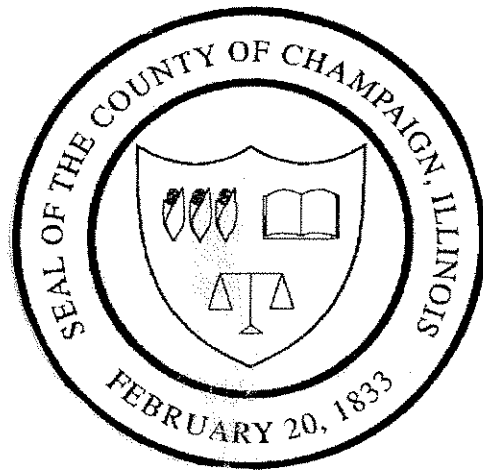


*Environment
& Land Use
Committee Agenda*

November 13, 2006



7:00 p.m.

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

AGENDA

Champaign County Environment & Land Use Committee

Members:

Jan Anderson, Chris Doenitz, Tony Fabri, Nancy
Greenwalt (VC) Kevin Hunt, Ralph Langenheim (C),
Brendan McGinty, Steve Moser, Jon Schroeder

Date: November 13, 2006

Time: 7:00 p.m.

Place: Lyle Shields Meeting Room
(Meeting Room 1)
Brookens Administrative Center
1776 E. Washington St.
Urbana, Illinois

Phone: (217) 384-3708

AGENDA

Old Business shown in Italics

1. Call to Order
2. Approval of Agenda and Addendum
3. Approval of Minutes (Oct 10, 2006; Oct. 16, 2006; and Oct. 16, 2006, Closed Session) 1 thru 10
4. Public Participation
5. County Board Chair's Report
 - A. Public Notice of the Proposed Issuance of a Federally Enforceable State Operating Permit to APCON Corporation in Urbana. 11 thru 14
 - B. Kaskaskia River Conservation Reserve Enhancement Program 15 thru 18
6. Correspondence
 - A. Mahomet Aquifer Consortium Meeting No. 49, minutes 19 thru 20
 - B. Mahomet Aquifer Consortium Meeting No. 50, agenda 21
7. Zoning Case 506-AM-06 Petitioner: Ted Rund 22 thru 50
 - Request: Amend the Zoning Map to change the zoning district designation from B-3, Highway Business Zoning District to B-4, General Business Zoning District.
 - Location: Lots 15 & 16 in Stern's Industrial Subdivision that are commonly known as the Salt and Light Building at 1512 W. Anthony Dr, Champaign.
8. Zoning Case 520-AM-05 Petitioner: Gene Bateman 51 thru 90
 - Request: Amend the Zoning Map to allow for the development of 5 single family residential lots in the AG-1, Agriculture Zoning District by adding the Rural Residential Overlay (RRO) Zoning District.
 - Location: Twenty three acres in the East 1/2 of the Northeast 1/4 of Section 29 of Newcomb Twp, commonly known as the farm field that borders the south side of CR 2600N and the west side of CR 200N.

9. **Zoning Case 546-AM-06** Petitioner: **Deborah J. & Michael F. Insana** 91 thru 121
Request: **Amend the Zoning Map to allow for the development of 9 single family residential lots in the AG-2, Agriculture Zoning District by adding the Rural Residential Overlay (RRO) Zoning District to the subject property.**
Location: **A 23.93 acre tract of land located on the North side of Airport Rd in Section 35 of Somer Township.**

10. **Zoning Case 550-AM-06** Petitioner: **William and Deborah Klein and Jeremy Ross** 122 thru 141
Request: **Amend the Zoning Map to change the zoning district designation from the AG-1, Agriculture Zoning District to the B-4, General Business Zoning District, subject to conditions.**
Location: **Approximately 1.69 acres in the Southeast Quarter of the Southwest Quarter of Section 3 of Colfax Township and that is commonly known as the former BASF facility at 320 CR 1100N, Seymour.**

11. *Zoning Case 522-AT-05: Zoning Administrator
Text Amendments Proposed as Part of Phase One of the Champaign County
Comprehensive Zoning Review Parts A-M.*

12. **Monthly Report for October, 2006**
(to be distributed at meeting)

13. **Other Business**

14. **Determination of Items to be placed on the County Board Consent Agenda**

15. **Adjournment**

MINUTES OF REGULAR MEETING

Champaign County Environment & Land Use Committee	DATE:	October 10, 2006
Champaign County Brookens Administrative Center Urbana, IL 61802	TIME:	7:00 p.m.
	PLACE:	Lyle Shields Meeting Room Brookens Administrative Center 1776 E. Washington Street Urbana, IL 61802

MEMBERS PRESENT: Chris Doenitz, Tony Fabri, Nancy Greenwalt (VC), Ralph Langenheim (C)

MEMBERS ABSENT: Jan Anderson, Kevin Hunt, Brendan McGinty, Steve Moser, Jon Schroeder

STAFF PRESENT: Connie Berry, Jamie Hitt, John Hall

OTHERS PRESENT: Dorothy Norman, Jim Norman, Teri Legner, Mark Thompson, Mark Dixon, Eric Thorsland, Sandra Beak, Ann Sapoznik

1. Call to Order, Roll Call

The meeting was called to order at 7:10 p.m.

2. Approval of Agenda

3. Minutes of Previous Meeting (September 13, 2006)

4. Public Participation

5. County Board Chair's Report

A. Closed session pursuant to 5 ILCS 120/2 (c) to consider the employment, compensation, discipline, performance, or dismissal of an employee

6 CDAP Loan Request for Solar Tan (Mark and Kelly Hodson)

7. *Enterprize Zone Boundary Amendment – Clearview Development*

8. Report on Enforcement Activities

9. Request for Proposal for the demolition and cleanup of 1101 E. Perkins Rd, Urbana.

10. Request for Proposal for the demolition and cleanup of 3304 Pine Circle, Urbana.
11. *Zoning Case 558-AT-06 Petitioner: Zoning Administrator*
Request:
 1. *Amend paragraph 4.2.1C to allow "mortuary or funeral home" in the AG-2 District as a second principal use on a lot on which there is a cemetery when the lot is under common management.*
 2. *Amend Section 5.2 to change "mortuary" to be "mortuary or funeral home".*
 3. *Amend Section 5.2 to add "mortuary or funeral home" as a Special Use Permit in the AG-2 District with footnote specifying that a mortuary or funeral home is only allowed in the AG-2 district as a second principal use on the same lot as a cemetery and the lot must be under common management.*
 4. *Add standard conditions for "mortuary or funeral home" as a Special Use Permit in the AG-2 District.*
12. *Comprehensive Zoning Review*
13. **Monthly Report (June, July, August)**
14. **Other Business**
15. **Determination of Items to be placed on the County Board Consent Agenda**
16. **Adjournment**

Mr. Langenheim adjourned the meeting at 7:20 p.m., due to the lack of a quorum. He requested that staff investigate the availability of the Lyle Shields Meeting Room on October 16, 2006 at 7:00 p.m. He said that if the meeting room is available notice should be sent to all ELUC members informing them of the rescheduled meeting.

Respectfully submitted,

Secretary to the Environment and Land Use Committee

eluc\minutes\minutes.frm

1 **MINUTES OF REGULAR MEETING**

3 Champaign County Environment	DATE:	October 16, 2006
4 & Land Use Committee	TIME:	7:00 p.m.
5 Champaign County Brookens	PLACE:	Lyle Shields Meeting Room
6 Administrative Center		Brookens Administrative Center
7 Urbana, IL 61802		1776 E. Washington Street
8		Urbana, IL 61802

10
11

12 **MEMBERS PRESENT:** Jan Anderson, Tony Fabri, Nancy Greenwalt (VC), Kevin Hunt, Ralph
13 Langenheim (C), Brendan McGinty, Steve Moser, Jon Schroeder

14

15 **OTHER COUNTY**

16 **BOARD MEMBERS**

17 **PRESENT:** Barbara Wysocki (Champaign County Board Chair)

18

19

20 **MEMBERS ABSENT:** Chris Doenitz

21

22 **STAFF PRESENT:** John Hall, Jamie Hitt, Leroy Holliday, Christina Papavasiliou (Senior
23 Assistant State's Attorney), Brent Rose (RPC Economic Development
24 Specialist)

25

26 **OTHERS PRESENT:** Mark Thompson, Gerald Schweighart, Jim Norman, Dorothy Norman, Eric
27 Thorsland, Mark Dixon, Teri Legner, Hal Barnhart, Barbara Wright, Sandra
28 Beak

29

30

31
32 **1. Call to Order, Roll Call**

33

34 The meeting was called to order at 7:01 p.m. The roll was called and quorum declared present.

35

36 **2. Approval of Agenda**

37

38 **Mr. Schroeder moved, seconded by Mr. McGinty to approve the agenda as submitted.**

39

40 Mr. Langenheim informed the Committee that if there are no objections he will rearrange the agenda and
41 place Item #5, County Board Chair's Report after Item #14, Other Business. No objections were heard.

42

43 **The motion carried by voice vote.**

44

45 **3. Minutes of Previous Meeting (September 13, 2006)**

46

47 **Mr. Moser moved, seconded by Mr. McGinty to approve the September 13, 2006, minutes as**
48 **submitted. The motion carried by voice vote.**

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4. Public Participation

None

5. County Board Chair’s Report

A. Closed session pursuant to 5 ILCS 120/2 (c) 1 to consider the employment, compensation, discipline, performance, or dismissal of an employee.

The Committee entered closed session at 7:50 p.m. and adjourned from closed session at 7:57 p.m.

6. CDAP Loan Request for Solar Tan (Mark and Kelly Hodson)

Ms. Greenwalt moved, seconded by Mr. Moser to recommend approval of the CDAP Loan Request for Solar Tan (Mark and Kelly Hodson). The motion carried by voice vote.

7. Enterprise Zone Boundary Amendment – Clearview Subdivision

Mr. Gerald Schweighart, Mayor of the City of Champaign declined to speak at this time.

Mr. Mark Dixon, Director of Real Estate for the Atkins Group, stated that the Atkins Group proposes to develop more than 500 acres north of Interstate 57 and West of Mattis Avenue. The development will be a mixed use development. He said that the Atkins Group has requested an amendment to the boundaries of the Enterprise Zone to include 236.37 of these 500 acres. It is anticipated that this portion of the property will develop as an employment center with professional offices, hotel/conference center, restaurants and other eligible commercial uses that would benefit from Enterprise Zone incentives. He said that it is the goal of the Atkins Group to have Champaign County pursue the same level of excellence with its medical groups as Rochester has with its affiliation with the Mayo Clinic. He said that the Christie Clinic project will involve 25 acres and the Carle project will also involve 25 acres. He said that due to the volume of phone calls from medical groups it is anticipated that more medical groups will locate in this area in Champaign County. He said that without the Enterprise Zone the Atkins Group cannot attract major corporations to the County. He requested that the Committee review the attached spreadsheet titled “*Champaign County-projected revenue impact.*”

Ms. Anderson regretted that this information was not available to previous month and asked Mr. Dixon who decided that it would be a good to have a medical complex.

Mr. Dixon stated that he has been working on this project for approximately 18 months. He said that it has been an ongoing project with the City of Champaign and the medical clinics. He said that if everything goes as planned it will be a tremendous medical development.

Mr. Schroeder asked Mr. Dixon what type of medical industry the Atkins Group anticipates with this

1 development.

2
3 Mr. Dixon said that companies like Pfizer, Medtronix and Beyer would be great and he stated that the
4 Christie Clinic project will take them from a 7 acre block in downtown Champaign and relocate them to a 25
5 acre site with 168,000 square feet which will allow for more employees, services and parking. He said that
6 the newspaper headlines have mainly focused on the surgi-center but it is really only a small portion of the
7 larger project. He said that many cardiac groups and clinical practice groups have contacted them indicating
8 that the area is underserved.

9
10 Mr. Schroeder stated that he believes that the project will go a lot further if the University of Illinois would
11 become involved so that the facility could be a teaching facility. He said that Champaign County is located
12 in a great location because it is only 150 miles from downtown Chicago, 140 miles from downtown
13 Indianapolis and 3 hours from St. Louis.

14
15 Ms. Greenwalt stated that she appreciates the effort to attract industry but she is uncomfortable in abating the
16 tax dollars in this area.

17
18 Mr. Fabri asked Mr. Dixon how many jobs would be created for the community.

19
20 Mr. Dixon stated that it is difficult from the Atkins Group prospective to anticipate the number of non-
21 construction jobs that would be created in the community. He said that they have consulted with Carle and
22 Christie Clinic and they have projected the number of new employees that would be added to the
23 community. He said that they are working with all of the consultants of the anticipated businesses that will
24 be added to the complex to project the number of new positions which will be added to the community.

25
26 Mr. Fabri stated that he is not opposed to tax breaks if it can be demonstrated that the development will be a
27 benefit to the community.

28
29 Ms. Teri Legner, Assistant to the City Manager for the City of Champaign, stated that she can answer any
30 questions regarding the City of Champaign's position on the Enterprise Zone Expansion. She said that she
31 mentioned last month that the City of Champaign approved the Enterprise Zone Expansion for this particular
32 development on September 5, 2006. She said that the City of Champaign is currently working with its
33 financial advisors to put together the detail with the Atkins Group in looking at comparable developments
34 for the area. She requested that the County indicate its support for the requested Enterprise Zone Boundary
35 Expansion.

36
37 Mr. Hal Barnhart, who resides at 469 CR 1500N, Champaign declined to speak at this time.

38
39 Ms. Anderson asked Ms. Legner if medical facilities, such as a hospital, who receive tax abatements would
40 provide charity services to the community.

41
42 Ms. Legner stated that perhaps Mr. Dixon could answer Ms. Anderson's question. She said that the City of

1 Champaign understands that a portion of the development will be served by Christie Clinic and the
2 Committee is aware of its services. She said that Carle is also a major part of the development and from a
3 taxing status a portion of the Carle development will be taxable.
4

5 Mr. Eric Thorsland, who resides at 480E CR 2500N, Mahomet stated that this is will move business out of
6 down town. He said that members of the community who are less fortunate or the elderly may not be able to
7 get to the new facility because it may not be accessible by bus. He said that it appears that the expansion of
8 the enterprise zone will reward people to move their businesses out of town. He requested that the
9 Enterprise Zone be used for a more appropriate use.
10

11 Mr. Dixon stated that there will not be any development at Clearview Development if the Enterprise Zone
12 Expansion is not approved. He said that it is a great opportunity to redevelop the downtown area with the
13 relocation of Christie Clinic and that redevelopment will impact the County. He said that the Enterprise
14 Zone is a key component to this project and it is one of the few tools that are available for business
15 attraction.
16

17 Mr. Hal Barnhart stated that he has been in the audience during several other Enterprise Zone Expansion
18 requests and this is the first time that there has been this much discussion. He said that the Enterprise Zone
19 Ordinance (No.255) was adopted in 1985, therefore it may be time for a Comprehensive Review of this
20 Ordinance as well as the County's Economic Development Policy. He stated that perhaps an impact analysis
21 should be prepared for the historical and current enterprise zone projects to indicate the benefits and costs to
22 the County for this proposal. He asked what other tax abatements have already been approved in the
23 enterprise zone amendments. He said that the total abatement for Christie appears to be \$2,703,000 in
24 abatements which is 10% of the projected cost of the total project. He said that it is his understanding that
25 this amendment will cover 236 acres in opposed to the 25 acres serviced by Christie. He asked what the
26 abatement totals will be for the remaining acreage with unknown projects. He said that he is an anti-sprawl
27 proponent and it appears that if the County is going to condone this type of sprawl it is one thing but
28 subsidizing it is another. He said that he agrees with the following statement indicated on Page 13 of the
29 packet: Approval of this extension for the Christie Clinic facility sets an unfortunate precedent for the use of
30 local tax incentives to facilitate relocation of existing businesses in the county; an unproductive drain on
31 county tax revenues.
32

33 Mr. Schroeder asked Mr. Barnhart if he had ever visited the Clearview Farm.
34

35 Mr. Barnhart stated no.
36

37 Mr. Gerald Schweighart stated that Christie Clinic is currently landlocked therefore any expansion will be
38 non-existent. He said that he has reviewed plans and discussed this issue with the Atkins Group and he is
39 very excited about the redevelopment of the Christie property. He said that he is not concerned about a void
40 left by the relocation of Christie Clinic and if he thought there would be a void he would not support the
41 project. He said that if the County does not approve the Enterprise Zone Expansion it will miss out on an
42 exciting opportunity to have a medical center in this community that is above and beyond what is available

1 in the area.

2
3 **Mr. Moser moved, seconded by Mr. Schroeder to approve the Enterprise Zone Boundary Amendment**
4 **– Clearview Development. The motion carried.**

5
6 **8. Report on Enforcement Activities**

7
8 Ms. Christina Papavasiliou, Senior Assistant State’s Attorney distributed a report dated October 16, 2006,
9 regarding Outstanding Zoning Enforcement Cases.

10
11 Mr. Moser asked Ms. Papavasiliou if Fat Daddy’s has been sold to a new owner.

12
13 Ms. Papavasiliou stated that it has been rumored but there has been no notification of such.

14
15 **9. Request for proposal for the demolition and cleanup of 1101 E. Perkins Road, Urbana.**

16
17 **Mr. Moser moved, seconded by Mr. Schroeder to approve the request proposal for the demolition and**
18 **cleanup of 1101 East Perkins Road, Urbana.**

19
20 Mr. Schroeder asked Mr. Hall if the County has had a lien on this property for two years.

21
22 Mr. Hall stated no. He said that the County does have a lien on the Mefford property.

23
24 Mr. Fabri asked Mr. Hall if the County has done this in the past.

25
26 Mr. Hall stated that during the lifetime of the Nuisance Ordinance the County has only become directly
27 involved in the cleanup of two properties. He said that one property was located on Johnson Lane in the
28 Urbana extra-territorial jurisdiction and the County was granted a \$32,000 in fines, in 2001. He said that
29 \$13,000 was spent for clean-up of the property and the remaining \$19,000 was placed in the General
30 Corporate Fund. He said that the County spent \$7300 on the Mefford property located on Campbell Drive,
31 near Champaign in 2003. He said that staff has received regular complaints about 1101 East Perkins Road,
32 Urbana and the only way that it appears that this is the only way that it will be cleaned up in a timely manner.

33
34 **The motion carried by voice vote.**

35
36 **10. Request for Proposal for the demolition and cleanup of 3304 Pine Circle, Urbana.**

37
38 **Mr. Schroeder moved, seconded by Mr. McGinty to approve the request for proposal for the**
39 **demolition and cleanup of 3304 Pine Circle, Urbana.**

40
41 Mr. Schroeder asked Mr. Hall if the County has a lien on the property.

1 Mr. Hall stated that the Internal Revenue Service has a lien on the property not the County.

2
3 Mr. Schroeder asked why enforcement of these properties takes so long. He asked if the County Board could
4 direct the Planning and Zoning Department to do something different procedurally to speed up the process.

5
6 Mr. Hall stated that this issue came up in 2004 and at that time it wasn't clear whether the County Board
7 desired to spend money to clean up these properties. He said that due to the change of Zoning
8 Administrators the issue fell through the cracks.

9
10 Ms. Hitt stated that many times the owner of the property cannot be located. She said that the owner of 3304
11 Pine Circle, Urbana was an employee at the University of Illinois but has since relocated. She said that staff
12 has done everything that they can do to locate the owner with no success.

13
14 Mr. Langenheim asked if the property taxes were being paid.

15
16 Ms. Hitt stated that during certain years the property taxes have been paid. She said that she mails the
17 violation notification to the address indicated on the tax records but it is unknown who is responsible for
18 pickup of the mail for that address. She said that the average time for resolution of these types of cases is
19 three to five years.

20
21 Mr. Schroeder asked Ms. Hitt if the County has any procedure that is out of the ordinary in comparison to the
22 City of Champaign or the City of Urbana.

23
24 Ms. Hitt stated no. She said that the court system allows the owner time to resolve the violation. She said
25 that normally the owner indicates that they will resolve the situation and the court grants continuance after
26 continuance and after three years the problem is still apparent.

27
28 Ms. Sandra Beak, who resides at 304 E. Sherwin Drive, Urbana, stated that they live near 3304 Pine Circle.
29 She said that when they purchased their home the house was not finished and unoccupied. She said that in
30 22 years there has been no maintenance or additional work completed on the property. She said that the
31 house is very deteriorated and is in hazardous condition. She said that graffiti has been painted on the house,
32 wild animals living in the house, viewed three abandoned vehicles in the driveway, trees and bushes block
33 the doors. She said that there are three young children that now reside on the cul-de-sac where the house at
34 3304 Pine Circle is located and the neighbors fear for their safety. She urged the Committee to do whatever
35 they can to ensure the demolition of this house.

36
37 **The motion carried by voice vote.**

38
39 **11. *Zoning Case 558-AT-06 Petitioner: Zoning Administrator***

40 ***Request: 1. Amend paragraph 4.2.1C to allow "mortuary or funeral home" in the AG-2***
41 ***District as a second principal use on a lot on which there is a cemetery when the***
42 ***lot is under common management.***

- 2. *Amend Section 5.2 to change "mortuary" to be "mortuary or funeral home".*
- 3. *Amend Section 5.2 to add "mortuary or funeral home" as a Special Use Permit in the AG-2 District with footnote specifying that a mortuary or funeral home is only allowed in the AG-2 district as a second principal use on the same lot as a cemetery and the lot must be under common management.*
- 4. *Add standard conditions for "mortuary or funeral home" as a Special Use Permit in the AG-2 District.*

Mr. Moser moved, seconded by Mr. Fabri to recommend approval of Case 558-AT-06. The motion carried unanimously by voice vote.

12. Comprehensive Zoning Review

Mr. Hall reminded the Committee that this item was deferred until the November 13, 2006, ELUC meeting. He noted that he is available to answer any questions that anyone may have regarding CZR.

13. Monthly Report (June, July, August and September, 2006)

Mr. Moser moved, seconded by Mr. Fabri to accept and place the Monthly Reports for June, July, August and September, 2006, on file. The motion carried by voice vote.

14. Other Business

Mr. Moser asked Mr. Hall if the zoning case for the Hindu Temple will come before ELUC.

Mr. Hall stated that the zoning case for the Hindu Temple is a request for a special use permit and will only go before the Zoning Board of Appeals. He said that no protests are allowed and since it is a religious use the Assistant State's Attorney will be present at each meeting to ensure that the state's laws regarding religious freedom are adhered to and that is a standard procedure that would be followed with any such case.

Mr. Moser asked Mr. Hall if the property has been purchased or do they only have the option to purchase pending upon the outcome of the case.

Mr. Hall stated that at this point they only have the option to purchase the property. He said that the signature of the current landowner is on the Special Use Permit Application.

Ms. Greenwalt moved, seconded by Mr. Fabri to enter into executive session pursuant to 5 ILCS 120/2 (c) 1 to consider the employment, compensation, discipline, performance, or dismissal of an employee. She further moved that the following individual remain present: Recording Secretary. The motion carried by voice vote.

The Committee entered closed session at 7:50 p.m.

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The Committee adjourned closed session at 7:57 p.m.

15. Determination of Items to be placed on the County Board Consent Agenda

None

16. Adjournment

The meeting adjourned at 7:59 p.m.

Respectfully submitted,

Secretary to the Environment and Land Use Committee

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Illinois Environmental Protection Agency

Public Notice
of the Proposed Issuance of a Federally Enforceable State Operating Permit
to APCON Corporation in Urbana

APCON Corporation has requested that the Illinois Environmental Protection Agency issue a federally enforceable state operating permit (FESOP) regulating the air emissions from its asphalt plant located at 3004 North Oak Street in Urbana. The Illinois EPA has made a preliminary determination to issue a permit to the facility and has prepared a draft permit for public review.

The Illinois EPA is accepting comments on the draft permit. Comments must be postmarked by midnight November 25, 2006. If sufficient interest is expressed in the permit, a hearing may be held. Requests for information, comments, and questions should be directed to Brad Frost, Division of Air Pollution Control, Illinois Environmental Protection Agency, PO. Box 19506, Springfield, Illinois 62794-9506, phone 217/782-2113, TDD phone number 217/782-9143.

Persons wanting more information may obtain copies of the draft permit, and project summary at www.epa.gov/region5/air/permits/ilonline.htm (please look under All Permit Records, FESOP, New). These documents and the application may also be obtained from the Illinois EPA's offices at 2125 South First Street in Champaign, 217/278-5800 and 1340 North Ninth St., Springfield, 217/782-7027 (please call ahead to assure that someone will be available to assist you). Copies of the documents will be made available upon request.

The 1990 amendments to the Clean Air Act require potentially major sources of air emissions to obtain federally enforceable operating permits. A FESOP permit allows a source that is potentially major to take operational limits in the permit so that it is a non-major source. The permit will contain federally enforceable limitations that restrict the facility's emissions to non-major levels. The permit will be enforceable by the USEPA, as well as the Illinois EPA.

Illinois Environmental Protection Agency
Bureau of Air, Permit Section
1021 N. Grand Avenue East
P.O. Box 19506
Springfield, Illinois 62794-9506

Project Summary for an Application from
Apcon Corporation for Renewal of the
Federally Enforceable State Operating Permit (FESOP) for a
Drum - Mix Asphalt plant in
Urbana, Illinois

Site Identification No.: 019105ADV
Application No.: 04060042

Schedule

Public Comment Period Begins: 10/26/2006
Public Comment Period Closes: 11/25/2006

Illinois EPA Contacts

Permit Analyst: Dwayne Booker
Community Relations Coordinator: Brad Frost

I. INTRODUCTION

Apcon Corporation has applied for renewal of its Federally Enforceable State Operating Permit (FESOP) for its Drum – mix asphalt plant. This plant requires an air pollution control operating permit because it is a source of emissions. The Illinois EPA has prepared a draft of the renewed permit that it would propose to issue for the plant. However, before renewing the permit, the Illinois EPA is holding a public comment period to receive comments on this proposed action and the terms and conditions of the draft permit that it would propose to issue.

II. SOURCE DESCRIPTION

Apcon Corporation is an asphalt plant produces asphalt paving for use on roads, parking lots, driveways. Asphalt paving is composed of aggregate crushed rock which is held together by asphalt. The emission units at this plant that require an operating permit include an natural gas/propane-fired asphalt plant controlled by a baghouse, three (3) liquid storage tank and 3 hot mix storage silos. These units are sources of emissions because emissions generated from the combustion of fuel in the dryer and the asphalt storage tank heaters are nitrogen (Nox), carbon monoxide (CO), sulfur dioxide (SO₂), and volatile organic material (VOM).

III. GENERAL DISCUSSION

Federally Enforceable State Operating Permits (FESOPs) are federally enforceable, that is, the terms and conditions of the permits can be enforced by USEPA under federal law, as well as by Illinois government and the public under state law. These permits can establish federally enforceable limitations on the operation and emissions of a source that restrict the potential emissions of the source.

The source has been operating this plant under a FESOP because the actual emissions of the plant are below the levels at which the plant would be considered a major source under Title V of the federal Clean Air Act. However, in the absence of federally enforceable limitations, the plant's potential emissions would be such that the plant would be considered a major source. The permit acts to restrict the plant potential emissions so that it need not be considered a major source. As a result, the source does not need not obtain a Clean Air Act Permit Program (CAAPP) permit for the plant, as would otherwise be required.

The FESOP limits the operation and annual emissions of the plant to below the major-source-thresholds of 100 tons for VOM, 10 tons for an individual HAP and 25 tons for combined HAPs.

IV. APPLICABLE EMISSION STANDARDS

All emission units in Illinois must comply with state emission standards adopted by the Illinois Pollution Control Board. These emission standards represent the basic requirements for sources in Illinois. The board has standards for sources of Volatile Organic Material (VOM), and Particulate Matter (PM) emission. The application shows that the plant is in compliance with applicable state and federal emission standards.

The principal air contaminant of concern for an asphalt plant is particulate matter or dust. Particulate emissions are generated by the drum mixer and other plant activities such as storage piles and plant roads. The drum mixer exhaust is vented to a Venturi Scrubber where the majority of the PM is removed before being exhausted into the atmosphere. Particulate matter generated by working the storage piles and from plant

roads is controlled by watering as required. The secondary air contaminant emitted during asphalt pavement production is volatile organic material (VOM), which is released during heating and mixing of the liquid asphalt and aggregate.

Additional emissions are generated from fuel combustion in the dryer and the asphalt storage tank heaters. Emissions from fuel combustion are nitrogen oxides (NO_x), carbon monoxide (CO), VOM and sulfur dioxide (SO₂). NO_x can be formed thermally by combination of oxygen and nitrogen in the air at the temperature at which fuel is burned. CO and VOM are formed from the incomplete combustion of fuel. Emissions of SO₂ are found in varying amounts from the combustion of natural gas. At this site natural gas and propane used as the fuel for the dryer and the asphalt storage tank heaters.

V. CONTENTS OF THE PERMIT

The renewed permit that the Illinois EPA is proposing to issue would continue to identify the specific emission standards that apply to the emission units at the plant. As explained, the drum - mix asphalt plant is subject to New Source Performance Standards (NSPS), 40 CFR 60, Subparts A and I. The Illinois EPA is administering these standards in Illinois on behalf of the United States EPA under a delegation agreement. The conditions of this permit are intended to ensure that the source continues to comply with applicable emission standards.

The permit would also contain limitations and requirements to assure that this plant is operated as a non-major source. The permit would limit the operation and annual emissions of the plant to below the major-source-thresholds of 100 tons for VOM, 10 tons for an individual HAP and 25 tons for combined HAPs. (Annual emissions of other pollutants from the plant are well below the 100 ton major source threshold.)

The permit would also set limitations on requirements to assure that this facility will be operated as a non-major source. The permit sets limitations on drum-mix asphalt plant throughput, storage tanks and hot mix storage silos. These limitations are consistent with the historical operation and capacity of the facility.

The permit conditions would also continue to require appropriate compliance procedures, including inspection practices as well as recordkeeping and reporting requirements. The source must carry out these procedures on an on-going basis to demonstrate that the plant is being operated within the limitations set by the permit and the plant's emissions are being properly controlled.

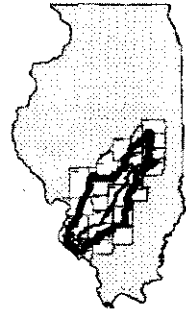
VI. REQUEST FOR COMMENTS

It is the Illinois EPA's preliminary determination that the source has met the requirements for renewal of its permit. The Illinois EPA is therefore proposing to renew the permit.

Comments are requested on this proposed action by the Illinois EPA and the proposed conditions on the draft permit. If substantial public interest is shown in this matter, the Illinois EPA will consider holding a public hearing in accordance with 35 IAC Part 166.

KASKASKIA WATERSHED ASSOCIATION, INC.

KWA, Inc.
c/o Southwestern Illinois RC&D, Inc.
406 E. Main
Mascoutah, IL 62258
618-588-4451 ext. 28
kwa@swired.org



November 1, 2006

VIA FIRST CLASS MAIL

Barb Wysocki, County Board Chair
County Board Office
Brookens Administrative Center
1776 E. Washington St.
Urbana, IL 61802

Re: Kaskaskia River Conservation Reserve Enhancement Program

Dear Barb,

On behalf of the Kaskaskia River Watershed (KWA) Board of Directors, I am requesting a letter of support from the County Board in regards to the proposed Kaskaskia River Conservation Reserve Enhancement Program. To date, this program has enrolled over 150,000 acres within the Illinois River basin, improving water quality, providing additional fish and wildlife habitat, and providing strong incentive payments to participating landowners.

For the past year the KWA technical committee has worked to develop a proposal specific to the Kaskaskia River watershed. The enclosed information details the recommendations of this committee, including a request to the State of Illinois for up to 100,000 acres to be committed to the Kaskaskia River.

Local support is critical to achieving this goal, and we are therefore seeking a minimum of 100 letters of support prior to the annual Kaskaskia River Watershed Summit in February. I am pleased to announce that we are already over 1/3 of the way towards achieving this goal. I greatly appreciate your support in this effort!

Please feel free to contact me with any questions related to this request.

Regards,

A handwritten signature in black ink, appearing to read "Dave Eustis".

Dave Eustis
Secretary/Treasurer

Cc: Larry Hasheider, Chairman

Kaskaskia River, Illinois Conservation Reserve Enhancement Program

The Kaskaskia River, Illinois Enhancement Program envisions the restoration of 100,000 acres, which will be open to all eligible land within the 22 counties that lie within the watershed. The pilot component of the effort, which will address 20,000 acres, will focus on eligible lands within the Kaskaskia River Watershed in Clinton, Fayette, Marion, and Washington Counties.

The CREP allows willing landowners to sign up marginal farmland into the Conservation Reserve Program (CRP), and to then receive an enhancement payment from the State of Illinois for extending the contract agreement for an additional 15 or 35 years, or through a perpetual conservation easement. The rates of payment are based on soil types (CRP program) and the duration of the extended easement (state enhancement portion). Additional incentives may also be available based on the restoration practice chosen.

This area has been selected based on the following attributes:

1. Agriculture is an important component of the regional economy within the proposed project area.
2. Project would protect and enhance the natural values of an ecologically important region.
3. Project would provide significant restoration of species on the Federal Endangered Species list, as well as state listed species.

The Kaskaskia River, Illinois Enhancement Program will focus on the following eligible acreage:

1. Cropland within the 100-year floodplain, including the area surrounding Carlyle Lake
2. Cropland with a weighted average Erodibility Index (EI) ≥ 8
3. Cropland within ½ mile of the five (5) large forest blocks
4. Cropland within specific zones defined as *grassland restoration areas*

Based on the full implementation of the Kaskaskia River, Illinois Enhancement Program, which projects an enrollment of 100,000 acres, the expected combined financial federal and state obligation would be approximately \$210 million. Of that amount, \$168 million will come from USDA, and \$42 million will come from the State of Illinois and/or local sources.

Additional information on CREP in Illinois can be found at: <http://www.ilcrep.org/>

SAMPLE LETTER
Insert, or print on, letterhead

Insert Date

Mr. Larry Hasheider
President, Kaskaskia Watershed Association
406 East Main Street
Mascoutah, Illinois 62258

Re: Kaskaskia River, Illinois Enhancement Program

Dear Larry:

On behalf of the *(insert entity or organization)* I would like to express our (organization's or entities) full support towards the implementation of a Conservation Reserve Enhancement Program within the Kaskaskia River Watershed. I understand that this process would require an agreement between the State of Illinois and the Farm Services Agency, accepting language, which has been developed by the Kaskaskia Watershed Association's Technical Committee.

Please insert a paragraph which states why the implementation of a Conservation Reserve Enhancement Program within the Kaskaskia River would be important to you. This paragraph might include information on the importance of a clean supply of water, the potential for reduced flood impacts, habitat restoration, streambank stabilization, increased recreational opportunities, increased fish and wildlife populations, increased tourism opportunities, strengthening the agricultural economy, etc.

The implementation of the Conservation Reserve Enhancement Program within the Illinois River basin has had a positive impact on the ecosystem, including a reduction in the nutrient and sedimentation loss within the basin, as well as an increase in fish & wildlife habitat. The expansion of this program into the Kaskaskia River will allow these types of benefits to be realized within this important watershed as well.

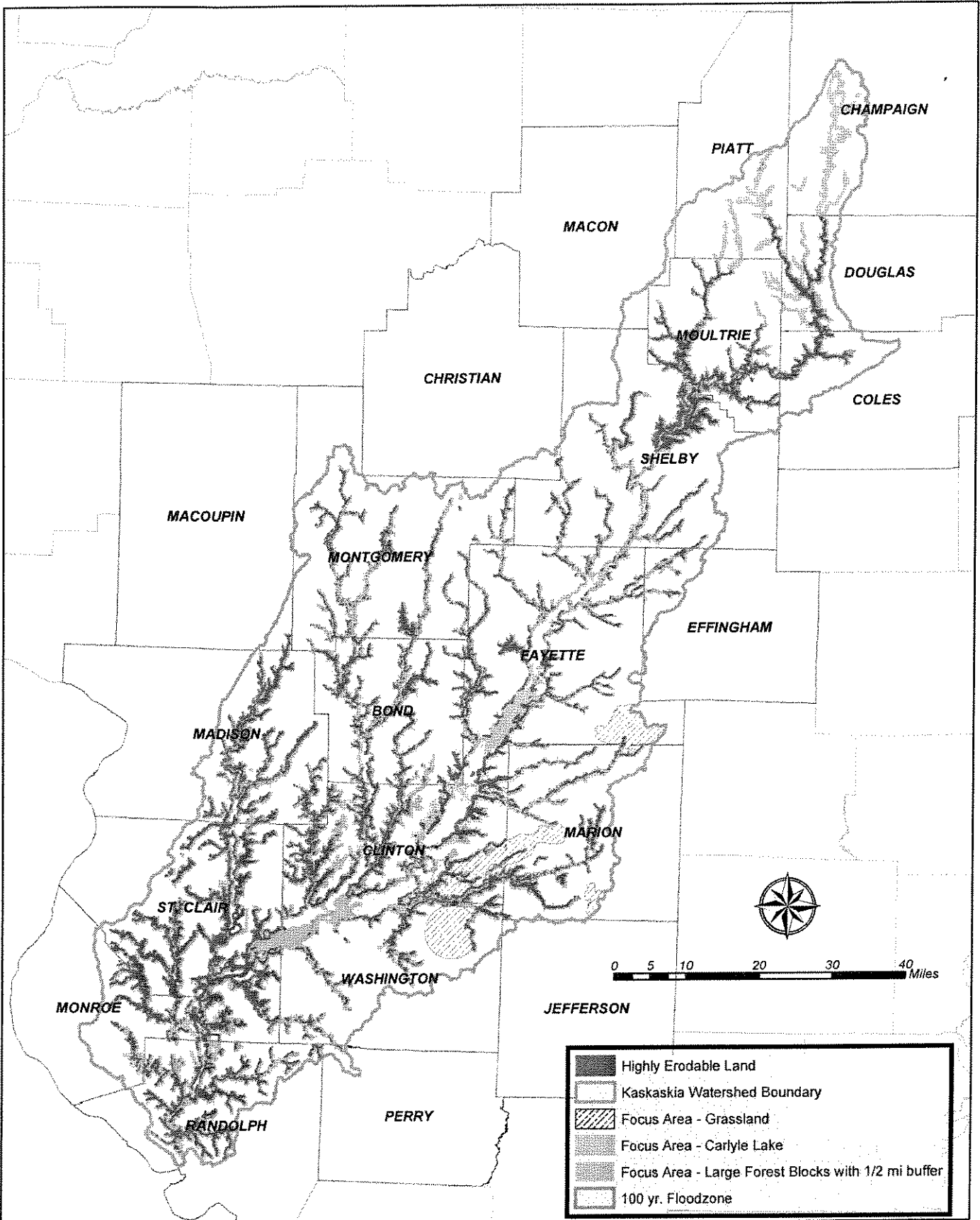
In closing, I request that the Kaskaskia Watershed Association Board give full effort in pursuing an authorization for a Conservation Reserve Enhancement Program within the Kaskaskia River Watershed.

Sincerely,

Insert Name

Kaskaskia River, Illinois Enhancement Program Area

: Attachment 1
December 2005



Mahomet Aquifer Consortium
Member Meeting No. 49
September 5, 2006
Minutes

1. A meeting of the members of the Mahomet Aquifer Consortium (MAC) was held on September 5, 2006 at the offices of Illinois State Water Survey (ISWS) in Champaign, IL. Chairman Mel Pleines called the meeting to order at 10:08 A.M.
2. Approval of Agenda – Motion to approve the agenda was made by Ralph Langenheim and seconded by Sharon Martin. The motion carried.
3. Roll Call was accomplished by signing the MAC mailing list. A total of nineteen people were in attendance.
4. Minutes of the July 18, 2006 meeting (Meeting No. 48) were reviewed. Motion to approve the July 18 minutes was made by Tom Berns and seconded by Paul DuMontelle. Motion carried.
5. Treasurer's Report prepared by Dorland W. Smith, Secretary-Treasurer for the period ending August 31, 2006 was distributed. It showed a balance of \$623.23 as of June 30, 2006 and a balance of \$443.52 as of August 31, 2006. Motion to approve the Treasurer's report was made by Tom Berns and seconded by Palph Langenheim. Motion carried.
6. Committee Reports
 - a) Funding – It was reported that meetings to discuss federal funding will be held in the next couple of weeks. The meeting with Congressman LaHood's office will be held on September 8, and the meeting with Congressman Johnson's office will be held on September 13, with a meeting with Senator Durbin's office to follow.
 - b) Education and Public Relations – Ed reported that a public information meeting was held on August 31, 2006 at the Champaign County Farm Bureau to relay information on the Mahomet Aquifer and provide an overview of the MAC's efforts to secure research funding. Speakers included Barry Suits, Al Wehrmann, and Nancy Erickson. The meeting was attended by about 110 people. A story about the meeting appeared on the Channel 3 and Channel 15 news.

Also, on September 28, there will be a meeting on water use at the Beckman Institute with the speakers being Derek Winstanley, Al Wehrmann, and Ed Mehnert.

c) Data & Scientific Assessment – Nothing new at the present

7. Presentation –IDNR asked the MAC to submit a Scope of Work for a grant to create a Regional Supply Planning Committee, and a presentation on the progress of that Scope of Work was given. The Scope of Work includes 15 counties altogether, 14 in the Mahomet Aquifer area and one additional county (Sangamon County). The MAC is planning on designing the committee to represent twelve interest groups and have a geographical balance in the fifteen-county area. The interest groups will come from three regions (west, central, and east) of the study area. The goal is to have a meeting of the committee in November/December, and a press release will be developed on the program.

8. There was no old business to come before the meeting.

9. *Derek Winstanley raised an issue under new business. He discussed water demand forecasting for the study of the Mahomet Aquifer area and the development of forecasts for water withdrawals up to the year 2050. He indicated there were many uncertainties when discussing future water demands, and there was a need to include a range of uncertainties and scenerios in the study of future water demands to make the study realistic. Economic growth is the driver of water demand scenerios.*

10. The next meeting of the MAC will be held on Tuesday, October 31, 2006 at 10:00 A.M. at Illinois State Water Survey, 2204 Griffith Dr., Champaign, IL.

11. Paul DuMontelle moved that the meeting be adjourned and Ed Mehnert seconded the motion. The meeting adjourned at 11:50 A.M.

Respectfully submitted,

Nancy Erickson
For Dorland W. Smith

Mahomet Aquifer Consortium
Meeting No. 50
October 31, 2006, 10:00 a.m.

Illinois State Water Survey, Champaign, IL

AGENDA

1. Call to Order – Mel Pleines
2. Approval of Agenda
3. Roll Call – (Initial Attendance Sheet or sign in)
4. Minutes of – September 5, 2006 meeting (Meeting No.49)
5. Treasurer’s Report – Dorland W. Smith, Sec-Treas
6. Committee Reports
 - a) Funding – Mel Pleines
 - b) Education & Public Relations – Ed Mehnert, Chairman
 - c) Data & Scientific Assessment – George Roadcap, Chairman
7. Presentation – An Evaluation of Mahomet Aquifer Water Use, by Wittman Hydro Planning Associates, Inc
8. Old Business
9. New Business
10. Next Meeting Date – Meeting No. 51 - Dec 14, 2006
11. Adjourn -

Agenda 06-10-31

Champaign
County
Department of

**PLANNING &
ZONING**

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

Date: **November 13, 2006**

RE: **Zoning Case 506-AM-05**

Zoning Case 506-AM-05

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

Request **Amend the Zoning Map to change the zoning district designation from the B-3 Highway Business Zoning District to the B-4 General Business Zoning District.**

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

Petitioner **Theodore Rund**

STATUS

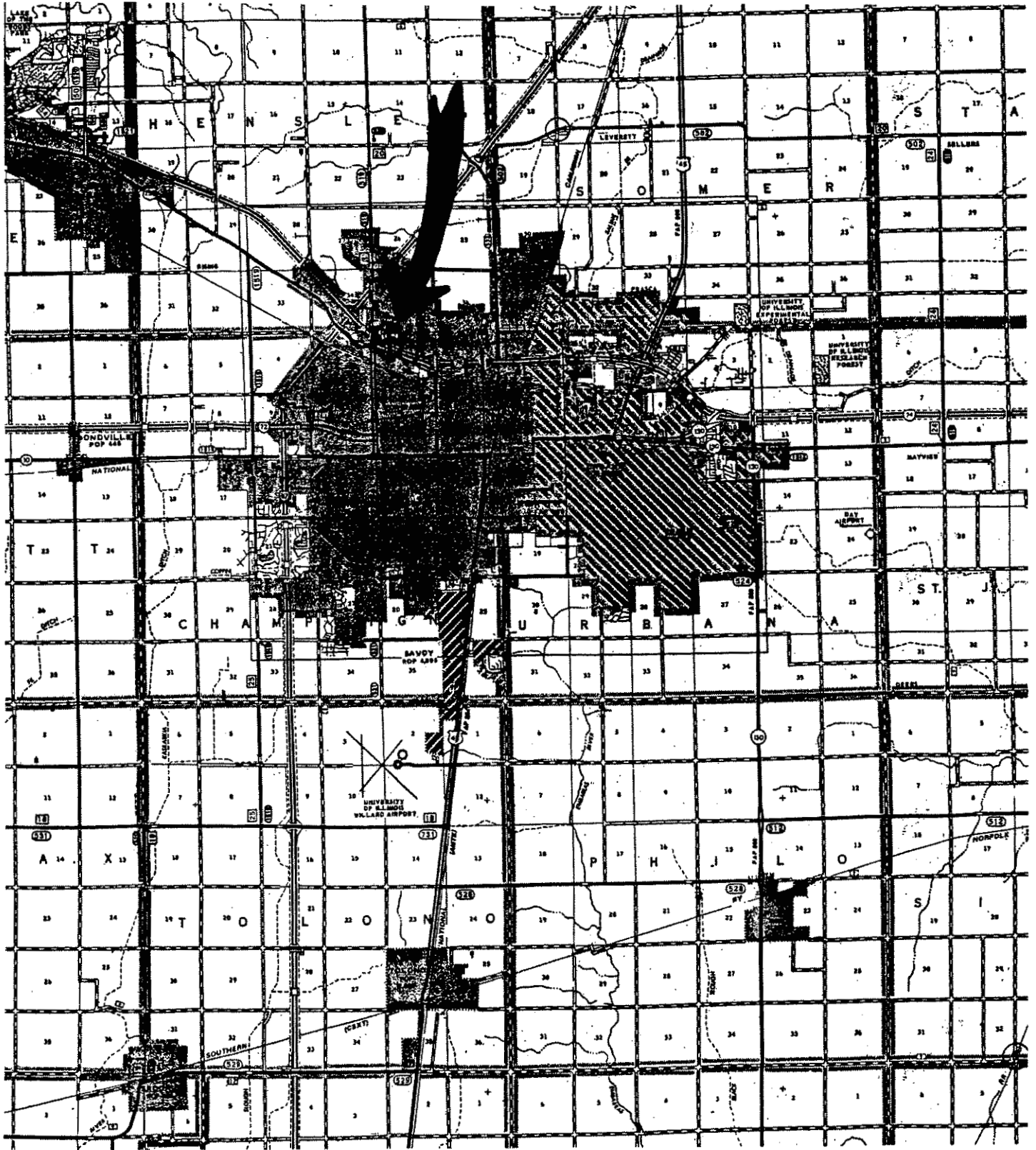
The Zoning Board of Appeals recommended enactment of the attached map amendment at their meeting on September 28, 2006. This same property was previously at ELUC in October 2005 for discussion of enforcement issues. At that time the committee decided that the Petitioner was making progress towards alleviating the major problems and decided to let the situation develop. Over the course of the public hearing only two neighbors have continued to voice concerns over the property.

The subject property is adjacent to the City of Champaign, but, at this time, the City has not indicated any intent to protest the map amendment. Without a protest from the City of Champaign, the proposed map amendment is ready for Committee action.

