FY08 (597 cases at the end of FY08).

APPENDICES

A Zoning Use Permits Authorized

B Zoning Compliance Certificates Issued

TABLE 3. ENFORCEMENT ACTIVITY FOR JANUARY, 2010

	FY 2009 Enforcement	December, 2009	January, 2010	TOTALS FOR FY 10
Complaints Received	107	11	2	13
Initial Complaints Referred to Other Agencies	28	1	1	2
TOTAL CASES INCLUDING PREVIOUS YEARS				
Inspections	219	13	7	20
Phone or On-Site Contact Prior to Written Notification	31	1	0	1
1st Notices Issued	21	1	0	1
Final Notices Issued	5	2	1	3
Referrals to State's Attorney's Office	3	0	2	2
Cases Resolved ¹	131	1	3	4
Open Cases ²	573	583	582	582 ^{*/**}

¹Resolved cases are cases that have been inspected, notice given, and violation is gone, or inspection has occurred and no violation has been found to occur on the property.

²Open Cases are unresolved cases, and include any cases referred to the State's Attorney's Office or new complaints not yet investigated.

*Open Cases include the previous number of open cases plus the number of new complaints received in the current month less the number of cases resolved in that same month.

**The 582 open cases include 27 cases that have been referred to the State's Attorney's Office, 15 cases that involve properties where kennels are being operated and will be addressed in the Zoning Ordinance revision process, and 8 cases that involve floodplain matters which brings the total of open cases to 532.

APPENDIX A. ZONING USE PERMITS AUTHORIZED DURING JANUARY, 2010

<u>NUMBER</u>	<u>LOCATION</u>	<u>NAME</u>	<u>DATE IN/ DATE OUT</u>	<u>PROJECT</u>
111-05-01	Pending Special Use Permit			
221-05-01	Pending resolution of violation			
RHO				
345-05-01	Under review			
26-06-02	Under review			
88-06-01	More information needed			
RHO				
118-06-02	Under review			
277-06-02	More information needed			
FP				
82-07-01	Need IDNR response			
FP				
192-07-02	More information needed			
FP				
219-07-01	More information needed			
219-07-02	More information needed			
RHO				
250-07-02	More information needed			
320-07-01	More information needed			
FP				
18-08-01	Under review			
137-08-01	Under review			
187-08-02	Under review			
200-08-01	Under review			
235-08-01	More information needed, possible Variance			
235-08-02	More information needed, possible Variance			
237-08-01	Under review			
266-08-01	Variance needed			
310-08-01	Under review, possible RRO, subdivision issues			

APPENDIX A. ZONING USE PERMITS AUTHORIZED DURING JANUARY, 2010

12-09-01 Under review

147-09-01 Under review

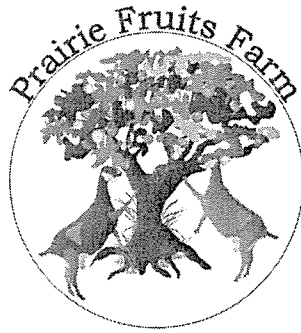
357-09-01 Under review
RHO

26-10-01 Under review

26-10-02 Under review

APPENDIX B: ZONING COMPLIANCE CERTIFICATES ISSUED DURING JANUARY, 2010

<u>DATE</u>	<u>LOCATION</u>	<u>PROJECT</u>
01/19/10 150-08-01	Lot 21, Greenwood Lake 5 th , Section 21, East Bend Township; 858 CR 3200N, Dewey, Illinois PIN: 10-02-21-476-015	a single family home with attached garage
01/19/10 282-09-03	The N 60' of the S 80' of Lot 4, Block 5 of Parkview Subdivision of Lots 5, 6, 11, and 12 of a Subdivision of the NE 1/4 of Section 8, Urbana, Illinois PIN: 30-21-08-202-011	a detached garage
01/19/10 61-09-01	A tract of land located in the NW 1/4 of the SW 1/4 of Section 1, Ludlow Township; 3558 CR 1700E, Ludlow, Illinois PIN: 14-03-01-100-003	a sunroom and a breezeway addition to an existing single family home



January 19, 2010

County Board Representatives:

Below is a letter that we (Leslie Cooperband and Wes Jarrell) sent to the RPC during the Public Comment Period for the CUUATS LRTP 2035. Our comments are still relevant today as the proponents of the Olympian Drive extension push forward in the efforts to procure funds for this road project. We appreciate your thoughtful consideration of these issues and look forward to your feedback.

November 15, 2009

Long Range Transportation Plan: Public Comment
Champaign Urbana Urbanized Area Transportation Study (CUUATS)
Champaign County Regional Planning Commission

From: Leslie Cooperband and Wesley Jarrell, Co-owners, Prairie Fruits Farm, LLC

To: Eric Halvorsen (ehalvors@ccrpc.org)

Cc: rmorocoi@ccrpc.org, glewis@ccrpc.org, ngeorge@ccrpc.org, mullah@ccrpc.org,
nthompson@ccrpc.org

We own and operate Illinois' first farmstead goat dairy, located on N. Lincoln Ave, Somer Township. As owners of a small family farm within a few hundred yards of the proposed Olympian Drive Extension, we would like to express our concerns and opposition to the current Long Range Transportation Plan (LRTP) 2035. Below we present the stated goals of the 2035 LRTP and the contradictions that Olympian Drive Extension and a ring road overall represent to those stated goals.

The \$27 million Olympian Drive Extension Project violates the goals and objectives of the CUUAT 2035 Transportation Plan:

GOAL 1: Non-single occupancy vehicle travel will be a principal consideration of the transportation planning process to make the urbanized area more sustainable, efficient, and provide a higher quality of life for residents.

GOAL 2: Compact development and mixed-use forms should be principal considerations for new development and redevelopment in the urbanized area to create a more walkable, sustainable, and efficient development pattern

How does a beltway or ring-road type road promote “non-single occupancy” type vehicle travel? To the contrary, it will promote car travel because the intent of a beltway or ring road is to make it easier for cars to by-pass inner city traffic.

How does a beltway promote compact development? Examples from other cities show that beltways or ring-roads promote sprawl—development inside the “ring” then leap-frog development outside the ring.

Construction of this road and subsequent development will destroy the tranquil beauty of a “green” place minutes from town, with fields, farmsteads, streams, and forests. It will pave over the best agricultural soils in the world! Once paved, there is no turning back. This will lower the quality of life for residents in Champaign Co., NOT “provide higher quality of life.”

GOAL 7: Utilize a sustainable approach to transportation planning and engineering which promotes environmental stewardship and energy conservation.

GOAL 8: Provide a user-friendly, integrated regional transportation system that supports accessibility and promotes desirable social impacts.

The construction of a road and the subsequent development of lands impacted by the road for industrial development through prime agricultural land will not promote environmental stewardship and energy conservation. Nor will it promote desirable social impacts. It will truncate several designated “Centennial” farms, making it complicated to manage them and increasing the risk that farm families who have been on this land for as much as seven generations will have to go out of farming. It will pave over areas that were heavily used by Native Americans; there are numerous Indian artifacts found every year in the farm fields east and west of Lincoln Avenue. One of the few effective wildlife corridors in the area will be bisected (Saline Branch), which deer, coyotes, mink, weasels, ducks, muskrat, and an amazing array of other native animals use as an uninterrupted pathway linking woodlots and riparian systems north of Urbana.

The current 2035 CUUATS plan for Olympian Drive as well as the 2005 City of Urbana Comprehensive plan do NOT support a *contiguous, compact and sustainable manner* or infill -- The City and County should subsidize infill rather than sprawl: there are significant areas in Urbana that could be rebuilt and renewed for light industry. These areas are already served by roads, water, sewer, electrical and natural gas utilities.

GOAL 12: To the greatest extent possible, improvements will be made to the existing roadway network to preserve or improve upon its current condition and add pedestrian, bicycle and transit facilities where needed

Instead of spending \$27 million to build a road through prime agricultural land, public funds should be spent to improve existing roads that are in bad shape, neglected, and increasingly dangerous. If the county desires to improve connectivity, then it would be much less expensive (as stated by the Urbana’s Public Works director, Bill Gray) to slightly widen and resurface the two other potential “connector” roads that already exist, one with a half-mile of proposed Olympian Drive (Ford Harris), making them more useable as connectors. The crossing at Leverett Road rarely has more than a 5 minute wait, even for long trains. Statements that existing warehouse and distribution businesses want to save “1 to 3 minutes” in their driving time by spending nearly \$30 million in public money do not make sense in terms of the proposed road, which would require more mileage spent on two lane roads with several traffic control signals and signs, compared with a two – to –three lane freeway.

Moreover, the plan for the Olympian Drive Extension (and solicited funding) does NOT include concurrent plans to realign (straighten) N. Lincoln Ave. Without improving N. Lincoln Avenue, the stated objectives of improving road access for trucks and semis to get to I-57 will not be achieved.

GOAL 10: To the greatest extent possible, the existing capacity of the urbanized area transportation system will be maximized through innovative transportation system management approaches

This plan is NOT innovative. If anything it represents an outmoded view of urban growth as sprawl. We have an alternative proposal that would connect Lincoln Avenue with existing Olympian and more effectively meet the stated objectives for industry in this northwest corner of Urbana. Although we have no budget estimates, the reduced footprint of our alternative road would likely cost at least 1/3 less than the proposed Olympian Drive Extension. Dr. William Cope has submitted an engineer's drawing of this proposed alternative road for CUUATS and the City of Urbana to review. They have dismissed this proposal without serious consideration

GOAL 6: To provide facilities for non-auto modes of transportation in order to improve mobility and decrease the number of vehicles on our roadways

Bicyclists find this area beautiful and easy to bike because of agricultural fields interspersed with forested areas and riparian strips, and low traffic; putting a heavily trafficked road through it and rezoning the area for light industry will eliminate this area's attraction for bikers and others in the community enjoying passive recreation.

In addition to the contradictions found in the CUUATS and City of Urbana documents, the Olympian Drive Extension and subsequent rezoning of prime agricultural farmland to light industry violates the goals of Champaign Co. Board Environment and Land Use Committee's Long Range Management Plan Goals (still in draft form):

Goal 3 (Agriculture) "Champaign Co. will protect the long term viability of agriculture in Champaign County and its land resource base.

3.1 "Champaign Co. will strive to minimize the fragmentation of the County's agricultural land base and conserve farmland, generally applying more stringent development standards on best prime farmland."

3.8 "Champaign Co. acknowledges the importance of and encourages the production, purchase and consumption of locally grown food."

Goal 7 (Natural Resources) "Champaign County will strive to conserve and enhance the County's Landscape and natural resources and ensure their sustainable use."

Goal 9 (Cultural Amenities) "Champaign County will promote the development and preservation of cultural amenities that contribute to a high quality of life for its citizens."

In summary, the world of 2010 is very different from the world of 1974 when the Olympian Drive and other ring roads were first proposed. We now live in a world where global climate change poses a very real threat to our way of life, and plans for transportation and development need to promote practices that LOWER our carbon footprint NOT increase or maintain its current size. We ask the County Board to review this LRTP with fresh, 21st century eyes and look for ways that we can grow our economy without destroying prime farmland and promoting urban sprawl. The proponents of this current LRTP 2035 have not provided a detailed and quantitative plan of how this road will create jobs and economic

development for Champaign County. To date, this is merely stated as a given benefit, with very little substantiation. We believe there are many other locations within Champaign Urbana and Champaign County that already have excellent road access that could be developed for job-creating industries. We also believe that the Champaign County Regional Planning Commission should take a hard look at their sustainability goals and make sure that the actual LRTP supports those goals. We urge the County Board to undertake a critical evaluation of this plan and engage members of the community that have alternative ideas.

William Bates
631 County Rd. 1200E
Tolono, Illinois 61880

February 4, 2010

Champaign County Board Member
Brookens Administrative Center
1776 E. Washington
Urbana, Illinois 61802

Dear County Board Member:

As a third generation farm owner along the Olympian Drive Extension, I am in support of completing the 1.5 mile project between the ICC Railroad Tracks and U.S. 45.

The University of Illinois employees who recently started the small goat farm on North Lincoln Avenue were clearly informed by City of Urbana officials, when they applied for licensing, that their property was within the proposed Olympian Drive corridor. They recklessly ignored the public notice presented by our elected representatives, and now their plea to the City of Urbana for special status exemption rings hollow. It is obvious that the real objection to the road project is based on the self-serving interests of these new business owners, who do not wish to be inconvenienced.

The need assessment, environmental impact and engineering studies had long been completed by all necessary local, state and federal agencies at great length and expense to the taxpayer long before this "hobby farm" operation decided to set up shop – and right in the middle of a proposed thoroughfare...

I along with other area residents attended the many hearings covering Olympian Drive before proprietors Wes Jerrell and Leslie Cooper appeared on the scene. As an accommodation to input from local residents the roadway corridor was moved a quarter mile north in order to avoid displacing most of the home owners in the area – particularly those along the existing township road which was purposely bypassed.

Please don't let yourselves be shouted into submission by the selfish antics of a vocal minority. Don't let these naysayers squander the tax money invested and the contributions some of our finest minds have

already made toward the orderly and reasoned implementation of this important road project. The completion of the final 1.5 mile segment of this roadway from the IC Railroad to Route 45 offers the best opportunity to open up this area of the County Master Plan to light industrial business development.