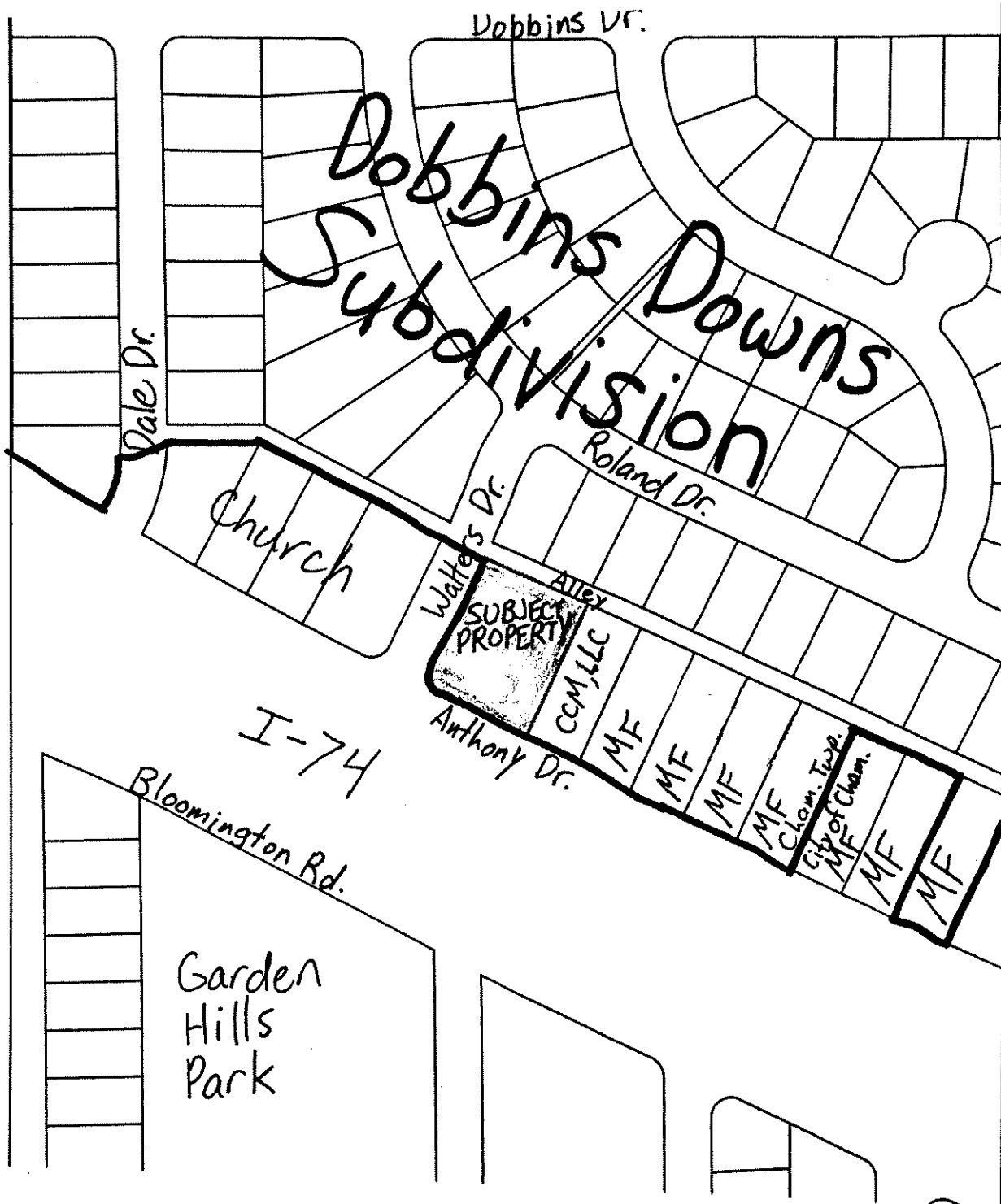
ATTACHMENTS

- A **Case Maps (Location, Land Use, Zoning) for Case 506-AM-05**
- B **As Approved Finding of Fact for Case 506-AM-05**

ATTACHMENT A. LOCATION MAP
Case 506-AM-05
NOVEMBER 6, 2006



Champaign
County
Department of
**PLANNING &
ZONING**



Area of Concern



Single Family



Farmstead

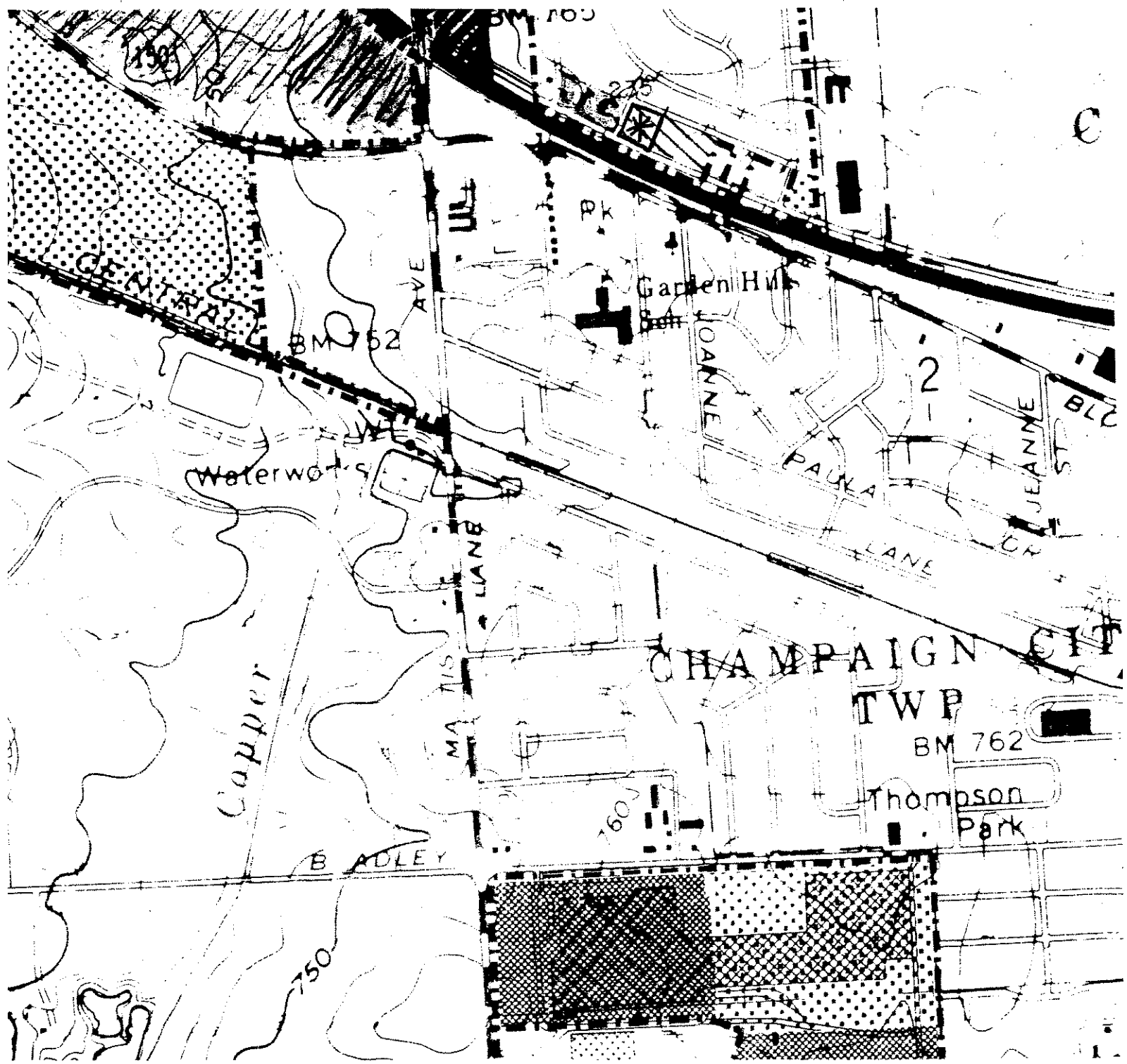


NORTH

Champaign
 County
 Department of

**PLANNING &
 ZONING**

ATTACHMENT A. ZONING MAP
 Case 506-AM-05
 NOVEMBER 6, 2006



AG-1 Agriculture	R-1 Single Family Residence	R-4 Multiple Family Res.	B-2 Neighborhood Business	B-5 Central Business	 NORTH Champaign County Department of PLANNING & ZONING
AG-2 Agriculture	R-2 Single Family Residence	R-5 Mobile Home Park	B-3 Highway Business	I-1 Light Industry	
CR Conservation- Recreation	R-3 Two-family Residence	B-1 Rural Tr Center	B-4 General Business	I-2 Heavy Industry	

AS APPROVED

506-AM-05

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

Final Determination: *RECOMMEND ENACTMENT*

Date: September 28, 2006

Petitioners: Ted and Linda Rund

Request: Amend the Zoning Map to change the zoning district designation from B-3 Highway Business Zoning District to B-4 General Business Zoning District

FINDING OF FACT

From the documents of record and the testimony and exhibits received at the public hearing conducted on **July 27, and September 28, 2006**, the Zoning Board of Appeals of Champaign County finds that:

1. The petitioners are Ted and Linda Rund.
2. The subject property is Lots 15 and 16 in Stern's Industrial Subdivision; commonly known as the Salt and Light building at 1512 W. Anthony Drive, Champaign.
3. The subject property is located within the one and one-half mile extraterritorial jurisdiction of Champaign.
4. Regarding comments by petitioners, when asked on the petition what error in the present Ordinance is to be corrected by the proposed change, the petitioner has indicated nothing.
5. Regarding comments by the petitioners when asked on the petition what other circumstances justify the amendment the petitioner attached a statement to the application. The statement was included with the Preliminary Memorandum as Attachment C and is summarized as follows:
 - A. The property is located on West Anthony Drive which is a busy frontage road that runs from a concentration of retail and business establishments west of Prospect Avenue which are in the City of Champaign.
 - B. The B-3 zoning classification would allow a variety of uses that would generate traffic counts equivalent or exceeding those of the current use and occupant.
 - C. The facilities east of the subject property are all businesses with the City of Champaign commercial zoning.

GENERALLY REGARDING LAND USE AND ZONING IN THE IMMEDIATE VICINITY

6. The subject property is zoned B-3 Highway Business. The subject property is now proposed to be rezoned to allow the existing use to continue at this location. Relevant background information regarding the proposed map amendment is as follows:
- A. Salt and Light Ministry has apparently been in operation at 1512 West Anthony Drive since January 21, 2004.
 - B. The Zoning Administrator has determined that Salt and Light Ministry is an eleemosynary use based on the following information:
 - (1) *Webster's Ninth New Collegiate Dictionary* defines "eleemosynary" as "...of, relating to, or supported by charity."
 - (2) An undated solicitation letter from Melissa Ann Sprouls submitted by the petitioner on or about July 3, 2005, states as follows:
 - (a) Melissa Ann Sprouls is a board member for Salt and Light NFP in Champaign, Illinois.
 - (b) Salt & Light provides food and clothing for residents of Champaign County who have a yearly income below the Poverty Guidelines.
 - (c) The Salt & Light clothing bank provides clothes for all ages on an as-needed basis.
 - (d) The food and clothing bank's hours of distribution are 1:00 pm to 5:00 pm on Wednesdays and 8:00 am to 12 noon on Saturdays.
 - (e) Salt & Light is a member of the Eastern Illinois Food Bank.
 - (f) The clothing bank is completely reliant on clothing donations from the community.
 - (g) Salt & Light has a 24-hour clothing drop box located in the west parking lot.
 - (h) Salt & Light has one paid Director who runs the ministry and relies on volunteer labor to operate the distribution of food and clothing.
 - (3) The Salt & Light Bi-Monthly Newsletter for January/ February 2005 submitted by the petitioner on or about July 3, 2005.
 - (4) An article about the Champaign County Christian Health Center in the Salt & Light building from the News-Gazette of Sunday, September 13, 2004
 - (5) An article about the Salt & Light Ministry from the News-Gazette of Sunday, July 16, 2006.

- C. Regarding the zoning status of the building and use of the subject property:
- (1) With the exception of the loading dock, the building has existed on the subject property since before the adoption of the Zoning Ordinance on October 10, 1973.
 - (2) The loading dock was constructed in 1984 after a variance was authorized in Case 513-V-84.
 - (3) The property appears to always have been used as a commercial use.
 - (4) The current use of the subject property has added an outdoor storage area on the east side of the building. Regarding this outdoor storage area:
 - (a) The outdoor storage area is screened as required by Section 7.6 of the Zoning Ordinance with a Type D screen. Section 4.3.3 H.d. of the Zoning Ordinance specifies that a Type D screen is as follows:

A landscaped berm, or an opaque fence or wall, or SCREEN PLANTING with a minimum HEIGHT of eight feet as measured from the highest adjacent grade.

- (b) Section 8 of the Zoning Ordinance provides that a nonconforming use which is nonconforming only because of failure to provide required off-street parking spaces shall have all the rights of a conforming use provided that no further reduction takes place. The proposed use appears to use the building in a similar manner as the previous use, and the Zoning Administrator determined that the addition of five spaces on the revised site plan received on September 26, 2006 at the northwest corner of the building makes up for any lost parking and the use is therefore, no less conforming.

7. Land use and zoning in the vicinity and adjacent to the subject property are as follows:
 - A. The land north of the subject property is zoned R-2 Single Family Residential and is a collection of residential subdivisions.
 - B. West of the subject property the land is within the boundaries of the City of Champaign and is zoned SF1 Single Family; it is used as a church.
 - C. The land East of the subject property along Anthony Dr. is zoned B-3 Highway Business or it is within the municipal boundaries of Champaign zoned CG Commercial General, and it is business uses.
 - D. Immediately south of the subject property is I-74; the land across the interstate is entirely within the municipal boundaries of Champaign, and is a residential subdivision zoned SF1 Single Family.

8. Previous zoning cases in the vicinity are the following:
 - A. 54-AM-74 was proposed rezoning (approved) for 17.2 acres in the I-1 Light Industry Zoning District to B-4 General Business Zoning District.
 - B. 160-AM-76 was a proposed rezoning (approved) for 4 acres in the I-1 Light Industry Zoning District to B-4 General Business Zoning District.
 - C. 309-AM-78 was a proposed rezoning (enacted in Ordinance No. 79) for 0.64 acres at the northeast corner of Bradley and Mattis Avenues in the AG-2 Agriculture Zoning District to B-3 Highway Business Zoning District. The rezoning was to make the existing gas station at that location conforming under County zoning.
 - D. 589-AM-86 was a proposed rezoning (enacted in Ordinance No. 291) related to case 590-S-86 (see below) for a single lot split zoned R-3 Two Family Residence and B-3 Highway Business Zoning Districts to all B-3 Highway Business Zoning District.
 - E. 590-S-86 was a Special Use Permit (granted) related to Case 589-AM-86 (see above) to authorize mini-warehouse storage buildings in the B-3 Zoning District.
 - F. 598-AM-87 was a proposed rezoning of 0.49 acres at the corner of Bloomington Road and Willis Avenue in the B-3 Highway Business Zoning District to B-4 General Business Zoning District that was annexed to the City of Champaign before the Map Amendment process was finished. The subject property was proposed to be rezoned so the owners could open a car sales and van conversion business.
 - G. 677-AM-89 was a proposed rezoning (enacted) of 90 acres north of I-74 on the west side of Prospect Avenue in the I-1 Light Industrial and R-2 Single Family Residence Zoning Districts to I-1, B-4, B-2, and R-4. This area has ultimately become part of the North Prospect commercial corridor. The rezoning was proposed to allow land uses that were in concert with the City of Champaign.
 - H. 777-AM-91 was a proposed rezoning (enacted) of 0.256 acres on Willis Avenue off of Bloomington Road in the R-3 Two Family Residence Zoning District to B-3 Highway Business Zoning District. The proposed rezoning was to allow a storage building to be converted into a convenience store type of use.
 - I. 854-AM-93 was a proposed rezoning (approved) of 7,923 square feet just south of Bloomington one block west of Prospect Avenue in the B-3 Highway Business Zoning District to B-4 General Business Zoning District. The rezoning was due to limited uses in B-3 and as a preparation for annexation into the City of Champaign which had General Business zoning in the area at that time.

- J. 980-AM-95 was a proposed rezoning (approved) of 3.67 acres at the corner of Mattis Avenue and Anthony Drive in the B-3 Highway Business and R-4 Multiple Family Residence Zoning Districts to B-4 General Business Zoning District. The rezoning was proposed to allow more uses at this location and make the property more attractive to businesses.
- K. All of the subject properties in the cases mentioned above have been annexed into the City of Champaign by now, and nearly all now form a part of the North Prospect commercial corridor.

GENERALLY REGARDING THE EXISTING AND PROPOSED ZONING DISTRICTS

- 9. Regarding the existing and proposed zoning districts:
 - A. Regarding the general intent of zoning districts (capitalized words are defined in the Ordinance) as described in Section 5 of the Ordinance:
 - (1) The B-3 Highway Business DISTRICT is intended to provide areas for commercial establishments which primarily serve the needs of motorists and are intended for application only adjacent to major thoroughfares in the COUNTY.
 - (2) The B-4 General Business DISTRICT is intended to accommodate a range of commercial USES and is intended for application only adjacent to the urbanized areas of the COUNTY.
 - B. Regarding the general locations of the existing and proposed zoning districts:
 - (1) The B-3 Highway Business Zoning District originally contained most of the strip commercial areas along state and federal highways in the County zoning jurisdiction and includes almost all land adjacent to interstate interchanges in the County zoning jurisdiction. There has been a trend in recent years to change B-3 zoned areas to B-4 because the B-3 District contains much fewer authorized uses than the B-4 and this limited purpose zoning district no longer seems to be justified today. It is expected that one outcome of the Comprehensive Zoning Review will be to delete the B-3 District and replace it with the B-4 District.
 - (2) There is no easy generalization to describe where the B-4 General Business Zoning District was originally established except to say that with a few large exceptions it does not occur very often outside of the fringe of urbanized areas. There has been a trend in recent years to change B-3 zoned areas to B-4 and this may occur as part of the amendments in later phases of the Comprehensive Zoning Review.
 - C. Regarding the different uses that are authorized in the existing and proposed zoning districts by Section 5.2 of the Ordinance:
 - (1) There are 47 different types of uses authorized by right in the B-3 District and there are 115 different types of uses authorized by right in the B-4 District.
 - (2) There are 11 different types of uses authorized by Special Use Permit in both the B-3 District and the B-4 District. The Special Uses differ between the two districts.

- (3) An Institution of an eleemosynary nature is not authorized in the B-3 District and is authorized by right in the B-4 District.

GENERALLY REGARDING WHETHER THE SUBJECT PROPERTY IS WITHIN A MUNICIPAL ETJ AREA

10. The subject property is located within the one and one-half mile extraterritorial jurisdiction (ETJ) of Champaign. Municipalities have protest rights on any map amendments within their ETJ, and are notified of such cases. On the Future Land Use Map of City of Champaign Comprehensive Plan, the subject property is labeled as Commercial/Industrial.

REGARDING CHAMPAIGN COUNTY LAND USE GOALS AND POLICIES

11. The Land Use Goals and Policies were adopted on November 29, 1977, and were the only guidance for County Map Amendments 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).

GENERALLY REGARDING POLICIES FOR COMMERCIAL LAND USE

12. There are seven commercial land use policies in the Land Use Goals and Policies. In addition there are two utilities policies (7.3 and 7.3a) that are relevant. Although most of the commercial land use policies refer to new development, which would mean they technically do not apply to the existing use, it is worthwhile to review some of them to determine if the existing land use complies with these policies.
13. Policy 3.1 of the Land Use Goals and Policies states that the County Board will encourage only those new commercial developments which are found to be needed to serve the demands of the residents of Champaign County and its trade area.

The proposed map amendment *CONFORMS* to policy 3.1 because the existing use serves a large number of people in the urban area.

14. Policy 3.2 of the Land Use Goals and Policies states that the County Board will establish, by amendment to the Zoning Ordinance or other means, a process for reviewing petitions for new commercial land to include a determination of the need for new commercial development based on market demand.

This policy does not seem to be relevant to any specific map amendment.

15. Policy 3.3 of the Land Use Goals and Policies states that the Environment and Land Use Committee will examine the Zoning Ordinance to institute more flexible commercial development controls such as planned unit development and transfer of development rights in order to provide a wider variety of commercial development techniques and better compatibility with non-commercial uses.

This policy does not seem to be relevant to any specific map amendment.

16. In regards to the adequacy of utilities and fire protection at the subject property for the proposed map amendment:
- A. The following policies relate to adequacy of utilities and fire protection:
- (1) Policy 3.4 of the Land Use Goals and Policies states that the County Board will not encourage major new commercial development except in those areas where sewer, water, adequate fire protection and other utilities are readily available.
 - (2) Policy 7.3 states that the County Board will encourage development only in areas where both sewer and water systems are available. In areas without public sewer and water systems, development may occur only if it is determined that individual septic systems can be installed and maintained in a manner which will not cause contamination of aquifers and groundwater and will not cause health hazards. Requests for development should demonstrate that wastewater disposal systems, water supply, fire and police protection are adequate to meet the needs of the proposed development.
 - (3) Policy 7.3A states that new subdivisions and zoning changes should meet these (7.3 above) standards and will be considered where they are not in conflict with the goals and policies of this Plan.
- B. Regarding the availability of a connected public water supply system:
- (1) According to the Water/Sewer/Drainage Element of *The Comprehensive Plan for Champaign County, Illinois* the subject property is serviced by a connected public water supply.
 - (2) Policy 7.3 states that development may only occur if it is determined that water supply systems are adequate to meet the needs of the proposed development. Given that the existing use is a typical use for this area, there is no reason to presume that the water supply would not be adequate.
 - (3) In regards to the availability of a connected public water supply system, the proposed map amendment **CONFORMS** because the subject property is connected to a public water supply.
- C. Regarding the availability of a public sanitary sewer system for the subject property:
- (1) According to the Water/Sewer/Drainage Element of *The Comprehensive Plan for Champaign County, Illinois* the subject property is serviced by a connected sanitary sewer system.
 - (2) Policy 7.3 states that the County Board will encourage development only in areas where both sewer and water systems are available, and that requests for development should demonstrate that wastewater disposal systems are adequate to meet the needs of the proposed development.

- (3) In regards to the availability of a connected sanitary sewer system, the proposed map amendment **CONFORMS** because the subject property is connected to a sanitary sewer system.
- D. Regarding the adequacy of fire protection at this location for the proposed map amendment:
 - (1) The subject property is located within the response area of the East Prairie Fire Protection District. The Fire District chief has been notified of this request but no comments have been received.
 - (2) In regards to adequate fire protection, the proposed map amendment appears to **CONFORM** to Policy 3.4 because there have been no concerns raised by the East Prairie Fire Protection District.
- E. There is no evidence to suggest that there will be any demand for gas or electric utilities beyond what is normal for a typical use in this area; therefore, there should be no problems or costs to the public.
- 17. Policy 3.5 of the Land Use Goals and Policies states that the County Board will not encourage major new commercial developments except in those areas which can be adequately served by public mass transit.

The subject property **CONFORMS** to Policy 3.5 because it is within the service area of the Champaign-Urbana Mass Transit District.
- 18. Policy 3.6 of the Land Use Goals and Policies states that the County Board will strongly discourage proposals for new commercial development not making adequate provisions for drainage and other site considerations.
 - A. The subject property is part of the Beaver Lake Drainage District, the district has been notified of this map amendment, but no comments have been received.
 - B. The subject property **CONFORMS** to Policy 3.6 because the property has existed in its current configuration for a long time and no comments have been received from the drainage district.
- 19. Policy 3.7 of the Land Use Goals and Policies states that the County Board will strongly discourage proposals for new commercial development along arterial streets and highways if the proposals contribute to the establishment or maintenance of a strip commercial pattern. As an alternative, concentrated or nodal patterns of development may be considered when there is adequate provision for safe, controlled access to the arterial streets and highways.

This policy is not relevant to this map amendment because the area around the subject property is already developed.

REGARDING GOALS FOR COMMERCIAL LAND USES

20. The commercial land use goals are relevant because the subject property is proposed to be changed from the B-5 DISTRICT. The first and fourth commercial land use goals do not appear to be relevant to any specific map amendment. The first and fourth commercial land use goals are as follows:

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

Establishment of development procedures to promote appropriate justification for new commercial development.

21. The second commercial land use goal is as follows:

Location of commercial uses:

- i. within ready accessibility to sewer, water and other utilities as well as adequate streets and highways.
- ii. Adequate public transit will also be considered.

Based on the review of the five relevant policies the proposed map amendment *ACHIEVES* this goal.

22. The third commercial land use goal is as follows:

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

Based on the current land use the proposed map amendment *ACHIEVES* this goal based on the following:

- A. Letters of complaint received from neighbors were included with the Preliminary Memorandum and can be summarized as follows:
 - (1) In a letter received on August 18, 2005, Julie Hughes, 2205 Walters Dr, complained about the following:
 - (a) People dump stuff on the subject property all the time and there is no one to clean up the property on the weekends.
 - (b) People go through the bins and throw what they are not stealing on the ground.
 - (c) There is not enough onsite parking to accommodate the clients and customers of Salt & Light and so the customers park on the street and in the alley and create unsafe conditions in the street due to the amount of parking and resulting congestion. The cars also drive onto private property.

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- (2) In a letter received on August 19, 2005, Hubert Woolen, 2206 Walters Drive, complained about the following:
 - (a) Three times a week the traffic is very heavy, and customers for Salt and Light park anywhere they want. This creates a situation where Walters Drive is a one lane street, making it very unsafe.
 - (b) People leave garbage on the subject property over the weekend, and kids go through it and scatter it all over. Once scattered the garbage blows around into adjacent yards.
- (3) A petition was received on August 19, 2005, with signatures from several neighbors that stated the following:
 - (a) Salt and Light does not have adequate parking, customers and clients often block driveways and mail boxes along nearby streets, and in the alley, despite the signs reading “No Parking.”
 - (b) The provided drop off boxes are often full to overflowing, and the items pile up in the driveway. People deposit items which are more or less garbage which stays there all weekend until someone comes in on Monday to clean it up.
 - (c) Garbage bags sit out on the loading dock in the back of the building and they pile up for weeks at a time.
- (4) In a letter received on August 29, 2005, Ray Hughes, 2205 Walters Drive, complained about the following:
 - (a) Customers of Salt and Light have harassed Mr. Hughes in his house, looking for directions to Salt and Light; permission to park in his yard; money; and other kinds of handouts.
 - (b) Garbage piles up on the east side of the building and kids get into it and play around it.
 - (c) Because Salt and Light does not have enough parking the street becomes crowded with parked cars that block driveways and barely allow enough room for traffic to continue to move.
- (5) In a letter received on July 21, 2006, Hubert Woolen, 2206 Walters Drive, included several photographs of the subject property and complained about the following:
 - (a) Items dropped off at the Salt and Light building during the weekend remain out in the open until Monday.
 - (b) People who park in the alley disregard the No Parking signs and have even torn down some of the signs.

- (c) Orange cones are placed out in the street to discourage people from parking there, but people simply park between the cones or just drive over them.
- (d) Customers from Salt and Light block the street and show disregard for traffic safety, allowing children to cross Walters Dr with minimal supervision.
- (e) The garbage that piles up on the east side of the building provides a breeding place for rats.

B. Testimony at the July 27, 2006 meeting of the ZBA can be summarized as follows:

- (1) The petitioner, Ted Rund, testified as follows:
 - (a) He drove by the subject property on a Wednesday and vehicles were parked in the church parking lot at 1:00 p.m. but by 3:09 p.m. the vehicles were gone.
 - (b) Salt and Light distributes free food on Wednesdays and for two hours there is an issue with parking. The church encourages people to park in their parking lot during these free giveaways.
 - (c) Salt and Light is trying to address the problem with parking.
- (2) Ray Allen Hughes, 2205 Walters Drive, Champaign, testified as follows:
 - (a) He said that when Salt and Light came in to the neighborhood they were glad to have them as neighbors but they have grown to a point so fast that people must park in the street to visit the facility.
 - (b) He said that no parking occurs on the east side of the building because the lot is full of debris and has been there for months.
 - (c) He said that he has discussed the issue of people leaving items and garbage at all hours of the day with Salt and Light and they indicated that they would install cameras.
 - (d) He said that Salt and Light informed him that he should contact the Sheriff's office when people leave their garbage at the facility so that a formal record is filed.
 - (e) At one point the junk freezer which was dropped off at the facility sat at the facility for a long time. He said that children play and people rummage through the garbage and the donations all of the time.
 - (f) He said that when Salt and Light is present at the facility they do clean up the facility as fast as they can but they do not address the east side of the building. He said that as soon as the people from Salt and Light leave more donations and garbage are dropped off and left uncovered. He said that when it rains the donations are wet and some of the garbage travels on to the street.

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- (g) He said that at times during the give-away days you cannot turn onto Walters Drive from Anthony Drive nor can you go down the alley because of the traffic and the parking.
 - (h) He said that the third commercial land use goal is not met due to the letters and testimony from residents of the neighborhood which is zoned for Single Family Residence.
 - (i) Mr. Hughes stated that when the new tenants first occupied the building everything was acceptable. He said that they did not have a problem with parking or traffic.
 - (j) He said that they are successful and it is out of control. He said that he suggested that Salt and Light needs to have someone at the facility 24 hours per day for intake of donations.
 - (k) He said that a lot of people drop off items to Salt and Light which are not worthy of being a donation and would be considered garbage but rather than paying someone to haul it away they drop it off at Salt and Light although on the other hand some people do drop off nice items. He said that one of the problems of dropping off great stuff is that it is allowed to set out in the rain until someone cleans it up.
 - (l) Mr. Hughes stated that the drop offs on the east side take up about 1/3 of the back of the parking lot and the dumpster takes up one parking space. He said that people could still park in the east parking lot.
 - (m) Mr. Hughes said that just because a use is a good cause does not make it right.
 - (n) Mr. Hughes said that the photographs he submitted were of the west side of the building and he was trying to indicate how the facility looks on average.
- (3) Michael Tague, attorney for the petitioner, testified as follows:
- (a) He stated that every time that there has been a complaint brought to the attention of the Petitioner there has been action taken to address the issues.
 - (b) He said that he and his clients believe that the number of parking spaces relative to the peak period uses is somewhat a “red herring” because they do have the parking lot located at the church to accommodate the clientele. He said that the issue of getting the clientele to utilize the church parking lot has been addressed by having people with orange vests to direct traffic to the church’s parking lot.

- (c) Mr. Tague stated that [Salt and Light] ha[s] a lease which indicates that they must comply with the County's Ordinances but perhaps they should revise the lease listing specific rules regarding the issues which have been brought forward. He said that he believes that he and the Petitioner have influence over the tenant in informing them that they will have to move their facility to a different location if they do not comply with the County's Zoning Ordinance.
- (4) Nathan Montgomery, Director of Salt and Light Ministry, testified as follows:
 - (a) He stated that Mr. Hughes is the only neighbor of Salt and Light that has confronted him with any conditions that may exist at the facility. He said that as a result of Mr. Hughes' concerns he has tried to do a number of different things to rectify those issues.
 - (b) He said that the petition which was submitted as evidence was distributed to the residents of Dobbins Downs and only 12 signatures were obtained. He said that he traveled around the neighborhood to speak to some of the neighbors to hear what their concerns were regarding Salt and Light and discovered that some of the elderly neighbors were totally unaware of what Salt and Light was therefore he is not sure if they even knew why they were signing the petition. He said that Salt and Light has more clientele in the neighborhood than residents who signed the petition. He said that the Dobbins Downs area is a very needy area and Salt and Light does serve several people in the neighborhood therefore he believes that the counter petition which will be submitted at the next meeting will be a better reflection of the support by the neighborhood.
 - (c) Mr. Montgomery said that one of the major issues which have drawn a lot of concern is the drop off bins. He said that six to seven days per week he and other volunteers are at Salt and Light to empty the bins so that nothing is left unattended outside of the building. He said that the local police department has warned several people about rummaging through the bins and signs have been placed on the bins prohibiting items to be left outside of the bins.
 - (d) He said that the east side of the building is cleaned up almost every day although the west side of the building, where the two bins are located, is a mess. He said that the east side of the building has a gate which can be locked and occasionally a 40 yard roll off dumpster is ordered to clean up items that are not usable and that was last done in May. He said that a regular 6-yard dumpster is located on the property and is picked up weekly and at times it appears that there is a huge accumulation of items to be discarded.
 - (e) He said that the two sheds that are located on the east side of the building do not take up any parking spaces and are located on the sidewalk area along the side of the building.

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- (f) He said that the pile of items on the west side of the building does take up some of the parking spaces but it is not usually an issue because they do utilize the adjacent church's parking lot.
- (g) He said that Salt and Light is only open for distribution on Monday and Wednesday during the hours of 1 p.m. to 5 p.m. He said that Monday is not a very hectic day but Wednesday is very hectic. He said that to help mitigate the traffic issues on Wednesday's distribution day traffic cones are placed to keep people from parking along the side of the street. He said that he would ask people to move their vehicles if they blocked the street or alley. He said that people do walk across the street although the only thing that Salt and Light can do is make them aware of the dangers and they have been pretty responsive.
- (h) He said that Salt and Light has retrofitted one of the bins with a drop off window rather than a door which opens and shuts and the other bin will be fitted with this type of window as well which will make it more difficult for people to get in to the bins to rummage through the items.
- (i) He said that Salt and Light has two paid employees but most of the help that the charity receives is through volunteers.
- (j) He said that he and the operations manager trade off on the weekends to clean up the drop off sites so that the neighbor's concerns are accommodated.
- (k) He said that there appears to have been quite a gap in time for the complaints because a lot of the complaints were received during the fall and then again in the spring. He said that the spring and summer months are some of the busiest months for Salt and Light because they receive a huge amount of drop off items and people require more food due to their kids being out of school but during the fall and winter months the drop off amounts decrease substantially and the need for additional food is not as great.
- (l) Mr. Montgomery stated that when Salt and Light originally opened their doors they distributed food on Wednesday and Saturday and what they found was that only ½ of the number people came in on Saturday as did on Wednesday. He said that for financial reasons they decided to distribute the food on one day rather than trying to purchase food for both days plus obtaining volunteers for both days was an issue. He said that in regard to traffic the one day distribution is only troublesome for approximately two hours for the whole week.
- (m) Mr. Montgomery stated that [Salt and Light's] main target area is Champaign-Urbana and some outlying areas of Champaign County. He said that they have had some people come to the facility which are located outside of Champaign County but they are referred to resources within their own community.

- (n) Mr. Montgomery stated that he is at the facility five days per week and visits the site on weekends to check the bins.
- (o) Mr. Montgomery stated that the hours of operation are 9 a.m. to 5 p.m. Monday thru Friday. He said that there are set times for people to drop off large items and those hours are Tuesday and Thursday, 10 a.m. to 4 p.m. He said that the problem that they are experiencing currently is that people are not respecting the drop off hours although the proposed cameras should help rectify that problem.
- (p) Mr. Montgomery stated that this spring and summer a lot of just plain garbage has been dropped off. He said that he believes that a lot of the additional amounts of drop off items are a result of the Goodwill Store eliminating their collection bins. He said that many people prefer to drop off their items to a charity which will give the items to the needy rather than to an establishment that sells the items to the needy.
- (q) Mr. Montgomery stated that unfortunately even though the Goodwill Store has gotten rid of their bins and requires people to come into the building to drop off items they still have people dropping off items at their door step. He said that the people who are dropping off garbage are not going to respect any signs that are placed on the bins. He said that they will have to rely on the local police and Sheriff's office to crack down on those people that are breaking the law and dumping their garbage.
- (r) Mr. Montgomery stated that the clothes go into one storage area in the building. He said that shelving is available for miscellaneous items and it is very easy to identify what is junk and what is reusable. He said that from August to March a regular sized dumpster is more than enough to keep up although in the spring and summer there is an influx of donations and the larger roll-off dumpster is required. He said that they may receive a refrigerator and a couch which are not in very good shape and then receive other similar items therefore requiring Salt and Light to order a larger roll-off dumpster for their disposal. He said that the pile which is currently located on the east side of the building is probably one of the largest piles that has ever existed. He said that the pile is gated and is not visible from either of the residences or from Walters Drive and the only way that it is visible is through the entry to Salt and Light Ministry or the alley
- (s) Mr. Montgomery said [the east side is always gated and locked]. He said that the only time that the pile is not locked is on Monday evening because the company which they use for trash pick up comes to the facility very early on Tuesday morning. He said that they haven't had any problems with people dumping on the east side of the building.

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- (t) Mr. Montgomery said [everything that is on the east side is what was dumped on the west side of the building]. He said that there is a stack of pallets and a stack of recycled cardboard on the east side as well as some fair type games that were donated. He said that the roll offs are placed in this area also so that they can be filled with items that cannot be reused.
- (u) He said that they have had youth groups come to the facility and pick up trash along the street where Mr. Woolen and Mr. Hughes resides the church parking lot, the alley and around the building. He said that in trying to be good neighbors they keep the trash picked up although this appears to go unnoticed.
- (v) Mr. Montgomery stated clothes and food [are distributed on Wednesdays]. He said that originally food was the primary need but anymore it is clothing and furniture. He said that Salt and Light is open on Monday for distribution of clothing and furniture and Wednesday for food and clothing. He said that more people try to get all of their needed items on one day therefore Wednesday is their bigger day. He said that a line is formed for food and a line is formed for clothing but generally most people will get in the clothing line first and then get in line for the food.
- (w) Mr. Montgomery stated [the Northside Church of Christ utilizes the facility]. He said that one of the members is a regular volunteer with Salt and Light. He said that the church allows Salt and Light to use their parking lot during regular distribution or any special events. He said that they try to make people more aware of the rules for parking and access to Salt and Light and have even distributed papers explaining these rules.
- (x) Mr. Montgomery stated that on an average Wednesday, Salt and Light will feed approximately 130 families between the hours of 1 p.m. to 5 p.m. He said that last Wednesday, Salt and Light fed 172 families. He said that the first two hours of the distribution day is extremely busy and then by 3 p.m. the traffic slows down and the parking spaces along Salt and Light are more than sufficient.
- (y) Mr. Montgomery stated that if [a] family is only visiting the facility for food they could be in and out within fifteen minutes but if they are there for food and clothing their visit could extend to thirty minutes. He said that Salt and Light has distributed food to 130 families within the first hour of the distribution day.
- (z) Mr. Montgomery stated that everyone receives the same selection of food and the amount is based on household size. He said that the items are prebagged and ready for pickup therefore the time is mostly for standing in line and signing in.

- (aa) Mr. Montgomery said [the same clientele comes to Salt and Light every week]. He said that currently they are keeping track of the number of different households that are served as well as the number of visits that the household makes to Salt and Light. He said that the household is eligible every thirty days but Salt and Light provides the household with one week's worth of food. He said that if Salt and Light does not have the funds to provide one week's worth of food and the items are more supplemental the household can come back to Salt and Light more regularly.
- (bb) Mr. Montgomery said that Salt and Light has two ways in which they distribute the food. He said that one way that they distribute the food is when Salt and Light is able to purchase the food they provide three meals per day for one week, based on family size. He explained that the charity is supported by donations and therefore, the funds available fluctuate. He said they are able to take food which is donated or obtained through the commodity program which makes the food more supplemental which means that every family obtains the same food in one bag.
- (cc) Mr. Montgomery stated that at the beginning of the distribution the madhouse situation occurred because people were afraid that Salt and Light would run out of food to distribute but now they realize that this is not the case and many of the clientele will line up for the clothing first and then step into the food line. He said that the clothing area is first come first serve therefore many people desire to step into that line first because they know that the food is available when they are finished. He said that he does not believe that extending the hours for the food will mitigate the problem because there is always going to be that first hour rush.
- (dd) Mr. Montgomery stated that everyday during the week and at least one day on the weekend someone tries to come in and clean up the drop offs. He said that sometimes if everything is cleaned up on a Saturday there may not be anything to pick up on Monday although if people decide to drop off items on Saturday evening Monday morning's pile may be huge. He said that regardless of the time that they clean up something else will be dropped off and no items are ever left out for any extended amount of time. He said that he did have a freezer with a detached lid dropped off and because the freezer was so heavy it was not moved inside immediately. He said that he has four children and understands the safety concerns with the children in the neighborhood.
- (ee) Mr. Montgomery said [there are no other storage options for large items]. He said that the inside of the building is so overwhelmed by wonderful donations that there is no place to put the bad donations other than the gated area. He said that there is a fence on along the back side of the outside storage area and a fence with a locked gate on the front side.

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- (ff) Mr. Montgomery stated that the computer lab will be located in the front office space utilizing donated computers and materials. He said that the classes have not started yet because they are awaiting the hookup of electrical outlets. He said that the lab will be an off-hour event and will only handle eleven clients. He said that basically the lab will be training in Microsoft Office, resume writing, basically equipping the clients for better jobs. He said that the University of Illinois students have become more and more involved and the amount of volunteers will help alleviate some of the burdens of trying to take care of all of these different services.
- C. Information from a fax from Michael Tague, received on September 22, 2006 can be summarized as follows:
- (1) The Salt and Light Welcome flier contains a short description of what Salt and Light is and a list of rules that clients of Salt and Light must follow or they will be denied service and/or asked to leave. The rules relevant to the third commercial land use goal are as follows:
 - (a) Parking: Park only in the Salt & Light parking lot on the West side of the building or in the church parking lot West of Salt & Light. (Do not park on the street, in the alleys, or in front of the neighboring homes.)
 - (b) Do not approach the neighbors asking for money or for anything else.
 - (c) Do not take anything from in or around the collection bins at any time.
 - (2) A petition in support of the petition for rezoning with 75 signatures of residents from the surrounding area.
- D. Information from a packet of photos and letters from Michael Tague, received on September 26, 2006 can be summarized as follows:
- (1) Salt and Light has installed four surveillance cameras on the west side of the building to help prevent the dumping that has taken place when they are not on site.
 - (2) They put out traffic cones every time they are open to prevent parking in improper locations.
 - (3) They have put up signage on their drop-off bins to inform donors of Salt and Light's policies on donations and to warn people that action will be taken against illegal dumping.
 - (4) Salt and Light has installed "no parking" signs on the fence separating their loading dock from the alley to prevent people from blocking access to the alley and any garages in it.
 - (5) They have had groups come in and clean up Walters street.

- (6) Both drop-off bins on the west side of the building have sturdy doors with padlocks on them to prevent people from stealing items from inside the bins.
 - (7) A letter of non-objection to the rezoning from Champaign County Mobility LLC, Salt and Light's neighbor to the east.
 - (8) A letter from MTD Assistant Managing Director Thomas Costello, stating that he asked bus drivers about traffic conditions around Salt and Light, and that drivers have found traffic to be typical for similar areas in the city.
 - (9) A site plan annotated by the petitioner to show the location of five proposed parking spaces along the north side of the subject property.
- E. At the September 28, 2006 ZBA meeting, Nathan Montgomery, Director of Salt and Light, testified that someone is available to clean out the drop-off bins on the subject property seven days a week.
- F. Regarding compliance of the subject property with the Zoning Ordinance:
- (1) The current use of the subject property has added an outdoor storage area on the east side of the building. Regarding this outdoor storage area:
 - (a) The outdoor storage area is screened as required by Section 7.6 of the Zoning Ordinance with a Type D screen. Section 4.3.3 H.d. of the Zoning Ordinance specifies that a Type D screen is as follows:

A landscaped berm, or an opaque fence or wall, or SCREEN PLANTING with a minimum HEIGHT of eight feet as measured from the highest adjacent grade.
 - (2) Section 8 of the Zoning Ordinance provides that a nonconforming use which is nonconforming only because of failure to provide required off-street parking spaces shall have all the rights of a conforming use provided that no further reduction takes place. The proposed use appears to use the building in a similar manner as the previous use, and the Zoning Administrator determined that the addition of five spaces on the revised site plan received on September 26, 2006 at the northwest corner of the building makes up for any lost parking and the use is therefore, no less conforming.

REGARDING GENERAL LAND USE POLICIES

23. There are two general land use policies in the Land Use Goals and Policies. The second land use policy is not relevant to any specific map amendment.

24. The first general land use policy is the following:

The County Board, the Environmental and Land Use Committee and the Zoning Board of Appeals will follow the policies of:

- i. encouraging new development in and near urban and village centers to preserve agricultural land and open space;
- ii. optimizing the use of water, sewer, and public transportation facilities; and reducing the need for extending road improvements and other public services.

Based on the review of relevant commercial land use policies and goals, the proposed map amendment **CONFORMS** because the map amendment is simply to allow the legal use of a building within an existing urbanized area already serviced by utilities, mass transit, and protection from a fire dept. and police.

REGARDING GENERAL LAND USE GOALS

25. There are five general land use goals for all land use in the Land Use Goals and Policies. Three of the general land use goals are not relevant to the proposed map amendment for the following reasons:

- A. The first and fifth general land use goals are not relevant to any specific map amendment.
- B. The second general land use goal is so generally stated that it is difficult to evaluate the degree of achievement by the proposed map amendment.

26. The third general land use goal is as follows:

Land uses appropriately located in terms of:

- i. utilities, public facilities,
- ii. site characteristics, and
- iii. public services.

Considerations of the proposed map amendment related to this goal are as follows:

- A. Commercial land use policy 3.6 mentions site considerations but is not specific as to what that means other than to mention drainage. Also, there are no general policies that are specific to site characteristics, but the following considerations are relevant to site characteristics:
 - (1) The subject property is located in a developed area immediately adjacent to the City of Champaign and is surrounded by both residential and other business uses.
 - (2) The subject property is connected to a public water supply and public sanitary sewer.

- B. Overall the proposed map amendment *ACHIEVES* the third general land use goal, based on the following:
- (1) *ACHIEVES* this goal in regards to the following:
 - (a) public facilities (see Item 16E);
 - (b) public services (see Item 16D);
 - (c) site characteristics (see above)

 - (2) In regards to utilities based on degree of conformance with commercial land use policy 3.4 (See item 16); and the degree of achievement of the first general policy, the map amendment *ACHIEVES* this goal.

27. The fourth general land use goal is as follows:

Arrangement of land use patterns designed to promote mutual compatibility.

Overall the fourth general land use goal will *BE ACHIEVED* by the proposed map amendment based on conformance or achievement with the preceding policies goals.

DOCUMENTS OF RECORD

1. Application, received on June 22, 2005, with attachments:
 - A Statement of circumstances that justify the Amendment
 - B Petitioner’s Exhibit A Latest Deed of Conveyance to Theodore J. Rund and Linda L. Rund
 - C Petitioner’s Exhibit B Site plan, Description of Improvements, and Land Description excerpted from Brown and Brown Real Estate Appraisal
 - D Petitioner’s Exhibit C Current Lease
 - E Petitioner’s Exhibit D Plat of Dobbins Downs
 - F Petitioner’s Exhibit E Excerpt of City of Champaign Ordinance Relating to CG Zoning District
2. Letter of opposition from Julie Hughes, 2205 Walters Drive, Champaign received 8/18/05
3. Letter of opposition from Hubert Woolen, 2206 North Walters, Champaign received 8/19/05
4. Petition of opposition received 8/19/05
5. Letter of complaint from Ray Hughes, 2205 Walters Drive, Champaign received 8/29/05
6. Letter from Michael Tague dated October 19, 2005, with attachments:
 - A Supervisor of Assessment record
 - B Site and building plan with parking notations
 - C Site and building plan with office areas highlighted
 - D Site and building plan
 - E Article VIII. Parking, Loading, and Access Drives from the City of Champaign Zoning Ordinance
7. Preliminary Memorandum for Case 506-AM-05, with attachments:
 - A Case Maps (Location, Land Use, Zoning)
 - B Article on Salt & Light Ministry from the News- Gazette of Sunday, July 16, 2006
 - C Statement of circumstances that justify the Amendment
 - D Petitioner’s Exhibit B Site plan Description of Improvements, and Land Description excerpted from Brown and Brown Real Estate Appraisal
 - E Site and building plan with parking notations
 - F Site and building plan with office areas highlighted
 - G Supervisor of Assessment record
 - H Excerpt of City of Champaign Ordinance Relating to CG Zoning District
 - I Letter of opposition from Julie Hughes, 2205 Walters Drive, Champaign received 8/18/05
 - J Letter of opposition from Hubert Woolen, 2206 North Walters, Champaign received 8/19/05
 - K Petition of opposition received 8/19/05
 - L Letter of complaint from Ray Hughes, 2205 Walters Drive, Champaign received 8/29/05
 - M Letter from Hubert Woolen received July 21, 2006, with photos
 - N Draft Finding of Fact
8. Letter from Hubert Woolen received on July 21, 2006, with photos

9. Supplemental Memorandum dated July 27, 2006, with attachments:
 - A Solicitation letter from Melissa Rains Sprouls received on or about July 3, 2005
 - B Salt & Light Bi-Monthly Newsletter for January/February 2005 received on or about July 3, 2005
 - C Comparison of Lot Area, Height, Placement, and Site Development Regulations for Existing and Proposed Zoning Districts
 - D Comparison of Parking and Loading Requirements for existing and Proposed Zoning Districts
 - E Annotated Site Plan
 - F Revised Draft Finding of Fact
10. Photos submitted by Ray Hughes at July 27, 2006 ZBA meeting
11. Letter from Michael Tague, received on September 18, 2006
12. Letter received from Hubert Woolen received on September 19, 2006, with photos
13. Supplemental Memorandum dated September 22, 2006, with attachments:
 - A Letter from Michael Tague received on September 18, 2006
 - B Letter from Hubert Woolen received on September 19, 2006, with photos
 - C Staff photos documenting items from letter from Michael Tague received on September 18, 2006
 - D Fax letter from Michael Tague received September 22, 2006
 - E Salt and Light welcome flyer
 - F Petition in support of rezoning
 - G Revised Finding of Fact for Case 506-AM-05
14. Fax from Michael Tague received on September 22, 2006, with attachments:
 - A Salt and Light welcome flyer
 - B Petition in support of rezoning
15. Supplemental Memorandum for Case 506-AM-05, dated September 28, 2006, with attachments:
 - A Staff photos showing proposed North parking area
 - B Packet of material from Michael Tague, received on September 26, 2006
 - C IDOT map of area surrounding subject property
 - D Revised Finding of Fact for Case 506-AM-05
16. Packet of photos from Michael Tague, received on September 26, 2006, including:
 - A Color photos of conditions at Salt and Light
 - B Site Plan Annotated to show proposed north parking area
 - C Photos showing improvements at Salt and Light
 - D Photos showing condition of homes near Salt and Light
 - E Letter of support from Champaign County Mobility LLC
 - F Letter from Tom Costello, MTD Assistant Managing Director
17. Photographs submitted by Michael Tague at the September 28, 2006 ZBA meeting

18. Illinois Traffic Crash Report submitted by Michael Tague at the September 28, 2006 ZBA meeting
19. Drawing of adjacent properties submitted by Ray Hughes at the September 28, 2006 ZBA meeting
20. Photographs submitted by Ray Hughes at the September 28, 2006 meeting

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 Map Amendment requested in Case 506-AM-05 should ***BE ENACTED*** by the County Board.

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

SIGNED:

Debra Griest, Chair
Champaign County Zoning Board of Appeals

ATTEST:

Secretary to the Zoning Board of Appeals

Date

Champaign
County
Department of
**PLANNING &
ZONING**
Brookens
Administrative Center
1776 E. Washington Street
Urbana, Illinois 61802

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

To: **Environment and Land Use Committee**
From: **John Hall, Zoning Administrator**
Date: **November 3, 2006**
RE: **Case 520-AM-05 Rural Residential Overlay Map Amendment for proposed five lot RRO**

Zoning Case 520-AM-05

Request: **Amend the Zoning Map to allow for the development of 5 single-family residential lots in the AG-1 Agriculture Zoning District by adding the Rural Residential Overlay (RRO) Zoning District.**

Petitioners: **Gene Bateman**

Location: **Twenty three acres in the East Half of the Northeast Quarter of Section 29 of Newcomb Township that is commonly known as the farm field that borders the south side of CR2600N and the west side of CR200N.**

STATUS

The Zoning Board of Appeals voted to "RECOMMEND DENIAL" of this proposed Rural Residential Overlay (RRO) rezoning at their October 12, 2006, meeting. Relevant maps have been excerpted from the Documents of Record and are attached. The Summary of Evidence is attached and includes relevant testimony from the public hearing.

The ZBA is required to make two specific findings for RRO determinations and those findings are reproduced below in this memorandum and also appear in the Finding of Fact.

This is the first RRO to be proposed in the vicinity of the underground Manlove Gas Storage Facility. See item 17 on pages 14 through 18 of the Summary of Evidence. Safety concerns related to high pressure gas pipelines that are part of that facility are prominent in the ZBAs finding that the location is not suitable for development but were not the only concerns. See the finding.

No frontage protests been received from neighboring landowners against the proposed rezoning. The subject property is not located within any municipal or village extraterritorial jurisdiction so there can be no municipal or village protest. Newcomb Township has a Plan Commission but the township has provided no communication regarding the proposed map amendment.