Any claims that Olympian Drive is a ring road is without merit and is best clarified in the recent News Gazette article on December 15, 2009 by Urbana Public Works Director, Bill Gray where he states that Olympian Drive is an east-west arterial needed for future growth and... "is not by any stretch of the imagination a ring road or beltway." The proposed Olympian Drive runs through the heart of Champaign/Urbana's planned light industrial zone. Without access roads there can be no viable business development; without business development there is no new employment etc. The high-tech start-up and satellite companies generated by the University of Illinois will only locate in nearby parks properly prepared to receive them.

Once Olympian Drive is funded, the north leg of Lincoln Avenue may be connected for a complete north-south, east-west access. Businesses will finally be attracted to the area, and the eventual development is sure to provide clean, well-paying jobs and provide an expanding tax base to adequately fund our county government.

Visionary - intelligent leadership is what has brought our community plan this far. **Please STAY THE COURSE!**

For the better good of Urbana, I urge you to ~~you~~ vote in favor of completing this long overdue project while funding remains available.

Very truly yours,

William Bates

CC:

Champaign County Economic Development
Champaign County Regional Planning Commission

Mayor

Somer Township

5406 N. W. Arrowhead Dr.

Urbana, IL 61802

Ken Mathis - Supervisor

217-328-2100

January 12, 2010

Mayor Laurel Prussing
City Council
City of Urbana
400 South Vine Street
Urbana, IL 61801

RE: Olympian Drive Project

Dear Mayor and City Council:

Somer Township would like to take this opportunity to offer the support of all our elected officials for the Olympian Drive project. In recent years, the Township has noted large increases in through traffic on township roads, including increases in heavy truck traffic. In an era of declining motor fuel tax revenues and extreme increases in road maintenance costs, this increased traffic makes it a challenge for the township to keep up with providing well maintained and safe roads for our residents.

The Olympian Drive project will improve access for Somer Township residents and provide for a necessary east-west connection in north Urbana. Most importantly from a township perspective, it will help to divert truck and automobile traffic away from township roads and onto a properly designed and constructed alternate route. As a result of this project, the Township anticipates that it will see reduced volumes and improved safety on Ford Harris, old Lincoln Avenue, and Willow Road. This will make our job easier in providing for safe, well maintained access in these areas.

The project will also have a benefit in providing for a safe grade separated crossing of the railroad line. This will improve traffic safety for vehicles crossing over the railroad and will help to pave the way for the proposed high speed rail project between here and Chicago.

While we understand that not all residents are in favor of this project, we do believe that it would be of benefit to the township, especially with respect to its road maintenance responsibilities.

Sincerely,



Ken Mathis, Supervisor



Ricky Wolken, Road Commissioner

Champaign County's Road to Nowhere

Ten reasons why Olympian Drive should not be built:

1. It will destroy 85.7 acres of the world's best farming land - taking away the livelihood of farmers who have been worked land for over a century, as well as newer farmers creating exciting boutique, local foods and on-the-land culinary experiences. If a road needs to be built at all (and it may not need to be), our alternative proposal (see attached) affects no land currently owned by farmers, and uses only 24 acres of land.

2. It will do enormous environmental damage - cutting a swathe through sensitive wetlands and requiring the removal of some of the few remaining, precious fragments of the Big Grove.

3. It will cut through a significant wildlife corridor - as well as damaging sites of archaeological significance. There has been a significant shift in community environmental values since the Olympian Drive plans were made in the 1990s.

4. It will encourage people to drive further and faster - if this becomes part of a future ring road around the cities of Urbana and Champaign, the Champaign Urbana Urbanized Area Transportation Study (CUUATS) shows that people will drive further and faster to reach their destination instead of more directly and slower on current intra-city roads. This uses more fuel and produces more serious traffic accidents.

6. It's a bad design - this is a road designed for fast driving and an expensive railroad bridge, but it will be punctuated by numerous traffic lights and stop signs. Leverett Road is already, and will continue to be, a better route for drivers wanting to cross from Route 45 to Interstate 57. Furthermore, with the North Lincoln extension, people heading north to Olympian Drive in order to reach Interstate 57 will have to head north east in order to travel west—so will people even use it? This also means building an un-necessary long road building and increased fuel use for users. Our alternative proposal saves westbound traffic having to take a turn east to reach the proposed Lincoln/Olympia intersection (and vice versa), reducing the distance travelled by approximately 1 mile.

5. We don't need it - Leverett Rd is already and excellent east-west route 1.5 miles to the north of the proposed Olympian Drive, which connects directly into 1-57 at exit 240 - there is no need to duplicate this road. It is also likely that traffic accessing the existing industrial zone on North Lincoln will continue to flow directly into Interstate 74, rather than work its way through the many stop signs, red lights and un-necessary changes of direction in the proposed North Lincoln/Olympian Drive development.

7. Its a terrible waste of money - will we really pay \$27 million for just 3.1 miles of road, and road of questionable value? Some projections put the price at nearly \$30 million, but what will the final project actually cost? It doesn't matter that the community can attract Federal Stimulus earmark money for this project - a waste of taxpayers' money is a waste of taxpayers' money. Our alternative would achieve the same objectives for a fraction of the cost, requiring the construction of only 1.0 mile of new road. This means it may be possible to attract funding sooner, and start and complete the project sooner. Why not use the \$5 million already allocated for that? (Or even decide not to waste the \$5 million?)

8. It will promote peripheral development - these new roads are supposed to open up new industrial land north of Urbana. But just look at the failed industrial wasteland at the western end of Olympian Drive. Do we want to replicate that? There is so much unused industrial land already that, even projecting a return to boom time conditions, it may be half a century or more before we really need more land for industry. This kind of planning is a recipe for ugly and wasteful sprawl.

9. It is based on an old model of growth an old economy - the old theory was build the road and development will follow. But we know now that peripheral development creates hollowed-out urban centers. Also, what kind of a value judgment is it to say that industry is preferable to farming? We need a new vision of economic growth and contemporary perspectives on planning, including placing a value on some of the world's best farming land from traditional farming to innovative local food production.

10. It's a classical 'road to nowhere' - the stuff of justifiable ridicule. This will be the road that takes you from an undeveloped industrial wasteland at its western end, to the lonely adult store on Route 45 at its eastern end.