REQUIRED FINDINGS

With respect to map amendments requesting creation of a Rural Residential Overlay (RRO) Zoning District, Section 5.4.3 of the Zoning Ordinance requires the ZBA to make two specific findings before forwarding a recommendation to the County Board. The required findings are stated as follows in the Ordinance:

1. **That the proposed site is or is not suitable for the development of the specified maximum number of residences; and**

2. That the proposed residential development will or will not be compatible with surrounding agriculture.

The Land Use Regulatory Policies that were adopted on November 20, 2001, establish requirements for RROs proposed on “best prime farmland” that the land be “well suited” and that the land be used in the “most efficient way”. The proposed RRO is not on best prime farmland so the higher requirements do not apply. The required findings on page 31 of the attached Final Determination have been reproduced below with references to the relevant items in the Summary of Evidence.

Required Finding 1. Regarding Whether the Site is Suitable for the Development of the Specified Maximum Number of Residences:

1. The proposed site **SUBJECT TO CONDITIONS, IS NOT SUITED** for the development of **FIVE** residences because:
 - A. **the site has much worse than typical Champaign County conditions due to manmade hazards and safety concerns that cause this factor to have more weight in the decision making process (see items 17. B., C, D, E, F*); and**
 - B. **the site has much worse than typical Champaign County conditions because it is bordered on two sides by livestock management facilities (see item 23.B.(3)*); and**
 - C. **emergency services vehicle access is limited by flooding (see item 12.B. (1)(e)*);**

and despite:

 - D. **the fact that the revised site plan has adequate buildable area outside of the Potential Impact Radius zone (see item 17.E.*); and**
 - E. **the property is between 4 and 5 miles from the Cornbelt Fire Protection District (see item 15*); and**
 - F. **much better than typical and nearly ideal conditions for the other considerations (see items 22, 11, 12, 13, 14, 19, and 21*).**

* refers to items in the Summary of Evidence

NOTE: This is not the actual finding. See the As-Approved Finding of Fact.

Required Finding 2. Whether the Proposed Residential Development Will or Will Not Be Compatible with Surrounding Agriculture:

2. Development of the proposed site under the proposed Rural Residential Overlay development **SUBJECT TO CONDITIONS, WILL NOT BE COMPATIBLE** with surrounding agriculture because:
- A. **of the presence of adjacent livestock management facilities on two sides and four other livestock management facilities within a one-mile radius of the property for a total of four active facilities that are by law allowed to expand up to 1,000 animal units (see item 23. B.(3)*); and**
 - B. **the presence of a drainage district tile in the proposed RRO District (see item 12.B.*); and**
 - C. **traffic generated by the proposed RRO District that will be 400% more than without the RRO (see item 23.A.(1)*);**
- and despite:
- D. **surface drainage that is much better than typical (see item 12.*); and**
 - E. **the condition to replace the drainage district tile and provide an easement (see items 24.B. (1) & (2)*); and**
 - F. **the adequacy of the roads that is nearly ideal Champaign County conditions (see item 11*).**

* refers to items in the Summary of Evidence

NOTE: This is not the actual finding. See the As-Approved Finding of Fact.

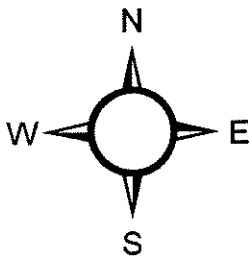
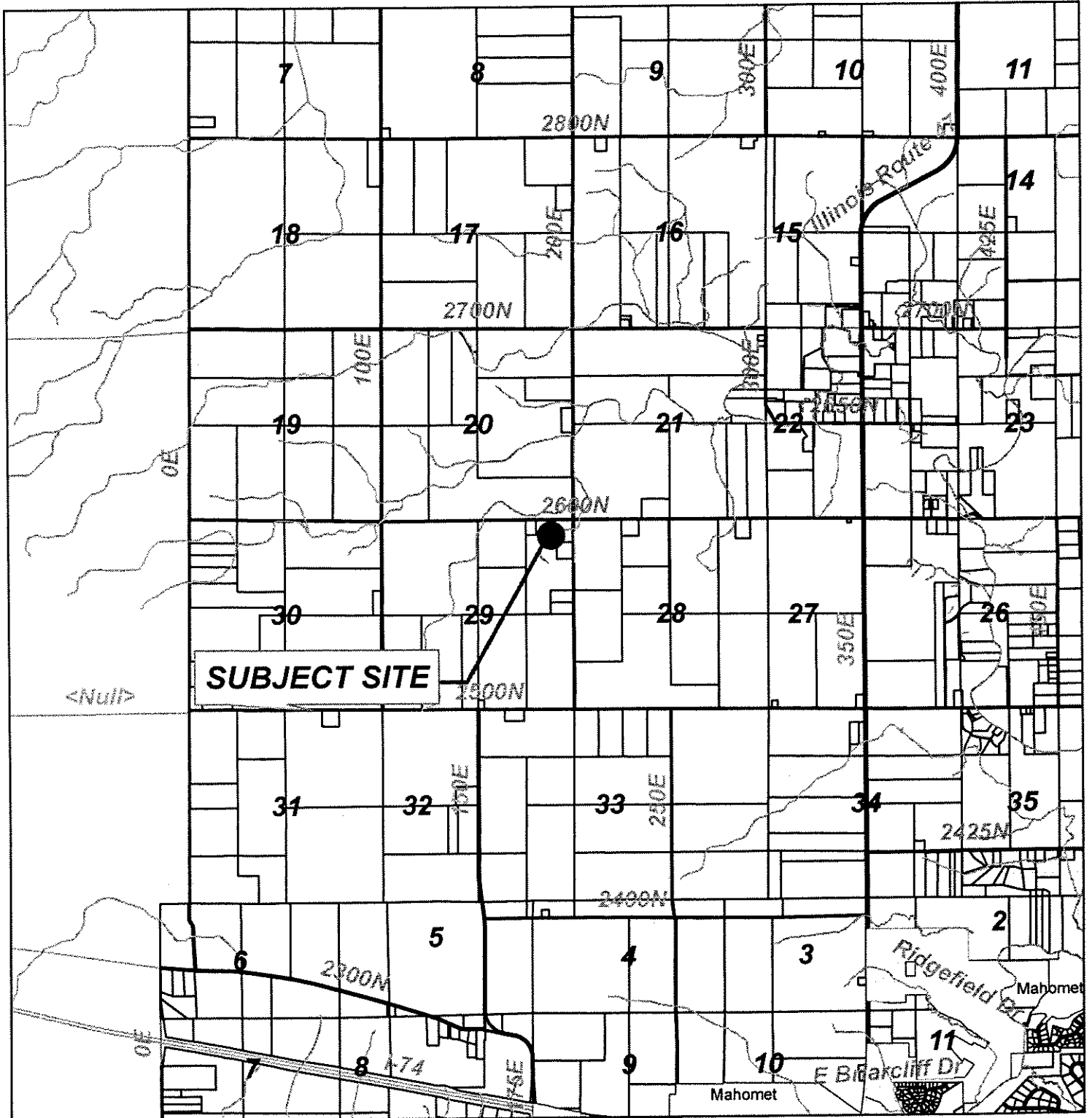
PROPOSED CONDITIONS

The ZBA approved several conditions to address safety concerns related to the high pressure gas pipelines; the presence of drainage district tile; probable flooding caused by the public road culvert; driveways and mailboxes; and the fact that the lots are not part of a Plat of Subdivision. The conditions are listed under item 24 of the Summary of Evidence. The ZBA determined that even with the conditions the location was not suitable for the proposed residences and was not compatible with surrounding agriculture.

ATTACHMENTS (excerpted from the Documents of Record)

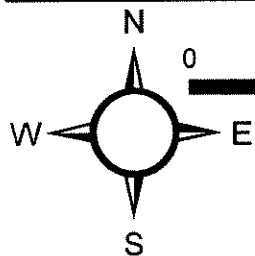
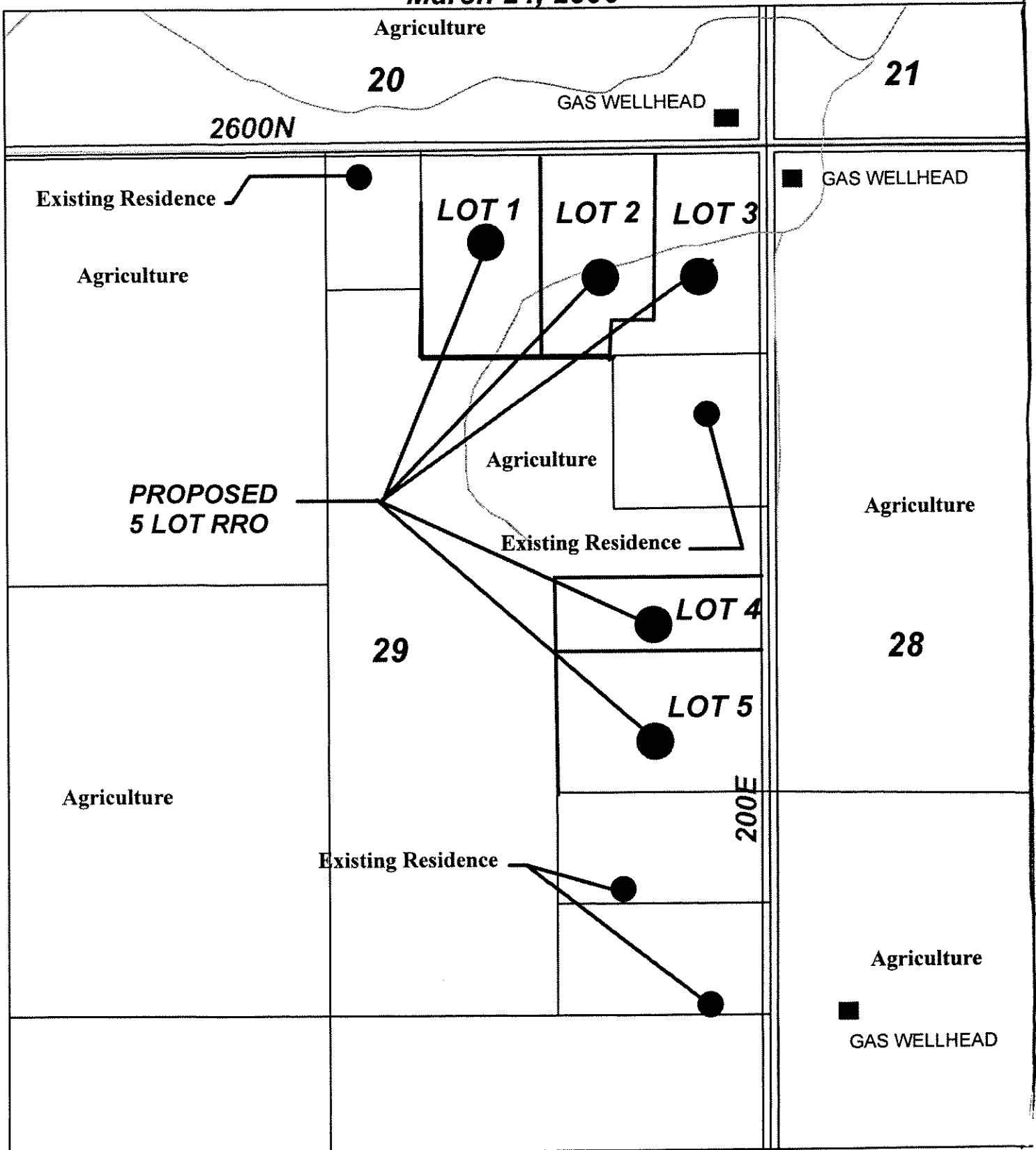
- A Zoning Case Maps (Location, Land Use, Zoning)
- B Revised Proposed Bateman Tracts received October 12, 2006 (with indication of Potential Impact Radius for high pressure gas pipelines)
- C Map of Livestock Management Facilities Within One Mile Of Proposed RRO (staff handout at the April 13, 2006, meeting)
- D Summary of Evidence, Finding of Fact, and Final Determination of the Champaign County Zoning Board of Appeals as approved on October 12, 2006 (UNSIGNED)

Attachment A Location Map
Case 520-AM-05
March 24, 2006



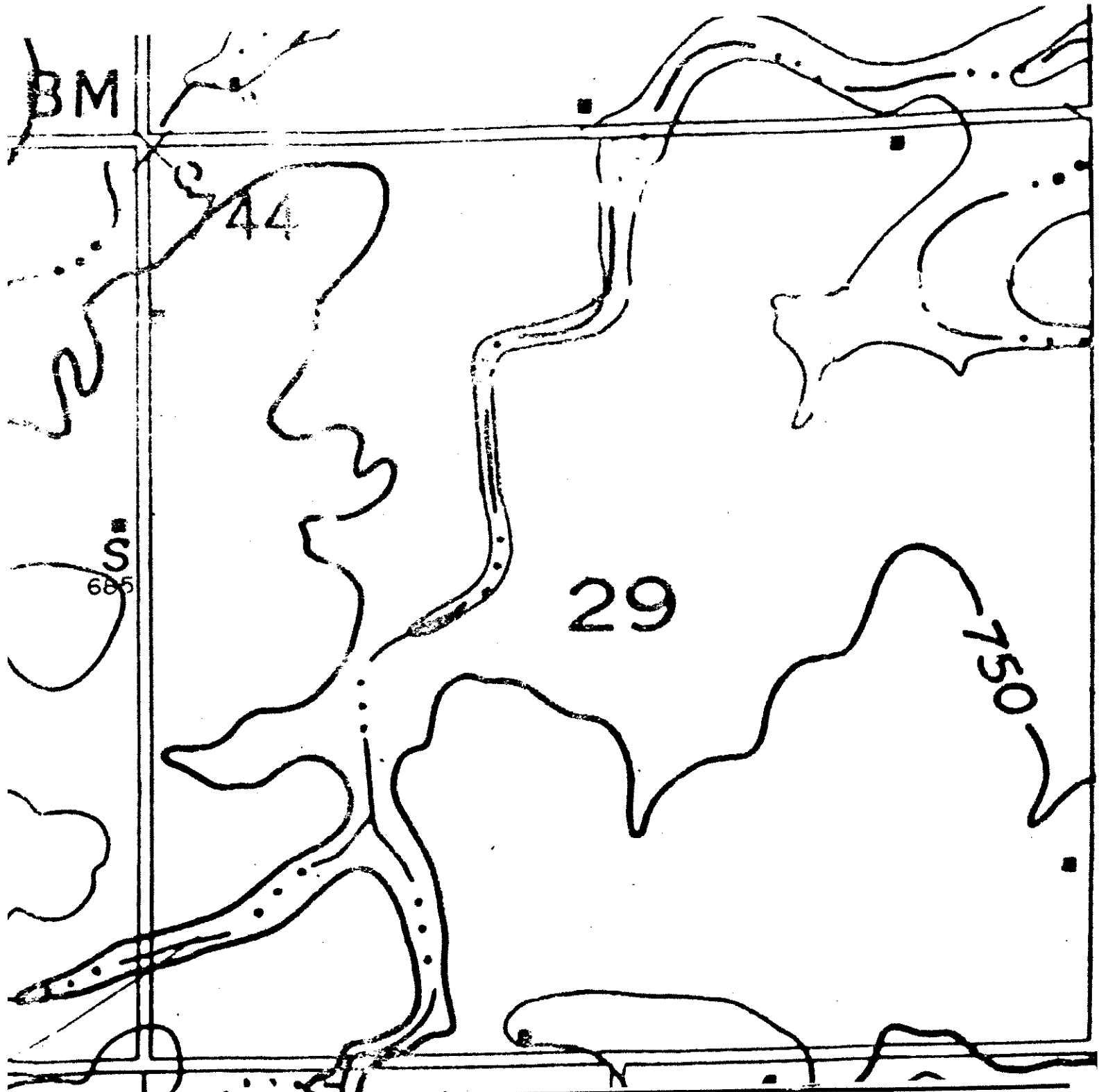
Champaign County
Planning and Zoning Department
1776 E. Washington Street
Urbana, IL 61802
217-384-3708

Attachment A Land Use Map
Case 520-AM-05
March 24, 2006



Champaign County
Planning and Zoning Department
1776 E. Washington Street
Urbana, IL 61802
217-384-3708

Attachment A Zoning Map
 Case520-AM-05
 March 24, 2006

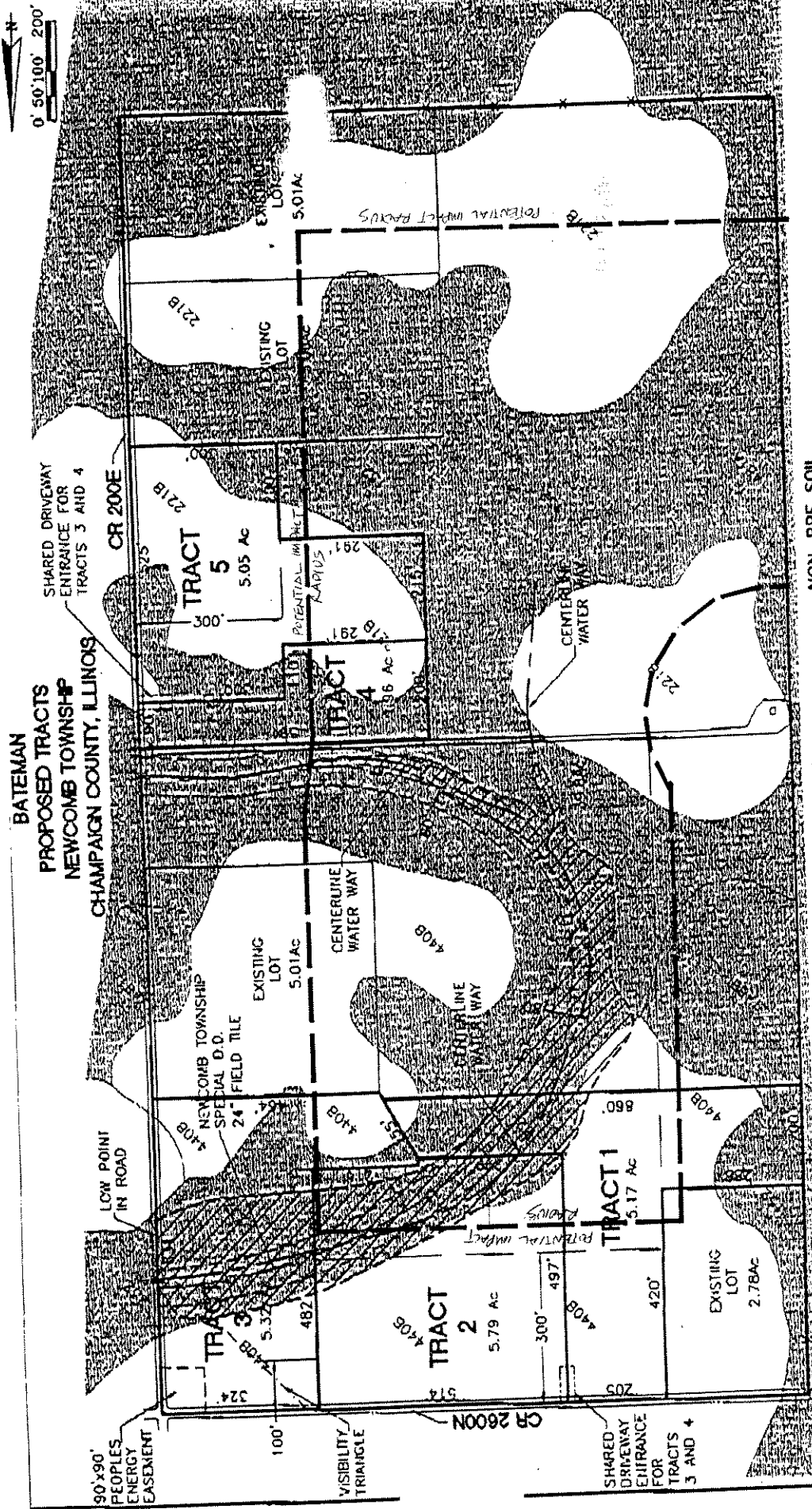


AG-1 Agriculture	R-1 Single Family Residence	R-4 Multiple Family Res.	B-2 Neighborhood Business	B-5 Central Business
AG-2 Agriculture	R-2 Single Family Residence	R-5 Mobile P. Park	B-3 Highway Business	I-1 Light Industry
CR Conservation- Recreation	R-3 Two-family Residence	B-1 Rural T. Center	B-4 General Business	I-2 Heavy Industry

56

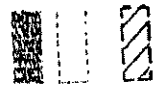
Champaign
County
Department of
**PLANNING &
ZONING**

NORTH



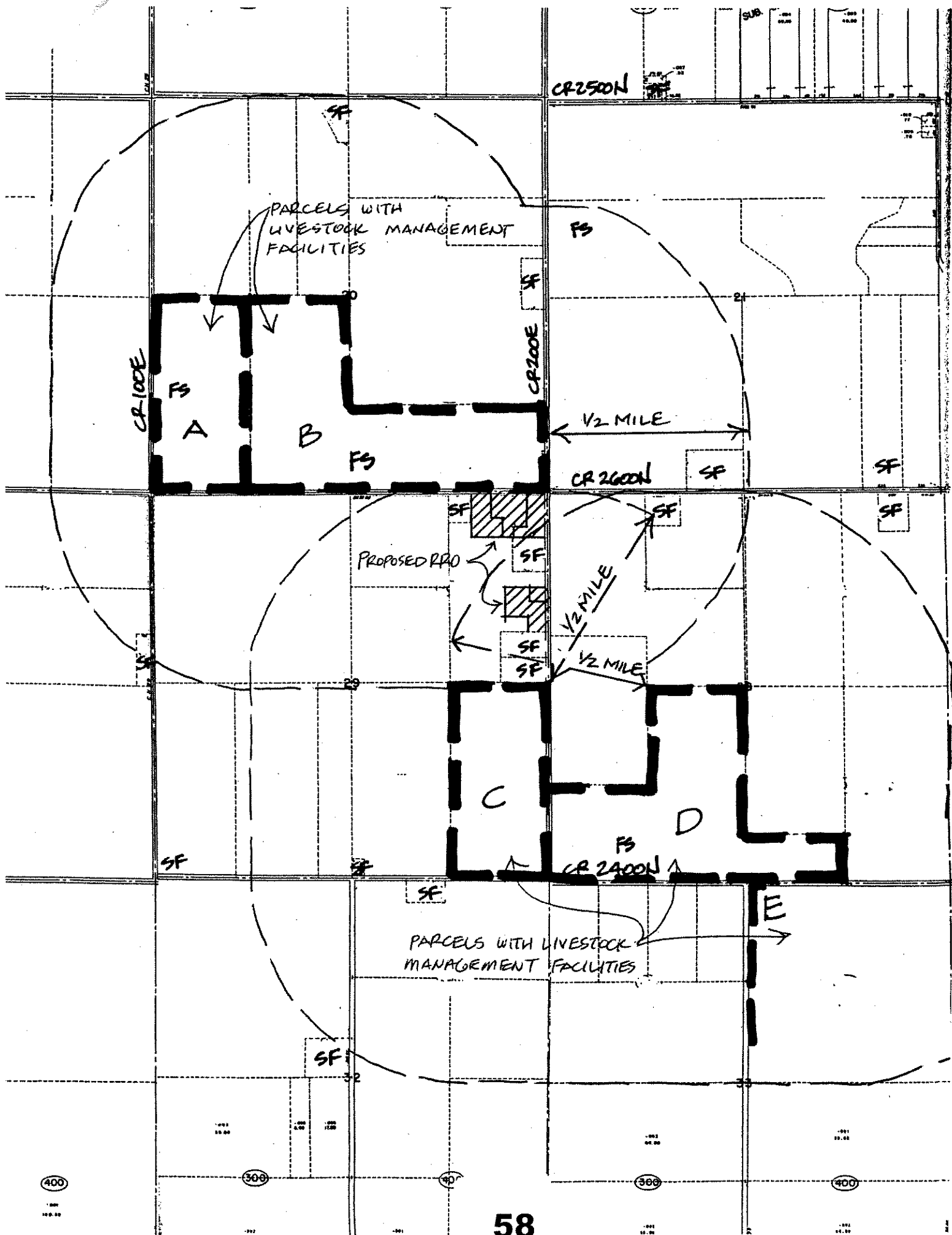
TRACT	BPF SOIL		NON-BPF SOIL	
	152 DRUMMER 148 PROCTOR	1.49AC.-29% 0.08AC.-1%	440B JASPER	3.60AC.-70%
TRACT 1	5.17AC.		440B JASPER	4.14AC.-71%
TRACT 2	5.79AC.		440B JASPER	2.57AC.-48%
TRACT 3	5.32AC.		2218 PARR	0.17AC.-3%
TRACT 4	1.96AC.		2218 PARR	0.56AC.-29%

BPF SOILS
 NON-BPF SOILS
 HIGH WATER BACKUP
 (SAME ELEV. AS LOW
 POINT IN ROAD)
 POTENTIAL IMPACT ZONE



E 1/2-NE1/4-SEC 29-T21N-R7E-3rd PM
 CHAMPAIGN COUNTY, ILLINOIS

Job # 05114
 Drawn By: BSB/CAM/10/27/06
 201 West Springfield, Suite 300
 Champaign, Illinois 61824-0144
 Phone No: 217-552-6576
 Revised: 10/12/06
 Revised: 10/11/06
 HDB ENGINEERING
 Professional Design Firm License No. 184-003222



**AS APPROVED (RECOMMEND DENIAL)
520-AM-05**

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

Final Determination: **RECOMMEND DENIAL**

Date: **October 12, 2006**

Petitioner: **Gene Bateman**

Request: **Amend the Zoning Map to allow for the development of 5 single-family residential lots in the AG-1 Agriculture Zoning District by adding the Rural Residential Overlay (RRO) Zoning District.**

SUMMARY OF EVIDENCE

From the documents of record and the testimony and exhibits received at the public hearing conducted on **March 30, 2006; April 13, 2006; July 13, 2006; August 31, 2006; and October 12, 2006**, the Zoning Board of Appeals of Champaign County finds that:

1. Gene Bateman and his wife, Caroline Bateman, are the owners of the subject property.
2. As described in the petition received October 12, 2005, the subject property consists of two tracts from an existing 62.20 acre parcel in the East Half of the Northeast Quarter of Section 29 of Newcomb Township that are as follows:
 - A. The north 631 feet of the East 1042.7 feet of the East Half of the Northeast Quarter of Section 29 for a total of 15 acres. The revised site plan received on March 29, 2006, increased this area to include the north 633 feet and the total area for this part increased to 15.13 acres.
 - B. The South 545 feet of the North 1960 feet of the East 641 feet of the Northeast Quarter of Section 29 for a total of 8 acres. The revised site plan received on March 29, 2006, changed this area to be the south 615 feet of the North 1960 feet of the East 591 feet of the Northeast Quarter of Section 29 for a revised total of 6.48 acres.
3. On the petition, when asked what error in the present Ordinance is to be corrected by the proposed change, the petitioner indicated the following:

Applying for RRO

4. Land use and zoning on the subject property and in the vicinity are as follows:

- A. The subject property is zoned AG-1 Agriculture and is currently vacant.
 - B. Land on all sides of the subject property is zoned AG-1 Agriculture and is used as follows:
 - (1) Land on the south and west is in agricultural production
 - (2) Land on the east, and north is in agricultural production and contains residential uses.
5. Regarding any relevant municipal or township jurisdiction:
- A. The subject property is not located within the mile-and-a-half extraterritorial planning jurisdiction of any village or municipality.
 - B. The subject property is located in Newcomb Township which has a plan commission. The plan commission has received notice of the meeting. Newcomb Township has protest rights on the proposed map amendment. In the event of a valid township protest, a three-fourths majority of the County Board will be required to grant the rezoning request instead of a simple majority. A township protest must be signed and acknowledged by the Township Board and filed with the Champaign County Clerk within 30 days of the close of the hearing at the ZBA. A certified mail notice of the protest must also be given to the Petitioner.

GENERALLY REGARDING THE REQUIREMENTS FOR ESTABLISHING AN RRO DISTRICT

6. Generally regarding relevant requirements from the *Zoning Ordinance* for establishing an RRO District:
- A. The Rural Residential Overlay (RRO) Zoning District is an overlay zoning designation that is in addition to the pre-existing (underlying) rural zoning. An RRO is established using the basic rezoning procedure except that specific considerations are taken into account in approvals for rezoning to the RRO District.
 - B. Paragraph 5.4.3.C.1 of the *Zoning Ordinance* requires the Zoning Board of Appeals to make two specific findings for RRO approval which are the following:
 - (1) That the proposed site is or is not suitable for the development of the specified maximum number of residences; and
 - (2) That the proposed residential development will or will not be compatible with surrounding agriculture.
 - C. Paragraph 5.4.3 C.1 of the *Zoning Ordinance* requires the Zoning Board of Appeals to consider the following factors in making the required findings:
 - (1) Adequacy and safety of roads providing access to the site;
 - (2) Effects on drainage both upstream and downstream;
 - (3) The suitability of the site for onsite wastewater systems;
 - (4) The availability of water supply to the site;

- (5) The availability of emergency services to the site;
- (6) The flood hazard status of the site;
- (7) Effects on wetlands, historic or archeological sites, natural or scenic areas or wildlife habitat;
- (8) The presence of nearby natural or man-made hazards;
- (9) Effects on nearby farmland and farm operations;
- (10) Effects of nearby farm operations on the proposed residential development;
- (11) The amount of land to be converted from agricultural uses versus the number of dwelling units to be accommodated;
- (12) The Land Evaluation and Site Assessment (LESA) score of the subject site

GENERALLY REGARDING CHAMPAIGN COUNTY LAND USE POLICIES

7. The Land Use Goals and Policies were adopted on November 29, 1977, and were the only guidance for County Map Amendments until the Land Use Regulatory Policies-Rural Districts (LURP) were adopted on November 20, 2001, as part of the Rural Districts Phase of the Comprehensive Zoning Review (CZR). The LURP's were amended September 22, 2005, but the amendment contradicts the current Zoning Ordinance and cannot be used in concert with the current Zoning Ordinance. The LURP's adopted on November 20, 2001, remain the relevant LURP's for discretionary approvals (such as map amendments) under the current Zoning Ordinance. Land Use Regulatory Policy 0.1.1 gives the Land Use Regulatory Policies dominance over the earlier Land Use Goals and Policies. LURP's that are relevant to any proposed RRO District are the following:
 - A. Land Use Regulatory Policy 1.1 provides 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. Other land uses can be accommodated in those areas provided that:
 - (1) the conversion of prime farmland is minimized;
 - (2) the disturbance of natural areas is minimized;
 - (3) the sites are suitable for the proposed use;
 - (4) infrastructure and public services are adequate for the proposed use;
 - (5) the potential for conflicts with agriculture is minimized.

- B. Land Use Regulatory Policy 1.2 states that on the best prime farmland, development will be permitted only if the land is well suited to it, and the land is used in the most efficient way consistent with other County policies.
- C. Land Use Regulatory Policy 1.3.3 provides that development beyond the basic development right will be permitted if the use, design, site and location are consistent with County policy regarding:
 - (1) the efficient use of prime farmland;
 - (2) minimizing the disturbance of natural areas;
 - (3) suitability of the site for the proposed use;
 - (4) adequacy of infrastructure and public services for the proposed use; and
 - (5) minimizing conflict with agriculture.
- D. Land Use Regulatory Policy 1.4.2 states that non-agricultural land uses will not be permitted if they would interfere with farm operations or would damage or negatively effect the operation of agricultural drainage systems, rural roads or other agriculture related infrastructure.
- E. Land Use Regulatory Policy 1.5.3 states that development will not be permitted if existing infrastructure, together with proposed improvements, is inadequate to support the proposed development effectively and safely without undue public expense.
- F. Land Use Regulatory Policy 1.5.4 states that development will not be permitted if the available public services are inadequate to support the proposed development effectively and safely without undue public expense.

GENERALLY REGARDING THE MAXIMUM ALTERNATIVE DEVELOPMENT WITHOUT AN RRO

- 8. Regarding the maximum number of new zoning lots that could be created out of the subject property without the authorization for the RRO Zoning District:
 - A. As amended on February 19, 2004, by Ordinance No. 709 that was based on Case 431-AT-03 Part A, the *Zoning Ordinance* requires establishment of an RRO District for subdivisions with more than three lots (whether at one time or in separate divisions) less than 35 acres in area each (from a property larger than 50 acres) and/or subdivisions with new streets in the AG-1, AG-2, and CR districts (the rural districts) except that parcels between 25 and 50 acres may be divided into four parcels.
 - B. The subject property was a 77.22 acre parcel on January 1, 1998, and since that time there have been three five-acre lots created. The 2.8 acre parcel in the northwest corner also existed as a separate parcel on January 1, 1998. The current 62.2 acre parcel could be divided into a 35

acre tract lot and a 27.2 acre remainder lot without having to obtain approval of the Rural Residential Overlay District as amended in Case 431-AT-03, Part A.

GENERALLY REGARDING THE PROPOSED RRO DISTRICT

9. The plan titled Proposed Bateman Tracts received October 12, 2005, was submitted in fulfillment of the Schematic Plan requirement and it has been revised throughout the public hearing and indicates the following:
 - A. The RRO District is proposed to include five lots that occupy 23 acres of the 62.20 acre subject property. Lots 1, 2, 3 and 5 are proposed to be five acre lots and Lot 4 was proposed to be a three acre lot. Lot 4 was revised to be a 1.58 acre lot on the Revised Proposed Bateman Tracts received March 29, 2006.
 - B. The property is not within a FEMA regulated 100-year flood zone.
 - C. The site drains primarily to the northeast into an existing farmed waterway. The Revised Proposed Bateman Tracts received March 29, 2006, indicates the centerline of the waterway and indicates the high water backup elevation if the culvert near CR2600N would become blocked.
 - D. The Revised Proposed Bateman Tracts received July 13, 2006, has the following changes:
 - (1) A 90" x 90" easement for Peoples Energy is indicated at the intersection of CR2600N and CR200E.
 - (2) The centerline of the 24 inch diameter Newcomb Special Drainage District drainage tile is indicated. A 75 feet wide easement is indicated centered on the tile.
 - (3) Shared driveway entrances are indicated for Tracts 1 and 2 and for Tracts 4 and 5.
 - E. The Revised Proposed Bateman Tracts received October 12, 2006, has the following changes:
 - (1) An 80 feet wide easement for the Newcomb Special Drainage District tile.
 - (2) Revised lots.
 - F. The lots in the requested RRO District meet or exceed all of the minimum lot standards of the Zoning Ordinance.

GENERALLY REGARDING THE SOILS ON THE PROPERTY

10. A Natural Resource Report was prepared for the petitioner in 2003 and was based on the entire 77 acre tract. Staff re-examined the proposed 5 lot RRO and the results can be summarized as follows:

- A. Regarding the types of soils on the total property, their relative extent, and the relative values:
- (1) About 51% of the total 77 acre property consists of soils that are considered by Champaign County to be Best Prime Farmland and consists of Drummer silty clay loam, 0 to 2% slopes (map unit 152A); Ashkum silty clay loam (232A); Raub silt loam, 0 to 3% slopes (481A); and Clare silt loam, 1% to 5% slopes (663B; formerly 148B Proctor silt loam, 1% to 5% slopes).
 - (2) About 49% of the of the total 77 acre property consists of soils that are not considered Best Prime Farmland by Champaign County and consists of Wyanet silt loam, 2% to 5% slopes (622B; formerly 221B Parr silt loam, 2% to 5%); and Penfield Loam, 1% to 5% slopes (687B; formerly 440B Jasper loam, 1% to 5% slopes).
- B. The original 77 acre property is Best Prime Farmland under the Champaign County Land Use Regulatory Policies, as follows:
- (1) Best Prime Farmland is identified by the Champaign County Land Use Regulatory Policies – Rural Districts as amended on November 20, 2001, as any tract on which the soil has an average Land Evaluation Factor of 85 or greater using relative values and procedures specified in the *Champaign County, Illinois Land Evaluation and Site Assessment System*.
 - (2) The Land Evaluation Worksheet in the Natural Resource Report indicates the overall Land Evaluation factor for the soils on the subject property is 88. When encountering situations such as this, staff generally evaluates each site on an individual basis.
- C. Regarding the types of soils on the proposed RRO lots making up the 22.1 acres, their relative extent, and the relative values:
- (1) The proposed RRO lots have been located such that Best Prime Farmland soils make up only about 36% of the proposed lot area and Drummer silty clay loam makes up only about 25% of the proposed lot area.
 - (2) An evaluation of the soils for the entire proposed RRO yields an average Land Evaluation score of 84.4 which rounds to 84 and thus the proposed RRO is not Best Prime Farmland on average.
 - (3) An evaluation of the soils for the specific lots proposed in this RRO as indicated on the revised Proposed Bateman Tracts received October 12, 2006, indicates the following:
 - (a) Tracts 1, 2, 3, and 5 are not Best Prime Farmland on average; and
 - (b) Tract 4 is Best Prime Farmland on average.

- D. Site specific concerns stated in the Natural Resource Action Report are as follows:
- (1) The subject property has 6 soils types that are moderate to severe limitations for the development in their natural unimproved state. The possible limitations include severe ponding and wetness that will adversely affect septic fields on the site.
 - (2) The subject area will be subject to erosion both during and after construction. Any areas left for more than 30 days, should be temporarily seeded or mulched and permanent vegetation established as soon as possible.
 - (3) The proposed design that uses 5 to 5.5 acre tracts is not an efficient use of prime farmland. A lot size of 1 acre would be more efficient use of the land.
 - (4) Drainage ways noted on the Surface Water Flow Map need to be maintained. A significant volume of water flows through the property in drainage ways that should be guarded with permanent easements.

GENERALLY REGARDING THE ADEQUACY AND SAFETY OF ROADS

11. Regarding the adequacy and safety of roads providing access to the proposed RRO District:
- A. The Institute of Transportation Engineers publishes guidelines for estimating of trip generation from various types of land uses in the reference handbook *Trip Generation*. Various statistical averages are reported for single family detached housing in *Trip Generation* and the average Aweekday@ traffic generation rate per dwelling unit is 9.55 average vehicle trip ends per dwelling unit. *Trip Generation* does not report any trip generation results for rural residential development.
 - B. The staff report *Locational Considerations for Rural Residential Development In Champaign County, Illinois*, that led to the development of the RRO Amendment, incorporated an assumed rate of 10 average daily vehicle trip (ADT) per dwelling unit for rural residences. The assumption that each proposed dwelling is the source of 10 ADT is a standard assumption in the analysis of any proposed RRO.
 - C. Based on the standard assumption that each proposed dwelling is the source of 10 ADT, the 5 proposed single-family residence in the requested RRO District are estimated to account for an increase of approximately 50 ADT in total but it is unclear if all the traffic flow will be in the same direction or if the traffic will be split between the east and the west and north and south.
 - D. The Illinois Department of Transportations *Manual of Administrative Policies of the Bureau of Local Roads and Streets* are general design guidelines for local road construction using Motor Fuel Tax funding and relate traffic volume to recommended pavement width, shoulder width, and other design considerations. The *Manual* indicates

the following pavement widths for the following traffic volumes measured in Average Daily Traffic (ADT):

- (1) A local road with a pavement width of 16 feet has a recommended maximum ADT of no more than 150 vehicle trips.
- (2) A local road with a pavement width of 18 feet has a recommended maximum ADT of no more than 250 vehicle trips.
- (3) A local road with a pavement width of 20 feet has a recommended maximum ADT between 250 and 400 vehicle trips.
- (4) A local road with a pavement width of 22 feet has a recommended maximum ADT of more than 400 vehicle trips.

E. The Illinois Department of Transportation's *Manual of Administrative Policies of the Bureau of Local Roads and Streets* general design guidelines also recommends that local roads with an ADT of 400 vehicle trips or less have a minimum shoulder width of two feet. The roads in question both meet this minimum standard.

F. The Illinois Department of Transportation measures traffic on various roads throughout the County and determines the annual average 24-hour traffic volume for those roads and reports it as Annual Average Daily Traffic (AADT). An IDOT map of AADT data for 2001 in the vicinity of the subject property is included as an attachment to the Preliminary Memorandum and indicates the following:

- (1) There is no AADT data reported for CR 2600 N between the subject property and the intersection of CR200E. The closest ADT in the vicinity of the subject property is approximately 1 mile south on CR2500N and has an ADT of 250.
- (2) The pavement width of the both roadways, CR200E and CR 2600N adjacent to the subject property is approximately 18' wide. These roadways are contained within a minimum ROW width of 40 feet in the vicinity of the subject parcel and is constructed of oil and chip.

G. The relevant geometric standards for visibility are found in the *Manual of Administrative Policies of the Bureau of Local Roads And Streets* prepared by the Bureau of Local Roads and Streets of the Illinois Department of Transportation. Concerns are principally related to the minimum stopping sight distance. Design speed determines what the recommended distance is. In regards to the proposed RRO, staff utilized the typical design speed of 55 mph for these two rural roadways and there appears to be no concerns related to stopping sight distance. The appropriate stopping site distance at 55 mph is 400 feet.

H. The intersection of CR200E and CR2600E has no stop signs like most rural intersections and so there are visibility concerns for traffic approaching the intersection. Evidence relevant to

traffic visibility concerns is as follows:

- (1) The relevant geometric standards for traffic visibility are found in the *Manual Of Administrative Policies Of The Bureau Of Local Roads And Streets* prepared by the Bureau of Local Roads and Streets of the Illinois Department of Transportation. The "minimum stopping sight distance" is determined by design speed and varies as follows:
 - A design speed of 30 miles per hour requires a minimum distance of 200 feet.
 - A design speed of 40 miles per hour requires a minimum distance of 275 feet.
 - A design speed of 50 miles per hour requires a minimum distance of 400 feet.
 - A design speed of 60 miles per hour requires a minimum distance of 525 feet.
 - A design speed of 70 miles per hour requires a minimum distance of 625 feet.
 - (2) The Champaign County Zoning Ordinance prohibits construction and establishes vegetation maintenance requirements in corner visibility triangles that are 50 feet back from the right of way lines at all street intersections. For Township roads with 60 feet wide rights of ways this provides a guaranteed stopping sight distance of only about 80 feet which is inadequate for speeds as low as 30 miles per hour.
 - (3) The speed limit on unmarked rural roads is 55 miles per hour which requires a corner visibility triangle of about 462 feet.
- I. Testimony at the April 13, 2006, public hearing regarding traffic can be summarized as follows:
- (1) Doug Turner who resides at 248CR2500N, Mahomet testified that he was concerned with the condition of CR200E and about three years ago CR200E was a gravel road that maybe two or three people drove on per week but now there are about 60 or 70 cars that travel CR200E per day. He said that CR200E has been oiled but it is falling apart and there is a 20 feet wide area that is impassable when a flood even occurs and he does not believe that CR200E has the ability to handle anymore traffic in its current condition.
 - (2) Chris Doenitz who resides at 125 CR2300N, Mahomet testified that he travels CR200E with farm equipment and currently he has to dodge mailbox after mailbox and the more houses that built the worse it will become. He said that CR200E is an inadequate road for large farm equipment and traffic and the continued creation of five acre lots along the roads creates havoc for the new landowners and farmers. He said that if the RROs are approved they should be required to install their own infrastructure.

- J. Overall, the subject property and proposed RRO are comparable to “much better than typical” conditions for Champaign County in terms of common conditions for the adequacy and safety of roads providing access because the five proposed residences will only add about a 20% increase in traffic and the Average Annual Daily Traffic will still be less than the maximum recommended.

GENERALLY REGARDING DRAINAGE

12. Regarding the effects of the proposed RRO District on drainage both upstream and downstream:
- A. The Engineers statement of general drainage conditions received for this five lot RRO dated October 4, 2005, as well as the revised site plan indicates the following:
- (1) There is approximately ten (10) foot of topographic fall on the subject property from the southern property line to the intersection of CR 2600 N and CR 200E. There are drainage ways that bisect the northern portion of the property that feed into branches of the tributary of the Sangamon River. There is an approximate 1.5% slope on average for the subject property. The topographic contours do not indicate any areas of significant storm water ponding on the subject property. The Champaign County Zoning Ordinance does not contain minimum acceptable ground slope but 1% is normally considered a minimum desirable ground slope for residential development.
 - (2) Most of the subject property drains directly to a tributary of the Sangamon River.
 - (3) None of the property is located below the Base Flood Elevation (100-year flood).
 - (4) Storm water detention is not required due to the low percent of impervious area for the proposed RRO.
 - (5) Based on records in the Department of Planning and Zoning, Newcomb Special Drainage District has a 20 inch to 24 inch drainage tile that is located generally in the northeast corner of the subject property. The applicants engineer has provided the centerline of this tile and indicated the High Water Back-up area on the revised schematic plan.
- B. Testimony at the April 13, 2006, public hearing regarding drainage can be summarized as follows:
- (1) Doug Turner who resides at 248CR2500N, Mahomet testified generally as follows:
 - (a) He was representing the Newcomb Special Drainage District and the three Commissioners of the District are very concerned about the proposal.
 - (b) There is a 24 inch diameter district tile that runs through the proposed RRO and the drainage district is concerned about their ability to access the tile

with the houses that are proposed to be constructed. He said that the District is concerned that the new owners will not be aware that the tile exists and the tile will be damaged during construction.

- (c) The 24 inch tile is the only tile on the property that is a drainage district tile but there are 10 inch to 15 inch private tiles that branch off on the subject property.
 - (d) The drainage district tile is approximately 90 years old and at some point it will need to be replaced . At a minimum he estimates that the drainage district will require a 75 feet wide easement for maintenance of the tile.
 - (e) He said that the bridge to the south has adequate capacity but the bridge to the north is very old and is inadequate for a three inch rain. He said that he has lived in this neighborhood for 50 years and he has seen water backed up on this farm numerous times.
- C. Testimony at the July 13, 2006, public hearing regarding drainage can be summarized as follows:
- (1) Doug Turner who resides at 248CR2500N, Mahomet testified generally as follows:
 - (a) The Newcomb Special Drainage District Commissioners would like an 80 feet wide easement for the drainage district tile and they do not want any permanent structures or trees in the easement nor should there be any hook-ups to the tile without the prior written approval by the drainage district.
 - (b) The Newcomb Special Drainage District Commissioners would like the Batemans to grass the entire waterway on their property.
- D. Based on the available information the subject property is comparable to “much better than typical” conditions for Champaign County in terms of common conditions for the drainage effects on properties located both upstream and downstream because of the following:
- (1) None of the subject property is located in the Special Flood Hazard Area.
 - (2) Approximately 64% of the 5 proposed RRO lots is soil that is not considered a “wet soil”.
 - (3) The subject property has good surface drainage with adequate drainage outlets and does not drain over adjacent land.

GENERALLY REGARDING SUITABILITY OF THE SITE FOR ONSITE WASTEWATER SYSTEMS

13. Regarding the suitability of the site for onsite wastewater systems:
- A. No actual soil investigations or soil percolation test results have been submitted and none are required as a submittal for an RRO rezoning. As a practical matter the proposed

buildable areas of the subject property are along the eastern and northern edges of the site. Proposed lot 3 contains the lowest elevation on the site as well as an existing drainage way but is still above the Base Flood Elevation. The buildable area for lot 3 is going to be near the center of the lot and in the southwest corner. The subject sites is made up of four different soils, Parr (221B), Ashkum (232), Drummer (152), and Jasper (440B).

- B. The pamphlet *Soil Potential Ratings For Septic Tank Absorption Fields Champaign County, Illinois*, is a report that indicates the relative potential of the various soils in Champaign County for use with subsurface soil absorption wastewater systems (septic tank leach fields). The pamphlet contains worksheets for 60 different soils that have potential ratings (indices) that range from 103 (very highest suitability) to 3 (the lowest suitability). The worksheets for the soils on the best buildable area of the subject property are an attachment to the Preliminary Memorandum and can be summarized as follows:
- (1) Jasper loam, (soil unit 440B), with 1% to 5% slopes has a very high suitability for septic tank leach fields with a soil potential index of 79. This soils is found to be present on lots 1 through 3 and is characterized as a moderate rated soil due to the slow percolation rate. The soil comprises 71%, 72% and 52% of lot 1, 2 and 3 respectively. Parr silt loam, 2% to 5% slopes (map unit 221B), has a very high suitability for septic tank leach fields with a soil potential index of 100. There are no required corrective measures necessary with this soil. There are only four soils in Champaign County with a higher rating and 55 soils that have lower ratings. Parr silt loam comprises 31% and 71% of Lots 4 and 5 respectively and it makes up most of the best buildable area on these two lots. A trace amount of Parr silt loam is also contained on lot 3.
 - (2) Parr silt loam, 2% to 5% slopes (map unit 221B), has a very high suitability for septic tank leach fields with a soil potential index of 100. There are no required corrective measures necessary with this soil. There are only four soils in Champaign County with a higher rating and 55 soils that have lower ratings. Parr silt loam comprises 53 and 54 percent of Lots 4 and 5 respectively and it makes up most of the best buildable area on these two lots. A trace amount of Parrrr silt loam is also contained on lot 3.
 - (3) Drummer silty clay loam, (soil unit #152) has a low suitability for septic tank leach fields with a soil potential index of only 53. Several corrective measures are required. There are only 19 soils with a lower suitability than Drummer and 40 soils with a higher suitability. Drummer soil is found on 4 of the five lots and comprises no more than 47% on lot 4 (the highest) and 16% of lot 1 (the lowest) concentration. No Drummer soils are situated on lot 3.
 - (4) Ashkum silty clay loam, (Soil unit #232),has a low suitability for septic tank leach fields with a soil potential index of 96 but the low permeability requires a large absorption field. There are only nine soils in Champaign County with a higher

rating and 50 soils that have lower ratings. This soil makes up about 48% (about 2.4 acres) of the lot 3 and is not found on any of the other proposed RRO lots.

- C. Overall septic suitability of the soils on the subject property can be summarized as follows:
 - (1) About 60% of the subject property consists of soils with a high or very suitability for septic tank leach fields.

- D. Based on the available information, the suitability of the soils on the subject property for septic systems are comparable to the “much better than typical” conditions for Champaign County in terms of common conditions for the septic suitability of soils for the proposed RRO District because of the following:
 - (1) About 60% of the subject property consists of soils with a very high suitability for septic tank leach fields.

GENERALLY REGARDING THE AVAILABILITY OF GROUNDWATER AT THE SITE

- 14. Regarding the availability of water supply to the site:
 - A. The Staff report *Locational Considerations And Issues For Rural Residential Development In Champaign County, Illinois* included a map generally indicating the composite thickness of water bearing sand deposits in Champaign County. The map was an adaptation of a figure prepared by the Illinois State Geological Survey for the Landfill Site Identification Study for Champaign County. A copy of the map from the Staff report is included as an attachment to the Preliminary Memorandum and indicates that the subject property is not within the area of limited groundwater availability.

 - B. Based on the available information, groundwater availability of the subject property for the proposed RRO District is comparable to the “typical” conditions for Champaign County in terms of common conditions for groundwater availability and the impact on neighboring wells because of the following:
 - (1) the subject property is not in the area with limited groundwater availability; and
 - (2) there is reasonable confidence of water availability; and
 - (3) there is no reason to suspect an impact on neighboring wells.

GENERALLY REGARDING THE AVAILABILITY OF EMERGENCY SERVICES TO THE SITE

- 15. Regarding the availability of emergency services to the site:
 - A. The subject property is located approximately 5.3 road miles from the Cornbelt Fire Protection District station in Mahomet. The Fire District chief has been notified of this request.

 - B. The nearest ambulance service is in Champaign.

- C. Based on the available information, the emergency services conditions on the subject property are comparable to the “typical” conditions for Champaign County because of the following:
 - (1) The proposed RRO District is between 4 and 5 road miles from the Cornbelt Fire Protection District station in Mahomet.

GENERALLY REGARDING FLOOD HAZARD AND OTHER NATURAL OR MANMADE HAZARDS

- 16. Regarding the flood hazard status of the site:
 - A. Pursuant to Federal Emergency Management Agency Panel Number 170894- 0150B, the entire subject property is not located within the mapped Special Flood Hazard Area.

- 17. Regarding the presence of nearby natural or man-made hazards;
 - A. Gas pipeline easements are mentioned in the Open Title Policy submitted by the petitioner. Natural gas pipelines for the Manlove Gas Storage facility run along the south side of the subject property and across the street along the north and east sides of the subject property. There are also natural gas injection wells for the Manlove Gas Storage facility on the midpoint of the west side of the property and across the street at the northeast corner of the subject property.

 - B. Minimum safety requirements for gas pipelines are included under Title 49 of the Code of Federal Regulations (CFR), Part 192 that establishes the following:
 - (1) Potential impact radius (PIR) is defined by 49 CFR 192.03 as the radius of a circle within which the potential failure of a gas pipeline could have significant impact on people or property. PIR is determined by the formula $r=0.69*\sqrt{(p*d^2)}$, where r' is the radius of a circular area in feet surrounding the point of pipeline failure, p' is the maximum allowable operating pressure (MAOP) in the pipeline segment in pounds per square inch and d' is the nominal diameter of the pipeline in inches.

 - (2) Class location is based upon population density using a standard class location unit that is defined by 49 CFR 192.5 as an onshore area that extends 220 yards on either side of the centerline of any continuous one mile length of pipeline. Defined class locations are the following:
 - (a) Each separate dwelling unit in a multiple dwelling unit building is counted as a separate building intended for human occupancy.

 - (b) A Class 1 location is any class location unit that has 10 or fewer buildings intended for human occupancy

 - (c) A Class 2 location is any class location unit that has more than 10 but fewer than 46 buildings intended for human occupancy.

 - (d) A Class 3 location is any class location unit that has more than 46 buildings intended for human occupancy; or anywhere a pipeline lies within 100 yards

(91 meters) of an identified site, which is either a building or a small, well-defined outside area (such as a playground, recreation area, outside theater, or other place of public assembly) that is occupied by 20 or more persons on at least 5 days a week for 10 weeks in any 12 month period. (The days and weeks need not be consecutive.)

- (e) A Class 4 location is any class location unit where buildings with four or more stories above ground are prevalent.
 - (3) Class location may change as a result of development within 220 yards of a pipeline and whenever an increase in population density indicates a change in class location for a segment of pipeline operating at a hoop stress not commensurate with that class location the pipeline operator must within 24 months of the change in class location make a study as outlined in 49 CFR 192.609 and reduce the operating pressure of the pipeline in the covered segment to that allowed by 49 CFR 192.611.
 - (4) A high consequence area is undefined but is apparently an area where population density is great enough that the consequences in terms of impact on people or property from an undesired event are so great that a pipeline operator is required to develop and follow a written integrity management plan for all pipeline segments within high consequence areas. High consequence areas are classified as the following:
 - (a) An area defined as either a Class 3 or 4 location under 49 CFR 192.5; or any area in a Class 1 or 2 location where the potential impact radius is greater than 660 feet (200 meters), and the area within a potential impact circle contains 20 or more buildings intended for human occupancy; or any area in a Class 1 or 2 location where the potential impact circle contains an identified site, which is either an outdoor area like a playground or other public gathering area; or a building such as a church, public meeting hall, or other public gathering place.
 - (b) Or the area within a potential impact circle containing 20 or more buildings intended for human occupancy; or an identified site.
- C. Regarding specific safety considerations related to the high pressure gas pipelines near the subject property:
- (1) The area around the subject property is classified under 14 CFR 192 as follows:
 - (a) The high pressure natural gas pipeline that follows the south and east lot lines of the subject property is apparently a Class 1 location.
 - (b) The high pressure natural gas pipeline and injection well that sits at the midpoint of the west lot line of the subject property is apparently a Class 1 location.

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- (c) There are also no high consequence areas on or near the subject property.

- (2) In a letter dated July 12, 2006, and in testimony at the July 13, 2006, meeting Thomas L. Purrachio, Gas Storage Manager for The Peoples Gas Light and Coke Company testified as follows:
 - (a) Peoples' Gas facilities in the vicinity of the subject property are as follows:
 - i. A gas injection well is located on a small separate tract of land on the west side of the subject property and is served by a 12 inch diameter high pressure natural gas pipeline that extends to the north and has an associated 12 inch diameter alcohol pipeline.
 - ii. Three pipelines are adjacent to the south lot line of the subject property and also across the street from the subject property on the north and east sides and consist of a 12 inch diameter high pressure natural gas line and a 12 inch diameter alcohol line and a water line.
 - iii. There is a separate small tract of land at the northeast corner of the property where the three pipelines that are across the street from the subject property on the east side cross to the north side.
 - iv. People's Gas also has easements over the subject property that give People's the right to lay any additional lines they find "necessary or desirable" and when they install these new lines their overall easement expands by an appropriate dimension described in the easement document. They are limited, however, to place their lines *within 50 feet of a section line, a quarter section line, a highway right-of-way line, or an established fence line.*
 - v. The gas pipelines are nominal 12 inch diameter with a maximum operating pressure of 2,000 pounds per square inch (PSI) and are located approximately three to five feet below grade. Similar pipelines service the adjacent gas injection wells. This results in a potential impact radius of 393 feet which is much greater than the potential impact radius for gas lines at 30 or 40 or 60 or 150 PSI that might be in normal subdivisions.
 - (b) Peoples Gas requests the following:
 - i. A perimeter non-buildable easement area should be established on Tract 3 with a total easement width of 90 feet.

- ii. The conceptual, preliminary, and final plats of subdivision should show the pipeline easement areas consistent with the 1965 easement document and any zoning approval should delineate maximum permissible building areas and expressly prohibit any construction of principal or accessory buildings anywhere outside the maximum permissible building areas. The majority of pipeline incidents nationwide are the result of third-party damage and the likelihood of third-party damage naturally increases with population density.
 - iii. Peoples Gas has not asked the Board to prohibit building within the red zone on the map of Manlove Storage Area and Bateman Property Development that is attached to the letter dated July 12, 2006, but the red zone is indicated to educate the Board and the public about requirements of the pipeline safety code.
 - iv. Peoples Gas has an outstanding safety record and endeavors to meet or exceed all pipeline safety regulations but the 393 feet of potential impact radius is a fair approximation of the pipeline and well rupture that occurred in 1998. In that event the wind was blowing from the southwest to the northeast and the farm ground was scorched for quite a distance to the northeast and one should not expect a pipeline rupture to go straight up, depending upon the weather.
 - v. The pipeline in the ground at the subject property already meets the more stringent requirement of a Class 2 area and Peoples Gas would not have to replace the existing pipelines if the subdivision were built as proposed.
 - vi. Although not a safety issue, on occasion maintenance activities require venting of gas at any time of day or night without notice to adjacent property owners that might result in noise for a few hours.
- D. Testimony at the April 13, 2006, public hearing regarding the presence of high pressure gas pipelines can be summarized as follows:
- (1) Doug Turner who resides at 248CR2500N, Mahomet testified that his most vital concern about the proposed RRO is the adjacency to the Peoples Gas line. Peoples Gas safety record is excellent but several years ago one of their lines ruptured and if the Board could have seen the fire that was created and the hole that was left the Board would understand his concern. He said that the fire was so hot that it melted the oil road and when the fire was put out a semi-tractor and trailer would have fit in the hole.
- E. The Revised Proposed Bateman Tracts received July 13, 2006, indicates the following in regards to pipeline safety:
- (1) The proposed RRO will affect the current class locations as follows:

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- (a) The high pressure natural gas pipeline that follows the east lot line of the subject property will take on two new buildings intended for human occupancy but should remain a Class 1 location.
 - (b) The high pressure natural gas pipeline and injection well at the midpoint of west lot line of the subject property and across the street to the north will take on three new buildings intended for human occupancy and also remain a Class 1 location.
 - (c) The proposed RRO will not create any high consequence areas.
- (2) All tracts appear to contain adequate buildable area such that dwellings could be constructed outside of the Potential Impact Radius of the adjacent high pressure gas pipeline.
- F. Based on the available information, the proposed RRO District is comparable to “much worse than typical” conditions in terms of common conditions for flood hazard and other natural or man-made hazards for rural residential development in Champaign County because of the following:
- (1) None of the subject property is within the Special Flood Hazard Area.
 - (2) None of the roads that are required to access the subject property by emergency services are located within the 100 year floodplain.
 - (3) All five proposed RRO lots have adequate buildable area outside of the Potential Impact Radius of high pressure gas pipelines on the north and east sides of the property.

GENERALLY REGARDING COMPATIBILITY WITH SURROUNDING AGRICULTURE AND THE EFFECTS OF NEARBY FARM OPERATIONS ON THE DEVELOPMENT

18. Regarding the likely effects of nearby farm operations on the proposed development:
- A. Modern agricultural operations are generally incompatible with rural residential development because of the following:
 - (1) Row crop production produces noise, dust and odors that homeowners sometimes find objectionable. Farm operations may begin early and continue until well after dark exacerbating the impact of noise related to field work.
 - (2) Livestock management facilities produce odors that homeowners sometimes find objectionable.
 - B. Row crop production agriculture occupies most of the land area within the vicinity of the subject property.

- C. A diagram of livestock management facilities within one mile of proposed RRO was prepared by staff and handed out at the April 13, 2006, meeting. The diagram indicates the following:
 - (1) There are apparently four active livestock management facilities within a one mile radius of the subject property and one inactive facility that are located as follows:
 - (a) An apparently inactive livestock management facility is located about ½ mile northeast of the subject property and is indicated as facility A on the staff diagram.
 - (b) A livestock management facility with apparently less than 50 cows is located immediately north of the subject property. This facility is indicated as B on the staff diagram.
 - (c) A livestock management facility is located south of and adjacent to the subject property. Doug Turner testified at the April 13, 2006, public hearing that he is the landowner to the south of the subject property there is always in excess of 50 cows at this property. Mr. Turner also testified that his sons own property east of the proposed RRO and their properties also have in excess of 50 cows and the cows travel to the fence line when the farmland is in pasture.

- D. Overall, the effects of nearby farm operations on the subject property are comparable to “much worse than typical conditions” for Champaign County because of the following:
 - (1) the proposed RRO District is bordered on two sides by livestock management facilities.

GENERALLY REGARDING THE LESA (LAND EVALUATION AND SITE ASSESSMENT) SCORE

- 19. Regarding the LESA (Land Evaluation and Site Assessment) score of the proposed RRO District:
 - A. The Champaign County, Illinois Land Evaluation and Site Assessment (LESA) System is a method of evaluating the viability of farmland for agricultural uses. The LESA system results in a score consisting of a Land Evaluation portion and a Site Assessment portion. The score indicates the degree of protection for agricultural uses on that particular site and the degrees of protection are as follows:
 - (1) An overall score of 220 to 300 indicates a very high rating for protection of agriculture.
 - (2) An overall score of 200 to 219 indicates a high rating for protection of agriculture.
 - (3) An overall score of 180 to 199 indicates a moderate rating for protection of agriculture.
 - (4) An overall score of 179 or lower indicates a low rating for protection of agriculture.

 - B. The LESA worksheets for the subject property are an attachment to the Preliminary Memorandum. The component and total scores are as follows:
 - (1) The Land Evaluation component rating for the proposed RRO District is 84.

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- (2) The Site Assessment component rating for the proposed RRO District is 136 to 142.
 - (3) The total LESA score is 2270 to 226 and is a “high” rating for protection.
 - (4) For comparison purposes, development on prime farmland soils located at or near a municipal boundary within an area with urban services should typically score between 154 and 182.
- C. Based on the available information, the LESA score for the subject property compares to common conditions in Champaign County as follows:
- (1) The Land Evaluation score of 84 is comparable to much better than typical conditions for Champaign County.
 - (2) The Site Assessment score of 136 to 142 is comparable to much better than typical conditions for Champaign County.
 - (3) The total LESA score of 220 to 226 is comparable to much better than typical conditions for Champaign County.

GENERALLY REGARDING THE EFFICIENT USE OF BEST PRIME FARMLAND

20. The soils on the original 77 acres are considered best prime farmland but the proposed RRO averages to be less than Best Prime Farmland.

GENERALLY REGARDING THE EFFECTS ON WETLANDS, ARCHAEOLOGICAL SITES, AND NATURAL AREAS

21. Regarding the effects on wetlands, endangered species, natural areas, and archaeological sites:
 - A. A copy of the Agency Action Report from the Endangered Species Program of the Illinois Department of Natural Resources was received on October 2, 2005, and included as an attachment to the Preliminary Memorandum. The subject property does not contain any significant wild life habitat. The subject property is not near any historic site. Nor are there any endangered species at the site or in the vicinity that could be adversely impacted. Therefore, the Department of Natural Resources terminated the consultation on October 20, 2005.
 - B. The subject property is not in an area of high probability for archaeological resources. The Illinois State Historic Preservation Agency may need to be contacted regarding this project. Although there are no known significant resources within this project area.
 - C. Based on the available information, the proposed RRO District is comparable to “typical” conditions in terms of common conditions for wetlands, endangered species, natural areas, and archaeological sites.

GENERALLY REGARDING OVERALL SUITABILITY OF THE SITE FOR RURAL RESIDENTIAL DEVELOPMENT

22. Compared to common conditions found at rural sites in Champaign County, the subject property is similar to the following:
- A. “Ideal or Nearly Ideal” conditions for adequacy of roads.
 - B. “Much Better Than Typical” conditions for the following factors:
 - (1) effects on drainage.
 - (2) septic suitability;
 - (3) LESA score,
 - (4) Flood Hazard Status,
 - C. “More or Less Typical” conditions for the following four factors:
 - (1) Emergency Services;
 - (2) availability of water.
 - D. “Much Worse Than Typical” conditions for the following two factors:
 - (1) Natural or man-made hazards;
 - (2) effects of farms.

GENERALLY REGARDING COMPATIBILITY WITH SURROUNDING AGRICULTURE AND THE EFFECTS OF THE DEVELOPMENT ON NEARBY FARM OPERATIONS

23. Regarding the likely effects of the proposed development on nearby farm operations:
- A. The adjacent land use on two sides of the subject property is agriculture and the property is surrounded by agriculture. Direct interactions between the proposed development and nearby farmland are likely to include the following:
 - (1) The added traffic from the proposed development will increase the conflicts with movement of farm vehicles. See the concerns related to adequacy and safety of roads.

The five single-family dwellings that will result from the proposed RRO will generate 400% more traffic than the non-RRO alternative development of only 1 homes.
 - (2) Trespassing onto adjacent fields may be more likely resulting in damage to crops or to the land itself. The five single-family dwellings that will result from the proposed RRO may generate 400% more trespass than the non-RRO alternative development of only 1 home.
 - (3) Litter may blow into the adjacent crops making agricultural operations more difficult. The five single-family dwellings that will result from the proposed RRO may generate 400% more litter than the non-RRO alternative development of only 1 homes.

- (4) It is unlikely that drainage from the proposed development would significantly effect any adjacent farm operation.
 - (5) If trees are planted close to the perimeter of the property, they can be expected to interfere with some farming operations (such as harvesting) and may contribute to blockage of underground tiles (if any exist). Perimeter fencing, if installed, could also interfere with farming operations. It is unlikely that either trees or fencing on the proposed development would add any effects to adjacent farmland as compared to the non-RRO development.
- B. The indirect effects are not as evident as the direct effects.
- (1) A potential primary indirect effect of non-farm development on adjacent farmers (as identified in *Locational Considerations and Issues for Rural Subdivisions in Champaign County*) is that potential nuisance complaints from non-farm neighbors about farming activities can create a hostile environment for farmers particularly for livestock management operations.
 - (2) Champaign County has passed a right to farm resolution that addresses public nuisance complaints against farm activities. The resolution exempts agricultural operations from the Public Nuisance Ordinance (except for junk equipment) but does not prevent private law suits from being filed.
 - (3) The State of Illinois Livestock Management Facilities Act (510ILCS 77) governs where larger livestock facilities (those with more than 50 animal units, which is equivalent to 125 hogs) can be located in relation to non-farm residences and public assembly uses (churches, for example). The separation distances between larger livestock facilities and non-farm residences is based on the number of animal units occupying the livestock facility, and the number of non-farm residences in the vicinity. The smallest setback distance is for livestock management facilities of between 50 and 1,000 animal units and is 1/4 mile from any non-farm residence and 2 mile from any populated area. Regarding livestock facilities within the vicinity of the subject property:
 - (a) A diagram of livestock management facilities within one mile of proposed RRO was prepared by staff and handed out at the April 13, 2006, meeting and testimony regarding livestock management facilities was given at the April 13, 2006 meeting. Active livestock management facilities border the subject property on the north, east, and south sides and each existing facility is already within one-quarter mile of an existing non-farm residence. None of the existing facilities are currently located within one-half mile of a populated area (10 or more non-farm residences).
 - (b) The livestock management facilities on the east and south sides already have more than 50 cows each. With the proposed RRO each of these facilities

could expand up to 1,000 cows with no new requirement under the Illinois Livestock Management Facilities Act. The proposed RRO would create a populated area within one-half mile of the facilities and expansion beyond 1,000 cows at each facility would be effected by the proposed RRO unless the expansion is limited such that the fixed capital cost of the new components constructed within a 2-year period could not exceed 50% of the fixed capital cost of a comparable entirely new facility.

- (c) It is not clear how large the livestock management facility on the north is in terms of livestock units but it appears to be less than 50. Facilities with fewer than 50 livestock units are exempt from the requirements of the Illinois Livestock Management Facilities Act. The proposed RRO would create a populated area within one-half mile of the facility and expansion beyond 50 animal units would be limited by the proposed RRO such that the fixed capital cost of the new components constructed within a 2-year period could not exceed 50% of the fixed capital cost of a comparable entirely new facility.

24. Regarding possible special conditions of approval:

- A. Regarding the presence of the Manlove Gas Storage Facility on the subject property and the related high pressure gas pipelines on the property and related gas injection wells on adjacent property:

- (1) Prospective lot purchasers should be aware that the property is part of the Manlove Gas Storage Facility and the following condition will provide that notice:

Prospective lot purchasers shall be made aware of the presence of the Manlove Gas Storage Facility on the property and the presence of related high pressure gas pipelines on the property and the related gas injection wells on adjacent property

to ensure that

as much as possible, all prospective lot purchasers have full knowledge of the Manlove Gas Storage Facility prior to purchase of a lot.

- (2) Prospective lot purchasers should be made aware of the existing easements for Peoples Gas Light and Coke Company. Such notice would generally be given in a Plat of Subdivision but because the proposed lots are larger than five acres and because there are no new streets, a Plat of Subdivision cannot be required. The following condition will provide notice of the easements:

Prospective lot purchasers shall be made aware of the presence of easements for Peoples Gas Light and Coke Company as originally granted on November 30, 1965, and recorded at pages 71 and 72 in Book 809 of the Office of the

Champaign County Recorder of Deeds; and all said easements shall be specifically mentioned in any deed for any lot in the Rural Residential Overlay District in Zoning Case 520-AM-05; and all said easements shall be indicated on any Plat of Survey that is prepared for any lot in said Rural Residential Overlay District

to ensure that

as much as possible, all prospective lot purchasers and lot owners have full knowledge of these easements before and after purchase.

- (3) Home construction should be restricted such that no dwelling can be built within the potential impact radius (PIR). This is a zoning regulation that will apply only to this RRO District and prospective lot purchasers should be made aware of these limits before they purchase a lot. The PIR is established following the minimum safety requirements for gas pipelines that are included under Title 49 of the Code of Federal Regulations (CFR), Part 192, and are based in part on the diameter of the pipelines. At the time of Case 520-AM-05 the subject property had a 12-inch diameter high pressure gas pipeline north of CR2600N and east of CR200E and 8-inch diameter high pressure gas pipelines to the west and to the south. Note that the potential impact radius is measured from the pipeline but the exact location of the pipelines is not known and have been approximately scaled from a map provided by Peoples Energy. The following condition will provide notice of these restrictions:

No dwelling shall be constructed in the following areas in the proposed RRO District:

- (1) **No closer than 360 feet to the centerline of CR2600N; nor**
- (2) **No closer than 330 feet to the centerline of CR200E on Tract 3 nor closer than 350 feet to the centerline of CR200E on either Tract 4 nor Tract 5; nor**
- (3) **No closer than 250 feet to the west line of the East Half of the Northeast Quarter of Section 29;**
- (4) **No closer than 250 feet from the gas injection well on the west side of the subject property**

to ensure that

as much as possible, all new dwellings are outside of the potential impact radius for any gas pipeline failure that might occur.

- (4) Prospective lot purchasers should be made aware that gas venting occurs at injection wells at anytime of the day or night and without prior warning and results in significant noise and the following condition will provide that notice:

Prospective lot purchasers shall be made aware that noise is caused by gas venting that occurs at gas injection wells in the vicinity of the property at anytime of the day or night and without prior warning

to ensure that

as much as possible, all prospective lot owners have full knowledge of the gas venting and resultant noise prior to purchase of a lot.

B. Regarding compliance with the Champaign County Stormwater Management Policy:

- (1) Paragraph 7.2 B. of the Champaign County Stormwater Management Policy requires that if no easement exists for existing agricultural drainage tile an easement shall be granted for access and maintenance. There is no easement for the underground agricultural drainage tile in the swale and the following condition would document this requirement:

Prior to offering any lots for sale the petitioner shall dedicate a tile access and maintenance easement for the tile in the swale with an easement of width of 80 feet centered on the centerline of the swale and no construction nor earthwork shall occur within the tile easement and no woody vegetation shall be allowed to grow nor shall any connection be made without prior written approval of the Newcomb Special Drainage District

to ensure that

the existing agricultural drainage system can be easily maintained in the future; and is not harmed by the proposed Rural Residential Overlay Zoning District; and that said District complies with the requirements of the Champaign County Stormwater Management Policy.

- (2) Paragraph 7.2 C. of the Champaign County Stormwater Management Policy request that all agricultural drainage tile located underneath areas that will be developed shall be replaced with non-perforated conduit to prevent root blockage provided that drainage district tile may remain with the approval of the drainage district. The tile in the swale is drainage district tile and the Newcomb Special Drainage District would have to authorize its replacement. The petitioner may also request a variance to authorize the tile to remain as is. The following condition would provide for either situation (replacement or a variance):

Prior to offering any lots for sale the petitioner shall replace the underground drainage tile in the swale, with the approval of the Newcomb Special Drainage

District being received beforehand, and any lateral drainage tile on the proposed RRO lots that is connected thereto with non-perforated conduit as required by the Champaign County Stormwater Management Policy unless something less is authorized by variance by the Champaign County Zoning Board of Appeals

to ensure that

the existing agricultural drainage system is not harmed by the proposed Rural Residential Overlay Zoning District and that said District complies with the requirements of the Champaign County Stormwater Management Policy.

- (3) Even if the petitioner replaces the tile in the swale there may be other tile that must be replaced by lot owners if disturbed during construction and the following condition will provide notice of that requirement:

Any underground drainage tile that must be relocated to accommodate any construction in the proposed Rural Residential Overlay Zoning District shall be replaced and relocated in conformance with the Champaign County Stormwater Management Policy

to ensure that

the existing agricultural drainage system is not harmed by the proposed Rural Residential Overlay Zoning District and that said District complies with the requirements of the Champaign County Stormwater Management Policy.

- C. The following special condition will prevent homeowners from building in the area that would be inundated by a build-up of backwater behind the north culvert under CR200E:

The Zoning Administrator shall not authorize any construction and there shall be no construction in the area of the proposed Rural Residential Overlay Zoning District that is indicated to be below the low point in CR200E at the north culvert

to ensure that

no construction occurs in the area that will flood if the north culvert becomes blocked or overloaded with floodwater.

- D. The following special conditions will minimize the encroachment of driveways and mailboxes in the proposed RRO District into the right of way:

- (1) **All lots that have centralized driveways shall also have grouped mail boxes located as far off the roadway as permitted by the United States Postal Service**

and evidence of the mail box installation and location shall be submitted to the Zoning Administrator prior to the issuance of any Zoning Compliance Certificate

to ensure that

mail boxes do not unnecessarily impede agricultural traffic.

- (2) **All driveway entrance widths shall be 30 feet wide with a radius as approved by both the Newcomb Township Highway Commissioner and the Cornbelt Fire Protection District and evidence of both approvals shall be submitted to the Zoning Administrator prior to the issuance of any Zoning Compliance Certificate**

to ensure that

emergency services vehicles have adequate access to all properties.

E. The following special conditions will ensure that the homes built outside of the Potential Impact Radius of the high pressure gas pipelines are accessible by emergency vehicles:

- (1) **All homes shall be served by driveways that have a paved surface consisting of at least six inches of rock that is at least 20 feet wide and the Zoning Administrator shall verify the pavement prior to the issuance of any Zoning Compliance Certificate**

to ensure that

all homes are accessible by emergency vehicles.

- (2) **Each driveway shall be provided with a means of turnaround of adequate dimension to accommodate fire protection and emergency service vehicles that at a minimum shall consist of a hammerhead (or three-point) turnaround with a paved surface consisting of at least six inches of rock that is at least 20 feet wide with a minimum backup length of 40 feet and the Zoning Administrator shall verify the pavement prior to the issuance of any Zoning Compliance Certificate**

to ensure that

all homes are accessible by emergency vehicles.

F. Because the proposed lots are larger than five acres and because there are no new streets the proposed RRO District will not require a Plat of Subdivision and a Plat of Subdivision cannot be made a requirement. A Plat of Subdivision is where one would normally expect to find out about easements on a property and any special no-build limitations that were part of the plat approval. The following condition makes up for this lack of a plat and will serve to provide notice to prospective lot purchasers of all of the special conditions of approval:

Prior to advertising any lots for sale the petitioner shall file a Miscellaneous Document with the Champaign County Recorder of Deeds stating that the Rural Residential Overlay Zoning District was authorized on the subject property subject to specific conditions and said Document shall contain all of the conditions of approval for Case 520-AM-05

to ensure that

prospective lot purchasers are aware of all of the conditions relevant to approval of the Rural Residential Overlay District on the subject property.

DOCUMENTS OF RECORD

1. Petition received October 12, 2005, with attachments
2. Preliminary Memorandum dated March 24, 2006, with attachments:
 - A Zoning Case Maps (Location, Land Use, Zoning)
 - B List of Petitioner Submittals
 - C Proposed Bateman Tracts received October 12, 2005
 - C1. HDC Drainage Statement, dated October 4, 2005
 - D. Newcomb Township Special Drainage District Map
 - E Champaign County Land Use Regulatory Policies
 - F Map of Areas of Limited Groundwater Availability
 - G Natural Resource Report received November 1, 2005
 - H Copy of Agency Action Report received October 12, 2005
 - I Illinois Department of Transportation Map of Street Names
 - J Illinois Department of Transportation Map of Annual Average Daily Traffic (AADT)
 - K Excerpted worksheets from *Soil Potential Ratings For Septic Tank Absorption Fields Champaign County, Illinois*
 - L Land Evaluation and Site Assessment (LESA) System Worksheet for Subject Property
 - M Table of Common Conditions Influencing the Suitability Of Locations For Rural Residential Development In Champaign County
 - N Comparing the Proposed Site Conditions to Common Champaign County Conditions
 - O Summary of Site Comparison for Factors Relevant To Development Suitability
 - P Summary of Comparison for Factors Relevant To Compatibility with Agriculture
 - Q DRAFT Summary of Evidence (included separately)
3. Supplemental Memorandum dated March 30, 2006, with attachments:
 - A Revised Proposed Bateman Tracts received March 29, 2006
 - B Staff photos of subject property
 - C Right of way grant
 - D Revised Draft Summary of Evidence
4. Revised Land Evaluation Worksheets from the Champaign County Soil and Water Conservation District (one worksheet per proposed tract; handout at the April 13, 2006, meeting)
5. Livestock Management Facilities Within One Mile Of Proposed RRO with map (staff handout at the April 13, 2006, meeting)
6. Illinois Livestock Management Facilities Act. General Requirements Related to Size of Facility (staff handout at the April 13, 2006, meeting)

7. Supplemental Memorandum dated July 7, 2006, with attachments:
 - A Approved minutes from the April 13, 2006, ZBA meeting
 - B Minutes for the March 30, 2006, ZBA meeting (included separately)

8. Letter dated July 12, 2006, from Thomas L. Puracchio, Gas Storage Manager for the People's Gas Light and Coke Company, with attachments
 - A Easement document for subject property
 - B Plan drawing showing existing pipeline locations on the subject property

9. Revised Proposed Bateman Tracts received July 13, 2006

10. Supplemental Memorandum dated August 25, 2006

11. Supplemental Memorandum dated October 5, 2006, with attachments:
 - A Minutes for the July 13, 2006 meeting (included separately)
 - B Revised Proposed Bateman Tracts received July 13, 2006
 - C Revised Site Comparison for Factors Relevant To Development Suitability
 - D Revised Summary of Site Comparison for Factors Relevant To Development Suitability
 - E Revised Draft Summary of Evidence

12. Supplemental Memorandum dated October 12, 2006, with attachments:
 - A pp. 628 & 629 from *Architectural Graphic Standards*, Robert T. Packard, AIA, ed.; John Wiley & Sons, Seventh Edition, 1981.
 - B Excerpt of Peoples Gas map of Manlover Gas Storage Field & Bateman Property Development received July 13, 2006 (included separately)
 - C Revised Proposed Bateman Tracts received October 12, 2006 (included separately)
 - D Revised Proposed Bateman Tracts received October 12, 2006 (with indication of Potential Impact Radius) (included separately)
 - E Revised Site Comparison for Factors Relevant To Development Suitability
 - F Revised Summary of Site Comparison for Factors Relevant To Development Suitability
 - G Excerpts from Title 49 of the Code of Federal Regulations

FINDING OF FACT

From the Documents of Record and the testimony and exhibits received at the public hearing conducted on **March 30, 2006; April 13, 2006; July 13, 2006; August 31, 2006; and October 12, 2006** the Zoning Board of Appeals of Champaign County finds that:

1. The proposed site **SUBJECT TO CONDITIONS, IS NOT SUITABLE** for the development of **FIVE** residences because:
 - A. **the site has much worse than typical Champaign County conditions due to manmade hazards and safety concerns that cause this factor to have more weight in the decision making process; and**
 - B. **the site has much worse than typical Champaign County conditions because it is bordered on two sides by livestock management facilities; and**
 - C. **emergency services vehicle access is limited by flooding;**and despite:
 - D. **the fact that the revised site plan has adequate buildable area outside of the Potential Impact Radius zone; and**
 - E. **the property is between 4 and 5 miles from the Cornbelt Fire Protection District; and**
 - F. **much better than typical and nearly ideal conditions for the other considerations.**

2. Development of the proposed site under the proposed Rural Residential Overlay development **SUBJECT TO CONDITIONS, WILL NOT BE COMPATIBLE** with surrounding agriculture because:
 - A. **of the presence of adjacent livestock management facilities on two sides and four other livestock management facilities within a one-mile radius of the property for a total of four active facilities that are by law allowed to expand up to 1,000 animal units; and**
 - B. **the presence of a drainage district tile in the proposed RRO District; and**
 - C. **traffic generated by the proposed RRO District that will be 400% more than without the RRO;**and despite:
 - D. **surface drainage that is much better than typical; and**
 - E. **the condition to replace the drainage district tile and provide an easement; and**
 - F. **the adequacy of the roads that is nearly ideal Champaign County conditions.**

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 Map Amendment requested in Case **520-AM-05**, **SUBJECT TO CONDITIONS, SHOULD NOT BE ENACTED** by the County Board.

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

SIGNED:

Debra Griest, Chair
Champaign County Zoning Board of Appeals

ATTEST:

Secretary to the Zoning Board of Appeals

Date:

To: **Environment and Land Use Committee**
From: **John Hall, Zoning Administrator**
Date: **November 3, 2006**
RE: **Case 546-AM-06 Rural Residential Overlay Map Amendment for proposed nine lot RRO**

Champaign
County
Department of



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

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

Zoning Case 546-AM-06

Request: **Amend the Zoning Map to allow for the development of 9 single family residential lots in the AG-2 Agriculture Zoning District, by adding the Rural Residential Overlay (RRO) Zoning District**

Petitioners: **Deborah and Michael Insana**

Location: **A 23.93 acre tract of land located on the North side of Airport Road and East of High Cross Road in Section 35 of Somer Township.**

STATUS

The Zoning Board of Appeals voted to "RECOMMEND APPROVAL" of this proposed Rural Residential Overlay (RRO) rezoning at their October 26, 2006, meeting. Relevant maps have been excerpted from the Documents of Record and are attached. The Summary of Evidence is attached and includes relevant testimony from the public hearing.

Note that the proposed RRO District of nine lots is in addition to the three lots that can be created "by right" for a total development of 12 lots and the proposed plan indicates all 12 lots.

The ZBA is required to make two specific findings for RRO determinations and those findings are reproduced below in this memorandum and also appear in the Finding of Fact.

No frontage protests been received from neighboring landowners against the proposed rezoning. The subject property is located within the City of Urbana extraterritorial jurisdiction. The City of Urbana Plan Commission has recommended that the City not protest the map amendment

REQUIRED FINDINGS

With respect to map amendments requesting creation of a Rural Residential Overlay (RRO) Zoning District, Section 5.4.3 of the Zoning Ordinance requires the ZBA to make two specific findings before forwarding a recommendation to the County Board. The required findings are stated as follows in the Ordinance:

- 1. That the proposed site is or is not suitable for the development of the specified maximum number of residences; and**
- 2. That the proposed residential development will or will not be compatible with surrounding agriculture.**

The Land Use Regulatory Policies that were adopted on November 20, 2001, establish requirements for RROs proposed on "best prime farmland" that the land be "well suited" and that the land be used in the "most

efficient way". The proposed RRO is not on best prime farmland so the higher requirements do not apply. The required findings on pages 22 and 23 of the attached Final Determination have been reproduced below with references to the relevant items in the Summary of Evidence.

Required Finding 1. Regarding Whether the Site is Suitable for the Development of the Specified Maximum Number of Residences:

1. The proposed site **IS SUITED** for the development of **NINE** residences because:
 - A. **8 of 10 categories for site comparison are "Much Better Than Typical" or "Ideal" with ideal conditions for emergency services (item 15*), other hazards (item 17*), environmental concerns (item 21*), LESA score (item 19*), and availability of water (item 14*); and Much Better Than Typical conditions for effects of farms (item 18*), effects on drainage (item 12*), and septic suitability (item 13*); and More or Less Typical conditions for flood hazard status (item 16*) and road safety (item 11*); and**
 - B. **the subdivision detention pond will help mitigate some of the existing flooding concerns (item 12.C.); and**
 - C. **the subject property is one of the best that have been presented to the Board for septic suitability of the soils; and**
 - D. **the subject property is not best prime farmland (item 10*); and**
 - E. **the LE score is 67 and the site assessment score is 106 to 116 for a total LESA score of 173 to 183 (item 19*);**and despite:
 - F. **the effects on road safety (item 11*) and minimal effect on farms as compared to the non-RRO alternative (item 23*); and**
 - G. **the history of the flooding situation in the neighborhood (item 12.C.).**

* refers to items in the Summary of Evidence

NOTE: This is not the actual finding. See the As-Approved Finding of Fact.

Required Finding 2. Whether the Proposed Residential Development Will or Will Not Be Compatible with Surrounding Agriculture:

2. Development of the proposed site under the proposed Rural Residential Overlay development **WILL BE COMPATIBLE** with surrounding agriculture because:
- A. **there is no best prime farmland on the property the LE score is 67 and the site assessment score is 106 to 116 for a total LESA score of 173 to 183 (item 19*); and**
 - B. **The development will have little or no effect on agricultural drainage (items 12.D., E., F.); and**
 - C. **because currently only two sides of the property have farming operations; and**
 - D. **traffic from the property should not have much effect on farm traffic (item 11*); and**
 - E. **the proposed subdivision will utilize a single access road and will not add mailboxes or driveways to the existing road and will not interfere with agricultural traffic;**
- and despite:
- F. **the effects on road safety (item 11*) and minimal effect on farms as compared to the non-RRO alternative (item 23*).**

* refers to items in the Summary of Evidence

NOTE: This is not the actual finding. See the As-Approved Finding of Fact.

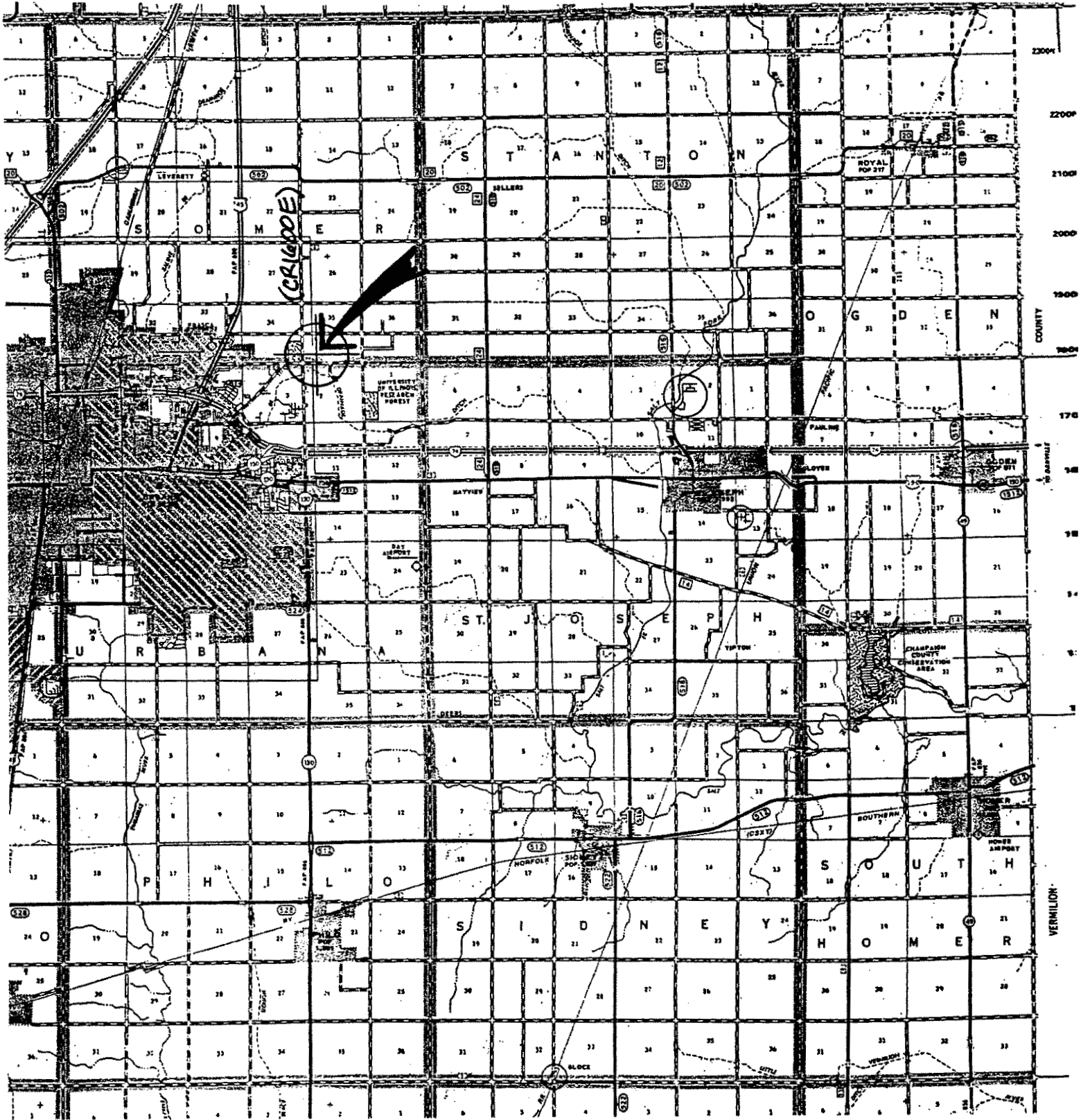
ATTACHMENTS (excerpted from the Documents of Record)

- A Zoning Case Maps (Location, Land Use, Zoning)
- B Schematic of Brickhouses Road Subdivision
- C Summary of Evidence, Finding of Fact, and Final Determination of the Champaign County Zoning Board of Appeals as approved on October 26, 2006 (UNSIGNED)

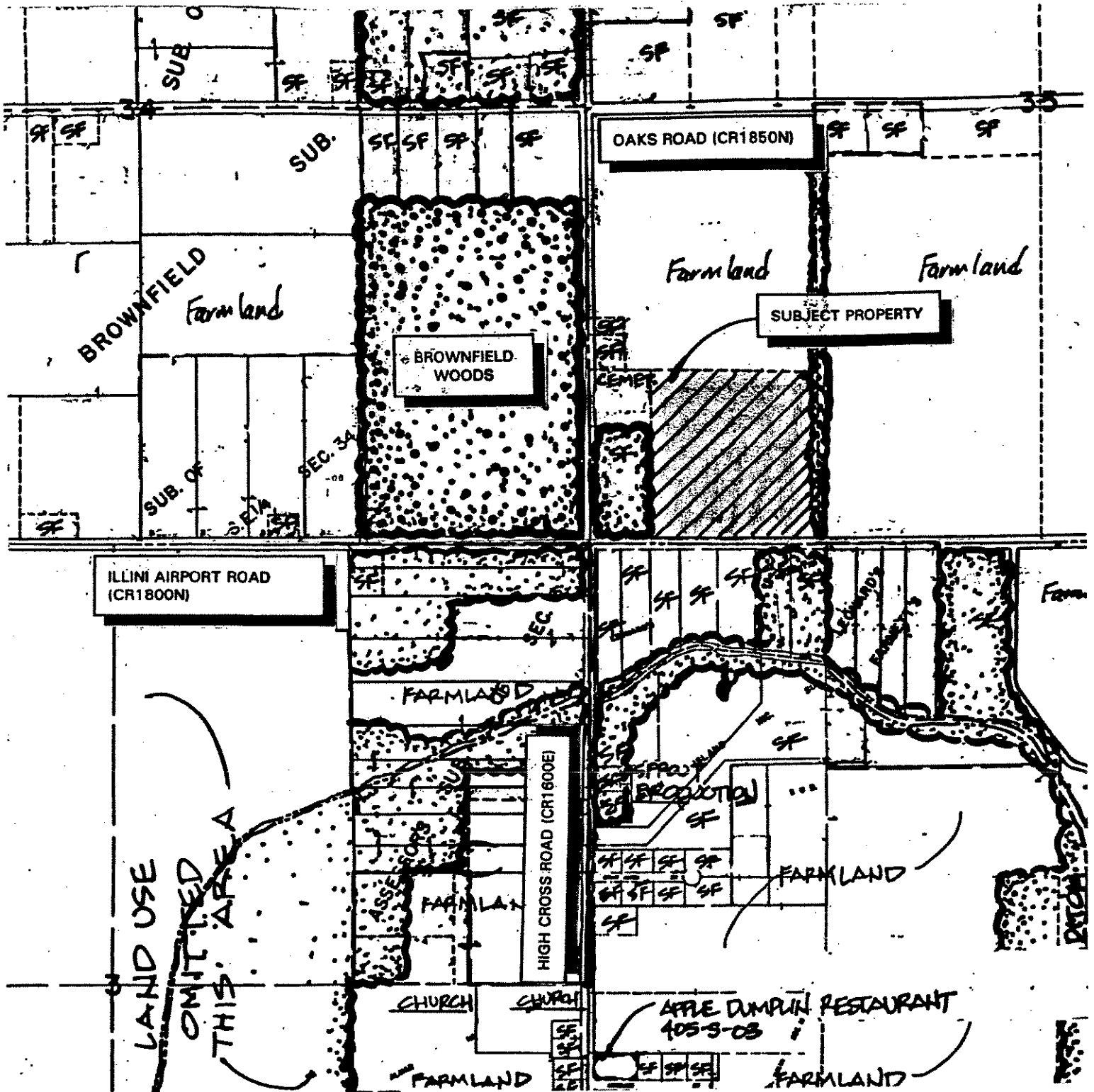
ATTACHMENT A. LOCATION MAP

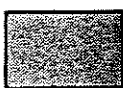


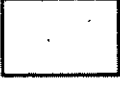


Case 546-AM-06

AUGUST 11, 2006



Champlain
County
Department of
**PLANNING &
ZONING**

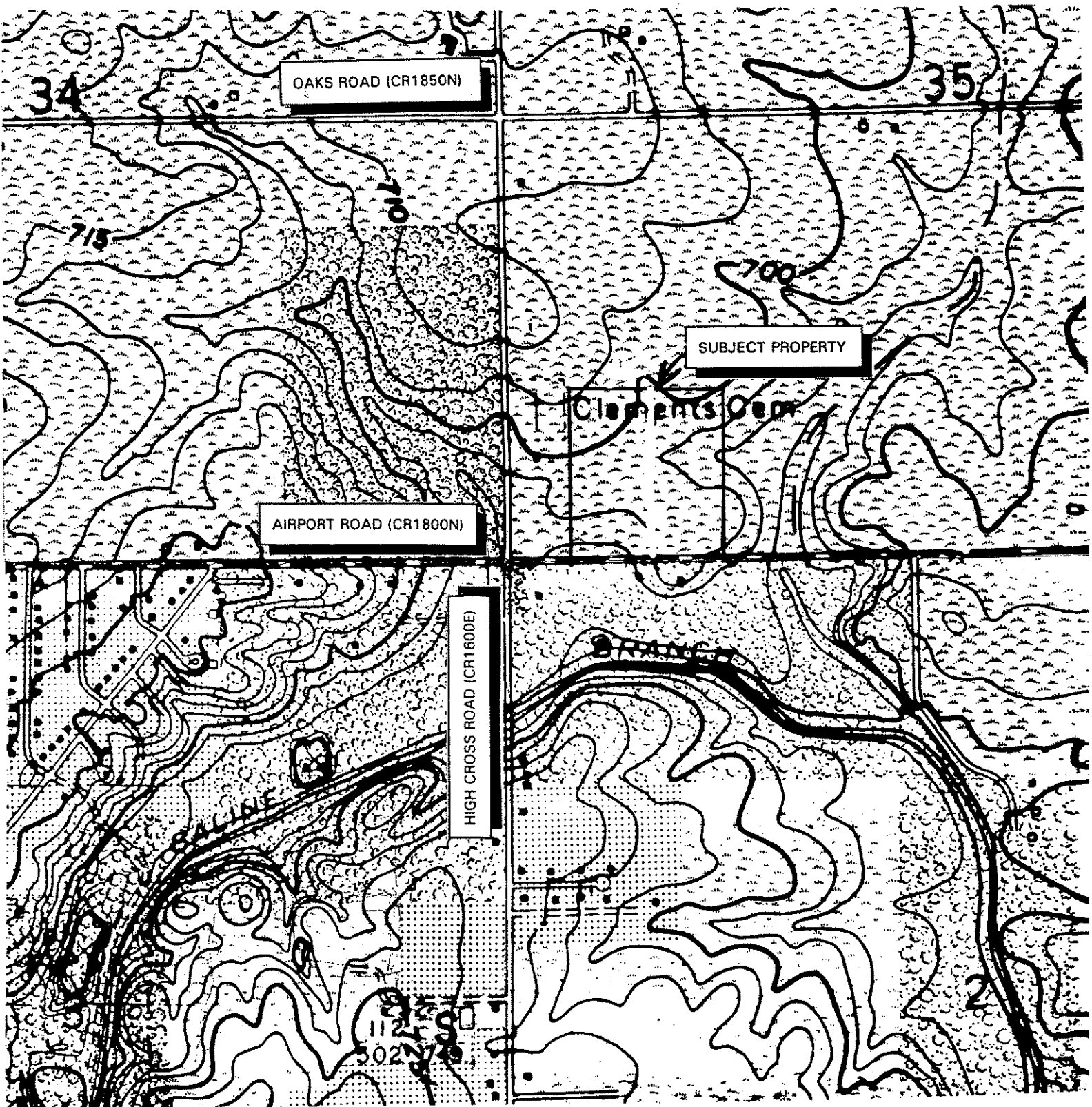


	Area of Concern	
	Single Family	
	Farmstead	



Champaign
 County
 Department of
**PLANNING &
 ZONING**

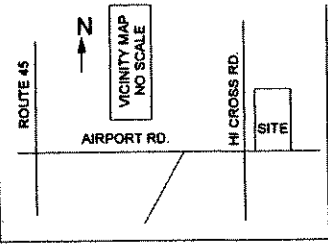
ATTACHMENT A. ZONING MAP
 Case 546-AM-06
 AUGUST 11, 2006



AG-1 Agriculture	R-1 Single Family Residence	R-4 Multiple Family Res.	B-2 Neighborhood Business	B-5 Central Business	 NORTH Champaign County Department of PLANNING & ZONING
AG-2 Agriculture	R-2 Single Family Residence	R-5 Mobile Home Park	B-3 Highway Business	I-1 Light Industry	
CR Conservation- Recreation	R-3 Two-family Residence	B-1 Rural Tr. Center	B-4 General Business	I-2 Heavy Industry	