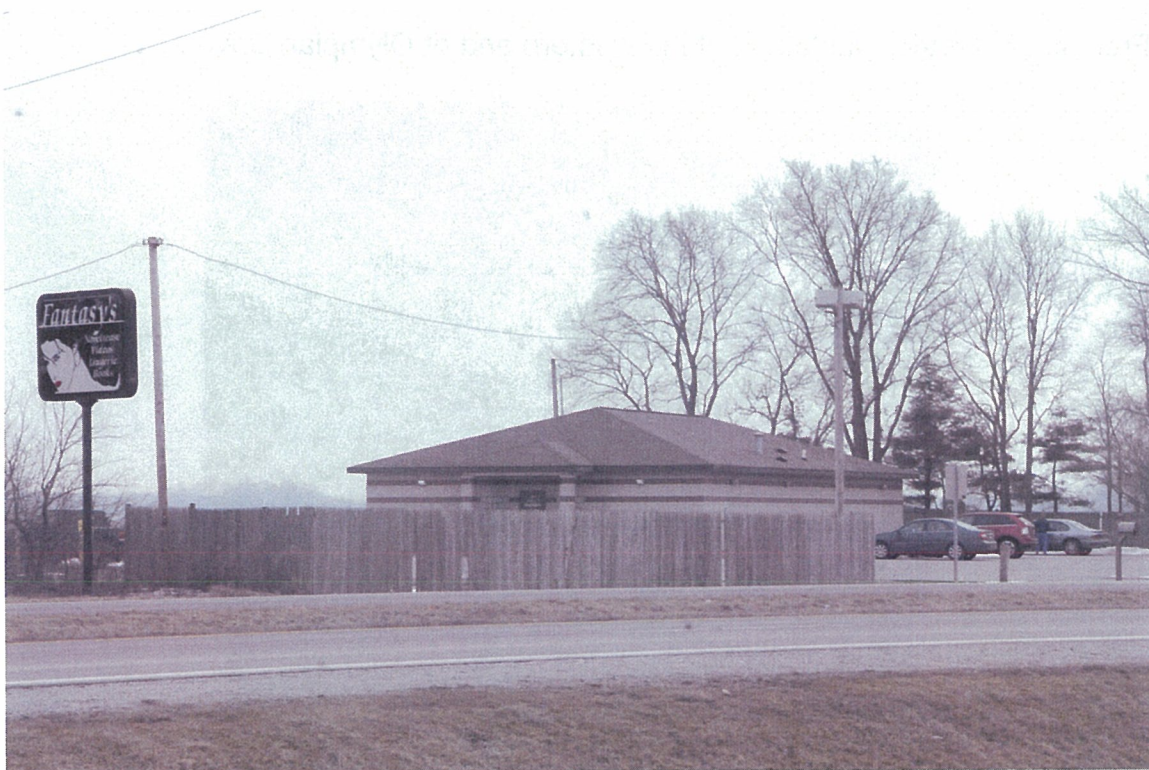
Bill Cope, 4018 N. Lincoln Ave, bill.cope@illinois.edu

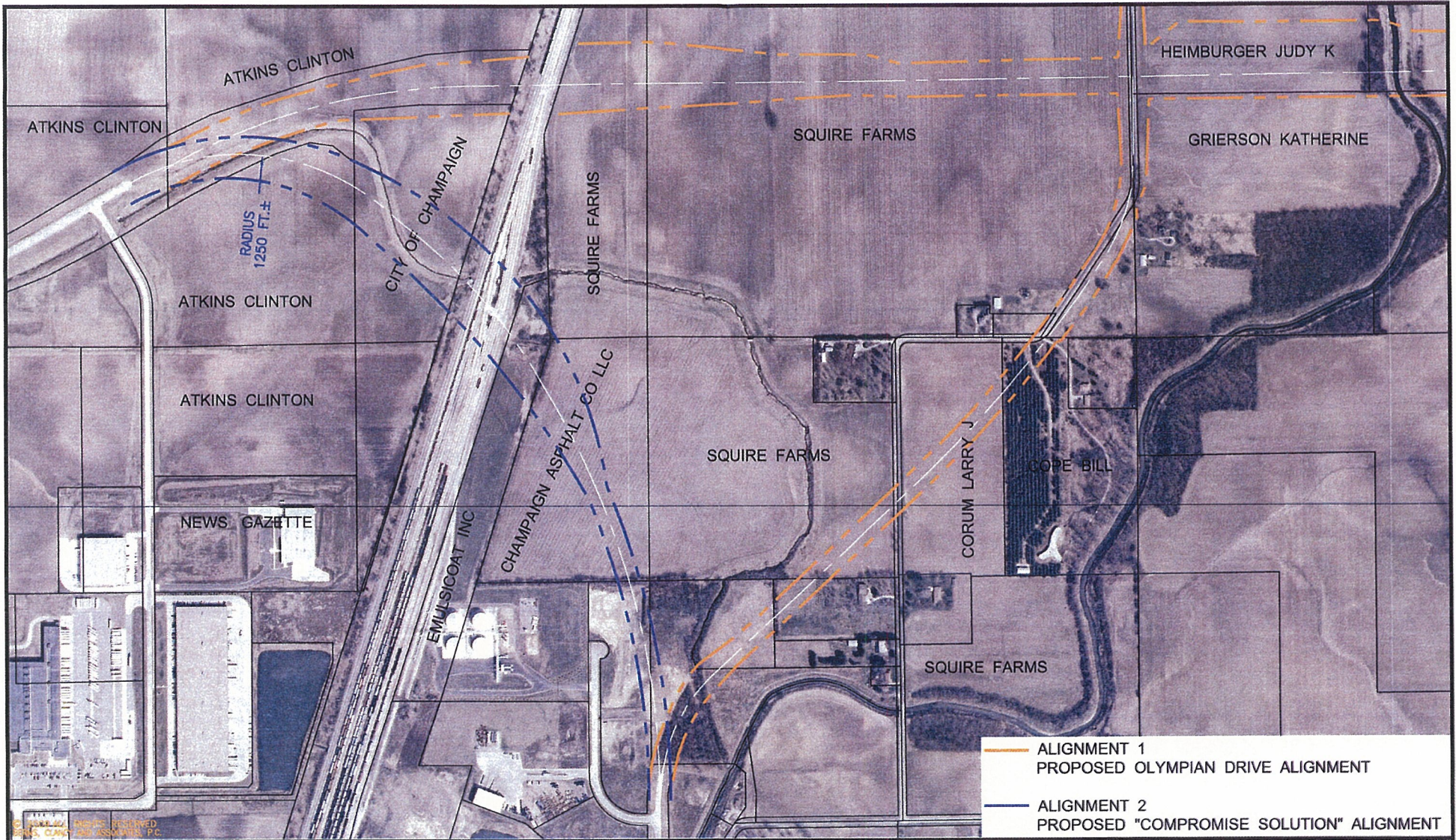
Champaign County's Road to Nowhere

From the industrial wasteland at the western end of Olympian Drive ...



... to the lonely adult store on Route 45

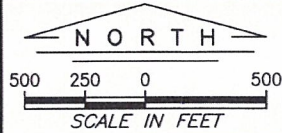




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BERNS, CLANCY AND ASSOCIATES
 ENGINEERS • SURVEYORS • PLANNERS
 405 EAST MAIN STREET - POST OFFICE BOX 755
 URBANA, ILLINOIS 61803-0755
 PHONE: (217) 384-1144 - FAX: (217) 384-3355



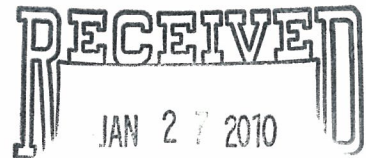
CHAMPAIGN COUNTY
 ORTHOPHOGRAPHY
 AND GIS DATA
 DATED APRIL 2008

NORTH LINCOLN AVENUE
 ALIGNMENT STUDY
 SOMER TOWNSHIP,
 CHAMPAIGN COUNTY, ILLINOIS

DATE: 102209
 SHEET:
 1 OF 1
 JOB: 5730-1



January 26, 2010



**ADMINISTRATIVE
SERVICES**

Champaign County Board
Brookens Administrative Center
1776 E. Washington
Urbana, IL 61802

**Champaign County
Economic Development
Corporation**

1817 South Neil Street
Suite 201
Champaign Illinois 61820

ph 217 359 6261
fax 217 359 1809
www.champaigncountyedc.org

Dear Champaign County Board:

The Champaign County Economic Development Corporation wishes to communicate our enthusiastic support for the proposed Olympian Drive project. As the lead economic development agency for the Champaign County region, representing both public and private interests, we fully understand the current deficit regarding east-west mobility on the north side of our community and its effect on developing jobs in our region.

For various reasons (including the University of Illinois campus and the Canadian National north/south rail line), the urban core of our region now relies on just a few east-west local arterial roadways traversing the entire metro area, none north of Springfield/Main Streets. This is a major deficit in our regional transportation network.

We support the completion of Olympian Drive to correct this deficit for the following reasons:

- Olympian Drive has been in the planning stages for nearly 50 years. This is most recently evidenced by the adoption of the 2004 Long Range Transportation Plan, adoption of the Champaign City Transportation Plan, adoption of the updated Urbana Comprehensive Plan's transportation section, and the virtually completed regional 2009 CUUATS Long Range Transportation Plan.
- For several decades, the municipal land use plans of both Champaign and Urbana have reflected this major project, and several businesses have already located in proximity to the roadway in anticipation of its eventual construction and in concert with the municipal land use plans.

- Millions of dollars have already been invested in planning and constructing portions of the road. Many property owners have used the municipal comprehensive plans to guide their actions and investments. The appropriate public and private utilities responsible for delivery of water, sewer, electric, and gas services have invested millions of dollars in preparation for this planned roadway and use of the surrounding land.
- The project has broad community support. Over the years, numerous public meetings have been held to discuss these plans. Discussions have been comprehensive, deliberate, and plentiful. The BigSmallAll visioning effort, reflecting the involvement of hundreds of citizens, included Olympian Drive as a high priority transportation need. Further, the consistent adoption via city council and county board votes, across several elections, indicates broad community wide consensus regarding the need for this project.
- Today, the community has the opportunity to finally turn these plans into reality. The Regional Planning Commission under the CUUATS program, Champaign County First (a collaborative effort of the Champaign County Chamber of Commerce and the Champaign County Economic Development Corporation), Champaign County, City of Champaign, and City of Urbana have been working tirelessly to bring State, Federal, and local resources together to accomplish this project. A realistic financial package involving several funding sources has been proposed, and many portions are in place.

The time is now to get results from this momentum. We enthusiastically request the Champaign County Board, as part of its support of the LRTP, move this project forward to completion.

Sincerely,



John Dimit
President and CEO



Tim Hoerr
Board Chair

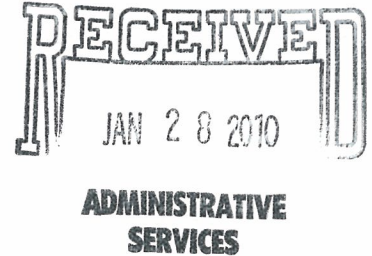
CHAMPAIGN COUNTY LINCOLN-OAK & NORTH MARKET INDUSTRIAL ROUNDTABLES

A program of Champaign County Economic Development Corporation



January 27, 2010

Champaign County Board
Brookens Administrative Center
1776 E. Washington
Urbana, IL 61802



Dear Champaign County Board:

We wish to communicate our enthusiastic support for the proposed Olympian Drive project. As businesses in the immediate vicinity of the project, we experience every day the current deficit regarding east-west mobility on the north side of our community.

For various reasons, the region relies on just a few east-west arterial roadways traversing the entire metro area, none north of Springfield/Main Streets. With limited access, Interstate 74 does not fill this role for us. This creates a major deficit in our local transportation network and a barrier to the growth of our business.

We originally located in proximity to Olympian Drive in anticipation of its eventual construction as planned for many years. We are disappointed that the project has not materialized as promised, but understand the challenge in putting together a financing package.

Over the years, many meetings have been held to discuss these plans. Discussions have been comprehensive, deliberate, and plentiful. And a viable financing package seems to finally be available.

The time is now to make this project a reality. We enthusiastically request the city councils, the county board, and our state and federal elected officials to move this project forward to completion.

Sincerely,

Shirley Baxter
Applied Turf Products

Cecil McCormick
Champaign Asphalt

Kyle Behnke
Champaign Signal &
Lighting.

Kevin Applebee
Flooring Surfaces, Inc.

David Hodge
Gill/Porter Athletics
Litania Sports Group

Eric Mast
Illiana Construction

Ken Mathis
Mack's Twin City
Recycling

Scott Stromberg
Mid-America Concrete
Recycling

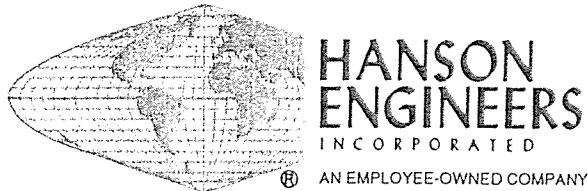
John L. Reed
News-Gazette, Inc

John Peisker
O'Neil Bros.
Construction

Mike Shelato
Open Road Asphalt

Joe Lamb
Open Road Paving

Mike Ciolli
Serv-U



40 YEARS OF SERVICE

October 17, 1995

Ms. Janet Scharlau
602 Devon
St. Joseph, IL 61873

Re: Olympian Drive Location Study
Champaign County, Illinois
HEI No. 94S2055

Dear Ms. Scharlau:

Thank you for your input regarding the Olympian Drive Location Study. In your letter, you expressed several reservations regarding construction of a new road in the project corridor. You asked who would be using this road and stated that you did not believe Urbana would experience economic growth in the corridor.

This study includes an evaluation of projected traffic. Our analysis indicates that over 20,000 vehicles per day will use this road by the design year 2015. These projections are based on development forecasts provided by the City of Urbana and the Champaign County Planning Department.

Should you have any additional comments or concerns, please do not hesitate to contact me.