BRICKHOUSES RD. SUBDIVISION

Southeast Quarter Section 35, T 20N., R 9E. 3d P.M.
Champaign County, Illinois



- TO BE ZONED "RRD" DISTRICT**
- SUB. BOUNDARIES
 - LOT LINES
 - UTILITY EASEMENT
 - STORM SEWER LINE
 - WATER LINE
 - BUILDING SETBACK LINE
 - STORM SEWER INLET
 - SEWER MANHOLE
 - FIRE HYDRANT
 - CONTOUR LINES EX
 - CONTOUR LINES PROP.
 - HOUSE PADS

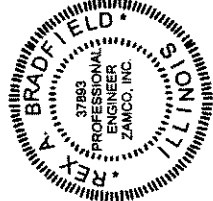
STREET SPECS:
WIDTH = 25' B TO B OF CURB
CONCRETE 8" THICK

LOCATED IN THE
96. SALINE BRICK DRAINAGE DISTRICT
IN SOMER TOWNSHIP

Subdivided by
Michael J. Insana and Deborah J. Insana
Trustees
Date: 7/26/06
MICHAEL J. INSANA AND DEBORAH J. INSANA TRUST DATED 7/28/05
1104 OAK CREEK RD.
MAHOMET, IL. 61853

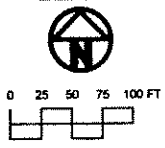
ENGINEER/SURVEYOR
ZAMCO, INC.
UNIT D-14
1802 E. UNIVERSITY AVE
URBANA, ILLINOIS 61802
317-537-5711

7/25/06
Date
REX A. BRADFIELD
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2037
ILLINOIS PROFESSIONAL ENGINEER NO. 37893
ZAMCO, INC.
ILLINOIS REGISTERED LAND SURVEYOR FIRM CORPORATION NO. 98
ILLINOIS REGISTERED PROFESSIONAL DESIGNER/FIRM NO. 1341

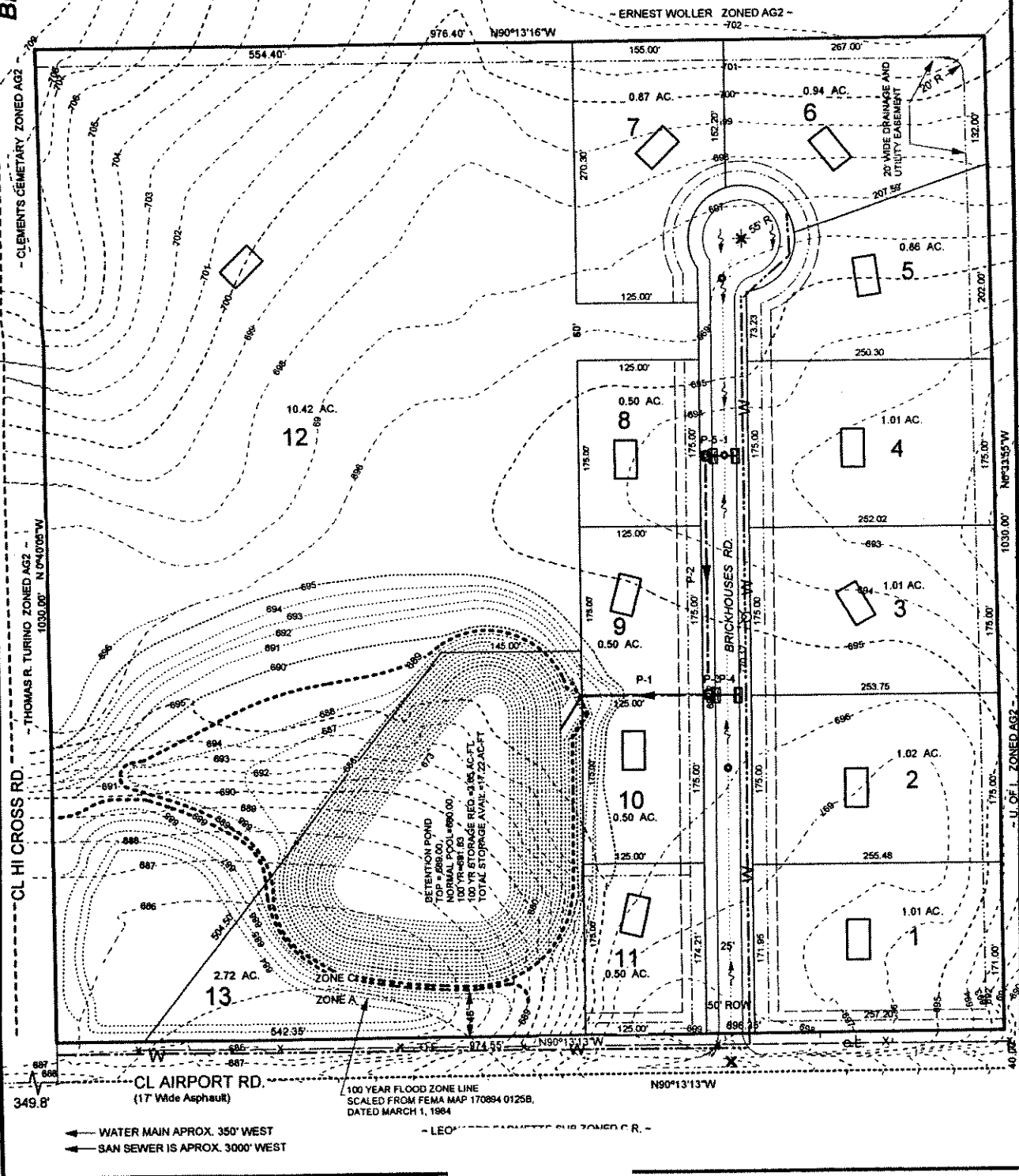


EASEMENT SPACING
Front yards = 15'
Side yards = 5' (see 604)
BUILDING SETBACK SPACING = 25'
Except as shown otherwise

PRELIMINARY SITE PLANS
TO BE ZONED "RRD" DISTRICT
ZAMCO, INC.
1802 E. University Ave.
Urbana, Ill.
217-387-8344



Doc: 7/24/06
Filename: Insana24.mxd



← WATER MAIN APPROX. 350' WEST
← SAN SEWER IS APPROX. 3000' WEST

100 YEAR FLOOD ZONE LINE
SCALED FROM FEMA MAP 170894 0125B,
DATED MARCH 1, 1984

← LEOPARD CREEK ZONED C.R. ←

AS APPROVED

546-AM-06

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

Final Determination: **RECOMMEND APPROVAL**

Date: October 26, 2006

Petitioner: Deborah and Michael Insana

Request: Amend the Zoning Map to allow for the development of 9 single family residential lots in the AG-2 Agriculture Zoning District, by adding the Rural Residential Overlay (RRO) Zoning District

FINDING OF FACT

From the documents of record and the testimony and exhibits received at the public hearing conducted on August 17, 2006, and October 26, 2006, the Zoning Board of Appeals of Champaign County finds that:

1. The petitioners are Deborah and Michael Insana, owners of the subject property.
2. The subject property is an approximately 24 acre tract of land located in the Southwest Quarter of the Southwest Quarter of Section 35 of Somer Township and located on the North side of Airport Road approximately 400 feet East of High Cross Road.
3. The subject property is located within the one-and-a-half-mile extraterritorial jurisdiction of the City of Urbana.
 - A. Municipalities have protest rights on all Map Amendments. In the event of a municipal protest, a three-fourths majority of the County Board will be required to grant the rezoning request instead of a simple majority.
 - B. The subject property appears to be indicated as "Residential" in the City of Urbana 2005 Comprehensive Plan. At their August 24, 2006, meeting the City of Urbana Plan Commission recommended "no protest" to the City Council.
 - C. Within the mile-and-a-half extraterritorial planning jurisdiction the City is the relevant subdivision jurisdiction and any division of the subject property (including any plat of subdivision pursuant to the requested RRO amendment) will be subject to review and approval by the City. The petitioner has applied for subdivision approval with the City.

4. Regarding comments by petitioners, when asked on the petition what error in the present Ordinance is to be corrected by the proposed change, the petitioners did not indicate anything.
5. Land use and zoning on the subject property and in the immediate vicinity are as follows:
 - A. The subject property is zoned AG-2 and is currently in agricultural use.
 - B. North and East of the subject property the land is zoned AG-2 and is currently in agricultural use.
 - C. South and west of the subject property the land is zoned CR and AG-2 and is currently used as single family dwellings on large lots and a cemetery.

GENERALLY REGARDING THE REQUIREMENTS FOR ESTABLISHING AN RRO DISTRICT

6. Generally regarding relevant requirements from the *Zoning Ordinance* for establishing an RRO District:
 - A. The Rural Residential Overlay (RRO) Zoning District is an overlay zoning designation that is in addition to the pre-existing (underlying) rural zoning. An RRO is established using the basic rezoning procedure except that specific considerations are taken into account in approvals for rezoning to the RRO District.
 - B. Paragraph 5.4.3.C.1 of the *Zoning Ordinance* requires the Zoning Board of Appeals to make two specific findings for RRO approval which are the following:
 - (1) That the proposed site is or is not suitable for the development of the specified maximum number of residences; and
 - (2) That the proposed residential development will or will not be compatible with surrounding agriculture.
 - C. Paragraph 5.4.3 C.1 of the *Zoning Ordinance* requires the Zoning Board of Appeals to consider the following factors in making the required findings:
 - (1) Adequacy and safety of roads providing access to the site;
 - (2) Effects on drainage both upstream and downstream;
 - (3) The suitability of the site for onsite wastewater systems;
 - (4) The availability of water supply to the site;
 - (5) The availability of emergency services to the site;
 - (6) The flood hazard status of the site;
 - (7) Effects on wetlands, historic or archeological sites, natural or scenic areas or wildlife habitat;
 - (8) The presence of nearby natural or man-made hazards;

- (9) Effects on nearby farmland and farm operations;
- (10) Effects of nearby farm operations on the proposed residential development;
- (11) The amount of land to be converted from agricultural uses versus the number of dwelling units to be accommodated;
- (12) The Land Evaluation and Site Assessment (LESA) score of the subject site;

GENERALLY REGARDING CHAMPAIGN COUNTY LAND USE POLICIES

7. The Land Use Goals and Policies were adopted on November 29, 1977, and were the only guidance for County Map Amendments until the Land Use Regulatory Policies-Rural Districts (LURP) were adopted on November 20, 2001, as part of the Rural Districts Phase of the Comprehensive Zoning Review (CZR). The LURP's were amended September 22, 2005, but the amendment contradicts the current Zoning Ordinance and cannot be used in concert with the current Zoning Ordinance. The LURP's adopted on November 20, 2001, remain the relevant LURP's for discretionary approvals (such as map amendments) under the current Zoning Ordinance. Land Use Regulatory Policy 0.1.1 gives the Land Use Regulatory Policies dominance over the earlier Land Use Goals and Policies. LURP's that are relevant to any proposed RRO District are the following:
- A. Land Use Regulatory Policy 1.1 provides 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. Other land uses can be accommodated in those areas provided that:
 - (1) the conversion of prime farmland is minimized;
 - (2) the disturbance of natural areas is minimized;
 - (3) the sites are suitable for the proposed use;
 - (4) infrastructure and public services are adequate for the proposed use;
 - (5) the potential for conflicts with agriculture is minimized.
 - B. Land Use Regulatory Policy 1.2 states that on the best prime farmland, development will be permitted only if the land is well suited to it, and the land is used in the most efficient way consistent with other County policies.
 - C. Land Use Regulatory Policy 1.3.3 provides that development beyond the basic development right will be permitted if the use, design, site and location are consistent with County policy regarding:
 - (1) the efficient use of prime farmland;
 - (2) minimizing the disturbance of natural areas;
 - (3) suitability of the site for the proposed use;
 - (4) adequacy of infrastructure and public services for the proposed use; and

- (5) minimizing conflict with agriculture.
- D. Land Use Regulatory Policy 1.4.2 states that non-agricultural land uses will not be permitted if they would interfere with farm operations or would damage or negatively effect the operation of agricultural drainage systems, rural roads or other agriculture related infrastructure.
- E. Land Use Regulatory Policy 1.5.3 states that development will not be permitted if existing infrastructure, together with proposed improvements, is inadequate to support the proposed development effectively and safely without undue public expense.
- F. Land Use Regulatory Policy 1.5.4 states that development will not be permitted if the available public services are inadequate to support the proposed development effectively and safely without undue public expense.

GENERALLY REGARDING THE MAXIMUM ALTERNATIVE DEVELOPMENT WITHOUT AN RRO

- 8. Regarding the maximum number of new zoning lots that could be created out of the subject property without the authorization for the RRO Zoning District:
 - A. As amended on February 19, 2004, by Ordinance No. 710 (Case 431-AT-03 Part A), the *Zoning Ordinance* requires establishment of an RRO District for subdivisions with more than three lots (whether at one time or in separate divisions) less than 35 acres in area each (from a property larger than 50 acres) and/or subdivisions with new streets in the AG-1, AG-2, and CR districts (the rural districts) except that parcels between 25 and 50 acres may be divided into four parcels.
 - B. There can be no more than three new lots smaller than 35 acres in area that can be created from the subject property without authorization for the RRO Zoning District.
 - C. The proposed 12 lot subdivision requires RRO approval for 9 lots.

GENERALLY REGARDING THE PROPOSED RRO DISTRICT

- 9. The plan that was received on May 31, 2005 in fulfillment of the Schematic Plan requirement indicates the following:
 - A. The RRO District is necessary for only 9 of the 12 buildable lots proposed as part of the Brickhouses Road Subdivision, therefore the proposed RRO District only takes up that portion of the subject property occupied by Lots 2 through 10, which are the 9 non-RRO-exempt lots.
 - B. There are 9 proposed buildable lots that range in area from 0.5 acres to 9.35 acres. The net average lot area after subtracting rights-of-way is 1.7 acres. There is also a lot that fronts on Airport Rd. that is proposed to be an area for stormwater detention.
 - C. All 12 of the proposed buildable lots have frontage on a new street (Brickhouses Road), which is proposed to end in a cul-de-sac approximately 800 feet from the north edge of Airport Rd. The entrance to the subdivision is approximately 1000 feet East of High Cross Rd. Lots 1, 11, and 12 also have frontage on Airport Rd., though none of them are proposed to have access from it.

- D. All of the lots in the requested RRO District meet or exceed all of the minimum lot standards in the *Zoning Ordinance*.

GENERALLY REGARDING THE SOILS ON THE PROPERTY

10. A Section 22 Natural Resource Report was prepared for the proposed RRO by the Champaign County Soil and Water Conservation District, which discusses the types of soils and other site characteristics, as follows:
- A. Regarding the soils on the subject property, their extents, and their relative values:
- (1) Approximately 4.4 acres of the subject property consists of soils considered Best Prime Farmland, consisting of the following:
 - (a) Sunbury silt loam, 0-2% slopes (map unit 234A), makes up approximately 15% (3.6 acres) of the subject property; and
 - (b) Sabina silt loam, 0-2% slopes (map unit 236A), makes up approximately 3% (0.8 acres) of the subject property; and
 - (2) Approximately 13.3 acres of the subject property consists of soils from Agriculture Value Group 5, consisting of the following:
 - (a) Birkbeck silt loam, 2-5% slopes (map unit 233B), makes up approximately 47% (11.1 acres) of the subject property; and
 - (b) Xenia silt loam, 2-5% slopes (map unit 291B), makes up approximately 9% (2.2 acres) of the subject property; and
 - (3) There is one soil type from Agriculture Value Group 6 on the subject property; Sawmill silty clay loam (formerly Colo silty clay loam), 0-2% slopes (map unit 3107A), which makes up approximately 9% (2.1 acres) of the subject property; and
 - (4) There is one soil type from Agriculture Value Group 7 on the subject property; Russell silt loam, 5-10% slopes (map unit 322C2), which makes up approximately 0.4% (0.1 acres) of the subject property; and
 - (5) There is one soil type from Agriculture Value Group 9 on the subject property; Senachwine silt loam (formerly Miami urban land complex), 5-10% slopes (map unit 618C2), which makes up approximately 15% (3.7 acres) of the subject property.
- B. The subject property is not Best Prime Farmland under the Champaign County Land Use Regulatory Policies, as follows:
- (1) Best Prime Farmland is identified by the Champaign County Land Use Regulatory Policies – Rural Districts as amended on November 20, 2001, as any tract on which the soil has an average Land Evaluation Factor of 85 or greater using relative values and procedures specified in the *Champaign County, Illinois Land Evaluation and Site Assessment System*.

- (2) The Land Evaluation Worksheet in the Natural Resource Report indicates the overall Land Evaluation factor for the soils on the subject property is only 67.
- C. Site specific concerns stated in the Section 22 report are the following:
- (1) The area that is to be developed has 4 soil types out of the 7 present that have severe wetness characteristics. These soils cover 17.7 acres of the site. The site has 1 additional soil type that has severe ponding characteristics on 2.2 acres of the site.
 - (2) Surface water flows on the site from the north and off the site to the east. The plat must take this into account. The site development could significantly increase the water flow off the site to the east. This increased flow could cause soil erosion in the field to the east. In a letter received on April 27, 2006, Bruce Stickers, stated that the detention pond shown on the preliminary plat of Brickhouses Road Subdivision should be sufficient to mitigate this concern.
 - (3) The third site specific concern mentioned was that septic systems would be subject to problems because of the wet soil types.

GENERALLY REGARDING THE ADEQUACY AND SAFETY OF ROADS

11. Regarding the adequacy and safety of roads providing access to the proposed RRO District:
 - A. The Institute of Transportation Engineers publishes guidelines for estimating of trip generation from various types of land uses in the reference handbook *Trip Generation*. Various statistical averages are reported for single family detached housing in *Trip Generation* and the average “weekday” traffic generation rate per dwelling unit is 9.55 average vehicle trip ends per dwelling unit. *Trip Generation* does not report any trip generation results for rural residential development.
 - B. The Staff report *Locational Considerations for Rural Residential Development in Champaign County, Illinois* that led to the development of the RRO Amendment, incorporated an assumed rate of 10 average daily vehicle trip ends (ADT) per dwelling unit for rural residences. The assumption that each proposed dwelling is the source of 10 ADT is a standard assumption in the analysis of any proposed RRO.
 - C. Based on the standard assumption that each proposed dwelling is the source of 10 ADT, the 9 residences in the requested RRO District are estimated to account for an increase of approximately 90 ADT in total.
 - D. The Illinois Department of Transportation’s *Manual of Administrative Policies of the Bureau of Local Roads and Streets* are general design guidelines for local road construction using Motor Fuel Tax funding and relate traffic volume to recommended pavement width, shoulder width, and other design considerations. The *Manual* indicates the following pavement widths for the following traffic volumes measured in Average Daily Traffic (ADT):
 - (1) A local road with a pavement width of 16 feet has a recommended maximum ADT of no more than 150 vehicle trips.

- (2) A local road with a pavement width of 18 feet has a recommended maximum ADT of no more than 250 vehicle trips.
 - (3) A local road with a pavement width of 20 feet has a recommended maximum ADT between 250 and 400 vehicle trips.
 - (4) A local road with a pavement width of 22 feet has a recommended maximum ADT of more than 400 vehicle trips.
- E. The Illinois Department of Transportation's *Manual of Administrative Policies of the Bureau of Local Roads and Streets* general design guidelines also recommends that local roads with an ADT of 400 vehicle trips or less have a minimum shoulder width of two feet.
- F. The Illinois Department of Transportation measures traffic on various roads throughout the County and determines the annual average 24-hour traffic volume for those roads and reports it as Annual Average Daily Traffic (AADT). the most recent (2001) AADT data in the vicinity of the subject property are as follows:
- (1) Airport Rd. on the South side of the subject property had no reported AADT immediately south of the subject property, but west of High Cross Rd. it had an AADT of 1100.
 - (2) High Cross Rd., which is approximately 400 feet west of the subject property had an AADT of 650 at a point due west of the subject property.
- G. The relevant geometric standards for visibility are found in the *Manual of Administrative Policies of the Bureau of Local Roads and Streets* prepared by the Bureau of Local Roads and Streets of the Illinois Department of Transportation. Concerns are principally related to "minimum stopping sight distance". Design speed determines what the recommended distance is. In regards to the proposed RRO there are no concerns related to stopping sight distance.
- H. Tom Turino, 2902 North High Cross Road, testified at the August 17, 2006, public hearing that he does not support the proposed subdivision due to the additional traffic which will be generated on High Cross Road and the safety of children which will be waiting for buses along this road.
- I. John Hall, Zoning Administrator, testified at the October 26, 2006, hearing that he had contacted both Rick Wolken, Somer Township Highway Commissioner, and Jim Prather, Urbana Township Highway Commissioner, and neither Highway Commissioner was concerned about the proposed subdivision provided that the street and drainage improvements are property constructed.
- J. Overall, the subject property and proposed RRO are comparable to "more or less typical" conditions for Champaign County in terms of common conditions for the adequacy and safety of roads providing access because of the following:
- (1) Access is from a Township Highway, with few deficiencies between the point of access and the location where the road connects to a State Highway; and

- (2) The subject property's location near Urbana means that an increase of 90 ADT is an insignificant increase for the access road.

GENERALLY REGARDING DRAINAGE

12. Regarding the effects of the proposed RRO District on drainage both upstream and downstream:
 - A. The engineer's explanation of general drainage conditions is in a report from Rex A. Bradfield, IRPE, received on July 26, 2006, and indicates the following:
 - (1) In the subject property's natural state, drainage conditions are as follows:
 - (a) Stormwater that collects on the north part of the subject property flows through the subject property and exits the property through the low area on the east. This runoff travels overland into the drainage swale in the adjacent property and then down the swale eventually to the Saline Ditch.
 - (b) Stormwater that collects on the south part of the property drains directly into the drainage ditch on the north side of Airport Rd., then flows west to the culvert at High Cross Rd. and then into the Saline Ditch.
 - (2) After development drainage conditions will be as follows:
 - (a) Stormwater that enters the subject property from the north will flow into the proposed detention pond either overland, or through underground drainage pipes in the side of the proposed street.
 - (b) The addition of the proposed detention pond to the southern part of the property will greatly reduce the amount of water that runs off the property into the ditch on the north side of Airport Rd.
 - (c) All of the runoff generated by the added impervious surface will be collected by drainage pipes and flow into the proposed detention pond.
 - (d) The total capacity of the detention pond should contain a considerable number of 100 year storm events.
 - B. The site plan received on July 26, 2006 indicates topographic contours at one foot intervals. Review of these contours indicates the following:
 - (1) The topographic map indicates two low areas of significant ponding; one in the east half of the subject property, roughly halfway between the north and south boundaries, encompassing all of Lot 4, and some of Lots 3 and 5. The other is located on the southern boundary of the subject property and encompasses all of Lot 13 and the southern portion of Lot 12.
 - (2) Ground slope varies between 0.8% and approximately 9%, but there may be small areas with more or less ground slope. The Champaign County Zoning Ordinance does not contain minimum acceptable ground slope but 1% is normally considered a minimum desirable ground slope for residential development.

- (3) Surface drainage for the subject property follows two general courses as follows:
 - (a) From the north end the property drains to the east over the adjacent property; and
 - (b) From the south end the property drains directly to the road ditch on the north side of Airport Rd.
- C. Testimony at the August 17, 2006, public hearing regarding drainage can be summarized as follows:
 - (1) The petitioner Deborah Insana testified generally as follows:
 - (a) She intends to live on the subject property and has tried to do everything she can do to resolve the flooding issues.
 - (b) None of the property proposed for development would be affected by the flooding.
 - (c) The detention pond will be developed as a natural habitat and she has been working with Kevin Donahue of the Soil and Water Conservation District to prepare a plan for the pond.
 - (d) The pond will be approximately one acre of surface area with a normal depth of seven feet and storage for an additional four feet.
 - (e) The pond will outlet to the ditch along Airport Road.
 - (f) The pond will be fenced with a split rail fence.
 - (g) Gale Jamison, an engineer with the City of Urbana, has no issues with the pond.
 - (2) Carrol Goering, 2606 North High Cross Road, testified generally as follows:
 - (a) He owns property that runs from the Saline Ditch to Airport Road on the east side of High Cross Road and is within 300 feet of the proposed subdivision and he has lived on the property for 29 years and he supports the proposed subdivision which is an upscale subdivision that will enhance the neighborhood.
 - (b) Flooding is a well known problem in the area and the new subdivision with detention pond will help slow down some of the flooding problems.
 - (c) He has no concerns regarding the overflow water draining into the roadside ditch.

AS APPROVED

- (3) George Boyd, 3705 East Airport Road, testified generally that he lives approximately one-quarter mile east of the subject property and he agrees with Carrol Goering and is in favor of the proposed subdivision. He would guess that the proposed subdivision would decrease the flooding during a major rainfall and would be an asset to the community.

- (4) Tom Turino, 2902 North High Cross Road, testified generally that he lives adjacent to the proposed subdivision and he is concerned with the drainage that will come from lots 6 and 7. When he tried to install a leach field septic system on his property he found that the soil was too wet and he had to install a mechanical system and he wondered where the runoff for the mechanical systems would flow.

- (5) Steve Wayman, 3313 East Airport Road, testified generally as follows:
 - (a) He owns property directly south of the proposed subdivision and he supports the subdivision.
 - (b) The culverts at the intersection of High Cross Road and Airport Road are in disrepair and repair would help route the water towards the river.
 - (c) He would like to be assured that any dirt that is removed from the low ground is going to be placed on high ground so that the drainage conditions will not be made any worse.
 - (d) He was assured that the permanent pool would be held at 680 feet Mean Sea Level.
 - (e) The detention will be helpful in solving the flooding problems in the neighborhood and he has no concerns regarding the overflow drainage into the roadside ditch.

- (6) Anthony Becker, 3205 East Airport Road, testified generally as follows:
 - (a) He supports the subdivision but his major concern is flooding.
 - (b) Flooding is an issue for him because his property is lower than either Mr. Wayman's or Mr. Goerings and if water is too deep he cannot get into or out of his house with his wheelchair.
 - (c) A lot of his land has been flooded but it appears that the proposed detention pond will alleviate some of the flooding issues.

- (d) He is concerned about overflow draining into the roadside ditch and the majority of the water in the ditch is the water that floods his property.
 - (e) There has been a lot of erosion along the river from the drainage pipes and the drainage pipes are deteriorating and falling into the river after each flood event.
- (7) Guadalupe Guzman, 3205 East Airport Road, testified generally that he is against the proposed subdivision.
- D. A letter from Don Flessner, Saline Branch Drainage District commissioner, was received on August 18, 2006, that states the Commissioners of the Saline Branch Drainage District have considered the proposed subdivision and they are not opposed to the subdivision and hope that it will in some way improve the drainage conditions for the neighborhood.
- E. A sketch of approximate drainage tile locations by Mark Weckel was submitted by the petitioner on August 28, 2006, that indicates the following:
- (1) Mr. Weckel was the tenant farmer on the subject property for years prior to this year.
 - (2) A 6 inch to 8 inch diameter tile enters the subject property in about the mid-point of the north property line and curves to exit the property at about the mid-point of the east property line.
 - (3) A 4 inch tile enters the subject property along the north property line in the northeast corner of the subject property and ends about 100 feet south of the property line.
 - (4) Another tile may enter the west side of the subject property in the southwest corner of the subject property.
- F. A memorandum from Rex Bradfield, engineer for the petitioner, was received on September 19, 2006, that states as follows:
- (1) The memorandum refers to the sketch of approximate drainage tile locations by Mark Weckel about which it states as follows:
 - (a) The 6 inch to 8 inch diameter tile that enters the subject property in about the mid-point of the north property line, it would be continued south to the proposed pond.

- (b) The 4 inch tile that enters the subject property along the north property line in the northeast corner of the subject property would be rerouted around the property to a point D that is at about the mid-point of the east property line.
 - (c) If there is another tile that enters the west side of the subject property in the southwest corner of the subject property it will be continued to the pond.
- (2) The memorandum also refers to two other attachments that Mr. Bradfield contends substantiates the sketch by Mark Weckel:
- (a) An infrared photograph of the subject property by the Champaign County Soil and Water Conservation District.
 - (b) A map of possible filed tile locations on subject property by the Champaign County Soil and Water Conservation District that indicates possible tile locations.
- G. Overall, the subject property and proposed RRO are comparable to “much better than typical” conditions for Champaign County in terms of common conditions for the drainage effects on properties located both upstream and downstream because of the following:
- (1) Only about 9% of the soils on the subject property are “wet” soils; and
 - (2) There is good surface drainage with adequate outlets and the property only drains over adjacent property for a short distance.

GENERALLY REGARDING SUITABILITY OF THE SITE FOR ONSITE WASTEWATER SYSTEMS

13. Regarding the suitability of the site for onsite wastewater systems:
- A. Based on a review of soil investigation results, submitted on July 26, 2006 , Garry Bird, in a letter received on July 26, 2006 stated that the Champaign County Public Health Department (CCPHD) believed that Lots 1-5 and 7-11 are capable of being served by conventional septic systems. Lots 6 and 12, however, will require curtain drains to dewater the area before they would be suitable for septic.
 - B. The pamphlet *Soil Potential Ratings for Septic Tank Absorption Fields Champaign County, Illinois*, is a report that indicates the relative potential of the various soils in Champaign County for use with subsurface soil absorption wastewater systems (septic tank leach fields). The pamphlet contains worksheets for 60 different soils that have potential ratings (indices) that range from 103 (very highest suitability) to 3 (the lowest suitability). The worksheets for the relevant soil types on the subject property can be summarized as follows:
 - (1) Birkbeck silt loam (map unit 233B) has High suitability for septic tank leach fields with a soil potential index of 93. Birkbeck has severe wetness problems due to a high water table and moderate permeability. The typical corrective measure is curtain drains to lower

groundwater levels. Birkbeck soil makes up about 47% (11.1 acres) of the subject property.

- (2) Senachwine silt loam (map unit 618C2) has High suitability for septic tank leach fields with a soil potential index of 91. Senachwine has severe percolation problems due to low permeability, the degree of slope can also be a problem with this soil type. The typical corrective measure is a large absorption field to compensate for the slow percolation. Senachwine soil makes up about 15% (3.7 acres) of the subject property.
 - (3) Sunbury silt loam (map unit 234A) has Medium suitability for septic tank leach fields with a soil potential index of 83. Sunbury has severe wetness problems due to a high water table and moderate permeability. The typical corrective measures are subsurface drainage or curtain drains to lower groundwater levels. Sunbury soil makes up about 15% (3.6 acres) of the subject property.
 - (4) Xenia silt loam (map unit 291B) has Medium suitability for septic tank leach fields with a soil potential index of 79. Xenia has severe wetness problems due to a high water table and low permeability. The typical corrective measures are subsurface drainage or curtain drains to lower groundwater levels; and a large absorption field to compensate for the slow percolation. Xenia soil makes up about 9% (2.2 acres) of the subject property.
 - (5) Sawmill silty clay loam (map unit 3107A) has Very Low suitability for septic tank leach fields with a soil potential index of 3. Sawmill has severe flooding problems due to its common floodplain position; high groundwater levels; and moderate permeability. The typical corrective measures are subsurface drainage to lower the high groundwater level and possibly special design measures if located in a floodplain. Sawmill soil makes up about 9% (2.1 acres) of the subject property, and all the Sawmill soil on the subject property appears to be outside of the Zone A floodplain.
 - (6) Overall septic suitability of the soils on the subject property can be summarized as follows:
 - (a) Approximately 62% of the subject property is covered in soils that have High suitability for septic tank leach fields.
 - (b) Approximately 27% of the subject property is covered in soils that have Medium suitability for septic tank leach fields due to severe wetness problems.
 - (c) Approximately 9% of the subject property is covered in soils that have Very Low suitability due to severe flooding problems.
- C. Overall, the subject property and proposed RRO are comparable to “much better than typical” conditions for Champaign County in terms of common conditions for the suitability for onsite wastewater systems because only 9% of the soils on the property have low suitability compared to the approximately 51% of the entire County that has a Low Potential and according to CCPHD only two of the proposed lots will require curtain drains to de-water the soil.

GENERALLY REGARDING THE AVAILABILITY OF GROUNDWATER AT THE SITE

14. Regarding the availability of water supply to the site;
- A. The Staff report *Locational Considerations and Issues for Rural Residential Development in Champaign County, Illinois* included a map generally indicating the composite thickness of water bearing sand deposits in Champaign County. The map was an adaptation of a figure prepared by the Illinois State Geological Survey for the Landfill Site Identification Study for Champaign County. A copy of the map from the Staff report was included as an attachment to the Preliminary Memorandum and indicates that the subject property is not within the area of limited groundwater availability.
 - B. The developer proposes to extend public water to the property and provide a connected public water supply for each lot.
 - C. With the proposed public water supply, the subject property and proposed RRO are comparable to “ideal” conditions for Champaign County in terms of common conditions for the availability of water supply.

GENERALLY REGARDING THE AVAILABILITY OF EMERGENCY SERVICES TO THE SITE

15. Regarding the availability of emergency services to the site:
- A. The subject property is located approximately 1.5 miles from the Carroll Fire Protection District station on Brownfield Rd in Urbana; the approximate travel time is 3 minutes. The Fire District Chief has been notified of this request for rezoning.
 - B. The nearest ambulance service is in Urbana.
 - C. Overall, the subject property and proposed RRO are comparable to “nearly ideal” conditions for Champaign County in terms of common conditions for the availability of emergency services because the site is approximately 1.5 road miles from the Carroll fire station.

GENERALLY REGARDING FLOOD HAZARD AND OTHER NATURAL OR MANMADE HAZARDS

16. Regarding the flood hazard status of the site; pursuant to Federal Emergency Management Agency Panel No. only a small portion of the subject property is located within the Special Flood Hazard Area, and that area is not proposed as a buildable lot area.

Overall, the subject property and proposed RRO are comparable to “typical” conditions for Champaign County in terms of common conditions for flood hazard status because only a small portion of the subject property and the roads that provide access to the subject property are located in the floodplain.

17. Regarding the presence of nearby natural or man-made hazards:
- A. The subject property is not close to any man-made hazard.
 - B. Overall, the subject property and proposed RRO are comparable to “nearly ideal” conditions for Champaign County in terms of common conditions for the presence of nearby natural or

manmade hazards because there are no man-made hazards nearby and the site is approximately 1.5 miles from the City of Urbana corporate limits.

GENERALLY REGARDING COMPATIBILITY WITH SURROUNDING AGRICULTURE AND THE EFFECTS OF NEARBY FARM OPERATIONS ON THE DEVELOPMENT

18. Regarding the likely effects of nearby farm operations on the proposed development:
- A. Rough analysis of land use within a one-half mile radius of the subject property indicates the following:
 - (1) Row crop production agriculture occupies more than half of the land area within the immediate vicinity of the proposed RRO District and occurs on two sides of the proposed RRO.
 - (2) Row crop production produces noise, dust and odors that homeowners sometimes find objectionable. Farm operations may begin early and continue until well after dark exacerbating the impact of noise related to field work.
 - (3) There is no known livestock management facility within one mile of the subject property.
 - B. Overall, the subject property and proposed RRO are comparable to “much better than typical” conditions for Champaign County in terms of common conditions for the effects of nearby farmland operations on the proposed development because the subject property is bordered on only two sides by row crop agriculture and there are no livestock facilities nearby.

GENERALLY REGARDING THE (LESA) SCORE

19. Regarding the LESA score of the proposed RRO District:
- A. The Champaign County, Illinois LESA system is a method of evaluating the viability of farmland for agricultural uses. The LESA system results in a score consisting of a Land Evaluation portion and a Site Assessment portion. The score indicates the degree of protection for agricultural uses on that particular site and the degrees of protection are as follows:
 - (1) An overall score of 220 to 300 indicates a very high rating for protection of agriculture.
 - (2) An overall score of 200 to 219 indicates a high rating for protection of agriculture.
 - (3) An overall score of 180 to 199 indicates a moderate rating for protection of agriculture.
 - (4) An overall score of 179 or lower indicates a low rating for protection of agriculture.
 - (5) For comparison purposes, development on prime farmland soils but in close proximity to built up areas and urban services typically has scores between 180 and 200.
 - B. The LESA worksheets are an attachment to the Preliminary Memorandum. The component and total scores are as follows:
 - (1) The Land Evaluation component rating for the proposed RRO District is 67.

- (2) The Site Assessment component rating for the proposed RRO District is 106 to 116.
 - (3) The total LESA score is 173 to 183 and indicates a Low to Moderate rating for protection of agriculture.
- C. Overall, the subject property and proposed RRO are comparable to “nearly ideal” conditions for Champaign County in terms of common conditions for the LESA score because there is no best prime farmland on the property and the LE score is 67. The Site Assessment score is 106 to 116 for a total score of 173 to 183.

GENERALLY REGARDING THE EFFICIENT USE OF BEST PRIME FARMLAND

20. The subject property is not best prime farmland on average.

GENERALLY REGARDING THE EFFECTS ON WETLANDS, ARCHAEOLOGICAL SITES, AND NATURAL AREAS

21. Regarding the effects on wetlands, endangered species, and natural areas:
- A. An application to the Illinois Department of Natural Resources (IDNR) for endangered species consultation was made on April 21, 2006. The report received from IDNR on June 24, 2006 indicated that although there are endangered species in the vicinity of the subject property adverse effects on them are unlikely. The report also recommended erosion control during construction, and stated that compliance with local ordinances should minimize potential adverse effects.
 - B. Regarding the effects on archaeological resources:
 - (1) The subject property is within the area with a high probability of archaeological resources, which required a Phase 1 Archaeological Reconnaissance Survey.
 - (2) A Phase 1 survey of the subject property was completed by Alice Berkson and Michael Smith of the Public Service Archaeology Program of the Department of Anthropology of the University of Illinois at Urbana-Champaign. The survey found archaeological materials at two sites, but determined that they were not significant enough to warrant a Phase II survey. The report recommended project clearance.
 - C. The subject property is currently farmed and so contains no significant wildlife habitat.
 - D. Overall, the subject property and proposed RRO are comparable to “nearly ideal” conditions for Champaign County in terms of common conditions for the effect on wetlands, historic, or archaeological sites, natural or scenic areas, and/or wildlife habitat because there are no negative effects on any of the aforementioned areas.

GENERALLY REGARDING OVERALL SUITABILITY OF THE SITE FOR RURAL RESIDENTIAL DEVELOPMENT

22. Compared to “common conditions” found at rural sites in Champaign County, the subject property is similar to the following:

- A. “Ideal or Nearly Ideal” conditions for five factors (emergency services, other hazards, environmental concerns, LESA score, and availability of water)
- B. “Much Better Than Typical” conditions for three factors (effects of farms, effects on drainage, and septic suitability)
- C. “More or Less Typical” conditions for two factors (flood hazard status and road safety)
- D. “Much Worse Than Typical” conditions for no factors

GENERALLY REGARDING COMPATIBILITY WITH SURROUNDING AGRICULTURE AND THE EFFECTS OF THE DEVELOPMENT ON NEARBY FARM OPERATIONS

23. Regarding the likely effects of the proposed development on nearby farm operations:
- A. The surrounding land use on two sides of the subject property is agriculture. Direct interactions between the proposed development and nearby farmland are likely to include the following:
 - (1) The added traffic from the proposed development will increase the conflicts with movement of farm vehicles. See the concerns related to adequacy and safety of roads.
 - (2) Trespassing onto adjacent fields possible resulting into damage to crops or to the land itself.
 - (3) Blowing litter into the adjacent crops making agricultural operations more difficult.
 - (4) Discharge of “dry weather flows” of stormwater or ground water (such as from a sump pump) that may make agricultural operations more difficult.

Drainage from the subject property also travels over the adjacent property for a distance, which means that any increase in impervious area could increase the runoff that travels over the adjacent property, if not handled correctly.

 - (5) If trees are planted close to the north line of the property, they can be expected to interfere with some farming operations (such as harvesting) and may contribute to blockage of underground tiles (if any exist). Perimeter fencing, if installed, could also interfere with farming operations.

It is not planned to put either trees or fencing along the north property line.
 - B. The indirect effects are not as evident as the direct effects:
 - (1) A potential primary indirect effect of non-farm development on adjacent farmers (as identified in *Locational Considerations and Issues for Rural Subdivisions in Champaign County*) is that potential nuisance complaints from non-farm neighbors about farming activities can create a hostile environment for farmers particularly for livestock management operations.

- (2) Champaign County has passed a “right to farm” resolution that addresses public nuisance complaints against farm activities. The resolution exempts agricultural operations from the Public Nuisance Ordinance (except for junk equipment) but does not prevent private law suits from being filed.
- (3) The State of Illinois Livestock Management Facilities Act (510ILCS 77) governs where larger livestock facilities (those with more than 50 animal units, which is equivalent to 125 hogs) can be located in relation to non-farm residences and public assembly uses (churches, for example). The separation distances between larger livestock facilities and non-farm residences is based on the number of animal units occupying the livestock facility and the number of non-farm residences in the vicinity.

There is no known livestock management facility within one mile of the subject property.

- C. Testimony at the August 17, 2006, public hearing regarding livestock can be summarized as follows:
- (1) Carrol Goering, 2606 North High Cross Road, testified generally that he is concerned about one of the covenants of the proposed subdivision regarding the prohibition of animals. He said that some of the neighbors have animals and he hopes that the new owners of the lots understand that they live in a rural area and a rooster crowing at 5:00 a.m. is the norm and as long as the new owners understand that the rural residents have their way of life which includes animals then he welcomes them to the neighborhood.
 - (2) Anthony Becker, 3205 East Airport Road, testified generally that he is concerned about the conflict with the new neighbors and any existing animals which are in the neighborhood.

DOCUMENTS OF RECORD

1. Application, received April 21, 2006, with attachments:
 - A Preliminary Site Plans of Brickhouses Road Subdivision
 - B Commitment for Title Insurance from Chicago Title Company
 - C Deed in Trust of Subject Property
 - D Copy of Application sent to IDNR
 - E IHPA Phase I Archaeological Reconnaissance Survey (abridged)
 - F Draft Covenants for Lots 1-11 of Brickhouses Road Subdivision
 - G Illinois Statutory Short Form Power of Attorney for Property

2. Petitioner submittals received on April 27, 2006
 - A Letter from Deborah Insana to Bruce Stickers
 - B Letter from Bruce Stickers
 - C Additional adjacent landowners

3. Petitioner submittal received on June 24, 2006
 - A IDNR Consultation Agency Action Report

4. Petitioner submittals received on July 26, 2006
 - A Revised Preliminary Site Plans for Brickhouses Road Subdivision
 - B Letter from Garry Bird
 - C Professional Engineer Report on Drainage Conditions prepared by Rex A. Bradfield
 - D Petitioner's Soil Investigations

5. Preliminary Memorandum for Case 542-AM-06, with attachments:
 - A Case Maps (Location, Land Use, Zoning)
 - B Table of Petitioner Submittals
 - C Schematic of Brickhouses Road Subdivision
 - D Professional Engineer Report on Drainage
 - E Champaign County Land Use Regulatory Policies as amended 11/20/01
 - F Illinois Statutory Short Form Power of Attorney for Property
 - G Covenants for Lots 1-11 of proposed subdivision
 - H Letter from Garry Bird, received on July 26, 2006
 - I Letter from Deborah Insana to Bruce Stickers, received on April 27, 2006
 - J Letter from Bruce Stickers, received on April 27, 2006
 - K Section 22 Natural Resources Report from CCSWCD
 - L Petitioner's Soil Investigation results
 - M Excerpted worksheets from *Soil Potential Ratings for Septic Tank Absorption Fields Champaign County, Illinois*
 - N IDNR Consultation Agency Action Report, received on June 24, 2006
 - O IHPA Phase I Archaeological Reconnaissance Survey (abridged)
 - P IDOT maps, showing AADT, of roads surrounding subject property
 - Q Commitment for Title Insurance from Chicago Title Insurance Company

- R Deed in Trust of Subject Property
 - S Land Evaluation and Site Assessment Worksheet
 - T Table of Common Conditions Influencing the Suitability of Locations for Rural Residential Development in Champaign County
 - U Comparing the Proposed Site Conditions to Common Champaign County Conditions
 - V Summary of Site Comparison for Factors Relevant to Development Suitability
 - W Summary of Comparison for Factors Relevant to Compatibility with Agriculture
 - X Draft Finding of Fact for Case 524-AM-05
-
- 6. Letter from Don Flessner, Saline Branch Drainage District Commissioner, received August 18, 2006
 - 7. Sketch of approximate drainage tile locations by Mark Weckel received on August 28, 2006
 - 8. Memorandum from Rex Bradfield with attachments:
 - A Sketch of approximate drainage tile locations by Mark Weckel
 - B Infrared photograph of subject property by the Champaign County Soil and Water Conservation District
 - C Possible filed tile locations on subject property by the Champaign County Soil and Water Conservation District
 - 9. Supplemental Memorandum dated October 20, 2006, with Attachments:
 - A Letter from Don Flessner, Saline Branch Drainage District Commissioner, received August 18, 2006
 - B Memorandum from Rex Bradfield with attachments:
 - 1 Sketch of approximate drainage tile locations by Mark Weckel
 - 2 Infrared photograph of subject property by the Champaign County Soil and Water Conservation District
 - 3 Possible filed tile locations on subject property by the Champaign County Soil and Water Conservation District
 - C Final Plat of Brickhouses Road Subdivision received October 18, 2006
 - D Grading- Paving Plan- Erosion Control Plan of Brickhouses Road Subdivision received October 18, 2006
 - E City of Urbana Community Development Services Planning Division Memorandum dated September 14, 2006 with attachment:
 - 1 Partial minutes of August 24, 2006, Urbana Plan Commission public hearing
 - F Minutes of August 17, 2006, ZBA meeting (included separately)
 - G Schematic of Brickhouses Road Subdivision (unchanged)
 - H Comparing the Proposed Site Conditions to Common Champaign County Conditions (unchanged)
 - I Summary of Site Comparison for Factors Relevant to Development Suitability (unchanged)

J Summary of Comparison for Factors Relevant to Compatibility with Agriculture (unchanged)
K Revised Summary of Evidence

10. Photographs of subject property and rainstorm on July 12, 2006, submitted by Tony Becker on October 26, 2006

FINDING OF FACT

From the Documents of Record and the testimony and exhibits received at the public hearing conducted on August 17, 2006, and October 26, 2006, the Zoning Board of Appeals of Champaign County finds that:

1. The Proposed Site **IS SUITED** for the development of 9 residences because:
 - A. 8 of 10 categories for site comparison are “Much Better Than Typical” or “Ideal” with ideal conditions for emergency services, other hazards, environmental concerns, LESA score, and availability of water and Much Better Than Typical conditions for effects of farms, effects on drainage, and septic suitability and More or Less Typical conditions for flood hazard status and road safety; and
 - B. the subdivision detention pond will help mitigate some of the existing flooding concerns; and
 - C. the subject property is one of the best that have been presented to the Board for septic suitability of the soils; and
 - D. the subject property is not best prime farmland; and
 - E. the LE score is 67 and the site assessment score is 106 to 116 for a total LESA score of 173 to 183;and despite:
 - F. the effects on road safety and minimal effect on farms as compared to the non-RRO alternative; and
 - G. the history of the flooding situation in the neighborhood.
2. Development of the Proposed Site under the proposed Rural Residential Overlay development **WILL BE COMPATIBLE** with surrounding agriculture because:
 - A. there is no best prime farmland on the property the LE score is 67 and the site assessment score is 106 to 116 for a total LESA score of 173 to 183; and
 - B. The development will have little or no effect on agricultural drainage; and
 - C. because currently only two sides of the property have farming operations; and
 - D. traffic from the property should not have much effect on farm traffic; and

- E. the proposed subdivision will utilize a single access road and will not add mailboxes or driveways to the existing road and will not interfere with agricultural traffic;**

and despite:

- F. the effects on road safety and minimal effect on farms as compared to the non-RRO alternative.**

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 Map Amendment requested in Case 542-AM-06 should **BE ENACTED** by the County Board.

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

SIGNED:

Debra Griest, Chair
Champaign County Zoning Board of Appeals

ATTEST:

Secretary to the Zoning Board of Appeals

Date

Champaign
County
Department of

**PLANNING &
ZONING**

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

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

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

Date: **November 13, 2006**

RE: **Zoning Case 550-AM-06**

Zoning Case 550-AM-06

Request **Amend the Zoning Map to change the zoning district designation from the AG-1 Agriculture Zoning District to the B-4 General Business Zoning District subject to conditions**

Petitioners **Jeremy Ross and William & Deborah Klein**

STATUS

The Zoning Board of Appeals recommended enactment of the attached map amendment at their meeting on October 12, 2006. This Case and a related Special Use Permit (Zoning Case 551-S-06) are proposed to authorize the re-use of a former agricultural chemical research facility. The proposed use is a business performing light assembly.

The ZBA recommended approval of this amendment with conditions that limit the type of use that is permissible. See the discussion below. At that same meeting they approved the related Special Use Permit (Zoning Case 551-S-06) with no conditions save the approval of this amendment. The proposed map amendment is not within any extraterritorial jurisdiction nor within the jurisdiction of a township planning commission and is ready for Committee action.