Sincerely,

HANSON ENGINEERS INCORPORATED

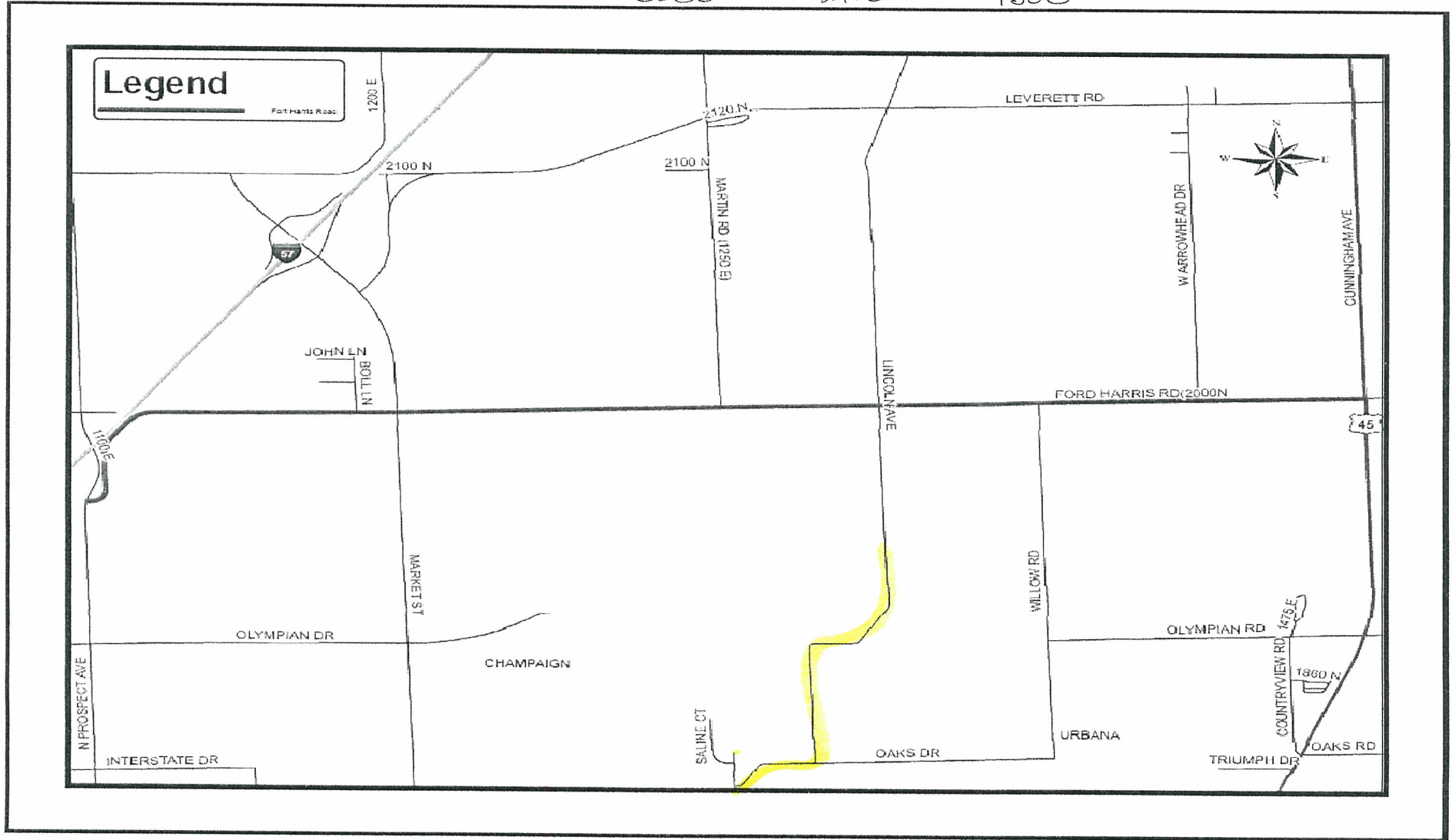
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Corporate Office: Springfield, Illinois
Peoria, Illinois • Rockford, Illinois • La Grange, Illinois • Kansas City, Missouri
Herndon, Virginia • Pleasanton, California • Atlanta, Georgia



<u>Location on Ford Harris Rd</u>	<u>2006 ADT</u>	<u>2001 ADT</u>	<u>1996 ADT</u>
Prospect Ave to Market St	400	450	1500
Market St to Lincoln Ave	950	700	1500
Lincoln Ave to Willow Rd	850	650	650
Willow Rd to US 45	<u>1050</u>	<u>600</u>	<u>650</u>
	<u>3250</u>	<u>2400</u>	<u>4300</u>





TOP INVESTORS

GOLD

Busey Bank
 Carle Clinic Association

SILVER

The Carle Foundation
 Christie Clinic
 Provena Covenant
 Medical Center
 University of Illinois at
 Urbana-Champaign

BRONZE

The Atkins Group
 BankChampaign, N.A.
 Country Inn & Suites
 Health Alliance
 Medical Plans, Inc.
 Hilton Garden Inn/
 Homewood Suites by Hilton
 Kraft Foods Inc.
 National City Bank,
 now a part of PNC
 Sam's Club #18-8197
 Supervalu Inc. Champaign
 Distribution Center
 University of Illinois
 Employees Credit Union
 W. Newell & Co.

IN-KIND
 CONTRIBUTORS

CHAIRMAN'S CIRCLE

Champaign-Urbana
 Radio Group — WEBX/
 WGKC/WQQB/WLFH
 Illini Radio Group —
 WIXY 100.3, WLRW 94.5,
 92.5 The Chief, Extra 99.1,
 True Oldies 97.9
 NewsTalk 1400 WDWS
 & Lite Rock 97.5 WHMS

PRESIDENT'S CIRCLE

Fox Illinois WCCU-TV &
 Central Illinois CW (WBUI)

CHAMBER CIRCLE

WCIA 3 and WCFN 49
 WICD-TV NewsChannel 15

February 4, 2010

Members of the County Board,

The Champaign County Chamber of Commerce, representing nearly 1,300 local businesses and 65,000 employees, expresses its support for the Olympian Drive expansion project as outlined in the Champaign Urbana Urbanized Area Transportation Study Long Range Transportation Plan 2035.

The continuation of Olympian Drive east of Apollo Drive connecting to Cunningham Ave/Route 45 will open up hundreds of acres of land to new economic development. According to a recent study by the Wisconsin Economic Development Association, for every acre developed for commercial or industrial use generates 11 permanent jobs. And according to the National Association of Home Builders, the construction of 1,000 homes generates 2,448 construction and construction related jobs, \$79.4 million in wages, and \$42.5 million in federal, state, and local tax revenue.