RECOMMENDED CONDITIONS

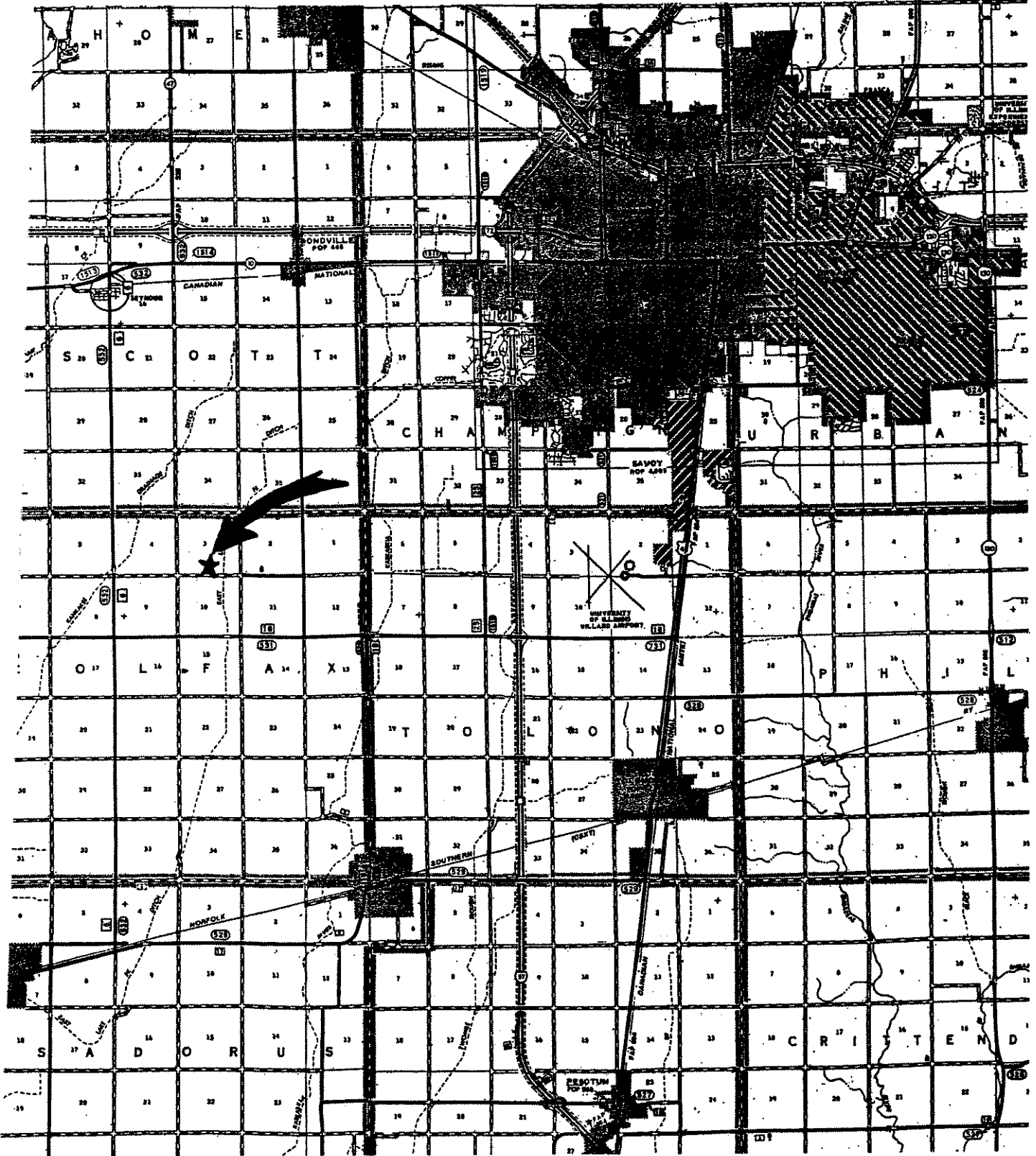
The ZBA approved two conditions to this amendment. Both conditions were intended to ensure that any future use of this property is similar to the use proposed in the related Special Use Permit (Zoning Case 551-S-06) and that any future use would have similar impact on the surrounding agriculture. The conditions are as follows:

- Any use of the subject property will be limited to reuse of the existing building, and no expansion of building area shall be allowed.
- Any use of the subject property shall be limited to a business office and light assembly.

ATTACHMENTS

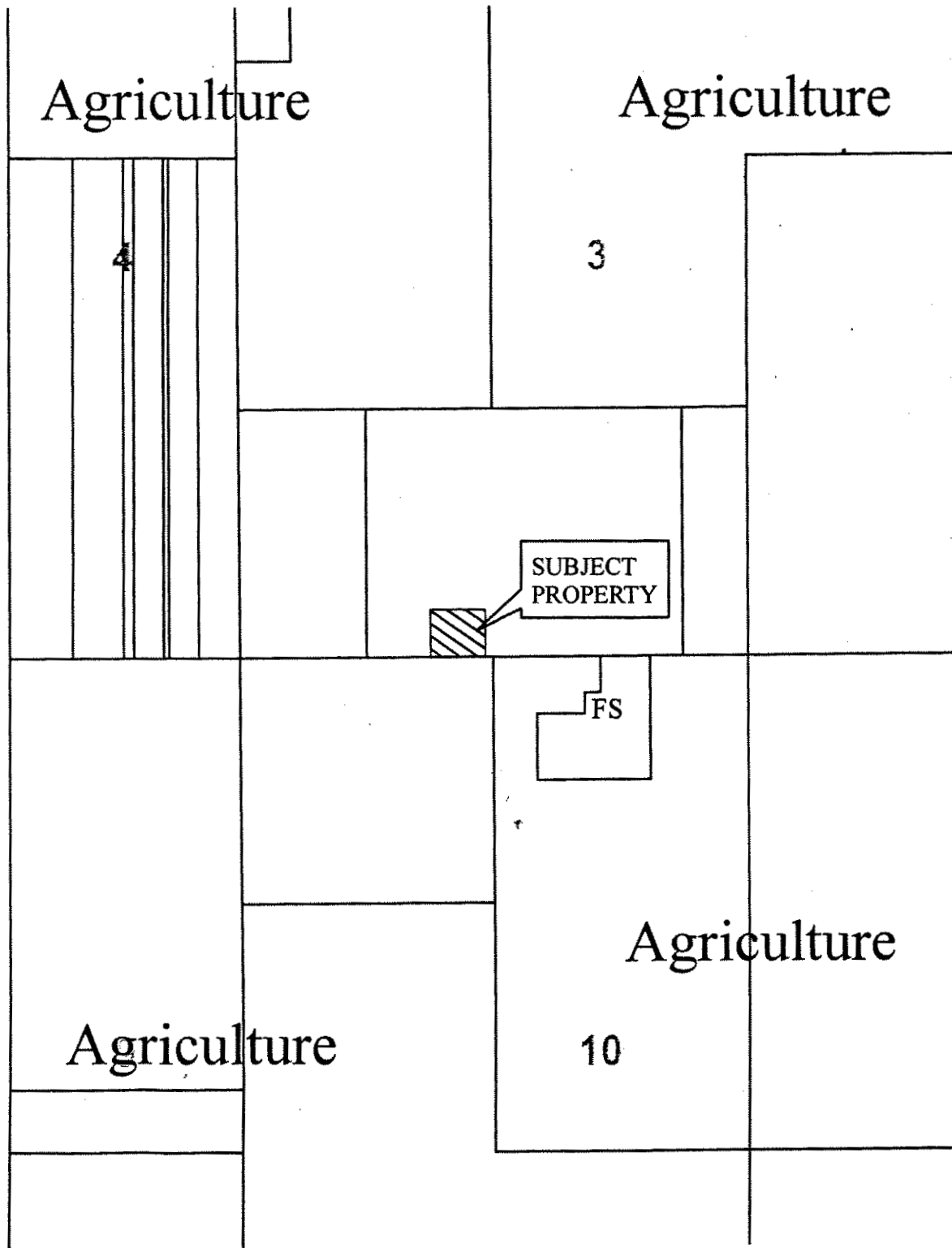
- A Case Maps (Location, Land Use, Zoning) for Case 550-AM-06**
- B As Approved Finding of Fact for Case 550-AM-06**

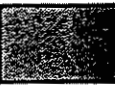


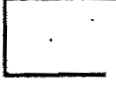


ATTACHMENT A. LOCATION MAP
Cases 550-AM-06 & 551-S-06
NOVEMBER 6, 2006



Cambridge
County
Department of
PLANNING &
ZONING

ATTACHMENT A. LAND USE MAP
Cases 550-AM-06 & 551-S-06
NOVEMBER 6, 2006

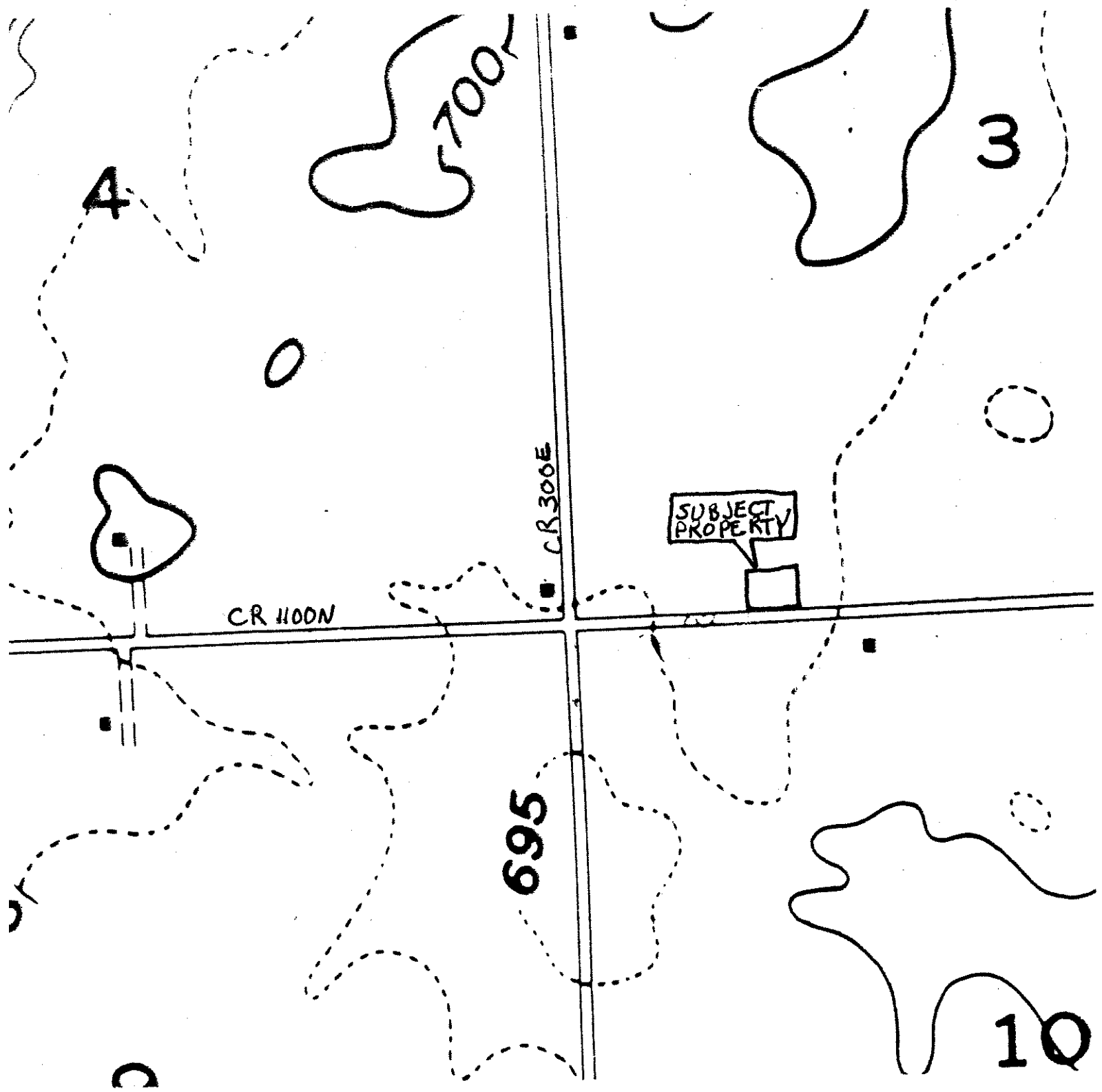


	Area of Concern	
	Single Family	
	Farmstead	



Champaign
County
Department of
**PLANNING &
ZONING**

ATTACHMENT A. ZONING MAP
 Cases 550-AM-06 & 551-S-06
 TOBER 6, 2006



AG-1 Agriculture	R-1 Single Family Residence	R-4 Multiple Family Res.	B-2 Neighborhood Business	B-5 Central Business	NORTH Champaign County Department of PLANNING & ZONING
AG-2 Agriculture	R-2 Single Family Residence	R-5 Mobile Home Park	B-3 Highway Business	I-1 Light Industry	
CR Conservation	R-3 Two-family	B-1 Rural General Business	B-4 General Business	I-2 Heavy Industry	

AS APPROVED

550-AM-06

**FINDING OF FACT
AND FINAL DETERMINATION
of**

Champaign County Zoning Board of Appeals

Final Determination: ***RECOMMEND ENACTMENT***

Date: October 12, 2006

Petitioners: Jeremy Ross and William & Deborah Klein

Request: Amend the Zoning Map to change the zoning district designation from AG-1 Agriculture Zoning District to the B-4 General Business Zoning District

FINDING OF FACT

From the documents of record and the testimony and exhibits received at the public hearing conducted on **October 12, 2006**, the Zoning Board of Appeals of Champaign County finds that:

- *1. The petitioners are Jeremy Ross and William & Deborah Klein.
- *2. The subject property is approximately 1.69 acres in the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 3 of Colfax Township and that is commonly known as the former BASF facility at 320 CR 1100N, Seymour.
- *3. The subject property is not located within the one and one-half mile extraterritorial jurisdiction of a municipality with zoning.
4. Regarding comments by petitioners, when asked on the petition what error in the present Ordinance is to be corrected by the proposed change, the petitioners indicated the following:
Not applicable to this application
5. Regarding comments by the petitioners when asked on the petition what other circumstances justify the amendment the petitioners indicated the following:
The subject property, originally constructed for agricultural pesticide research, is one of several similar facilities in the area that has since been abandoned or converted for use in other industries, due to shifts in the agricultural chemical industry in the last decade. The subject property, owned by Seymour resident William J. Klein, is attractive to First-Light USA due to the building's usable office space and Jeremy Ross' close relationship to Klein. The building has attractive

*Same evidence as in Case 551-S-06

useable office space, adequate phone and data capabilities, and an alarm system, which were installed by previous tenants. The parking area is also already established. These amenities make the facility ideal for First-Light USA's business activities.

GENERALLY REGARDING LAND USE AND ZONING IN THE IMMEDIATE VICINITY

- *6. The subject property is zoned AG-1 Agriculture. The subject property is now proposed to be rezoned for a business facility with office space and light assembly on site. Other relevant information regarding the proposed use is as follows:
- A. There has never been any zoning activity on the subject property.
 - B. The proposed facilities of First-Light USA at this location are described in the application as an existing building containing a total of 10,168 square feet; 2500 of which is office space and another approximately 2500 square feet of heated shop space, which will be utilized for the light assembly.
 - C. The company proposing to reuse this building is First-Light USA, and is described by the Petitioner as follows:
 - (1) First-Light USA is a start-up company formed in the fall of 2004 that currently provides *patent-pending innovative personal illumination products* to the tactical industry, which includes law enforcement, military, corrections, and home defense customers. Our flagship product, the Liberator Tactical Light, was introduced to the market in April of 2006. In the coming years, First-Light USA will provide lighting products to a wide range of markets including the industrial and fire, outdoor consumer, and household markets.
 - D. First-Light USA is currently occupying the subject property on a limited basis with the permission of the Zoning Administrator.
- *7. All land surrounding the subject property is zoned AG-1 Agriculture, and is used as farmland, except just south and east of the subject property is a farmstead.
8. There are no previous zoning cases in the vicinity of the subject property.

GENERALLY REGARDING THE EXISTING AND PROPOSED ZONING DISTRICTS

9. Regarding the existing and proposed zoning districts:
- A. Regarding the general intent of zoning districts (capitalized words are defined in the Ordinance) as described in Section 5 of the Ordinance:
 - (1) The AG-1 Agriculture DISTRICT is intended to protect the areas of the COUNTY where soil and topographic conditions are best adapted to the pursuit of AGRICULTURAL USES and to prevent the admixture of urban and rural USES which would contribute to the premature termination of AGRICULTURAL pursuits.

- (2) The B-4 General Business DISTRICT is intended to accommodate a range of commercial USES and is intended for application only adjacent to the urbanized areas of the COUNTY.

- B. Regarding the locations of the existing and proposed zoning districts:
 - (1) The AG-1 Agriculture Zoning District is the most prevalent district in the county, applied throughout the county outside of municipal ETJ's, streams and rivers, and small settlements.

 - (2) There is no easy generalization to describe where the B-4 General Business Zoning District was originally established except to say that with a few large exceptions it does not occur very often outside of the fringe of urbanized areas. There has been a trend in recent years to change B-3 zoned areas to B-4 and this may occur as part of the amendments in later phases of the Comprehensive Zoning Review.

- C. Regarding the different uses that are authorized in the existing and proposed zoning districts by Section 5.2 of the Ordinance:
 - (1) There are 10 different types of uses authorized by right in the AG-1 District and there are 115 different types of uses authorized by right in the B-4 District.

 - (2) There are 39 different types of uses authorized by Special Use Permit in the AG-1 District and 11 different types of uses authorized by Special Use Permit in the B-4 District.

 - (3) A business office is not authorized in the AG-1 District and is authorized by right in the B-4 District

GENERALLY REGARDING WHETHER THE SUBJECT PROPERTY IS WITHIN A MUNICIPAL ETJ AREA

- 10. The subject property is not located within the one-and-one-half mile extraterritorial jurisdiction of a municipality with zoning, nor does Colfax Township have a planning commission.

REGARDING CHAMPAIGN COUNTY LAND USE GOALS AND POLICIES

- 11. The Land Use Goals and Policies were adopted on November 29, 1977, and were the only guidance for County Map Amendments until the Land Use Regulatory Policies-Rural Districts (LURP) were adopted on November 20, 2001, as part of the Rural Districts Phase of the Comprehensive Zoning Review (CZR). The LURP's were amended September 22, 2005, but the amendment contradicts the current Zoning Ordinance and cannot be used in concert with the current Zoning Ordinance. The LURP's adopted on November 20, 2001, remain the relevant LURP's for discretionary approvals (such as map amendments) under the current Zoning Ordinance. The relationship of the Land Use Goals and Policies to the relevant LURP's 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.

GENERALLY REGARDING POLICIES FOR COMMERCIAL LAND USE

- 12. The commercial land use policies are relevant because the subject property is proposed to be rezoned to the B-4 District. There are five commercial land use policies in the Land Use Goals and Policies. In addition there are two utilities policies (7.3 and 7.3a) that are relevant.
- 13. Policies 3.2, 3.3, and 3.5 of the Land Use Goals and Policies do not seem to be relevant to this map amendment. These policies are as follows:
 - A. Policy 3.2 states that the County Board will establish, by amendment to the Zoning Ordinance or other means, a process for reviewing petitions for new commercial land to include a determination of the need for new commercial development based on market demand.

This map amendment does not appear to be relevant to any specific map amendment

- B. Policy 3.3 states that the Environment and Land Use Committee will examine the Zoning Ordinance to institute more flexible commercial development controls such as planned unit development and transfer of development rights in order to provide a wider variety of commercial development techniques and better compatibility with non-commercial uses.

This map amendment does not appear to be relevant to any specific map amendment

- C. Policy 3.5 of the Land Use Goals and Policies states that the County Board will not encourage major new commercial developments except in those areas which can be adequately served by public mass transit.

This map amendment does not seem to be relevant to this map amendment because the proposed use does not qualify as “major new commercial development,” and it is not the type of use that will require access to public transportation.

- 14. Policy 3.1 of the Land Use Goals and Policies states that the County board will encourage only those new commercial developments which are found to be needed to serve the demands of the residents of Champaign County and its trade area.

The proposed map amendment **CONFORMS** to Policy 3.1 because the proposed use will generate jobs and serve the needs of Champaign County’s law enforcement personnel.

- 15. In regards to the adequacy of utilities and fire protection at the subject property for the proposed map amendment:
 - A. The following policies relate to adequacy of utilities and fire protection:

- (1) Policy 3.4 of the Land Use Goals and Policies states that the County Board will not encourage major new commercial development except in those areas where sewer, water, adequate fire protection and other utilities are readily available.
 - (2) Policy 7.3 states that the County Board will encourage development only in areas where both sewer and water systems are available. In areas without public sewer and water systems, development may occur only if it is determined that individual septic systems can be installed and maintained in a manner which will not cause contamination of aquifers and groundwater and will not cause health hazards. Requests for development should demonstrate that wastewater disposal systems, water supply, fire and police protection are adequate to meet the needs of the proposed development.
 - (3) Policy 7.3A states that new subdivisions and zoning changes should meet these (7.3 above) standards and will be considered where they are not in conflict with the goals and policies of this Plan.
- B. Regarding the availability of water:
- (1) The subject property is in an area that can not be served by any public water supply system; therefore, the subject property must be served by a well.
 - (2) The subject property was operated as a chemical research facility, which had similar water needs as the proposed use; therefore, there it is reasonable to believe that there is a sufficient waterwell on the subject property.
 - (3) Policy 7.3 states that development may only occur if it is determined that water supply systems are adequate to meet the needs of the proposed development. The water supply for the subject property is not currently known in enough detail to make this determination.
 - (4) In regards to the availability of a connected public water supply system, the proposed map amendment **CONFORMS** based on the testimony of Co-Petitioner, Jeremy Ross who stated that the waterwell on the subject property was adequate for First-Light's use.
- C. Regarding the adequacy of an individual septic system for the proposed development:
- (1) The subject property is in an area that can not be served by any public sanitary sewer; therefore, it must use an onsite wastewater disposal system.
 - (2) The subject property was operated as a chemical research facility, which had similar wastewater disposal needs as the proposed use; therefore, there it is reasonable to believe that there is an adequate septic system on the subject property.
 - (3) There is no Section 22 Natural Resource Report for this site because it has already been developed, but according to the *Soil Survey of Champaign County*, this site most likely has Elburn silt loam, a soil with Medium septic suitability according to *Soil Potential Ratings for Septic Tank Absorption Fields Champaign County, Illinois*.

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- (4) Policy 7.3 states that development may occur only if it is determined that individual septic systems can be installed and maintained in a manner which will not cause contamination of aquifers and groundwater and will not cause health hazards and that requests for development should demonstrate that wastewater disposal systems are adequate to meet the needs of the proposed development.
 - (5) In regards to the adequacy of an individual septic system for the proposed development the proposed map amendment **CONFORMS** based on the adequacy of the septic systems in place on the subject property.
- D. Regarding the adequacy of fire protection at this location for the proposed map amendment:
- (1) The subject property is located within the response area of the Seymour Fire Protection District. It is approximately 5 road miles from the District's station. The Fire District chief has been notified of this request but no comments have been received.
 - (2) In regards to adequate fire protection, the proposed map amendment appears to **CONFORM** to Policy 3.4 because there have been no concerns raised by the Seymour Fire Protection District.
- E. In regards to overall conformance with policies 3.4., 7.3 and 7.3A the proposed map amendment **CONFORMS**.
16. Policy 3.6 of the Land Use Goals and Policies states that the County Board will strongly discourage proposals for new commercial development not making adequate provisions for drainage and other site considerations.
- The proposed map amendment **CONFORMS** because of the following:
- A. The existing building on the subject property was originally built as a seed research facility before shifts in the agricultural chemical industry forced the property to change hands several times before Co-Petitioner William Klein purchased the property. There is no testimony at this time as to how long the property was vacant before First-Light decided to rent the property from the Co-Petitioner.
 - B. Based on staff observations and the history of the building there is no evidence that there are any drainage problems on the subject property.
 - C. Pursuant to Federal Emergency Management Agency Flood Insurance Rate Map Panel Number 1708940175B, the subject property is not located within the Special Flood Hazard Area.
 - D. The subject property conforms to all other Zoning Requirements.
17. Policy 3.7 of the Land Use Goals and Policies states that the County Board will strongly discourage proposals for new commercial development along arterial streets and highways if the proposals contribute to the establishment or maintenance of a strip commercial pattern. As an alternative,

concentrated or nodal patterns of development may be considered when there is adequate provision for safe, controlled access to the arterial streets and highways.

The proposed map amendment *CONFORMS* to Policy 3.7 because there are no other business uses near the subject property.

GENERALLY REGARDING POLICIES FOR AGRICULTURAL LAND USE

18. There are six policies related to agricultural land uses in the Land Use Goals and Policies. The agricultural land use policies are relevant because the property is proposed to be changed from the AG-1 District. The following agricultural land use policies do not appear to be relevant to any specific map amendment:
- A. Policy 1.1 of the Land Use Goals and Policies states that the Environmental and Land Use Committee will study the possibility of creating several agricultural districts which would provide one or more districts for agricultural uses, only, while other districts would permit limited non-agricultural uses.
 - B. Policy 1.3 of the Land Use Goals and Policies states that the Environment and Land Use Committee and the Board of Appeals will work towards applying the concepts of development rights transfer, planned unit development, cluster development and special use permits to insure, when and where necessary, that development of non-agricultural uses is compatible to adjacent agricultural activities.
 - C. Policy 1.4 of the Land Use Goals and Policies states that the Environment and Land Use Committee will examine the zoning classification of lands on the urban periphery for the possibility of rezoning lands from district classifications which encourage productive farming.
 - D. Policy 1.5 of the Land Use Goals and Policies states that the Environment and Land Use Committee and the County Board will encourage the development of tax assessment policies which will discourage the unnecessary conversion of agricultural land to non-agricultural uses.
 - E. Policy 1.6 of the Land Use Goals and Policies states that the Environment and Land Use Committee and the County Board will initiate a coordinated effort among local units of government to create uniform standards and procedures to review developments proposed for agricultural areas.
19. Policy 1.2 of the Land Use Goals and Policies states that the Board of Appeals and the County Board will restrict non-agricultural uses to non-agricultural areas or
- i. those areas served by:
 - adequate utilities
 - transportation facilities, and
 - commercial services or
 - ii. those areas where non-agricultural uses will not be incompatible with existing agricultural uses.

The proposed map amendment *CONFORMS* to Policy 1.2 based on the following:

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- A. The proposed map amendment **CONFORMS** regarding transportation facilities based on the following:
- (1) The Illinois Department of Transportation measures traffic on various roads throughout the County and determines the annual average 24-hour traffic volume for those roads and reports it as Average Daily Traffic (ADT). The most recent ADT data is from 2001 in the vicinity of the subject property is 25 ADT for CR 400E, east of the subject property; and 175 for CR 300E, west of the subject property.
 - (2) Based the AADT in the area of the subject property, there is assumed to be very little traffic on CR 1100N. Since the proposed use will not add very many ADT to the already low traffic, the effect on CR 1100N is assumed to be negligible.
 - (3) The Township Highway Commissioner has been notified of this case, but no comments have been received.
- B. In regards to Policies 3.4, 7.3, and 7.3A and overall adequacy of utilities (see item 15) the proposed map amendment **CONFORMS**.
- C. The proposed map amendment **CONFORMS** in regards to compatibility with agriculture because it will allow for productive reuse of an abandoned agricultural research facility.

REGARDING GOALS FOR COMMERCIAL USES IN THE LAND USE GOALS AND POLICIES

20. The commercial land use goals are relevant because the subject property is proposed to be changed from the B-5 DISTRICT. The fourth commercial land use goal does not appear to be relevant to any specific map amendment. The fourth commercial land use goal is as follows:

Establishment of development procedures to promote appropriate justification for new commercial development.

21. The first commercial land use goal is provision of a sufficient amount of land designated for various types of commercial land use to serve the needs of the residents of the County.

The proposed map amendment **ACHIEVES** the first commercial land use goal because it will allow a more productive use of land in rural Champaign County that is already out of agricultural production.

22. The second commercial land use goal is as follows:

Location of commercial uses:

- i. within ready accessibility to sewer, water and other utilities as well as adequate streets and highways.
- ii. Adequate public transit will also be considered.

Based on the review of the four relevant policies: Policy 3.4 (see item 15), Policy 7.3, Policy 7.3A, and Policy 1.2 (see item 19) the proposed map amendment **ACHIEVES** this goal.

23. The third commercial land use goal is as follows:

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

Based on the proposed land use the proposed map amendment *ACHIEVES* this goal based on the review of Policy 1.2 of the Land Use Goals and Policies.

REGARDING GOALS FOR AGRICULTURAL LAND USES IN THE LAND USE GOALS AND POLICIES

24. The agricultural land use goals are relevant because the property is proposed to be changed from the AG-1 District. The first agricultural land use goal of the Land Use Goals and Policies is as follows:

Preservation and maintenance of as much agricultural land in food and fiber production as possible, and protection of these lands from encroachment by non-agricultural uses.

Based on the proposed development the proposed map amendment *ACHIEVES* this goal because the amendment will not result in commercial development intruding further into productive agricultural areas.

25. The second agricultural land use goal of the Land Use Goals and Policies is as follows:

Establishment of an agricultural land classification system based on productivity. Improvement of rural drainage systems.

This goal does not appear to be relevant to relevant to any specific map amendment.

REGARDING GENERAL LAND USE POLICIES

26. There are two general land use policies in the Land Use Goals and Policies. The second land use policy is not relevant to any specific map amendment.

27. The first general land use policy is the following:

The County Board, the Environmental and Land Use Committee and the Zoning Board of Appeals will follow the policies of:

- i. encouraging new development in and near urban and village centers to preserve agricultural land and open space;
- ii. optimizing the use of water, sewer, and public transportation facilities; and reducing the need for extending road improvements and other public services.

Based on the review of the relevant commercial and agricultural land use policies and goals, the proposed map amendment *CONFORMS* to this policy as follows:

- A. **CONFORMS** in regards to preserving agricultural land and open space because the amendment will not result in commercial development intruding further into productive agricultural areas (see item 20C).
- B. **CONFORMS** in regards to optimizing the use of water, sewer, and public transportation facilities; reducing the need for extending road improvements and other public services based on the following:
 - (1) Regarding water and sewer, the subject property must use onsite water supply and septic systems; therefore, no public water supply system or public sanitary sewer system will be overextended.
 - (2) Regarding public transportation, the subject property is in a rural area that will not be served by a public transportation organization, which will keep public transportation from being overextended.

REGARDING GENERAL LAND USE GOALS IN THE LAND USE GOALS AND POLICIES

- 28. There are five general land use goals for all land use in the Land Use Goals and Policies. Three of the general land use goals are not relevant to the proposed map amendment for the following reasons:
 - A. The first and fifth general land use goals are not relevant to any specific map amendment.
 - B. The second general land use goal is so generally stated that it is difficult to evaluate the degree of achievement by the proposed map amendment.
- 29. The third general land use goal is as follows:

Land uses appropriately located in terms of:

 - i. utilities, public facilities,
 - ii. site characteristics, and
 - iii. public services.

Considerations of the proposed map amendment related to this goal are as follows:

 - A. The proposed map amendment **ACHIEVES** the third general land use goal in regard to site characteristics based on compliance with Policy 3.6 (see item 16).
 - B. The proposed map amendment **ACHIEVES** the third general land use goal in regards to public utilities and public services based on compliance with Policies 3.4, 7.3, and 7.3a (see item 15); and the first general land use policy.
 - C. Overall, based on the review of the four relevant policies (see above), the proposed map amendment **ACHIEVES** the third general land use goal.
- 30. The fourth general land use goal is as follows:

Arrangement of land use patterns designed to promote mutual compatibility.

Overall the fourth general land use goal will **BE ACHIEVED** by the proposed map amendment based on conformance with or achievement of the preceding policies and goals.

GENERALLY REGARDING COMPLIANCE WITH THE LAND USE REGULATORY POLICIES—RURAL DISTRICTS

31. The LURP's were originally adopted on November 20, 2001 as part of the Rural Districts Phase of the Comprehensive Zoning Review. The LURP's were amended September 22, 2005, but the amendment contradicts the current Zoning Ordinance and cannot be used in concert with the current Zoning Ordinance. The LURP's adopted on November 20, 2001, remain the relevant LURP's for discretionary approvals (such as map amendments) under the current Zoning Ordinance.

32. Regarding compliance with relevant Land Use Regulatory Policies (LURP's):

A. LURP 1.4.1 states that non-agricultural land uses will not be authorized unless they are of a type not negatively affected by agricultural activities or else are located and designed to minimized exposure to any negative affect caused by agricultural activities.

The proposed map amendment **CONFORMS** to this policy because the proposed use will take place entirely indoors and will not be subject to any meaningful interference from agricultural activities.

B. LURP 1.4.2 states that non-agricultural land uses will not be authorized if they would interfere with farm operations or would damage or negatively affect the operation of agricultural drainage systems, rural roads or other agriculture-related infrastructure.

The proposed map amendment **CONFORMS** to this policy because the traffic generated by the proposed use will not be related to agriculture but the volume of traffic will be similar to the previous use and limited because no expansion would be allowed under the proposed condition and allowing this much non-agriculture-related traffic would let the building be put to productive use.

C. LURP 1.5.2 states that development that requires discretionary review will not be allowed on best prime farmland unless the site is well suited, overall, for the proposed land use.

The proposed map amendment **CONFORMS** to this policy based on the following:

(1) According to the *Soil Survey of Champaign County*, there are two types of soil on the subject property: Elburn silt loam and Drummer silty clay loam, both of which are best prime farmland soils, which makes the subject property best prime farmland overall.

(2) This site has already been converted out of production agriculture and contains an existing building well-suited to the purposes of the Petitioner, making the site well-suited, overall for the proposed use.

AS APPROVED

- D. LURP 1.5.3 states that development that requires discretionary review will not be allowed if the existing infrastructures, together with the improvements proposed, is inadequate to support the proposed development effectively and safely without undue public expense.

The proposed map amendment *CONFORMS* to this policy based on conformance to or achievement of Policies 3.4, 7.3, and 7.3a of the Land Use Goals and Policies; the first general land use policy; and the third general land use goal.

- E. LURP 1.5.4 states that development that requires discretionary review will not be allowed if the available public services are inadequate to support the proposed development effectively and safely without undue public expense.

The proposed map amendment *CONFORMS* to this policy because in the review of Policy 3.4 of the Land Use Goals and Policies, Scott Fire Protection District was notified of this case and no comments were received.

- F. LURP 1.6.1 states that in all rural areas, businesses and other non-residential uses will be allowed if they support agriculture or involve a product or service that is provided better in a rural area than in an urban area.

The proposed map amendment *CONFORMS* to this policy because the proposed use is a business that can operate out of a rural location, and can make productive use of this vacant building.

- G. LURP 1.6.2 states that on the best prime farmland, businesses and other non-residential uses will not be authorized if they take any best prime farmland out of production unless:
- i. they also serve surrounding agricultural uses or an important public need; and can not be located in an urban area or on a less productive site; or
 - ii. the uses are otherwise appropriate in a rural area and the site is very well suited to them.

The proposed map amendment *CONFORMS* to this policy because there will be no more best prime farmland taken out of production by this reuse of an existing rural structure.

GENERALLY REGARDING POSSIBLE CONDITIONS OF APPROVAL

33. The following special conditions of approval will ensure that any future use of the subject property will be similar to the proposed use and will have similar impacts on the surrounding agriculture:

- A. Any use of the subject property will be limited to reuse of the existing building, and no expansion of building area shall be allowed.

To ensure that any future use of the subject property will be similar to the proposed use and will have similar impacts on the surrounding agriculture.

- B. Any use of the subject property shall be limited to a business office and light assembly.

To ensure that any future use of the subject property will be similar to the proposed use and will have similar impacts on the surrounding agriculture

GENERALLY REGARDING ANALYSIS OF THE LASALLE FACTORS

34. In the case of *LaSalle National Bank of Chicago v. County of Cook* the Illinois Supreme Court reviewed previous cases and identified six factors that should be considered in determining the validity of any proposed rezoning. Those six factors are referred to as the *LaSalle* factors. Two other factors were added in later years from the case of *Sinclair Pipe Line Co. v. Village of Richton Park*. The *Champaign County Zoning Ordinance* does not require that map amendment cases be explicitly reviewed using all of the *LaSalle* factors but it is a reasonable consideration in controversial map amendments and any time that conditional zoning is anticipated. The proposed map amendment compares to the *LaSalle* and *Sinclair* factors as follows:

A. ***LaSalle* factor: The existing uses and zoning of nearby property.**

- (1) This property is surrounded by land principally used for farmland.
- (2) The only residential property that directly abuts the subject property is a farmstead across CR 1100N from the subject property.
- (3) The populated area closest to the subject property is the Village of Seymour, approximately 4.8 miles distant.
- (4) The nature of the existing uses of nearby properties appear to be compatible with the B-4 General Business Zoning District or some limited form of B-4 designation.

B. ***LaSalle* factor: The extent to which property values are diminished by the particular zoning restrictions.**

- (1) It is impossible to establish values without a formal real estate appraisal which has not been requested nor provided and so any discussion of values is necessarily general.
- (2) In regards to the value of nearby agricultural properties, it is not clear if the requested map amendment would have any effect as this property is very similar to other properties which support agricultural activities, and the proposed use would not change the subject properties configuration in anyway.
- (3) In regards to the value of the subject property the proposed map amendment would likely increase its property value because the amendment would allow for a partially empty building to be fully utilized.

C. ***LaSalle* factor: The extent to which the destruction of property values of the plaintiff promotes the health, safety, morals, and general welfare of the public.**

- (1) As reviewed above, there is no appraisal available as evidence of value and any discussion of value at this time can only be general in nature.
- (2) There is no evidence indicating that there will be any destruction of property values.

- D. **LaSalle factor: The relative gain to the public as compared to the hardship imposed on the individual property owner.**
(1) The proposed map amendment will allow for a more productive reuse of an abandoned building in a rural area.
- E. **LaSalle factor: The suitability of the subject property for the zoned purposes.**
(1) The existing building on the subject property appears to be well suited for limited office activities and light assembly.
- F. **LaSalle factor: The length of time the property has been vacant as zoned considered in the context of land development in the vicinity of the subject property.**
(1) There has been no testimony regarding the length of time the property was vacant prior to the petitioner's.
- G. **Sinclair factor: The need and demand for the use.**
(1) The demand for a facility such as the one on the subject property is evident from the fact that there have been other cases like this one in the past and companies continue to submit requests to reuse abandoned facilities like this for business purposes.
- H. **Sinclair factor: The extent to which the use conforms to the municipality's comprehensive planning.**
(1) The *Sinclair* case involved a municipality. This case does not involve any municipality

DOCUMENTS OF RECORD

1. Application, received on June 2, 2006, with attachment:
 - A Exhibit 1, packet containing company description; product description; photos of subject property; and building floor plan

2. Preliminary Memorandum for Case 550-AM-06, with attachments
 - A Case Maps (Location, Land Use, Zoning)
 - B Proposed site plan of subject property
 - C Excerpts from Petitioner's Exhibit 1 (Company description, product description, photos of subject property, and building floor plan)
 - D Staff photos of subject property
 - E Soil Map of subject property from *Soil Survey for Champaign County*
 - F Worksheet for *Soil Potential Ratings for Septic Tank Absorption Fields Champaign County, Illinois*
 - G Illinois Department of Transportation map of traffic counts
 - H Draft Finding of Fact for Case 550-AM-06

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 Map Amendment requested in Case 550-AM-06 should ***BE ENACTED*** by the County Board subject to the following conditions:

- A. **Any use of the subject property will be limited to reuse of the existing building, and no expansion of building area shall be allowed.**
- B. **Any use of the subject property shall be limited to a business office and light assembly.**

to ensure that:

Any future use of the subject property will be similar to the proposed use and will have similar impacts on the surrounding agriculture.

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

SIGNED:

Debra Griest, Chair
Champaign County Zoning Board of Appeals

ATTEST:

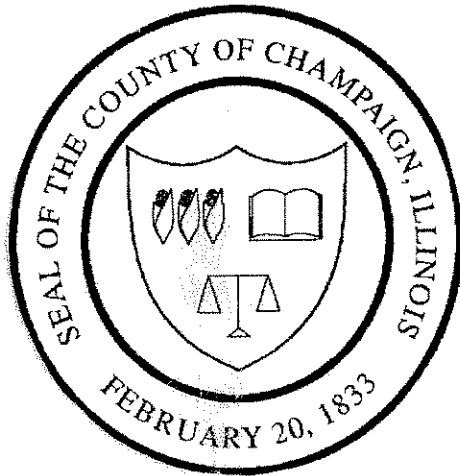
Secretary to the Zoning Board of Appeals

Date

***ENVIRONMENT
& LAND USE
COMMITTEE
ADDENDUM TO AGENDA***

November 13, 2006

7:00 p.m.



**Lyle Shields Meeting Room,
Brookens Administrative Center
1776 East Washington, Urbana, Il. 61802-4581
(217)384-3708**

ADDENDUM TO AGENDA

Champaign County Environment & Land Use Committee

Members:

*Jan Anderson, Chris Doenitz, Tony Fabri, Nancy
Greenwalt (VC), Kevin Hunt, Ralph Langenheim (C),
Brendan McGinty, Steve Moser, Jon Schroeder*

Date: *November 13, 2006*

Time: *7:00 p.m.*

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

Phone: *(217) 384-3708*

AGENDA

Old Business shown in Italics

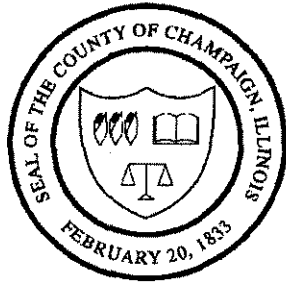
- | | |
|--|---------------------|
| A1. Recreation and Entertainment License: Honey Bee Productions, Inc. d.b.a. Malibu Bay Lounge, 3106 N Cunningham AV, Urbana, IL January 1, 2007 through December 31, 2007. | A1 thru A8 |
| A2. Recreation and Entertainment License: Elmer's Club 45 Inc, d.b.a. Club 45 Banquet Hall, 3515 N Cunningham, Urbana, IL January 1, 2007 through December 31, 2007. | A9 thru A14 |
| A3. Recreation and Entertainment License: Kams of Illinois LLC, d.b.a. The Pink House, 2698 CR 1600N, Ogden, IL November 1, 2006 through December 31, 2006. | A15 thru A22 |
| A4. Recreation and Entertainment License: Kams of Illinois LLC, d.b.a. The Pink House, 2698 CR 1600N, Ogden, IL January 1, 2007 through December 31, 2007. | A23 thru A30 |
| A5. Recreation and Entertainment License: Tincup RV Park, Inc, 1715 E. Tincup Rd, Mahomet, IL January 01, 2007 through December 31, 2007. | A31 thru A36 |
| A6. Recreation and Entertainment License: Curtis Orchard, 3902 S Duncan Rd, Champaign, IL January 01, 2007 through December 31, 2007. | A37 thru A45 |
| A7. Recreation and Entertainment License: Hideaway of the Woods Grill and Bar, 809 S Prairieview Rd, Mahomet, IL January 01, 2007 through December 31, 2007. | A46 thru A54 |
| A8. Recreation and Entertainment License: Uncle Buck's Sports Bar, Inc, 215 S Lake of Woods Rd, Mahomet, IL, January 01, 2007 through December 31, 2007. | A55 thru A64 |
| A9. Recreation and Entertainment License: Last Call for Alcohol, Inc, 105 Main St, Penfield, IL January 01, 2007 through December 31, 2007. | A65 thru A72 |

ENVIRONMENT AND LAND USE COMMITTEE

NOVEMBER 13, 2006

PAGE 2

- A10. Recreation and Entertainment License: The Oasis of Penfield, Inc, 2705 CR 3000N, Penfield, IL January 01, 2007 through December 31, 2007. A73 thru A78
- A11. Recreation and Entertainment License: rock the shed, inc, a non-profit corporation, 556 CR 2425N, Dewey, IL November 01, 2006 through December 31, 2006. A79 thru A91
- A12. Recreation and Entertainment License: rock the shed, inc, a non-profit corporation, 556 CR 2425N, Dewey, IL January 01, 2007 through December 31, 2007. A92 thru A104
- A13. Recreation and Entertainment License: Alto Vineyards, 4210 N Duncan Rd, Champaign, IL January 01, 2007 through December 31, 2007. A105 thru A113
- A14. Hotel/Motel License: Ravi-Yash, Inc, d.b.a. Travelers Stay Inn, 1906 N. Cunningham Av, Urbana, IL January 01, 2007 through December 31, 2007. A114 thru A115



NOT TRANSFERABLE

**STATE OF ILLINOIS
COUNTY OF CHAMPAIGN**

**ENTERTAINMENT, RECREATION,
LODGING OF TRANSIENTS, AND RACEWAYS LICENSE**

**No. 2007-ENT-05
\$100.00**

HONEY BEE PRODUCTIONS INC

License is hereby granted to **Isaac Mapson/Tammy Carter** 1791 Independence, Urbana IL , to provide Entertainment/Recreation at 3106 N. Cunningham Ave., Urbana IL in Champaign County from January 1, 2007 thru December 31, 2007. This License expires the 1st day of January 2008 at 12:01am.

Witness my Hand and Seal this 14th day of November, A.D. 2006.

Mark Shelden, Champaign County Clerk

Chairman, Champaign County License Commission



STATE OF ILLINOIS,
Champaign County
Application for:
Recreation & Entertainment

FILED

NOV - 6 2006

Mark Shelden
CHAMPAIGN COUNTY CLERK

For Office Use Only

License No. 2007-ENT-05

Date(s) of Event(s) JAN. 1 THRU DEC. 31, 2007

Business Name: HONEY BEE PRODUCTIONS INC.

License Fee: \$ 100.00

Filing Fee: \$ 4.00

TOTAL FEE: DUE \$ 104.00

Checker's Signature: *MS*

Applications for License under County Ordinance No. 55 Regulating Recreational & Other Businesses within the County (for use by businesses covered by this Ordinance other than Massage Parlors and similar enterprises)

Filing Fees:	Per Year (or fraction thereof):	\$ 100.00
	Per Single-day Event:	\$ 10.00
	Clerk's Filing Fee:	\$ 4.00

Checks Must Be Made Payable To: Mark Shelden, Champaign County Clerk

The undersigned individual, partnership, or corporation hereby makes application for the issuance of a license to engage a business controlled under County Ordinance No. 55 and makes the following statements under oath:

- A. 1. Name of Business: HONEY BEE PRODUCTIONS INC. DBA MALIBU BAY LOUNGE
 - 2. Location of Business for which application is made: _____
 - 3. Business address of Business for which application is made: 3106 N. CUNNINGHAM AVE URBANA
 - 4. Zoning Classification of Property: B-4 2.16 ACRE
 - 5. Date the Business covered by Ordinance No. 55 began at this location: 1991
 - 6. Nature of Business normally conducted at this location: BAR/TAVERN
 - 7. Nature of Activity to be licensed (include all forms of recreation and entertainment to be provided): BANDS, DJ'S, DANCING, MUSIC FESTIVALS, FUNDRAISERS, CARSHOWS, BIKESHOWS, BANQUETS, RECEPTIONS, REUNIONS, ETC...
 - 8. Term for which License is sought (specifically beginning & ending dates): JAN 1, 07 - DEC 31, 07
- (NOTE: All annual licenses expire on December 31st of each year)
- 9. Do you own the building or property for which this license is sought? YES
 - 10. If you have a lease or rent the property, state the name and address of the owner and when the lease or rental agreement expires: _____
 - 11. If any licensed activity will occur outdoors attach a Site Plan (with dimensions) to this application showing location of all buildings, outdoor areas to be used for various purposes and parking spaces. See page 3, Item 7.

INCOMPLETE FORMS WILL NOT BE CONSIDERED FOR A LICENSE AND WILL BE RETURNED TO APPLICANT **A2**

B. If this business will be conducted by a person other than the applicant, give the following information about person employed by applicant as manager, agent or locally responsible party of the business in the designated location:

Name: JORDY HINDS Date of Birth: _____
Place of Birth: MEMPHIS, TN Social Security No.: _____
Residence Address: 1791 INDEPENDENCE URBANA IL 61802
Citizenship: _____ If naturalized, place and date of naturalization: _____

If, during the license period, a new manager or agent is hired to conduct this business, the applicant MUST furnish the County the above information for the new manager or agent within ten (10) days.

Information requested in the following questions must be supplied by the applicant, if an individual, or by all members who share in profits of a partnership, if the applicant is a partnership.

If the applicant is a corporation, all the information required under Section D must be supplied for the corporation and for each officer.

Additional forms containing the questions may be obtained from the County Clerk, if necessary, for attachment to this application form.

- C. 1. Name(s) of owner(s) or local manager(s) (include any aliases): _____
Date of Birth: _____ Place of Birth: _____
Social Security Number: _____ Citizenship: _____
If naturalized, state place and date of naturalization: _____
2. Residential Addresses for the past three (3) years: _____

3. Business, occupation, or employment of applicant for four (4) years preceding date of application for this license: _____

EACH OFFICER MUST COMPLETE SECTION D. OBTAIN ADDITIONAL FORM PAGES IF NEEDED FROM THE COUNTY CLERK AND ATTACH TO THIS APPLICATION WHEN FILED.

D. Answer only if applicant is a Corporation:

1. Name of Corporation exactly as shown in articles of incorporation and as registered:
HONEYBEE PRODUCTIONS, INC
2. Date of Incorporation: 1991 State wherein incorporated: IL

3. If foreign Corporation, give name and address of resident agent in Illinois:

N/A

Give first date qualified to do business in Illinois: _____

4. Business address of Corporation in Illinois as stated in Certificate of Incorporation:

3106 N. CUNNINGHAM AVE
URBANA IL 61802

5. Objects of Corporation, as set forth in charter: NIGHTCLUB

6. Names of all Officers of the Corporation and other information as listed:

Name of Officer: NOROTHY HINDS Title: SECRETARY
Date elected or appointed: 1991 Social Security No.: _____
Date of Birth: _____ Place of Birth: MEMPHIS TN
Citizenship: _____
If naturalized, place and date of naturalization: _____

Residential Addresses for past three (3) years: _____

1791 INDEPENDENCE AVE / URBANA IL 61802

Business, occupation, or employment for four (4) years preceding date of application for this license: OWNER, MANAGER MALIBU BAY LOUNGE

7. A site plan (with dimensions) must accompany this application. It must show the location of all buildings, outdoor areas to be used for various purposes and parking spaces.

AFFIDAVIT

(Complete when applicant is an **Individual or Partnership**)

I/We swear that I/we have read the application and that all matters stated thereunder are true and correct, are made upon my/our personal knowledge and information and are made for the purpose of inducing the County of Champaign to issue the permit hereunder applied for.

I/We further swear that I/we will not violate any of the laws of the United States of America or of the State of Illinois or the Ordinances of the County of Champaign in the conduct of the business hereunder applied for.

Signature of Owner or of one of two members of Partnership

Signature of Owner or of one of two members of Partnership

Signature of Manager or Agent

Subscribed and sworn to before me this _____ day of _____, 20_____.

Notary Public

AFFIDAVIT

(Complete when applicant is a **Corporation**)

We, the undersigned, president and secretary of the above named corporation, each first being duly sworn, say that each of us has read the foregoing application and that the matters stated therein are true and correct and are made upon our personal knowledge and information, and are made for the purpose of inducing the County of Champaign to issue the license herein applied for.

We further swear that the applicant will not violate any of the laws of the United States of America or of the State of Illinois or the Ordinances of the County of Champaign in the conduct of applicant's place of business.

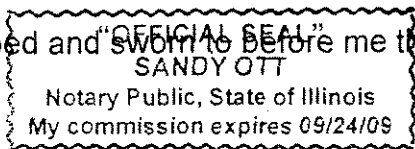
We further swear that we are the duly constituted and elected officers of said applicant and as such are authorized and empowered to execute their application for and on behalf of said application.