The alternative presented by those who oppose the Olympian Drive project, for construction and expansion on Ford Harris Road is not feasible. Ford Harris Road will be more expensive to construct as the City of Champaign segment would need to be completed with a new interchange on I-57, additionally the existing sewer and water lines do not cover the land adjacent to Ford Harris Road hindering economic development.

The Olympian Drive project has been in the works for decades and has been a key focal point for the economic development of northern Urbana-Champaign. Once completed the road will help reduce the traffic congestion on I-74; link northern Urbana with northern Champaign; open up hundreds of acres to economic development, and provide easy access for those located on Olympian Drive to I-74, I-57, I-72, Route 45, and Lincoln and Prospect Avenues.

Jointly, the Champaign County Chamber of Commerce, Economic Development Corporation, cities of Urbana, Champaign, Savoy, and the county were successful this year in securing \$5 million of state funding for Olympian Drive and advocated for federal funding while in Washington, DC this past September as part of Champaign County FIRST. Twelve years after its initial construction we have never been closer to having the projected finished than we are today. Congress will soon be reauthorizing the federal transportation funding bill, SAFETEA-LU, and we must continue to show a united front for Olympian Drive to Congressman Tim Johnson and Senator Dick Durbin in order to be successful at securing the federal funding necessary to complete the project.

Sincerely,

Laura Weis
 President & CEO



Champaign County Farm Bureau

801 N. Country Fair Drive ♦ Suite A ♦ P.O. Box 3098 ♦ Champaign, IL 61826-3098
Phone: (217) 352-5235 ♦ Fax: (217) 352-8768

Bradley Uken, Manager

www.ccfarmbureau.com

Carl Pius Weibel
709 W. Green St.
Champaign, IL 61820

Dear Carl Pius,

For many years, the Champaign County Farm Bureau has held a strong interest in the sustainability of agriculture in Champaign County. In many regards this sustainability has and continues to be impacted by changes in land use throughout the county. These changes in land use may be related to residential or commercial development, or transportation related development.

Throughout the last year or so one idea that has the Champaign County Farm Bureau very concerned has been brought back to the forefront of discussion; the extension of Olympian Drive.

Our first concern centers on the loss of farmland consumed by this project and the almost eminent residential and commercial development which will surround the proposed alignment. The Champaign County Farm Bureau has long been concerned about the loss of farmland in our county and adamantly supports policies that encourage infill development and redevelopment, as well as compact and contiguous development. This proposed alignment begs the questions of what additional development and loss of farmland will occur in the future if it moves forward as proposed?

Secondly, both the Champaign County Farm Bureau and the Illinois Farm Bureau, through state-wide policy, *"support the utilization of existing right-of-way for new highways to the maximum extent feasible in order to minimize acquisition of new lands for highway purposes."* This type of approach has a lot of merit. First of all, it would reduce the amount of land required since an entity would already have the right of way for such a project. Also, if the entity already has the right of way it would most definitely reduce the cost of the project which is estimated at \$27 million.

Finally, through policy of our state organization, we *"support efforts that provide for the utilization of marginal or poorer grades of farmland for new highway projects where feasible in order to preserve tillable farmland."* According to the United States Natural Resources Conservation Service, east central Illinois has some of the most productive soils in the world. In fact only three regions in the world have this high of quality of soils for growing crops. However, if you factor in our climate we are arguably the number one growing region in the world for crop production.

I hope that you understand some of our concerns and take these into consideration as this project and future projects are proposed and may move forward.

Sincerely,

Jerry Watson, President
Champaign County Farm Bureau

Feb 4, 2010

My name is Herb Schildt. As you may recall, I am chairman of the Newcomb Township Plan Commission. However, I am not speaking in that capacity tonight. I am speaking strictly for myself.

I am here because I am troubled by Part B of case 658-AT-09. It requests a small change to section 9.1.11 D.1 so that it references Section 6.1 of the zoning ordinance rather than section 6.1.3.

Before continuing, it is useful to explain in a general sense what sections 9.1.11 D.1, 6.1.3, and 6.1 are about. Section 9.1.11 D.1 defines situations in which a standard condition for a special use permit can be waived. Section 6.1.3 contains a table that depicts a schedule of standard conditions for specific types of special uses. This table does not, however, include wind farms. Wind farms are handled separately by Section 6.1.4. Finally, Section 6.1, which now begins section 6, also specifies which standard conditions are subject to waiver.

My problem with Part B of case 658-AT-09 is with the rationale given for making the change. As I understand it, the reason for the change is the opinion that all standard conditions for all special uses described in Section 6.1 are subject to waiver, not just those in Section 6.1.3. Thus, the change being requested is an attempt to make 9.1.11 D.1 consistent with this opinion. The trouble is that I disagree with this premise. Why? Because the ordinance expressly states that not all standard conditions for special uses are subject to waiver.

This is important because under Section 6.1 are listed several items, one of which is the wind farm ordinance (Section 6.1.4). Changing Section 9.1.11. D.1 to refer to 6.1 looks like an attempt to make the requirements for wind farms subject to waiver. But this can't work.

The language of the zoning code is clear on this point. It does not allow the standard conditions relating to wind farms to be waived. Nor does it allow the site reclamation requirements which are referred to by the wind farm section, to be waived. Furthermore, making the recommended change in Section 9.1.11 D.1 does not alter this fact. Again, the zoning ordinance is quite clear on this point. Simply put, the requirements for wind farms are exactly that, requirements. Not guidelines.

Let me briefly explain why the zoning ordinance does not allow the standard conditions related to a wind farm to be waived. First, Section 6.1 begins with this paragraph, which I will read in its entirety.

"The standards listed for specific SPECIAL USES which exceed the applicable DISTRICT standards in Section 5.3 and which are not specifically required under another COUNTY ordinance, state regulation, federal regulation, or other authoritative body having jurisdiction, to the extent that they exceed the standards

of the DISTRICT, shall be considered standard conditions which the BOARD is authorized to waive upon application as provided in Section 9.1.11 on an individual basis."

Now, for clarity, let me read that again, but this time without including the subordinate clause:

"The standards listed for specific SPECIAL USES which exceed the applicable DISTRICT standards in Section 5.3 ..., shall be considered standard conditions which the BOARD is authorized to waive upon application as provided in Section 9.1.11 on an individual basis."

The key phrase here is "which exceed the applicable DISTRICT standards in Section 5.3." Thus, the only standard conditions that can be waived are those listed in section 5.3 and then only if they exceed the 5.3 standards. Section 5.3 is a table that describes the Area, Height and Placement regulations by district. It includes such things as minimum lot size and average width, maximum height, required yards, and maximum lot coverage. It has nothing to say about the vast majority of the provisions in the wind farm ordinance, such as the design of a wind farm tower, mitigation to damage to farmland, noise, fire protection, electromagnetic interference, shadow flicker, liability insurance, wildlife impacts -- the list goes on. Thus, the wind farm requirements are not subject to waiver because there is no applicable DISTRICT standard for these things listed in Section 5.3. The ordinance is very clear in this regard.