Sandra C. Maddox
Signature of President

Donna Thy Hinder
Signature of Secretary

SECRETARY
Signature of Manager or Agent

Subscribed and sworn to before me this 3 day of November, 2006.



Sandy Ott
Notary Public

This COMPLETED application along with
made payable to MARK SHELDEN, CHAMPAIGN

A5 ate amount of cash, or certified check
CLERK, must be turned in to the Champaign



STATE OF ILLINOIS,
Champaign County
Recreation & Entertainment License
Check List and Approval Sheet

FOR ELUC USE ONLY

County Clerk's Office

1. Proper Application Date Received: _____
2. Fee Amount Received: _____

Sheriff's Department

1. Police Record Approval: _____ Date: _____
2. Credit Check Disapproval: _____ Date: _____

Remarks: _____ Signature: _____

Planning & Zoning Department

1. Proper Zoning Approval: _____ Date: _____
2. Restrictions or Violations Disapproval: _____ Date: _____

Remarks: _____ Signature: _____

Environment & Land Use Committee

1. Application Complete Approval: _____ Date: _____
2. Requirements Met Disapproval: _____ Date: _____

Signature: _____

Remarks and/or Conditions: _____

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
CHAMPAIGN COUNTY, ILLINOIS

IN THE MATTER OF THE ESTATE)
)
OF ISAAC MAPSON, Deceased.)

FILED
SIXTH JUDICIAL CIRCUIT
No. *06 P 63*
MAR 28 2006

ORDER APPOINTING REPRESENTATIVE *Wanda S. French*
CLERK OF THE CIRCUIT COURT
CHAMPAIGN COUNTY, ILLINOIS

IT IS ORDERED THAT Letters of Administration issue to SANDY MAPSON.

DATE SIGNED: MAR 28 2006

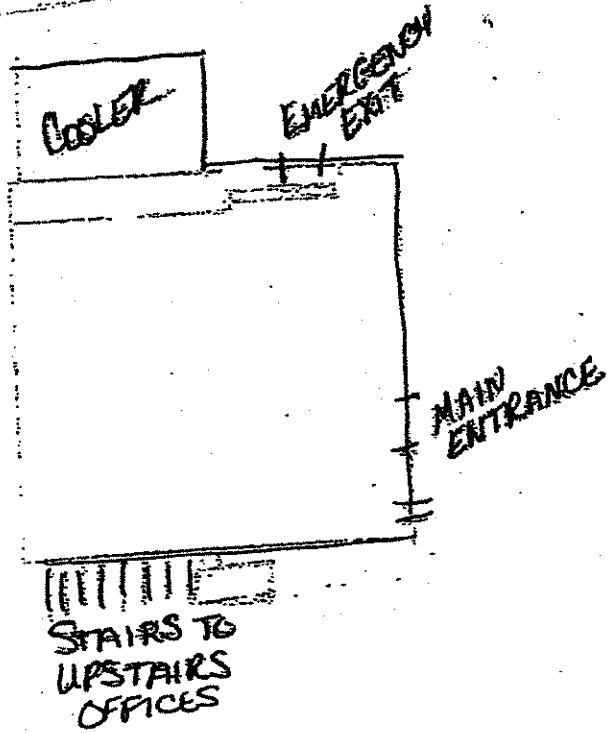
ENTER: *Chase Leonard*
Associate Judge
Judge

8.16 ACRES

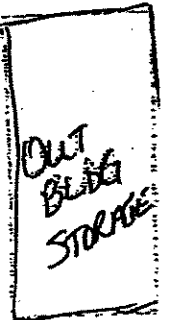
GRASS
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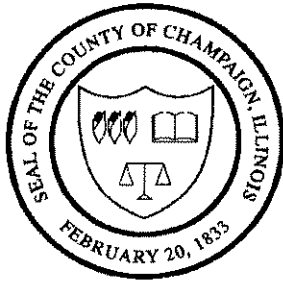
FENCED
IN
AREA



ASPHALT
PARK LOT



RT 45



STATE OF ILLINOIS
COUNTY OF CHAMPAIGN

NOT TRANSFERABLE

ENTERTAINMENT, RECREATION,
LODGING OF TRANSIENTS, AND RACEWAYS LICENSE

No. 2007-ENT-11
\$100.00

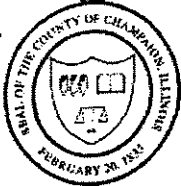
**ELMER'S CLUB 45 INC.
DBA
CLUB 45 BANQUET HALL**

License is hereby granted to **Paul VanPelt** 1212 Windsor Rd., Champaign IL to provide Entertainment/Recreation at 3515 N. Cunningham Ave., Urbana IL in Champaign County from January 1, 2007 thru December 31, 2007. This License expires the 1st day of January 2008 at 12:01am.

Witness my Hand and Seal this 14th day of November, A.D. 2006.

Mark Shelden, Champaign County Clerk

Chairman, Champaign County License Commission



FILED

For Office Use Only

STATE OF ILLINOIS,
Champaign County
Application for:
Recreation & Entertainment

NOV - 6 2006

License No.

2007-ENT-08

Date(s) of Event(s) JAN. 1 THRU DEC. 31, 2007

Mark Shelden
CHAMPAIGN COUNTY CLERK

Business Name: CLUB 45 BANQUET HALL

License Fee: \$ 100.00

Filing Fee: \$ 4.00

TOTAL FEE: DUE \$ 104.00

Checker's Signature: *[Signature]*

Applications for License under County Ordinance No. 55 Regulating Recreational & Other Businesses within the County (for use by businesses covered by this Ordinance other than Massage Parlors and similar enterprises)

Filing Fees:	Per Year (or fraction thereof):	\$ 100.00
	Per Single-day Event:	\$ 10.00
	Clerk's Filing Fee:	\$ 4.00

Checks Must Be Made Payable To: Mark Shelden, Champaign County Clerk

The undersigned individual, partnership, or corporation hereby makes application for the issuance of a license to engage a business controlled under County Ordinance No. 55 and makes the following statements under oath:

- A. 1. Name of Business: ELMERS CLUB 45, INC DBA CLUB 45 BANQUET HALL
 - 2. Location of Business for which application is made: 3515 N. CUNNINGHAM URBANA
 - 3. Business address of Business for which application is made: P.O. BOX 965 URBANA IL 61803
 - 4. Zoning Classification of Property: B-3
 - 5. Date the Business covered by Ordinance No. 55 began at this location: OCT 2003
 - 6. Nature of Business normally conducted at this location: BAR, NIGHT CLUB BANQUET HALL
 - 7. Nature of Activity to be licensed (include all forms of recreation and entertainment to be provided): OUTDOOR EVENTS, BIKE/CAR SHOWS, BANDS, DJ, RECEPTIONS MEETINGS, COMEDY, KARAOKE, TALENT/FASHION SHOWS
 - 8. Term for which License is sought (specifically beginning & ending dates): 1-1-07 TO 12-31-07
- (NOTE: All annual licenses expire on December 31st of each year)

- 9. Do you own the building or property for which this license is sought? NO
- 10. If you have a lease or rent the property, state the name and address of the owner and when the lease or rental agreement expires: HBT 217 602 N. COUNTRY FAIR DR CHAMPAIGN IL 61821
- 11. If any licensed activity will occur outdoors attach a Site Plan (with dimensions) to this application showing location of all buildings, outdoor areas to be used for various purposes and parking spaces. See page 3, Item 7. ON FILE

INCOMPLETE FORMS WILL NOT BE CONSIDERED FOR A LICENSE AND WILL BE RETURNED TO APPLICANT

B. If this business will be conducted by a person other than the applicant, give the following information about person employed by applicant as manager, agent or locally responsible party of the business in the designated location:

Name: PAUL VAN PELT Date of Birth: _____
Place of Birth: CHAMPAIGN COUNTY Social Security No.: _____
Residence Address: 1212 WINDSOR RD CHAMPAIGN IL 61821
Citizenship: _____ If naturalized, place and date of naturalization: _____

If, during the license period, a new manager or agent is hired to conduct this business, the applicant MUST furnish the County the above information for the new manager or agent within ten (10) days.

Information requested in the following questions must be supplied by the applicant, if an individual, or by all members who share in profits of a partnership, if the applicant is a partnership.

If the applicant is a corporation, all the information required under Section D must be supplied for the corporation and for each officer.

Additional forms containing the questions may be obtained from the County Clerk, if necessary, for attachment to this application form.

- C. 1. Name(s) of owner(s) or local manager(s) (include any aliases): _____
Date of Birth: _____ Place of Birth: _____
Social Security Number: _____ Citizenship: _____
If naturalized, state place and date of naturalization: _____
2. Residential Addresses for the past three (3) years: _____

3. Business, occupation, or employment of applicant for four (4) years preceding date of application for this license: _____

EACH OFFICER MUST COMPLETE SECTION D. OBTAIN ADDITIONAL FORM PAGES IF NEEDED FROM THE COUNTY CLERK AND ATTACH TO THIS APPLICATION WHEN FILED.

D. Answer only if applicant is a Corporation:

1. Name of Corporation exactly as shown in articles of incorporation and as registered:
ELMERS CLUB 45, INC
2. Date of Incorporation: 5 OCT 2003 **A11** State wherein incorporated: ILL

3. If foreign Corporation, give name and address of resident agent in Illinois:

Give first date qualified to do business in Illinois: _____

4. Business address of Corporation in Illinois as stated in Certificate of Incorporation:

3515 N. CUNNINGHAM AVE
URBANA IL 61802

5. Objects of Corporation, as set forth in charter: _____

6. Names of all Officers of the Corporation and other information as listed:

Name of Officer: PAUL W. VANPELT Title: PRESIDENT

Date elected or appointed: 7/28/04 Social Security No. _____

Date of Birth: _____ Place of Birth: CHAMPAIGN COUNTY

Citizenship: _____

If naturalized, place and date of naturalization: _____

Residential Addresses for past three (3) years: _____

1212 WINDSOR RD
CHAMPAIGN IL 61821

Business, occupation, or employment for four (4) years preceding date of application for this license: SUPERVALU

VPLAWN CARE - OWNER
OWNER/MGR CLUB 45

7. A site plan (with dimensions) must accompany this application. It must show the location of all buildings, outdoor areas to be used for various purposes and parking spaces.

AFFIDAVIT

(Complete when applicant is an **Individual or Partnership**)

I/We swear that I/we have read the application and that all matters stated thereunder are true and correct, are made upon my/our personal knowledge and information and are made for the purpose of inducing the County of Champaign to issue the permit hereunder applied for.

I/We further swear that I/we will not violate any of the laws of the United States of America or of the State of Illinois or the Ordinances of the County of Champaign in the conduct of the business hereunder applied for.

Signature of Owner or of one of two members of Partnership

Signature of Owner or of one of two members of Partnership

Signature of Manager or Agent

Subscribed and sworn to before me this _____ day of _____, 20_____.

Notary Public

AFFIDAVIT

(Complete when applicant is a **Corporation**)

We, the undersigned, president and secretary of the above named corporation, each first being duly sworn, say that each of us has read the foregoing application and that the matters stated therein are true and correct and are made upon our personal knowledge and information, and are made for the purpose of inducing the County of Champaign to issue the license herein applied for.

We further swear that the applicant will not violate any of the laws of the United States of America or of the State of Illinois or the Ordinances of the County of Champaign in the conduct of applicant's place of business.

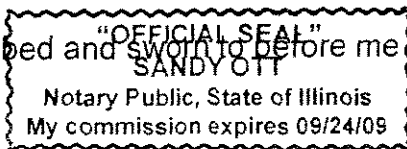
We further swear that we are the duly constituted and elected officers of said applicant and as such are authorized and empowered to execute their application for and on behalf of said application.

Signature of President

Signature of Secretary

Signature of Manager or Agent

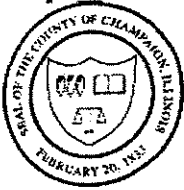
Subscribed and sworn to before me this 3 day of November, 2006.



Notary Public

This COMPLETED application along with appropriate amount of cash, or certified check made payable to MARK SHELDEN, CHAMPAIGN

A13 CLERK, must be turned in to the Champaign



STATE OF ILLINOIS,
Champaign County
Recreation & Entertainment License
Check List and Approval Sheet

FOR ELUC USE ONLY

County Clerk's Office

- 1. Proper Application Date Received: _____
- 2. Fee Amount Received: _____

Sheriff's Department

- 1. Police Record Approval: _____ Date: _____
- 2. Credit Check Disapproval: _____ Date: _____

Remarks: _____ Signature: _____

Planning & Zoning Department

- 1. Proper Zoning Approval: _____ Date: _____
- 2. Restrictions or Violations Disapproval: _____ Date: _____

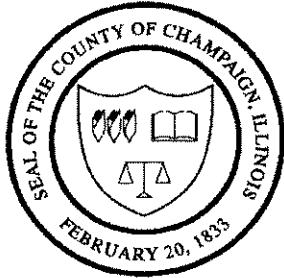
Remarks: _____ Signature: _____

Environment & Land Use Committee

- 1. Application Complete Approval: _____ Date: _____
- 2. Requirements Met Disapproval: _____ Date: _____

Signature: _____

Remarks and/or Conditions: _____



STATE OF ILLINOIS
COUNTY OF CHAMPAIGN

NOT TRANSFERABLE

ENTERTAINMENT, RECREATION,
LODGING OF TRANSIENTS, AND RACEWAYS LICENSE

No. 2006-ENT-09
\$100.00

KAMS OF ILLINOIS INC
DBA
THE PINK HOUSE

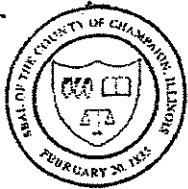
License is hereby granted to **STEVE COCHRAN** 1602 Bentbrook, Champaign IL to provide Entertainment/Recreation at 2698CR 1600N Ogden IL in Champaign County from November 1, 2006 thru December 31, 2006. This License expires the 1st day of January 2007 at 12:01am.

Witness my Hand and Seal this 14th day of November, A.D. 2006.

Mark Shelden, Champaign County Clerk

Chairman, Champaign County License Commission

A15



STATE OF ILLINOIS,
Champaign County
Application for:
Recreation & Entertainment License

Applications for License under County Ordinance No. 55 Regulating Recreational & Other Businesses within the County (for use by businesses covered by this Ordinance other than Massage Parlors and similar enterprises)

* REVISIONS/ AMENDMENTS TO CURRENT LICENSE
Filing Fees:

Per Year (or fraction thereof): \$ 100.00
Per Single-day Event: \$ 10.00
Clerk's Filing Fee: \$ 4.00

For Office Use Only

License No. 2006-ENT-09
Date(s) of Event(s) 01-01-06 THRU 12-31-06
Business Name: KAMS OF ILLINOIS INC
License Fee: \$ 100.00
Filing Fee: \$ 4.00
TOTAL FEE: \$ 104.00
Checker's Signature: [Signature]

Checks Must Be Made Payable To: Mark Shelden, Champaign County Clerk

The undersigned individual, partnership, or corporation hereby makes application for the issuance of a license to engage a business controlled under County Ordinance No. 55 and makes the following statements under oath:

- A. 1. Name of Business: Kams of Illinois LLC dba The Pink House
2. Location of Business for which application is made: 2698 CR 1600 N Ogden IL 61859
3. Business address of Business for which application is made: PO Box 844 Urbana IL 81803-0844
4. Zoning Classification of Property: B-4
5. Date the Business covered by Ordinance No. 55 began at this location: 12/31/02
6. Nature of Business normally conducted at this location: Restaurant/Tavern
7. Nature of Activity to be licensed (include all forms of recreation and entertainment to be provided): Live Music, Jukebox, Karaoke, TV, Video/Arcade games D.J. or
8. Term for which License is sought (specifically beginning & ending dates): 01/01/2006 - 12/31/2006
(NOTE: All annual licenses expire on December 31st of each year)
9. Do you own the building or property for which this license is sought? No
10. If you have a lease or rent the property, state the name and address of the owner and when the lease or rental agreement expires: Pink Land LLC
602 N. Country Fair Dr., Champaign, IL 61821 exp. 12/31/2007
11. If any licensed activity will occur outdoors attach a Site Plan (with dimensions) to this application showing location of all buildings, outdoor areas to be used for various purposes and parking spaces. See page 3, Item 7.

B. If this business will be conducted by a person other than the applicant, give the following information about person employed by applicant as manager, agent or locally responsible party of the business in the designated location:

Name: ALLIE D. YOHNKA Date of Birth: _____
Place of Birth: CRAWFORD COUNTY Social Security No.: _____
Residence Address: 304 W. WILLIAM MONTICELLO, IL 61850
Citizenship: USA If naturalized, place and date of naturalization: _____

If, during the license period, a new manager or agent is hired to conduct this business, the applicant MUST furnish the County the above information for the new manager or agent within ten (10) days.

Information requested in the following questions must be supplied by the applicant, if an individual, or by all members who share in profits of a partnership, if the applicant is a partnership.

If the applicant is a corporation, all the information required under Section D must be supplied for the corporation and for each officer.

Additional forms containing the questions may be obtained from the County Clerk, if necessary, for attachment to this application form.

- C. 1. Name(s) of owner(s) or local manager(s) (include any aliases): Scott D. Cochrane
Date of Birth: _____ Place of Birth: Champaign-Urbana IL
Social Security Number: _____ Citizenship: USA
If naturalized, state place and date of naturalization: _____
2. Residential Addresses for the past three (3) years: _____
1602 Bentbrook Ct. Champaign, IL 61822
3. Business, occupation, or employment of applicant for four (4) years preceding date of application for this license: Owner/operator of eight similar restaurant/ taverns in Champaign-Urbana

EACH OFFICER MUST COMPLETE SECTION D. OBTAIN ADDITIONAL FORM PAGES IF NEEDED FROM THE COUNTY CLERK AND ATTACH TO THIS APPLICATION WHEN FILED.

D. Answer only if applicant is a Corporation:

1. Name of Corporation exactly as shown in articles of incorporation and as registered:
Kams of Illinois LLC
2. Date of Incorporation: 06/28/2 **A17** State wherein incorporated: IL

3. If foreign Corporation, give name and address of resident agent in Illinois:

Give first date qualified to do business in Illinois: 06/28/2002

4. Business address of Corporation in Illinois as stated in Certificate of Incorporation:

214 W. Main Street, Urbana, IL 61801

5. Objects of Corporation, as set forth in charter: To acquire, own, lease and sell
~~Real Estate and for any lawful~~
purpose for which a company may be organized under this act.

6. Names of all Officers of the Corporation and other information as listed:

Name of Officer: Scott D. Cochrane Title: Member/Manager of the LLC

Date elected or appointed: 06/28/2002 Social Security No.: _____

Date of Birth: _____ Place of Birth: Champaign-Urbana IL

Citizenship: _____

If naturalized, place and date of naturalization: _____

Residential Addresses for past three (3) years: _____

1602 Bentbrook Ct, Champaign, IL 61822

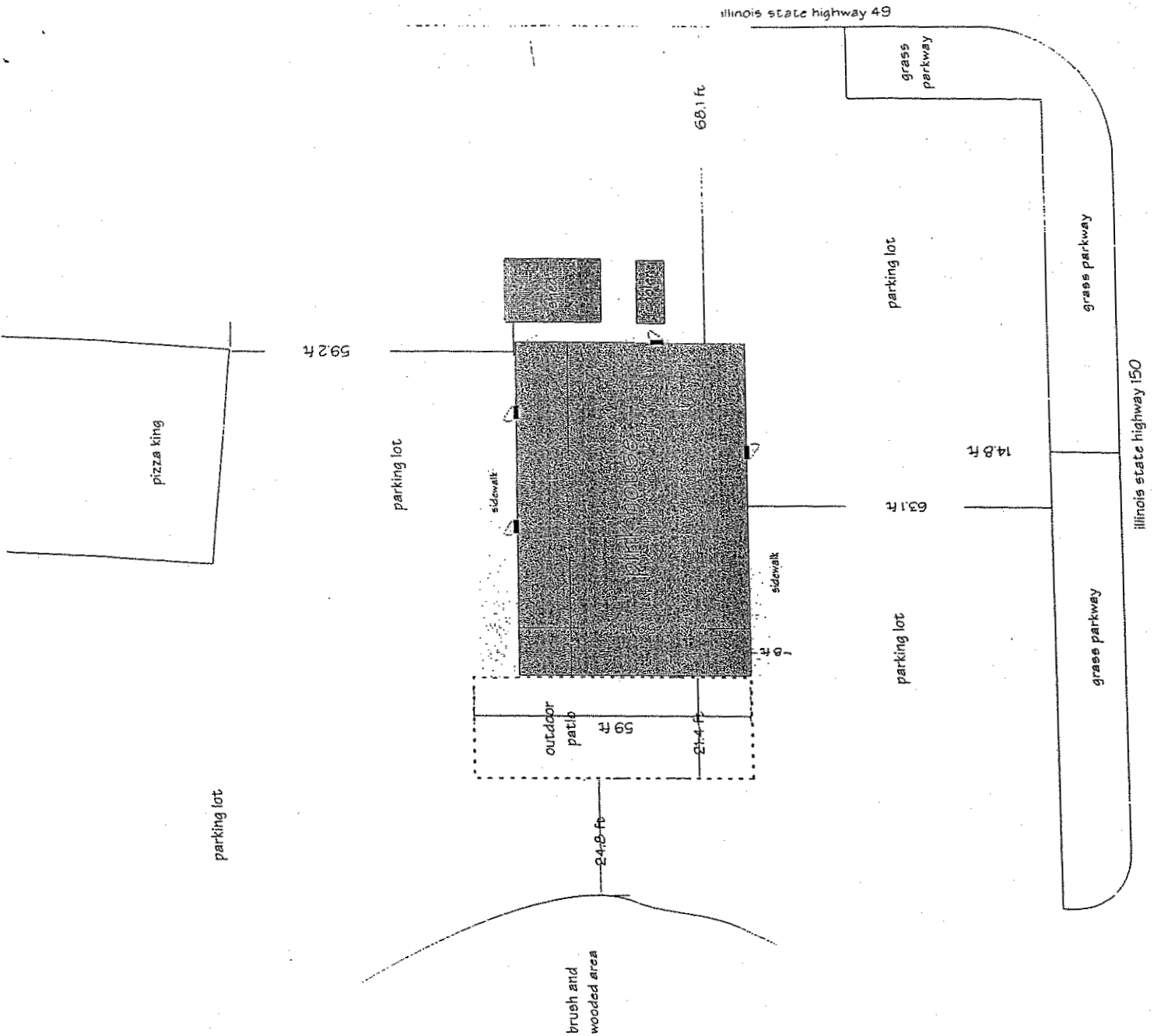
Business, occupation, or employment for four (4) years preceding date of application for this license: owner/operator of eight similar food/beverage
establishments in Champaign-Urbana, Illinois.

7. A site plan (with dimensions) must accompany this application. It must show the location of a buildings, outdoor areas to be used for various purposes and parking spaces.



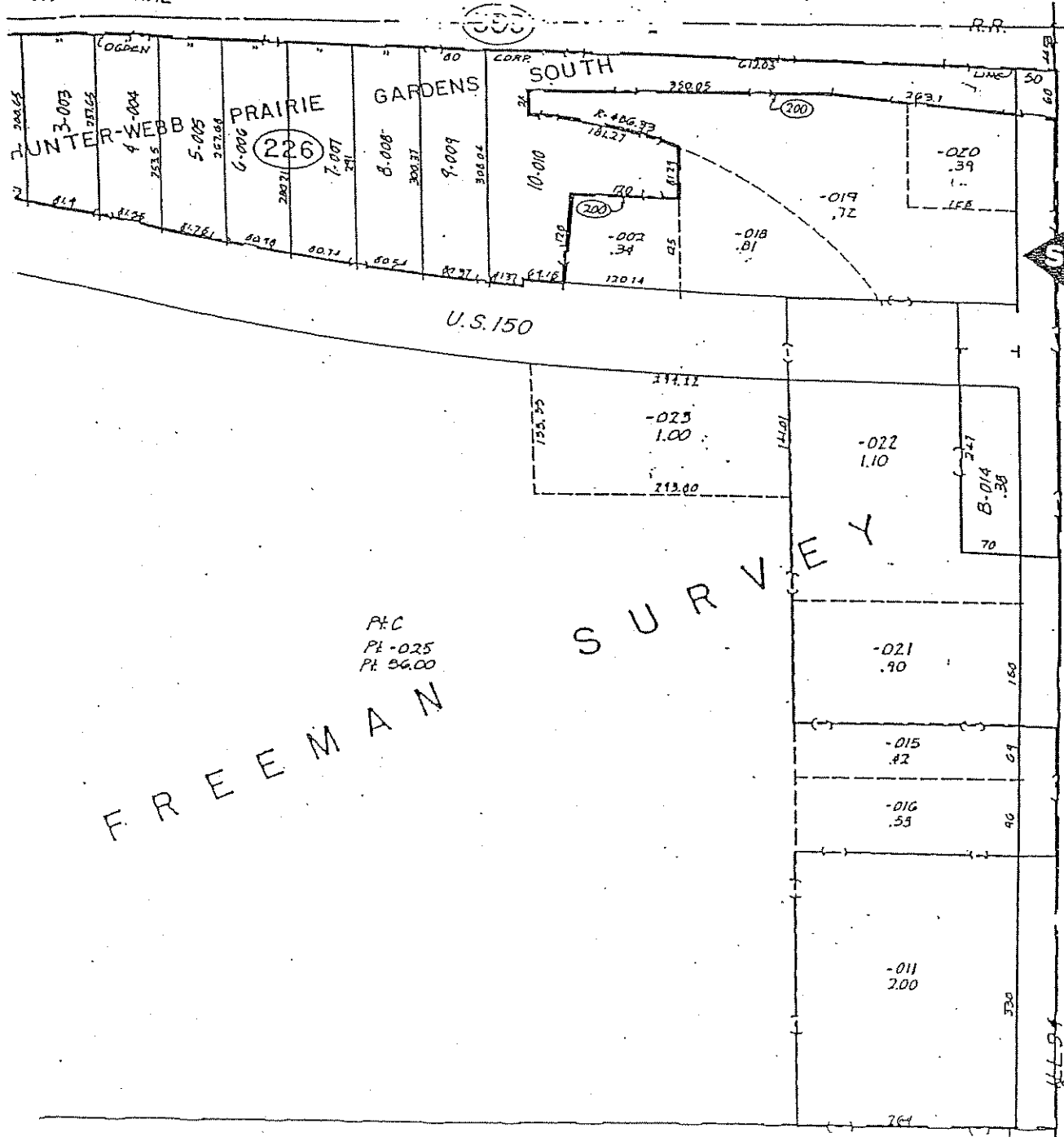
site plan

The Pink House
2698 CR 1600 N
Ogden IL 61859



ENN. CENTRAL

REVISED: JAN 1, 199.



P.C
 P.E -025
 P.L 36.00

F R E E M A N

S U R V E Y

Subject

(200)

A20

11-15-94
 24-16A

AFFIDAVIT

(Complete when applicant is an **Individual or Partnership**)

I/We swear that I/we have read the application and that all matters stated thereunder are true and correct, are made upon my/our personal knowledge and information and are made for the purpose of inducing the County of Champaign to issue the permit hereunder applied for.

I/We further swear that I/we will not violate any of the laws of the United States of America or of the State of Illinois or the Ordinances of the County of Champaign in the conduct of the business hereunder applied for.

Signature of Owner or of one of two members of Partnership

Signature of Owner or of one of two members of Partnership

Signature of Manager or Agent

Subscribed and sworn to before me this _____ day of _____, 20_____.

Notary Public

AFFIDAVIT

(Complete when applicant is a **Corporation**)

We, the undersigned, president and secretary of the above named corporation, each first being duly sworn, say that each of us has read the foregoing application and that the matters stated therein are true and correct and are made upon our personal knowledge and information, and are made for the purpose of inducing the County of Champaign to issue the license herein applied for.

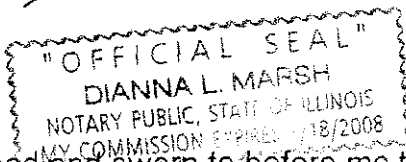
We further swear that the applicant will not violate any of the laws of the United States of America or of the State of Illinois or the Ordinances of the County of Champaign in the conduct of applicant's place of business.

We further swear that we are the duly constituted and elected officers of said applicant and as such are authorized and empowered to execute their application for and on behalf of said application.

Signature of President

Signature of Secretary

Signature of Manager or Agent



Subscribed and sworn to before me this 20th day of October, 2006.

Dianna L. Marsh
Notary Public



STATE OF ILLINOIS,
Champaign County
Recreation & Entertainment License
Check List and Approval Sheet

FOR ELUC USE ONLY

County Clerk's Office

1. Proper Application Date Received: _____
2. Fee Amount Received: _____

Sheriff's Department

1. Police Record Approval: _____ Date: _____
2. Credit Check Disapproval: _____ Date: _____

Remarks: _____ Signature: _____

Planning & Zoning Department

1. Proper Zoning Approval: _____ Date: _____
2. Restrictions or Violations Disapproval: _____ Date: _____

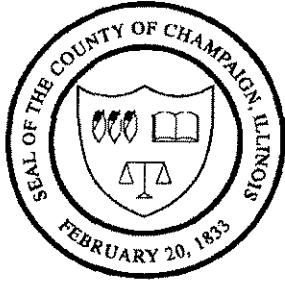
Remarks: _____ Signature: _____

Environment & Land Use Committee

1. Application Complete Approval: _____ Date: _____
2. Requirements Met Disapproval: _____ Date: _____

Signature: _____

Remarks and/or Conditions: _____



NOT TRANSFERABLE

**STATE OF ILLINOIS
COUNTY OF CHAMPAIGN**

**ENTERTAINMENT, RECREATION,
LODGING OF TRANSIENTS, AND RACEWAYS LICENSE**

**No. 2007-ENT-09
\$100.00**

**KAMS OF ILLINOIS INC
DBA
THE PINK HOUSE**

License is hereby granted to **Scott Cochran** 1602 Bentbrook, Champaign IL to provide Entertainment/Recreation at **2698CR 1600N**, Ogden IL in Champaign County from January 1, 2007 thru December 31, 2007. This License expires the 1st day of January 2008 at 12:01am.

Witness my Hand and Seal this 14th day of November, A.D. 2006.

Mark Shelden, Champaign County Clerk

Chairman, Champaign County License Commission

A23



STATE OF ILLINOIS,
Champaign County
Application for:
Recreation & Entertainment License

Applications for License under County Ordinance No. 55 Regulating Recreational & Other Businesses within the County (for use by businesses covered by this Ordinance other than Massage Parlors and similar enterprises)

For Office Use Only

License No. 2007-ENT-019
Date(s) of Event(s) JAN. 1, THRU DEC. 31, 2007
Business Name: KAMS OF ILLINOIS INC
License Fee: \$ 100.00
Filing Fee: \$ 4.00
TOTAL FEE: DUE \$ 104.00
Checker's Signature: [Signature]

Filing Fees: Per Year (or fraction thereof): \$ 100.00
Per Single-day Event: \$ 10.00
Clerk's Filing Fee: \$ 4.00

Checks Must Be Made Payable To: Mark Shelden, Champaign County Clerk

The undersigned individual, partnership, or corporation hereby makes application for the issuance of a license to engage a business controlled under County Ordinance No. 55 and makes the following statements under oath:

- A. 1. Name of Business: Kams of Illinois LLC dba The Pink House
2. Location of Business for which application is made: 2698 CR 1600 N Ogden IL 61859
3. Business address of Business for which application is made: PO Box 844 Urbana IL 81803-0844
4. Zoning Classification of Property: B-4
5. Date the Business covered by Ordinance No. 55 began at this location: 12/31/02
6. Nature of Business normally conducted at this location: Restaurant/Tavern
7. Nature of Activity to be licensed (include all forms of recreation and entertainment to be provided): Live Music, Jukebox, Karaoke, TV, Video/Arcade games
8. Term for which License is sought (specifically beginning & ending dates): D.P.M. JAN 01, 2007 - DEC 31, 2007
(NOTE: All annual licenses expire on December 31st of each year)
9. Do you own the building or property for which this license is sought? No
10. If you have a lease or rent the property, state the name and address of the owner and when the lease or rental agreement expires: Pink Land LLC 602 N. Country Fair Dr, Champaign, IL 61821 exp. 12/31/2007
11. If any licensed activity will occur outdoors attach a Site Plan (with dimensions) to this application showing location of all buildings, outdoor areas to be used for various purposes and parking spaces. See page 3, Item 7.

INCOMPLETE FORMS WILL NOT BE CONSIDERED FOR A LICENSE

A24

AND WILL BE RETURNED TO APPLICANT

B. If this business will be conducted by a person other than the applicant, give the following information about person employed by applicant as manager, agent or locally responsible party of the business in the designated location:

Name: ALLIE D. YOHNKA Date of Birth: _____
Place of Birth: CRAWFORD COUNTY Social Security No.: _____
Residence Address: 304 W. WILLIAM MONTICELLO, IL 61856
Citizenship: USA If naturalized, place and date of naturalization: _____

If, during the license period, a new manager or agent is hired to conduct this business, the applicant MUST furnish the County the above information for the new manager or agent within ten (10) days.

Information requested in the following questions must be supplied by the applicant, if an individual, or by all members who share in profits of a partnership, if the applicant is a partnership.

If the applicant is a corporation, all the information required under Section D must be supplied for the corporation and for each officer.

Additional forms containing the questions may be obtained from the County Clerk, if necessary, for attachment to this application form.

- C. 1. Name(s) of owner(s) or local manager(s) (include any aliases): Scott D. Cochrane
Date of Birth: _____ Place of Birth: Champaign-Urbana IL
Social Security Number: _____ Citizenship: USA
If naturalized, state place and date of naturalization: _____
2. Residential Addresses for the past three (3) years: _____
1602 Bentbrook Ct. Champaign, IL 61822
3. Business, occupation, or employment of applicant for four (4) years preceding date of application for this license: Owner/operator of eight similar restaurant/ taverns in Champaign-Urbana

EACH OFFICER MUST COMPLETE SECTION D. OBTAIN ADDITIONAL FORM PAGES IF NEEDED FROM THE COUNTY CLERK AND ATTACH TO THIS APPLICATION WHEN FILED.

D. Answer **only** if applicant is a Corporation:

1. Name of Corporation exactly as shown in articles of incorporation and as registered:
Kams of Illinois LLC
2. Date of Incorporation: 06/28/20 **A25** State wherein incorporated: IL

3. If foreign Corporation, give name and address of resident agent in Illinois:

Give first date qualified to do business in Illinois: 06/28/2002

4. Business address of Corporation in Illinois as stated in Certificate of Incorporation:

214 W. Main Street, Urbana, IL 61801

5. Objects of Corporation, as set forth in charter: To acquire, own, lease and sell
Real Estate and for any lawful
purpose for which a company may be organized under this act.

6. Names of all Officers of the Corporation and other information as listed:

Name of Officer: Scott D. Cochrane Title: Member/Manager of the LLC

Date elected or appointed: 06/28/2002 Social Security No.: _____

Date of Birth: _____ Place of Birth: Champaign-Urbana IL

Citizenship: _____

If naturalized, place and date of naturalization: _____

Residential Addresses for past three (3) years: _____

1602 Bentbrook Ct. Champaign, IL 61822

Business, occupation, or employment for four (4) years preceding date of application for
this license: owner/operator of eight similar food/beverage
establishments in Champaign-Urbana, Illinois.

7. A site plan (with dimensions) must accompany this application. It must show the location of a
buildings, outdoor areas to be used for various purposes and parking spaces.



site plan

The Pink House
2698 CR 1600 N
Ogden IL 61859

parking lot

pizza king

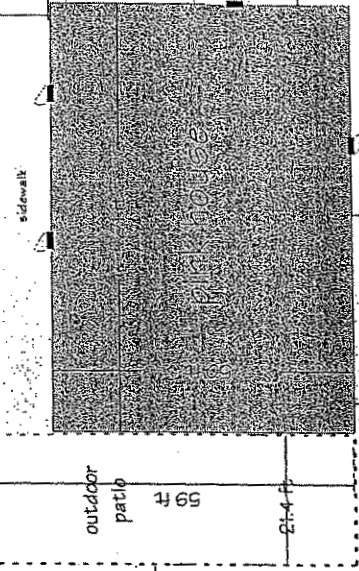
59.2 ft

parking lot

outdoor patio
59 ft

24.8 ft

brush and wooded area



68.1 ft

parking lot

63.1 ft

parking lot

14.8 ft

grass parkway

grass parkway

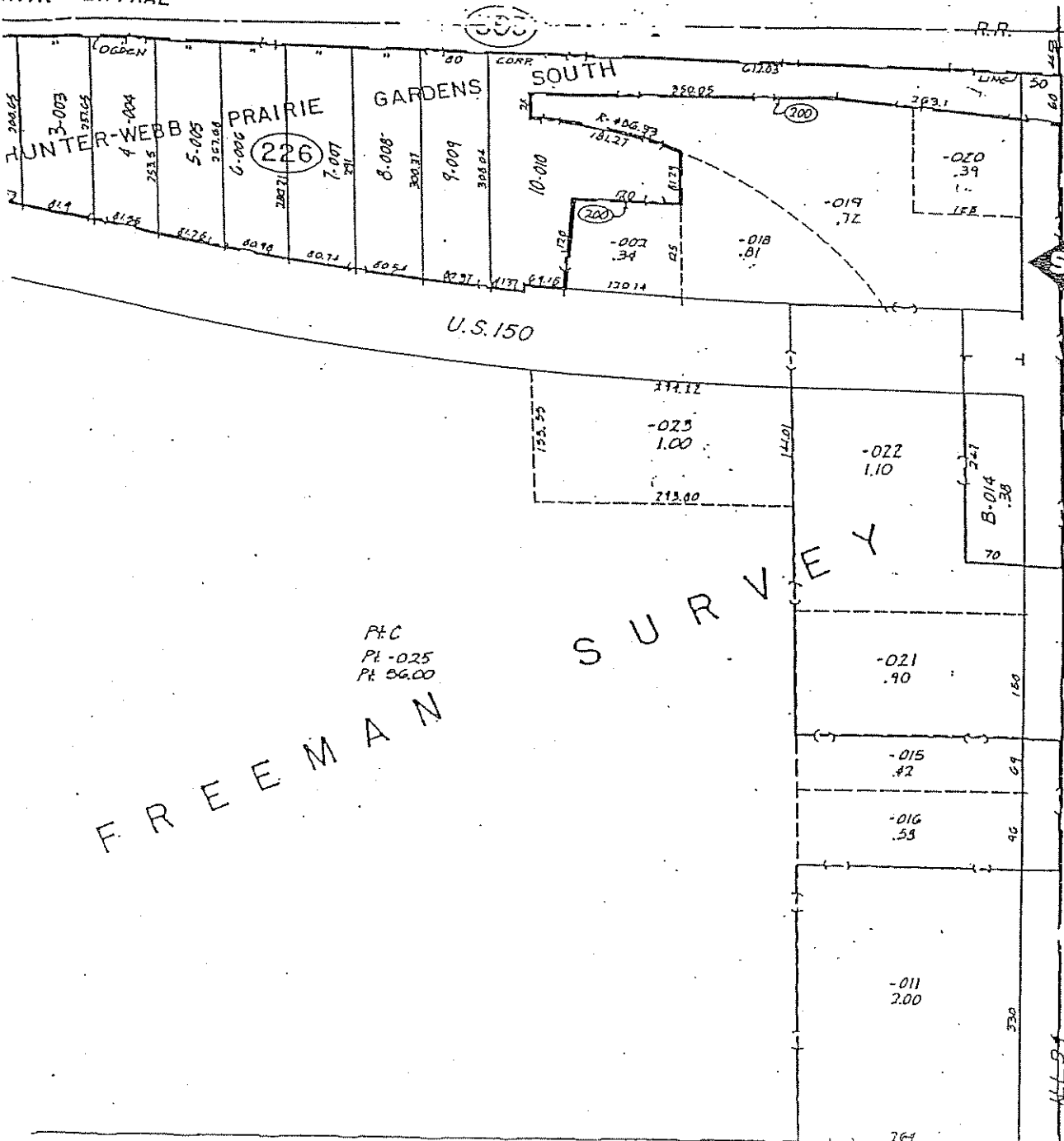
grass parkway

illinois state highway 150

illinois state highway 49

ENN. CENTRAL

REVISED: JAN 1, 199.



Subject

FREEMAN SURVEY

P&C
Pt -025
Pt 06.00

200

ALL 94
24-164

AFFIDAVIT

(Complete when applicant is an Individual or Partnership)

I/We swear that I/we have read the application and that all matters stated thereunder are true and correct, are made upon my/our personal knowledge and information and are made for the purpose of inducing the County of Champaign to issue the permit hereunder applied for.

I/We further swear that I/we will not violate any of the laws of the United States of America or of the State of Illinois or the Ordinances of the County of Champaign in the conduct of the business hereunder applied for.

Signature of Owner or of one of two members of Partnership

Signature of Owner or of one of two members of Partnership

Signature of Manager or Agent

Subscribed and sworn to before me this _____ day of _____, 20_____.

Notary Public

AFFIDAVIT

(Complete when applicant is a Corporation)

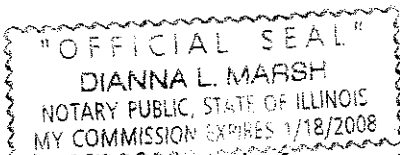
We, the undersigned, president and secretary of the above named corporation, each first being duly sworn, say that each of us has read the foregoing application and that the matters stated therein are true and correct and are made upon our personal knowledge and information, and are made for the purpose of inducing the County of Champaign to issue the license herein applied for.

We further swear that the applicant will not violate any of the laws of the United States of America or of the State of Illinois or the Ordinances of the County of Champaign in the conduct of applicant's place of business.

We further swear that we are the duly constituted and elected officers of said applicant and as such are authorized and empowered to execute their application for and on behalf of said application.

Signature of President

Signature of Secretary



Signature of Manager or Agent

Subscribed and sworn to before me this 20th day of October, 2006.

Dianna Marsh

Notary Public



STATE OF ILLINOIS,
Champaign County
Recreation & Entertainment License
Check List and Approval Sheet

FOR ELUC USE ONLY

County Clerk's Office

- 1. Proper Application Date Received: _____
- 2. Fee Amount Received: _____

Sheriff's Department

- 1. Police Record Approval: _____ Date: _____
- 2. Credit Check Disapproval: _____ Date: _____

Remarks: _____ Signature: _____

Planning & Zoning Department

- 1. Proper Zoning Approval: _____ Date: _____
- 2. Restrictions or Violations Disapproval: _____ Date: _____

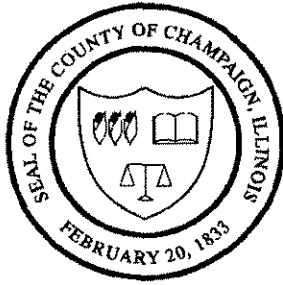
Remarks: _____ Signature: _____

Environment & Land Use Committee

- 1. Application Complete Approval: _____ Date: _____
- 2. Requirements Met Disapproval: _____ Date: _____

Signature: _____

Remarks and/or Conditions: _____



STATE OF ILLINOIS
COUNTY OF CHAMPAIGN

NOT TRANSFERABLE

ENTERTAINMENT, RECREATION,
LODGING OF TRANSIENTS, AND RACEWAYS LICENSE

No. 2007-ENT-09
\$100.00

TINCUP RV PARK INC.

License is hereby granted to **GARY ROBINSON** 2070CR 125E, Mahomet IL to provide Entertainment/Recreation at 1715E Tincup Road Mahomet IL in Champaign County from January 1, 2007 thru December 31, 2007. This License expires the 1st day of January 2007 at 12:01am.

Witness my Hand and Seal this 14th day of November, A.D. 2007.

Mark Shelden, Champaign County Clerk

Chairman, Champaign County License Commission

A31



STATE OF ILLINOIS,
Champaign County
Application for:
Recreation & Entertainment License

Applications for License under County Ordinance No. 55 Regulating Recreational & Other Businesses within the County (for use by businesses covered by this Ordinance other than Massage Parlors and similar enterprises)

For Office Use Only

License No. 2007-ENT-07
Date(s) of Event(s) JAN. 1, THRU DEC. 31, 2007
Business Name: TINCUP RV PARK INC.
License Fee: \$ 100.00
Filing Fee: \$ 4.00
TOTAL FEE: DUE \$ 104.00
Checker's Signature: [Signature]

Filing Fees: Per Year (or fraction thereof): \$ 100.00
Per Single-day Event: \$ 10.00
Clerk's Filing Fee: \$ 4.00

Checks Must Be Made Payable To: Mark Shelden, Champaign County Clerk

The undersigned individual, partnership, or corporation hereby makes application for the issuance of a license to engage a business controlled under County Ordinance No. 55 and makes the following statements under oath:

- A. 1. Name of Business: TINCUP RV PARK, INC.
2. Location of Business for which application is made: 1715 E. Tincup Rd
Mahomet, IL. 61853
3. Business address of Business for which application is made: 1715 E. Tincup Rd Mahomet, IL. 61853
4. Zoning Classification of Property: majority of tract CH CO. B-3 Hwy Business;
small area to north of village of Mahomet. B2 Commercial
5. Date the Business covered by Ordinance No. 55 began at this location: 1999
6. Nature of Business normally conducted at this location: Recreational Vehicle Park
7. Nature of Activity to be licensed (include all forms of recreation and entertainment to be provided): recreational vehicle camping, golf driving range
8. Term for which License is sought (specifically beginning & ending dates): January 1, 2007 - December 31 - 2007

(NOTE: All annual licenses expire on December 31st of each year)

9. Do you own the building or property for which this license is sought? yes
10. If you have a lease or rent the property, state the name and address of the owner and when the lease or rental agreement expires: NA
11. If any licensed activity will occur outdoors attach a Site Plan (with dimensions) to this application showing location of all buildings, outdoor areas to be used for various purposes and parking spaces. See page 3, Item 7.

INCOMPLETE FORMS WILL NOT BE CONSIDERED FOR A LICENSE AND WILL BE RETURNED TO APPLICANT **A32**

B. If this business will be conducted by a person other than the applicant, give the following information about person employed by applicant as manager, agent or locally responsible party of the business in the designated location:

Name: Stephen Robinson Date of Birth: _____
Place of Birth: Daytona Beach, FL Social Security No.: _____
Residence Address: 2004 Juniper Dr. Mahomet, IL. 61853
Citizenship: USA If naturalized, **place and date** of naturalization: _____

If, during the license period, a new manager or agent is hired to conduct this business, the applicant **MUST** furnish the County the above information for the new manager or agent within ten (10) days.

Information requested in the following questions must be supplied by the applicant, if an individual, or by all members who share in profits of a partnership, if the applicant is a partnership.

If the applicant is a corporation, all the information required under Section D must be supplied for the corporation and for each officer.

Additional forms containing the questions may be obtained from the County Clerk, if necessary, for attachment to this application form.

- C. 1. Name(s) of owner(s) or local manager(s) (include any aliases): _____
Gary Robinson Ronda Robinson
Date of Birth: _____ Place of Birth: Marion NC New Ulm, MN
Social Security Number: _____ Citizenship: USA
If naturalized, state **place and date** of naturalization: _____
2. Residential Addresses for the past three (3) years: _____
218 S. Lake of the Woods Rd
Mahomet, IL. 61853
3. Business, occupation, or employment of applicant for four (4) years preceding date of application for this license: owners R & S Sales & Service
Mahomet, IL. 61853

EACH OFFICER MUST COMPLETE SECTION D. OBTAIN ADDITIONAL FORM PAGES IF NEEDED FROM THE COUNTY CLERK AND ATTACH TO THIS APPLICATION WHEN FILED.

D. Answer **only** if applicant is a Corporation:

1. Name of Corporation exactly as shown in articles of incorporation and as registered:
Tincup RV Park, Inc.
2. Date of Incorporation: 11/15/99 **A33** State wherein incorporated: IL

Recreation & Entertainment License Application
Page Three

3. If foreign Corporation, give name and address of resident agent in Illinois:

NA

Give first date qualified to do business in Illinois: NA

4. Business address of Corporation in Illinois as stated in Certificate of Incorporation:

1715 E. Tincup Rd
Mahomet, IL. 61853

5. Objects of Corporation, as set forth in charter: campground

6. Names of all Officers of the Corporation and other information as listed:

Name of Officer: Gary Robinson Title: President

Date elected or appointed: 11/15/99 Social Security No.:

Date of Birth: Place of Birth: Marion, NC

Citizenship: USA

If naturalized, place and date of naturalization:

Residential Addresses for past three (3) years:

218 S. Lake of the Woods Rd
Mahomet, IL. 61853

Business, occupation, or employment for four (4) years preceding date of application for this license:

owner R & S Sales & Service
Mahomet, IL. 61853

7. A site plan (with dimensions) must accompany this application. It must show the location of all buildings, outdoor areas to be used for various purposes and parking spaces.

on file from past years

AFFIDAVIT

(Complete when applicant is an Individual or Partnership)

I/We swear that I/we have read the application and that all matters stated thereunder are true and correct, are made upon my/our personal knowledge and information and are made for the purpose of inducing the County of Champaign to issue the permit hereunder applied for.

I/We further swear that I/we will not violate any of the laws of the United States of America or of the State of Illinois or the Ordinances of the County of Champaign in the conduct of the business hereunder applied for.

Signature of Owner or of one of two members of Partnership

Signature of Owner or of one of two members of Partnership

Signature of Manager or Agent

Subscribed and sworn to before me this _____ day of _____, 20____.

Notary Public

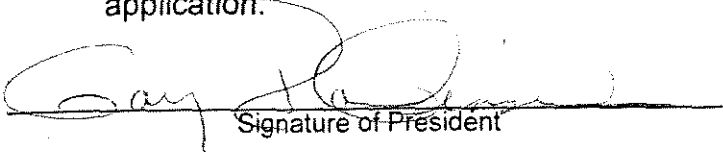
AFFIDAVIT

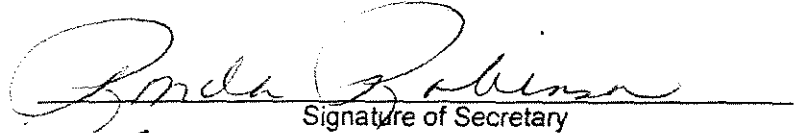
(Complete when applicant is a Corporation)

We, the undersigned, president and secretary of the above named corporation, each first being duly sworn, say that each of us has read the foregoing application and that the matters stated therein are true and correct and are made upon our personal knowledge and information, and are made for the purpose of inducing the County of Champaign to issue the license herein applied for.