Moreover, to avoid any misunderstanding on this point, the wind farm ordinance expressly exempts itself from those standards described in 5.3. It states in Section 6.1.4 B
1

"There are no minimum LOT AREA, AVERAGE LOT WIDTH, SETBACK, YARD, or maximum LOT COVERAGE requirements for a WIND FARM ..."

These are the things which 5.3 deals with -- lot area, average width, and so, and the wind farm ordinance exempts itself from those things.

The intent here is clear: the wind farm ordinance defines the minimum standards that pertain to wind farms, and minimum standards are not subject to waiver.

The point of this discussion is simply this: changing 9.1.11 D.1 as requested in 658-AT-09, Part B does not alter the fact that the wind farm regulations cannot be waived. Therefore, it will be misleading to change 9.1.11 D.1 as requested because the wind farm provisions are not subject to waiver -- whether you change 9.1.11 D.1 or not. To make them subject to waiver would require an extensive change to the zoning ordinance.

It is very likely that John Hall will have a very different opinion on this than I do. While I respect and have high regard for John Hall, on this point I am convinced he is wrong. I must emphasize that the language of the zoning ordinance is very clear on this point.

Only those standards which exceed the applicable DISTRICT standards in Section 5.3 can be waived. Look, no matter how we might have, in general, thought about the waivability of standard conditions in the past, those general notions do not apply to the standard conditions imposed by the wind farm amendment.

So, given what I've just said, I recommend that you do not enact 658-AT-09, Part B. At best, it is misleading. At worst, it could be used to justify the County acting in a manner that is not compliant with its own zoning ordinance.

Attachment C. Case 658-AT-09 Draft Proposed Change To Subpar. 9.1.11 D.1.
JANUARY 7, 2010

1. Revise subparagraph 9.1.11 D.1. as follows:

D. Conditions

1. Any other provision of this ordinance notwithstanding, the BOARD or GOVERNING BODY, in granting any SPECIAL USE, may waive upon application any standard or requirement for the specific SPECIAL USE enumerated in Section 6.1.3 ~~Schedule of Requirements and Standard Conditions~~ Standards for Special Uses, to the extent that they exceed the minimum standards of the DISTRICT, except for any state or federal regulation incorporated by reference, upon finding that such waiver is in accordance with the general purpose and intent of this ordinance, and will not be injurious to the neighborhood or to the public health, safety and welfare.

6.1.1 STANDARDS AND REQUIREMENTS – CONTINUED

Renumbered by Ordinance 848
to be subsection 6.1 Standards for Special Uses

10. Once the letter of credit has been drawn upon, and the site has been restored to its original condition, as certified by the Zoning Administrator, the covenant entered pursuant to Section 6.1.1C2 shall expire, and the COUNTY shall act to remove said covenant from the record of the property at the Recorder of Deeds within forty-five (45) days.
11. The proceeds of the letter of credit may only be used by the COUNTY to:
 - a. remove the NON-ADAPTABLE STRUCTURE and return the site to its condition prior to the placement of the NON-ADAPTABLE STRUCTURE, in accordance with the most recent reclamation agreement submitted and accepted in relation to the NON-ADAPTIVE STRUCTURE;
 - b. pay ancillary costs related to this process; and
 - c. remove any covenants placed on the title in conjunction with Section 6.1.1C.

The balance of any proceeds remaining after the site has been reclaimed shall be returned to the issuer of the letter of credit.

12. Upon transfer of any property subject to a letter of credit pursuant to this Section, the new owner of record shall submit a new irrevocable letter of credit of same or greater value to the Zoning Administrator, prior to legal transfer of title, and shall sign a new reclamation agreement, pursuant to Section 6.1.1C4a. Once the new owner of record has done so, the letter of credit posted by the previous owner shall be released, and the previous owner shall be released from any further obligations under the reclamation agreement.

6.1.2 Standard Conditions

The standards listed for specific SPECIAL USES which exceed the applicable DISTRICT standards in Section 5.3 and which are not specifically required under another COUNTY ordinance, state regulation, federal regulation, or other authoritative body having jurisdiction, to the extent that they exceed the standards of the DISTRICT, shall be considered standard conditions which the BOARD is authorized to waive upon application as provided in Section 9.1.11 on an individual basis.

6.1.3 Schedule of Requirements and Standard Conditions

The number in parentheses within Table 6.1.3 indicate Footnotes at the conclusion of

Champaign County, Illinois
Zoning Ordinance

Section 5.3 Schedule of Area, Height and Placement Regulations by District

Zoning DISTRICTS	Minimum LOT Size ²		Maximum HEIGHT ^{4,11}		Required YARDS (feet)					Maximum LOT COVERAGE	Special Provisions
	Area (square feet)	Average Width (feet)	Feet	Stories	Front Setback from STREET Centerline ³			SIDE ⁷	REAR ⁶		
					MAJOR	COLLECTOR	MINOR				
AG-1 AGRICULTURE	1 Acre	200	50	NR ¹⁰	85	75	55	15	25	20%	(5), (13)
AG-2 AGRICULTURE	20,000	100	50	NR ¹⁰	85	75	55	10	20	25%	(5), (13)
CR Conservation-Recreation	1 Acre	200	35	2 1/2	85	75	55	15	25	20%	(5), (13)
R-1 Single FAMILY Residence	9,000	80	35	2 1/2	85	75	55	10	20	30%	(5), (8)
R-2 Single FAMILY Residence	6,500	65	35	2 1/2	85	75	55	10	20	30%	(5), (8)
R-3 Two FAMILY Residence	6,500 for 1st d.u. ¹ 2,500 per additional d.u.	65	35	2 1/2	85	75	55	5	20	30%	(5)
R-4 Multiple FAMILY Residence	6,500 for 1st d.u. ¹ 2,000 per additional d.u.	65	50	NR ¹⁰	85	75	55	5	15	40%	(5), (9)
R-5 MANUFACTURED HOME PARK	SEE SPECIAL STANDARDS SECTION 6.2										
B-1 Rural Trade Center	6,500	65	NR ¹⁰	NR ¹⁰	85	75	55	10	20	50%	
B-2 Neighborhood Business	6,500	65	35	2 1/2	85	75	55	10	20	35%	(2)
B-3 Highway Business	6,500	65	40	3	85	75	55	5	20	40%	(2)
B-4 General Business	6,500	65	35	2 1/2	85	75	55	10	20	40%	(2)
B-5 Central Business	NR ¹⁰	NR ¹⁰	35	2 1/2	0	0	0	0	0	100%	(2)
I-1 Light Industry	10,000	100	75	NR ¹⁰	85	75	55	10	20	50%	(2)
I-2 Heavy Industry	20,000	150	150	NR ¹⁰	85	75	55	20	30	65%	(2)