We further swear that the applicant will not violate any of the laws of the United States of America or of the State of Illinois or the Ordinances of the County of Champaign in the conduct of applicant's place of business.

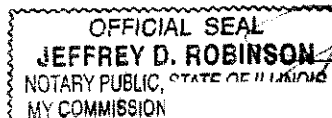
We further swear that we are the duly constituted and elected officers of said applicant and as such are authorized and empowered to execute their application for and on behalf of said application.

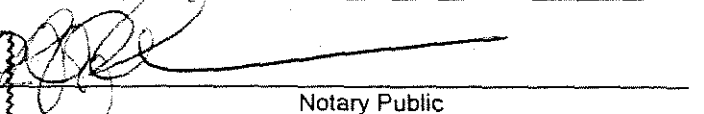

Signature of President


Signature of Secretary


Signature of Manager or Agent

Subscribed and sworn to before me this 27th day of October, 2006.




Notary Public

This COMPLETED application along with
made payable to MARK SHELDEN, CHAMPAIGN

A35

late amount of cash, or certified check
CLERK, must be turned in to the Champaign



STATE OF ILLINOIS,
Champaign County
Recreation & Entertainment License
Check List and Approval Sheet

FOR ELUC USE ONLY

County Clerk's Office

1. Proper Application Date Received: _____
2. Fee Amount Received: _____

Sheriff's Department

1. Police Record Approval: _____ Date: _____
2. Credit Check Disapproval: _____ Date: _____

Remarks: _____ Signature: _____

Planning & Zoning Department

1. Proper Zoning Approval: _____ Date: _____
2. Restrictions or Violations Disapproval: _____ Date: _____

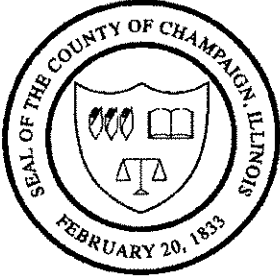
Remarks: _____ Signature: _____

Environment & Land Use Committee

1. Application Complete Approval: _____ Date: _____
2. Requirements Met Disapproval: _____ Date: _____

Signature: _____

Remarks and/or Conditions: _____



STATE OF ILLINOIS
COUNTY OF CHAMPAIGN

NOT TRANSFERABLE

ENTERTAINMENT, RECREATION,
LODGING OF TRANSIENTS, AND RACEWAYS LICENSE

No. 2007-ENT-03
\$100.00

CURTIS ORCHARD LTD

License is hereby granted to **Paul CURTIS** 3902 S. Duncan Rd., Champaign IL to provide Entertainment/Recreation at 3902 S. Duncan Road, Champaign IL in Champaign County from January 1, 2007 thru December 31, 2007. This License expires the 1st day of January 2008 at 12:01am.

Witness my Hand and Seal this 14th day of November, A.D. 2006.

Mark Shelden, Champaign County Clerk

Chairman, Champaign County License Commission

A37



STATE OF ILLINOIS,
Champaign County
Application for:
Recreation & Entertainment License

FILED

NOV 3 2007

Mark Shelden
CHAMPAIGN COUNTY CLERK

For Office Use Only

License No. 2007-ENT-03

Date(s) of Event(s) JAN. 1 THRU DEC. 31, 2007

Business Name: CURTIS ORCHARD LTD.

License Fee: \$ 104.00

Filing Fee: \$ 4.00

TOTAL FEE: DUE \$ 104.00

Checker's Signature: *[Signature]*

Applications for License under County Ordinance No. 55 Regulating Recreational & Other Businesses within the County (for use by businesses covered by this Ordinance other than Massage Parlors and similar enterprises)

Filing Fees:	Per Year (or fraction thereof):	\$ 100.00
	Per Single-day Event:	\$ 10.00
	Clerk's Filing Fee:	\$ 4.00

Checks Must Be Made Payable To: Mark Shelden, Champaign County Clerk

The undersigned individual, partnership, or corporation hereby makes application for the issuance of a license to engage a business controlled under County Ordinance No. 55 and makes the following statements under oath:

- A.
1. Name of Business: Curtis Orchard Ltd.
 2. Location of Business for which application is made: _____
 3. Business address of Business for which application is made: 3902 S. Duncan Rd, Champaign, IL 61822
 4. Zoning Classification of Property: A62 w/ Major Rural Specialty Business ^{Spec Use}
 5. Date the Business covered by Ordinance No. 55 began at this location: _____
 6. Nature of Business normally conducted at this location: _____
 7. Nature of Activity to be licensed (include all forms of recreation and entertainment to be provided): Retail Fruits & vegetables
 8. Term for which License is sought (specifically beginning & ending dates): 7/20/06 - 12/23/06 11/01/07 - 12-31-07 ✓ *MS*
- (NOTE: All annual licenses expire on December 31st of each year)
9. Do you own the building or property for which this license is sought? yes
 10. If you have a lease or rent the property, state the name and address of the owner and when the lease or rental agreement expires: _____
 11. If any licensed activity will occur outdoors attach a Site Plan (with dimensions) to this application showing location of all buildings, outdoor areas to be used for various purposes and parking spaces. See page 3, Item 7.

INCOMPLETE FORMS WILL NOT BE CONSIDERED FOR A LICENSE AND WILL BE RETURNED TO APPLICANT

AFFIDAVIT

(Complete when applicant is an **Individual or Partnership**)

I/We swear that I/we have read the application and that all matters stated thereunder are true and correct, are made upon my/our personal knowledge and information and are made for the purpose of inducing the County of Champaign to issue the permit hereunder applied for.

I/We further swear that I/we will not violate any of the laws of the United States of America or of the State of Illinois or the Ordinances of the County of Champaign in the conduct of the business hereunder applied for.

Randall D. Graham

Signature of Owner or of one of two members of Partnership

Signature of Owner or of one of two members of Partnership

Signature of Manager or Agent

Subscribed and sworn to before me this _____ day of _____, 20____.

Notary Public

AFFIDAVIT

(Complete when applicant is a **Corporation**)

We, the undersigned, president and secretary of the above named corporation, each first being duly sworn, say that each of us has read the foregoing application and that the matters stated therein are true and correct and are made upon our personal knowledge and information, and are made for the purpose of inducing the County of Champaign to issue the license herein applied for.

We further swear that the applicant will not violate any of the laws of the United States of America or of the State of Illinois or the Ordinances of the County of Champaign in the conduct of applicant's place of business.

We further swear that we are the duly constituted and elected officers of said applicant and as such are authorized and empowered to execute their application for and on behalf of said application.

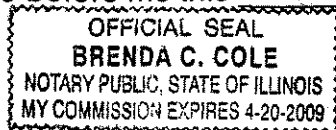
Randall Graham

Signature of President

Signature of Secretary

Signature of Manager or Agent

Subscribed and sworn to before me this 22 day of November, 2006.



Brenda C. Cole

Notary Public

This COMPLETED application along with the appropriate amount of cash, or certified check made payable to MARK SHELDEN, CHAMPAIGN County Clerk's Office, 1776 E. Washington St., CLERK, must be turned in to the Champaign County Clerk's Office, 61802. A \$4.00 Filing Fee should be included.

A39

B. If this business will be conducted by a person other than the applicant, give the following information about person employed by applicant as manager, agent or locally responsible party of the business in the designated location:

Name: _____ Date of Birth: _____
Place of Birth: _____ Social Security No.: _____
Residence Address: _____
Citizenship: _____ If naturalized, **place** and **date** of naturalization: _____

If, during the license period, a new manager or agent is hired to conduct this business, the applicant MUST furnish the County the above information for the new manager or agent within ten (10) days.

Information requested in the following questions must be supplied by the applicant, if an individual, or by all members who share in profits of a partnership, if the applicant is a partnership.

If the applicant is a corporation, all the information required under Section D must be supplied for the corporation and for each officer.

Additional forms containing the questions may be obtained from the County Clerk, if necessary, for attachment to this application form.

C. 1. Name(s) of owner(s) or local manager(s) (include any aliases): _____
Date of Birth: _____ Place of Birth: _____
Social Security Number: _____ Citizenship: _____
If naturalized, state **place** and **date** of naturalization: _____
2. Residential Addresses for the past three (3) years: _____
3. Business, occupation, or employment of applicant for four (4) years preceding date of application for this license: _____

EACH OFFICER MUST COMPLETE SECTION D. OBTAIN ADDITIONAL FORM PAGES IF NEEDED FROM THE COUNTY CLERK AND ATTACH TO THIS APPLICATION WHEN FILED.

D. Answer **only** if applicant is a Corporation:

1. Name of Corporation exactly as shown in articles of incorporation and as registered:
Curtis Orchard Ltd.
2. Date of Incorporation: 2-25-1993 State wherein incorporated: Illinois

3. If foreign Corporation, give name and address of resident agent in Illinois:

Give first date qualified to do business in Illinois: 1-1-1977

4. Business address of Corporation in Illinois as stated in Certificate of Incorporation:

3902 S. Duncan Rd, Champaign, IL. 61822

5. Objects of Corporation, as set forth in charter: Agricultural and all other lawful businesses for which a business may be incorporated.

6. Names of all Officers of the Corporation and other information as listed:

Name of Officer: Paul Curtis Title: President

Date elected or appointed: 2-25-1993 Social Security No.: _____

Date of Birth: _____ Place of Birth: Urbana, IL

Citizenship: U.S.A.

If naturalized, place and date of naturalization: _____

Residential Addresses for past three (3) years: 3902 S. Duncan Rd, Champaign, IL, 61822

Business, occupation, or employment for four (4) years preceding date of application for this license: owner, Curtis Orchard

7. A site plan (with dimensions) must accompany this application. It must show the location of all buildings, outdoor areas to be used for various purposes and parking spaces.

3. If foreign Corporation, give name and address of resident agent in Illinois:

Give first date qualified to do business in Illinois: 1-1-1977

4. Business address of Corporation in Illinois as stated in Certificate of Incorporation:

3902 S. Duncan Rd, Champaign, IL 61822

5. Objects of Corporation, as set forth in charter: Agricultural and all other lawful businesses for which a business may be incorporated.

6. Names of all Officers of the Corporation and other information as listed:

Name of Officer: Joyce Curtis Title: Treasurer

Date elected or appointed: 2-25-93 Social Security No.: _____

Date of Birth: _____ Place of Birth: Marshfield, Wisc.

Citizenship: U.S.A.

If naturalized, place and date of naturalization: _____

Residential Addresses for past three (3) years: _____

3902 S. DUNCAN RD
Champaign, IL 61822

Business, occupation, or employment for four (4) years preceding date of application for this license: owner, Curtis Orchard

7. A site plan (with dimensions) must accompany this application. It must show the location of all buildings, outdoor areas to be used for various purposes and parking spaces.

3. If foreign Corporation, give name and address of resident agent in Illinois:

Give first date qualified to do business in Illinois: 1-1-1977

4. Business address of Corporation in Illinois as stated in Certificate of Incorporation:

3902 S. Duncan Rd, Champaign, IL. 61822

5. Objects of Corporation, as set forth in charter: Agricultural and all other lawful businesses for which a business may be incorporated.

6. Names of all Officers of the Corporation and other information as listed:

Name of Officer: Randall Graham Title: Vice President

Date elected or appointed: 2-25-1993 Social Security No.:

Date of Birth: Place of Birth: Danville, Illinois

Citizenship: USA

If naturalized, place and date of naturalization:

Residential Addresses for past three (3) years: 3812 S. Duncan Rd.
Champaign, IL. 61822

Business, occupation, or employment for four (4) years preceding date of application for this license: owner, Curtis Orchard

7. A site plan (with dimensions) must accompany this application. It must show the location of all buildings, outdoor areas to be used for various purposes and parking spaces.

3. If foreign Corporation, give name and address of resident agent in Illinois:

Give first date qualified to do business in Illinois: 1-1-1977

4. Business address of Corporation in Illinois as stated in Certificate of Incorporation:

3902 S. Duncan Rd, Champaign, IL. 61822

5. Objects of Corporation, as set forth in charter: Agricultural and all other lawful businesses for which a business may be incorporated.

6. Names of all Officers of the Corporation and other information as listed:

Name of Officer: Debra Graham Title: Secretary
Date elected or appointed: 2-25-1993 Social Security No.: _____
Date of Birth: _____ Place of Birth: Urbana, Illinois
Citizenship: USA
If naturalized, place and date of naturalization: _____

Residential Addresses for past three (3) years: 3812 S. Duncan Rd, Champaign, IL. 61822

Business, occupation, or employment for four (4) years preceding date of application for this license: owner, Curtis Orchard

7. A site plan (with dimensions) must accompany this application. It must show the location of all buildings, outdoor areas to be used for various purposes and parking spaces.



STATE OF ILLINOIS,
Champaign County
Recreation & Entertainment License
Check List and Approval Sheet

FOR ELUC USE ONLY

County Clerk's Office

1. Proper Application Date Received: _____
2. Fee Amount Received: _____

Sheriff's Department

1. Police Record Approval: _____ Date: _____
2. Credit Check Disapproval: _____ Date: _____

Remarks: _____ Signature: _____

Planning & Zoning Department

1. Proper Zoning Approval: _____ Date: _____
2. Restrictions or Violations Disapproval: _____ Date: _____

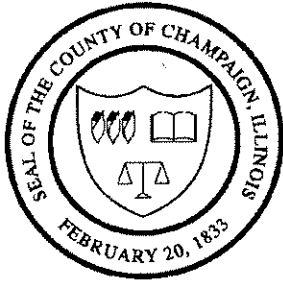
Remarks: _____ Signature: _____

Environment & Land Use Committee

1. Application Complete Approval: _____ Date: _____
2. Requirements Met Disapproval: _____ Date: _____

Signature: _____

Remarks and/or Conditions: _____



STATE OF ILLINOIS
COUNTY OF CHAMPAIGN

NOT TRANSFERABLE

ENTERTAINMENT, RECREATION,
LODGING OF TRANSIENTS, AND RACEWAYS LICENSE

No. 2007-ENT-04
\$100.00

HIDEAWAY OF THE WOODS INC.

License is hereby granted to **ROBERT SLADE** 2110 Gunn Dr., Champaign IL to provide Entertainment/Recreation at 809 S. Prairieview Road, Mahomet IL in Champaign County from January 1, 2007 thru December 31, 2007. This License expires the 1st day of January 2007 at 12:01am.

Witness my Hand and Seal this 14th day of November, A.D. 2007.

Mark Shelden, Champaign County Clerk

Chairman, Champaign County License Commission

A46



STATE OF ILLINOIS,
Champaign County
Application for:
Recreation & Entertainment License

FILED

NOV 3 2006

Mark Sheldon

For Office Use Only

License No. 2007-ENT-04
Date(s) of Event(s) JAN. 1 THRU DEC. 31, 2007

Business Name: HIDEAWAY OF THE WOODS INC

Applications for License under County Ordinance No. 55 Regulating Recreational & Other Businesses within the County (for use by businesses covered by this Ordinance other than Massage Parlors and similar enterprises)

License Fee: \$ 100.00
Filing Fee: \$ 4.00
TOTAL FEE: DUE \$ 104.00
Checker's Signature: *MS*

Filing Fees: Per Year (or fraction thereof): \$ 100.00
Per Single-day Event: \$ 10.00
Clerk's Filing Fee: \$ 4.00

Checks Must Be Made Payable To: Mark Sheldon, Champaign County Clerk

The undersigned individual, partnership, or corporation hereby makes application for the issuance of a license to engage a business controlled under County Ordinance No. 55 and makes the following statements under oath:

- A. 1. Name of Business: Hideaway of the Woods Grill & Bar
- 2. Location of Business for which application is made: 809 E Prairieview Rd
- 3. Business address of Business for which application is made: _____
- 4. Zoning Classification of Property: _____
- 5. Date the Business covered by Ordinance No. 55 began at this location: Restaurant & Bar
- 6. Nature of Business normally conducted at this location: Restaurant & Bar
- 7. Nature of Activity to be licensed (include all forms of recreation and entertainment to be provided): D.J. Karaoke Live Music
- 8. Term for which License is sought (specifically beginning & ending dates): 1 year
JAN 1 2007 DEC 31 2007

(NOTE: All annual licenses expire on December 31st of each year)

- 9. Do you own the building or property for which this license is sought? YES
- 10. If you have a lease or rent the property, state the name and address of the owner and when the lease or rental agreement expires: _____
- 11. If any licensed activity will occur outdoors attach a Site Plan (with dimensions) to this application showing location of all buildings, outdoor areas to be used for various purposes and parking spaces. See page 3, Item 7.

INCOMPLETE FORMS WILL NOT BE CONSIDERED FOR A LICENSE
AND WILL BE RETURNED TO APPLICANT

A47

If this business will be conducted by a person other than the applicant give the following information about person locally responsible party of the

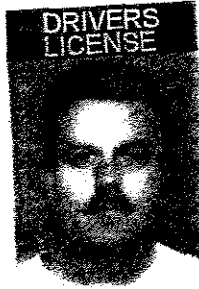


Jesse White - Secretary of State

Name: _____
 Place of Birth: _____
 Residence Address: _____
 Citizenship: _____

ROBERT R SLADE
 2110 GUNN DRIVE
 CHAMPAIGN IL 61821

EXPIRES
 11-07-06



Birthdate: _____
 Male 6'00" 190 lbs BLUE Eyes
 Restrictions Type Class
 ORG D

If, during the license period, a new applicant MUST furnish the County Clerk within ten (10) days.

Robert R. Slade

business, the new manager or agent within

Information requested in the individual, or by all members of partnership.



Jesse White - Secretary of State

If the applicant is a corporation supplied for the corporation

GARY A COX
 1007 BEAVER CREEK LANE
 MAHOMET IL 61853

EXPIRES
 05-12-05



Birthdate: _____ SS# _____
 Male 5'05" 155 lbs HZL Eyes
 Restrictions Type Class
 COR DM

applicant, if an applicant is a

n D must be

ty Clerk, if

1. Name(s) of owner(s) or local manager(s) (include any aliases): Gary Cox

Date of Birth: _____ Place of Birth: Champaign
 Social Security Number: _____ Citizenship: U.S.

2. Residential Addresses for the past three (3) years: 1007 Beaver Creek Lane

3. Business, occupation, or employment of applicant for four (4) years preceding date of application for this license: Self employed wholesales car (used)

EACH OFFICER MUST COMPLETE SECTION D. OBTAIN ADDITIONAL FORM PAGES IF NEEDED FROM THE COUNTY CLERK AND ATTACH TO THIS APPLICATION WHEN FILED.

Answer only if applicant is a Corporation:

1. Name of Corporation exactly as shown in articles of incorporation and as registered: _____
 2. Date of Incorporation: _____ State wherein incorporated: _____

If this business will be conducted by a person other than the applicant, give the following information about person employed by applicant as manager, agent or locally responsible party of the business in the designated location:

Name: _____ Date of Birth: _____
Place of Birth: _____ Social Security No.: _____
Residence Address: _____
Citizenship: _____ If naturalized, place and date of naturalization: _____

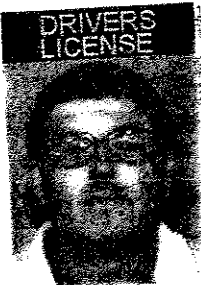
If, during the time the license is held, the applicant is hired to conduct this business, the information for the new manager or agent within _____



Jesse White - Secretary of State

JEFFREY E SLADE
1305 E JEFFERY
MAHOMET IL 61853

EXPIRES
3-04-05



Birthdate --- S#
Male 6'01" 200 lbs HZL Eyes
Restrictions Type Class
B. ORG D

Jeff Slade

Information must be supplied by the applicant, if an agent or partner, if the applicant is a partner.

Information required under Section D must be provided.

Additional forms containing the questions may be obtained from the County Clerk, if necessary, for attachment to this application form.

- Name(s) of owner(s) or local manager(s) (include any aliases): Jeff Slade
Date of Birth: _____ Place of Birth: Gibson City
Social Security Number _____ Citizenship: U.S.
If naturalized, state place and date of naturalization: _____
- Residential Addresses for the past three (3) years: 1305 Jeffery Dr.
Mahomet IL 61853
- Business, occupation, or employment of applicant for four (4) years preceding date of application for this license: OWNER Imperial Concrete construction

EACH OFFICER MUST COMPLETE SECTION D. OBTAIN ADDITIONAL FORM PAGES IF NEEDED FROM THE COUNTY CLERK AND ATTACH TO THIS APPLICATION WHEN FILED.

Answer only if applicant is a Corporation:

- Name of Corporation exactly as shown in articles of incorporation and as registered: _____
- Date of Incorporation: _____ State wherein incorporated: _____

If this business will be conducted by a person other than the applicant, give the following information about person employed by applicant as manager, agent or locally responsible party of the business in the designated location:

Name: _____ Date of Birth: _____
Place of Birth: _____ Social Security No.: _____
Residence Address: _____
Citizenship: _____ If naturalized, place and date of naturalization: _____

If, during the license period, a new manager or agent is hired to conduct this business, the applicant MUST furnish the above information for the new manager or agent within ten (10) days.

Information requested by the applicant, if an individual, or by all members of the partnership, if the applicant is a partnership.

If the applicant is a partnership, the information supplied for the corporation must be furnished to the County Clerk, if necessary, for attachment to this application.

Additional forms completed by the applicant, if necessary, for attachment to this application.

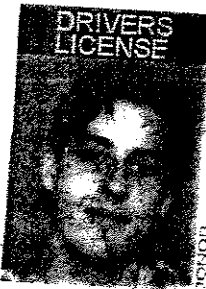
Illinois
NUMBER ISSUED

CARTER W. PHILLIPS
1894 COUNTY RD 1600 N
URBANA IL 61802

Birthdate: Male 6'04" 210 lbs
Restrictions: Type: BRN Eyes
ORG: Class: D

Jesse White - Secretary of State

EXPIRES 1-28-04



by the applicant, if an individual, or by all members of the partnership, if the applicant is a partnership.

Section D must be completed by the applicant, if an individual, or by all members of the partnership, if the applicant is a partnership.

the County Clerk, if necessary, for attachment to this application.

1. Name(s) of owner(s) or local manager(s) (include any aliases): _____

CARTER WILLIAM PHILLIPS
Date of Birth: _____ Place of Birth: CARLE CHAMPAIGN

Social Security Number: _____ Citizenship: _____

If naturalized, state place and date of naturalization: _____

2. Residential Addresses for the past three (3) years: 1894 CE 1600 N

URBANA IL 61802

3. Business, occupation, or employment of applicant for four (4) years preceding date of application for this license: GENERAL MANAGER (RESTAURANT)

EACH OFFICER MUST COMPLETE SECTION D. OBTAIN ADDITIONAL FORM PAGES IF NEEDED FROM THE COUNTY CLERK AND ATTACH TO THIS APPLICATION WHEN FILED.

Answer only if applicant is a Corporation:

1. Name of Corporation exactly as shown in articles of incorporation and as registered: _____

2. Date of Incorporation: _____ **A50** e wherein incorporated: _____

B. If this business will be conducted by a person other than the applicant, give the following information about person employed by applicant as manager, agent or locally responsible party of the business in the designated location:

Name: _____ Date of Birth: _____
Place of Birth: _____ Social Security No.: _____
Residence Address: _____
Citizenship: _____ If naturalized, place and date of naturalization: _____

If, during the license period, a new manager or agent is hired to conduct this business, the applicant MUST furnish the County the above information for the new manager or agent within ten (10) days.

Information requested in the following questions must be supplied by the applicant, if an individual, or by all members who share in profits of a partnership, if the applicant is a partnership.

If the applicant is a corporation, all the information required under Section D must be supplied for the corporation and for each officer.

Additional forms containing the questions may be obtained from the County Clerk, if necessary, for attachment to this application form.

- C. 1. Name(s) of owner(s) or local manager(s) (include any aliases): Robert Stale
Date of Birth: _____ Place of Birth: Gibson city
Social Security Number: _____ Citizenship: U.S.
If naturalized, state place and date of naturalization: _____
2. Residential Addresses for the past three (3) years: 2110 Gunn Dr
Champaign IL 61821
3. Business, occupation, or employment of applicant for four (4) years preceding date of application for this license: Hideaway Restaurant

EACH OFFICER MUST COMPLETE SECTION D. OBTAIN ADDITIONAL FORM PAGES IF NEEDED FROM THE COUNTY CLERK AND ATTACH TO THIS APPLICATION WHEN FILED.

D. Answer **only** if applicant is a Corporation:

1. Name of Corporation exactly as shown in articles of incorporation and as registered:
Hideaway of the Woods Bull & Dog Inc.
2. Date of Incorporation: August 200 **A51** e wherein incorporated: Illinois

3. If foreign Corporation, give name and address of resident agent in Illinois:

Give first date qualified to do business in Illinois: _____

4. Business address of Corporation in Illinois as stated in Certificate of Incorporation:

509 S. Main Street - Rt. P.O. Box 1158 Mahomet IL
61853-1158

5. Objects of Corporation, as set forth in charter: _____

6. Names of all Officers of the Corporation and other information as listed:

Name of Officer: Robert Stede Title: President

Date elected or appointed: _____ Social Security No.: _____

Date of Birth: _____ Place of Birth: Ribson City Illinois

Citizenship: U.S.

If naturalized, **place** and **date** of naturalization: _____

Residential Addresses for past three (3) years: _____

Business, occupation, or employment for four (4) years preceding date of application for this license: _____

7. A site plan (with dimensions) must accompany this application. It must show the location of all buildings, outdoor areas to be used for various purposes and parking spaces.

AFFIDAVIT

(Complete when applicant is an **Individual or Partnership**)

I/We swear that I/we have read the application and that all matters stated thereunder are true and correct, are made upon my/our personal knowledge and information and are made for the purpose of inducing the County of Champaign to issue the permit hereunder applied for.

I/We further swear that I/we will not violate any of the laws of the United States of America or of the State of Illinois or the Ordinances of the County of Champaign in the conduct of the business hereunder applied for.

Signature of Owner or of one of two members of Partnership

Signature of Owner or of one of two members of Partnership

Signature of Manager or Agent

Subscribed and sworn to before me this _____ day of _____, 20_____.

Notary Public

AFFIDAVIT

(Complete when applicant is a **Corporation**)

We, the undersigned, president and secretary of the above named corporation, each first being duly sworn, say that each of us has read the foregoing application and that the matters stated therein are true and correct and are made upon our personal knowledge and information, and are made for the purpose of inducing the County of Champaign to issue the license herein applied for.

We further swear that the applicant will not violate any of the laws of the United States of America or of the State of Illinois or the Ordinances of the County of Champaign in the conduct of applicant's place of business.

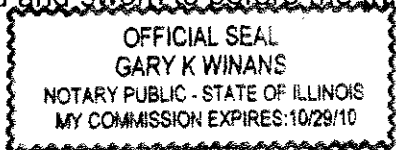
We further swear that we are the duly constituted and elected officers of said applicant and as such are authorized and empowered to execute their application for and on behalf of said application.

Signature of President

Signature of Secretary

Signature of Manager or Agent

Subscribed and sworn to before me this _____ day of NOVEMBER, 2006.



Notary Public

This COMPLETED application along w
made available to MARK SHELDEN, CHAMPA

A53

iate amount of cash, or certified check
CLERK, must be turned in to the Champaign



STATE OF ILLINOIS,
Champaign County
Recreation & Entertainment License
Check List and Approval Sheet

FOR ELUC USE ONLY

County Clerk's Office

1. Proper Application Date Received: _____
2. Fee Amount Received: _____

Sheriff's Department

1. Police Record Approval: _____ Date: _____
2. Credit Check Disapproval: _____ Date: _____

Remarks: _____ Signature: _____

Planning & Zoning Department

1. Proper Zoning Approval: _____ Date: _____
2. Restrictions or Violations Disapproval: _____ Date: _____

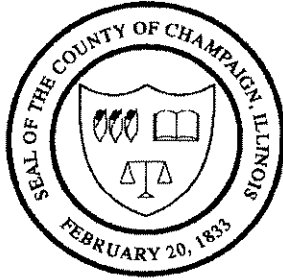
Remarks: _____ Signature: _____

Environment & Land Use Committee

1. Application Complete Approval: _____ Date: _____
2. Requirements Met Disapproval: _____ Date: _____

Signature: _____

Remarks and/or Conditions: _____



STATE OF ILLINOIS
COUNTY OF CHAMPAIGN

NOT TRANSFERABLE

ENTERTAINMENT, RECREATION,
LODGING OF TRANSIENTS, AND RACEWAYS LICENSE

No. 2007-ENT-10
\$100.00

UNCLE BUCK'S SPORTS BAR INC.

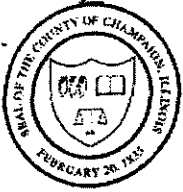
License is hereby granted to **Thomas G. Eichelberger** 608 N. Lake of The Woods Road, Mahomet IL to operate Entertainment/Recreation at 215 S. Lake of The Woods Road, Mahomet IL in Champaign County from January 1, 2007 thru December 31, 2007. This License expires the 1st day of January 2008 at 12:01am.

Witness my Hand and Seal this 14th day of November, A.D. 2006.

Mark Shelden, Champaign County Clerk

Chairman, Champaign County License Commission

555



STATE OF ILLINOIS,
Champaign County
Application for:
Recreation & Entertainment License

Applications for License under County Ordinance No. 55 Regulating Recreational & Other Businesses within the County (for use by businesses covered by this Ordinance other than Massage Parlors and similar enterprises)

For Office Use Only

License No. 2007-ENT-10
Date(s) of Event(s) JAN. 1 THRU DEC. 31, 2007
Business Name: UNCLE BUCK'S SPORTS BAR LI
License Fee: \$ 100.00
Filing Fee: \$ 4.00
TOTAL FEE: DUE \$ 104.00
Checker's Signature: [Signature]

Filing Fees: Per Year (or fraction thereof): \$ 100.00
Per Single-day Event: \$ 10.00
Clerk's Filing Fee: \$ 4.00

Checks Must Be Made Payable To: Mark Shelden, Champaign County Clerk

The undersigned individual, partnership, or corporation hereby makes application for the issuance of a license to engage a business controlled under County Ordinance No. 55 and makes the following statements under oath:

- A. 1. Name of Business: Uncle Bucks Sports Bar
2. Location of Business for which application is made: 215 S. L.O.W. Rd
Mohawk, IL
3. Business address of Business for which application is made: Same AS #2
4. Zoning Classification of Property: _____
5. Date the Business covered by Ordinance No. 55 began at this location: _____
6. Nature of Business normally conducted at this location: Bar & Grill
7. Nature of Activity to be licensed (include all forms of recreation and entertainment to be provided): DJ, JUKE BOX, TV. (us)
8. Term for which License is sought (specifically beginning & ending dates): 1-07 - 12-31-07

(NOTE: All annual licenses expire on December 31st of each year)

9. Do you own the building or property for which this license is sought? YES
10. If you have a lease or rent the property, state the name and address of the owner and when the lease or rental agreement expires: _____
11. If any licensed activity will occur outdoors attach a Site Plan (with dimensions) to this application showing location of all buildings, outdoor areas to be used for various purposes and parking spaces. See page 3, Item 7.

INCOMPLETE FORMS WILL NOT BE CONSIDERED FOR A LICENSE AND WILL BE RETURNED TO APPLICANT **A56**

B. If this business will be conducted by a person other than the applicant, give the following information about person employed by applicant as manager, agent or locally responsible party of the business in the designated location:

Name: TERESA L. EICHELBERGER Date of Birth: _____
Place of Birth: GIBSON CITY, IL Social Security No.: _____
Residence Address: MAHOMET, IL
Citizenship: US If naturalized, place and date of naturalization: _____

If, during the license period, a new manager or agent is hired to conduct this business, the applicant MUST furnish the County the above information for the new manager or agent within ten (10) days.

Information requested in the following questions must be supplied by the applicant, if an individual, or by all members who share in profits of a partnership, if the applicant is a partnership.

If the applicant is a corporation, all the information required under Section D must be supplied for the corporation and for each officer.

Additional forms containing the questions may be obtained from the County Clerk, if necessary, for attachment to this application form.

- C. 1. Name(s) of owner(s) or local manager(s) (include any aliases): SAME
Date of Birth: _____ Place of Birth: _____
Social Security Number: _____ Citizenship: _____
If naturalized, state place and date of naturalization: _____
2. Residential Addresses for the past three (3) years: _____

3. Business, occupation, or employment of applicant for four (4) years preceding date of application for this license: _____

EACH OFFICER MUST COMPLETE SECTION D. OBTAIN ADDITIONAL FORM PAGES IF NEEDED FROM THE COUNTY CLERK AND ATTACH TO THIS APPLICATION WHEN FILED.

D. Answer only if applicant is a Corporation:

1. Name of Corporation exactly as shown in articles of incorporation and as registered:
SCBS
2. Date of Incorporation: ON state wherein incorporated: ON FILE

3. If foreign Corporation, give name and address of resident agent in Illinois:

No

Give first date qualified to do business in Illinois: _____

4. Business address of Corporation in Illinois as stated in Certificate of Incorporation:

215 S. L.O.W. Rd
Monroeville, IL

5. Objects of Corporation, as set forth in charter: _____

6. Names of all Officers of the Corporation and other information as listed:

om Echelbaj

Name of Officer: DAVID SCHEIBER Title: Owner - Pres
Date elected or appointed: 1992 Social Security No.: _____
Date of Birth: _____ Place of Birth: Champaign
Citizenship: US
If naturalized, place and date of naturalization: _____

Residential Addresses for past three (3) years:

408 N. L.O.W. Rd Monroeville, IL

Business, occupation, or employment for four (4) years preceding date of application for this license: Self - Bar - Grill

7. A site plan (with dimensions) must accompany this application. It must show the location of all buildings, outdoor areas to be used for various purposes and parking spaces.

ONE FILE See Attached

1200
300
1500



Whereas, ARTICLES OF INCORPORATION OF
 UNCLE BUCK'S SPORT BAR, INC.
 INCORPORATED UNDER THE LAWS OF THE STATE OF ILLINOIS HAVE BEEN
 FILED IN THE OFFICE OF THE SECRETARY OF STATE AS PROVIDED BY THE
 BUSINESS CORPORATION ACT OF ILLINOIS, IN FORCE JULY 1, A.D. 1984.

Now Therefore, I, George H. Ryan, Secretary of State of the State of Illinois, by virtue of the powers vested in me by law, do hereby issue this certificate and attach hereto a copy of the Application of the aforesaid corporation.

In Testimony Whereof, *I hereto set my hand and cause to be affixed the Great Seal of the State of Illinois, at the City of Springfield, this 20TH day of MAY A.D. 1992 and of the Independence of the United States the two hundred and 16TH.*



George H. Ryan
 SECRETARY OF STATE
A59

(Rev. Jan. 1991)

George H. Ryan
Secretary of State
Department of Business Services
Springfield, IL 62756

SUBMIT IN DUPLICATE!

This space for use by
Secretary of State

Date 5-29-92

Franchise Tax \$

Filing Fee \$

Approved: Z

25.00

75.00

100.00

Payment must be made by certified check, cashier's check, Illinois attorney's check, Illinois C.P.A.'s check or money order, payable to "Secretary of State."

1. CORPORATE NAME: UNCLE BUCK'S SPORT BAR, INC.

(The corporate name must contain the word "corporation", "company," "incorporated," "limited" or an abbreviation thereof.)

2. Initial Registered Agent: Thomas G. Eichelberger
First Name Middle Initial Last name

Initial Registered Office: RR 3, Box 49 Street Suite #
Number Street Suite #
Mahomet 61853 Champaign
City Zip Code County

3. Purpose or purposes for which the corporation is organized:
(If not sufficient space to cover this point, add one or more sheets of this size.)

The transaction of any or all lawful businesses for which corporations may be incorporated under the Illinois Business Corporation Act of 1983.

4. Paragraph 1: Authorized Shares, Issued Shares and Consideration Received:

Class	Par Value per Share	Number of Shares Authorized	Number of Shares Proposed to be Issued	Consideration to be Received Therefor
<u>Common</u>	<u>\$ N/A</u>	<u>500</u>	<u>100</u>	<u>\$ 1,000.00</u>

Paragraph 2: The preferences, qualifications, limitations, restrictions and special or relative rights in respect of the shares of each class are:

(If not sufficient space to cover this point, add one or more sheets of this size.)

5. OPTIONAL: (a) Number of directors constituting the initial board of directors of the corporation: 2
 (b) Names and addresses of the persons who are to serve as directors until the first annual meeting of shareholders or until their successors are elected and qualify:

Name	Residential Address
✓ Thomas G. Eichelberger	602-6 Lake of the Woods Apt., Mahomet, IL 61853
✓ Patricia B. Wamsley	602-6 Lake of the Woods Apt., Mahomet, IL 61853

6. OPTIONAL: (a) It is estimated that the value of all property to be owned by the corporation for the following year wherever located will be: \$ _____
 (b) It is estimated that the value of the property to be located within the State of Illinois during the following year will be: \$ _____
 (c) It is estimated that the gross amount of business that will be transacted by the corporation during the following year will be: \$ _____
 (d) It is estimated that the gross amount of business that will be transacted from places of business in the State of Illinois during the following year will be: \$ _____

7. OPTIONAL: OTHER PROVISIONS

Attach a separate sheet of this size for any other provision to be included in the Articles of Incorporation, e.g., authorizing preemptive rights, denying cumulative voting, regulating internal affairs, voting majority requirements, fixing a duration other than perpetual, etc.

8. NAME(S) & ADDRESS(ES) OF INCORPORATOR(S)

The undersigned incorporator(s) hereby declare(s), under penalties of perjury, that the statements made in the foregoing Articles of Incorporation are true.

Dated May 15, 19 92.

Signature and Name	Address
1. <u>Thomas G. Eichelberger</u> Signature <u>Thomas G. Eichelberger</u> (Type or Print Name)	1. <u>602-6 Lake of the Woods Apt.</u> Street <u>Mahomet, Illinois 61853</u> City/Town State Zip Code
2. _____ Signature _____ (Type or Print Name)	2. _____ Street _____ City/Town State Zip Code
3. _____ Signature _____ (Type or Print Name)	3. _____ Street _____ City/Town State Zip Code

(Signatures must be in ink on original document. Carbon copy, photocopy or rubber stamp signatures may only be used on conformed copies.)
 NOTE: If a corporation acts as incorporator, the name of the corporation and the state of incorporation shall be shown and the execution shall be by its president or vice president and verified by him, and attested by its secretary or assistant secretary.

FEE SCHEDULE

- The initial franchise tax is assessed at the rate of 15/100 of 1 percent (\$1.50 per \$1,000) on the paid-in capital represented in this state, with a minimum of \$25.
- The filing fee is \$75.
- The minimum total due (franchise tax + filing fee) is \$100.
(Applies when the Consideration to be Received as set forth in Item 4 does not exceed \$16,667)
- The Department of Business Services in Springfield will provide assistance in calculating the total fees if necessary.

Illinois Secretary of State Springfield, IL 62756
 Department of Business Services Telephone (217) 782-9522

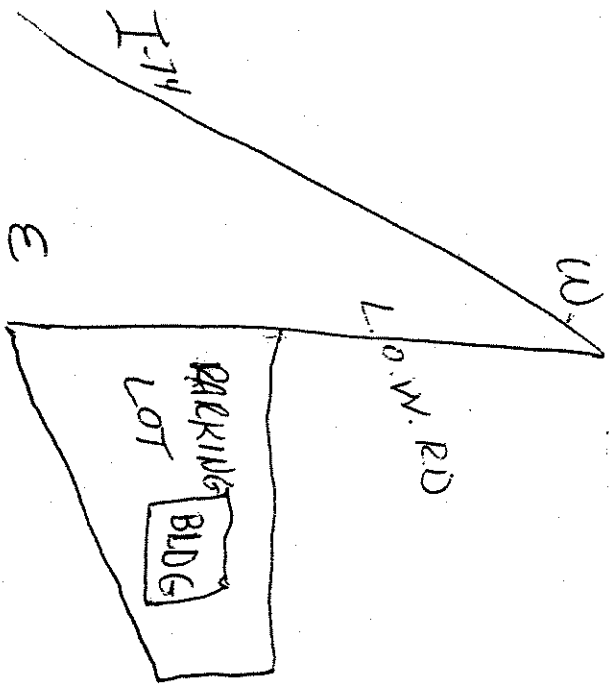
FILED
 MAY 20 1992
 GEORGE H. RYAN
 SECRETARY OF STATE

1822
 0799
 U133

D.T. to: Las. H. Bierman

A61

7



AFFIDAVIT

(Complete when applicant is an **Individual or Partnership**)

I/We swear that I/we have read the application and that all matters stated thereunder are true and correct, are made upon my/our personal knowledge and information and are made for the purpose of inducing the County of Champaign to issue the permit hereunder applied for.

I/We further swear that I/we will not violate any of the laws of the United States of America or of the State of Illinois or the Ordinances of the County of Champaign in the conduct of the business hereunder applied for.

Signature of Owner or of one of two members of Partnership

Signature of Owner or of one of two members of Partnership

Signature of Manager or Agent

Subscribed and sworn to before me this _____ day of _____, 20_____.

Notary Public

AFFIDAVIT

(Complete when applicant is a **Corporation**)

We, the undersigned, president and secretary of the above named corporation, each first being duly sworn, say that each of us has read the foregoing application and that the matters stated therein are true and correct and are made upon our personal knowledge and information, and are made for the purpose of inducing the County of Champaign to issue the license herein applied for.

We further swear that the applicant will not violate any of the laws of the United States of America or of the State of Illinois or the Ordinances of the County of Champaign in the conduct of applicant's place of business.

We further swear that we are the duly constituted and elected officers of said applicant and as such are authorized and empowered to execute their application for and on behalf of said application.

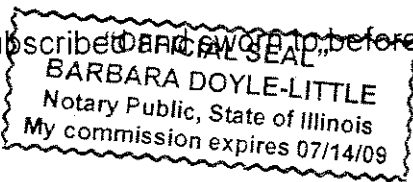
Thomas J. Schellberger

Signature of President

Signature of Secretary

Signature of Manager or Agent

Subscribed and sworn to before me this 7th day of November, 2006.



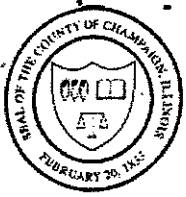
Barbara Doyle-Little

Notary Public

This COMPLETED application along with made payable to MARK SHELDEN, CHAMPAIG

A63

appropriate amount of cash, or certified check / CLERK, must be turned in to the Champaign



STATE OF ILLINOIS,
Champaign County
Recreation & Entertainment License
Check List and Approval Sheet

FOR ELUC USE ONLY

County Clerk's Office

1. Proper Application Date Received: _____

2. Fee Amount Received: _____

Sheriff's Department

1. Police Record Approval: _____ Date: _____

2. Credit Check Disapproval: _____ Date: _____

Remarks: _____ Signature: _____

Planning & Zoning Department

1. Proper Zoning Approval: _____ Date: _____

2. Restrictions or Violations Disapproval: _____ Date: _____

Remarks: _____ Signature: _____

Environment & Land Use Committee

1. Application Complete Approval: _____ Date: _____

2. Requirements Met Disapproval: _____ Date: _____

Signature: _____

Remarks and/or Conditions: _____



NOT TRANSFERABLE

STATE OF ILLINOIS
COUNTY OF CHAMPAIGN

ENTERTAINMENT, RECREATION,
LODGING OF TRANSIENTS, AND RACEWAYS LICENSE No. 2007-ENT-13 \$100.00

LAST CALL FOR ALCOHOL INC

License is hereby granted to **Sheri Kaufman** 108 Walnut, Penfield IL to provide Entertainment/Recreation at 105 N. Main, Penfield IL in Champaign County from January 1, 2007 thru December 31, 2007. This License expires the 1st day of January 2008 at 12:01am.

Witness my Hand and Seal this 14th day of November, A.D. 2006.

Mark Sheldon, Champaign County Clerk

Chairman, Champaign County License Commission



STATE OF ILLINOIS,
Champaign County
Application for:
Recreation & Entertainment License

FILED

NOV - 6 2006

Mark Shelden
CHAMPAIGN COUNTY CLERK

For Office Use Only

License No. 2007-ENT-11
Date(s) of Event(s) JAN. 1 THRU DEC. 31, 2007
Business Name: LAST CALL FOR ALCOHOL INC
License Fee: \$ 100.00
Filing Fee: \$ 4.00
TOTAL FEE: \$ 104.00
Checker's Signature: *MS*

Applications for License under County Ordinance No. 55 Regulating Recreational & Other Businesses within the County (for use by businesses covered by this Ordinance other than Massage Parlors and similar enterprises)

Filing Fees: Per Year (or fraction thereof): \$ 100.00
Per Single-day Event: \$ 10.00
Clerk's Filing Fee: \$ 4.00

Checks Must Be Made Payable To: Mark Shelden, Champaign County Clerk

The undersigned individual, partnership, or corporation hereby makes application for the issuance of a license to engage a business controlled under County Ordinance No. 55 and makes the following statements under oath:

- A. 1. Name of Business: LAST CALL for Alcohol, Inc
2. Location of Business for which application is made: 105 Main St. P.O. Box 143 Penfield IL 61862
3. Business address of Business for which application is made: P.O. Box 143 Penfield IL 61862
4. Zoning Classification of Property: Business
5. Date the Business covered by Ordinance No. 55 began at this location: 9/7/06
6. Nature of Business normally conducted at this location: Bar, Tavern
7. Nature of Activity to be licensed (include all forms of recreation and entertainment to be provided): Bands, DJ's, Karaoke
8. Term for which License is sought (specifically beginning & ending dates): ~~4th of July~~ ~~Nov. 23~~ ~~Aug 6~~ ~~MARCH 4~~ 11/07 thru 12/31/07
(NOTE: All annual licenses expire on December 31st of each year)
9. Do you own the building or property for which this license is sought? NO
10. If you have a lease or rent the property, state the name and address of the owner and when the lease or rental agreement expires: HBT-217 602 Country Fair Dr. Champaign IL 61821 8/21/2021
11. If any licensed activity will occur outdoors attach a Site Plan (with dimensions) to this application showing location of all buildings, outdoor areas to be used for various purposes and parking spaces. See page 3, Item 7.

INCOMPLETE FORMS WILL NOT BE RETURNED TO APPLICANT

AND WILL BE REJECTED FOR A LICENSE APPLICANT

A66

3. If this business will be conducted by a person other than the applicant, give the following information about person employed by applicant as manager, agent or locally responsible party of the business in the designated location:

Name: Sheei Kaufman Date of Birth: _____
Place of Birth: Paxton IL Social Security No.: _____
Residence Address: 108 Walnut St. Penfield IL 61862
Citizenship: US If naturalized, place and date of naturalization: _____

If, during the license period, a new manager or agent is hired to conduct this business, the applicant MUST furnish the County the above information for the new manager or agent within ten (10) days.

Information requested in the following questions must be supplied by the applicant, if an individual, or by all members who share in profits of a partnership, if the applicant is a partnership.

If the applicant is a corporation, all the information required under Section D must be supplied for the corporation and for each officer.

Additional forms containing the questions may be obtained from the County Clerk, if necessary, for attachment to this application form.

- C. 1. Name(s) of owner(s) or local manager(s) (include any aliases): _____
Date of Birth: _____ Place of Birth: _____
Social Security Number: _____ Citizenship: _____
If naturalized, state place and date of naturalization: _____
2. Residential Addresses for the past three (3) years: _____

3. Business, occupation, or employment of applicant for four (4) years preceding date of application for this license: _____

EACH OFFICER MUST COMPLETE SECTION D. OBTAIN ADDITIONAL FORM PAGES IF NEEDED FROM THE COUNTY CLERK AND ATTACH TO THIS APPLICATION WHEN FILED.

D. Answer only if applicant is a Corporation:

1. Name of Corporation exactly as shown in articles of incorporation and as registered:
Last Call for Alcohol, Inc
2. Date of Incorporation: 8/21/06 **A67** State wherein incorporated: IL

3. If foreign Corporation, give name and address of resident agent in Illinois:

Give first date qualified to do business in Illinois: _____

4. Business address of Corporation in Illinois as stated in Certificate of Incorporation:

105 N. Main St. P.O. Box 143
Penfield IL 61862

5. Objects of Corporation, as set forth in charter: BAR + TAVERN

6. Names of all Officers of the Corporation and other information as listed:

Name of Officer: Sheri Kaufman Title: President
Date elected or appointed: 8/21/06 Social Security No.: _____
Date of Birth: _____ Place of Birth: Paxton IL
Citizenship: US
If naturalized, place and date of naturalization: _____

Residential Addresses for past three (3) years: 108 Walnut St. Penfield IL

Business, occupation, or employment for four (4) years preceding date of application for this license: Precision Aviation office manager

#6 Aviation Center Dr.
Rantoul IL 61866 3 1/2 yrs.

7. A site plan (with dimensions) must accompany this application. It must show the location of all buildings, outdoor areas to be used for various purposes and parking spaces.

AFFIDAVIT

(Complete when applicant is an **Individual or Partnership**)

I/We swear that I/we have read the application and that all matters stated thereunder are true and correct, are made upon my/our personal knowledge and information and are made for the purpose of inducing the County of Champaign to issue the permit hereunder applied for.

I/We further swear that I/we will not violate any of the laws of the United States of America or of the State of Illinois or the Ordinances of the County of Champaign in the conduct of the business hereunder applied for.

Signature of Owner or of one of two members of Partnership

Signature of Owner or of one of two members of Partnership

Signature of Manager or Agent

Subscribed and sworn to before me this _____ day of _____, 20_____.

Notary Public

AFFIDAVIT

(Complete when applicant is a **Corporation**)

We, the undersigned, president and secretary of the above named corporation, each first being duly sworn, say that each of us has read the foregoing application and that the matters stated therein are true and correct and are made upon our personal knowledge and information, and are made for the purpose of inducing the County of Champaign to issue the license herein applied for.

We further swear that the applicant will not violate any of the laws of the United States of America or of the State of Illinois or the Ordinances of the County of Champaign in the conduct of applicant's place of business.

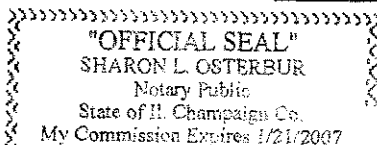
We further swear that we are the duly constituted and elected officers of said applicant and as such are authorized and empowered to execute their application for and on behalf of said application.

Shari Kaufman
Signature of President

Shari Kaufman
Signature of Secretary

Shari Kaufman
Signature of Manager or Agent

Subscribed and sworn to before me this 3rd day of November, 2006.

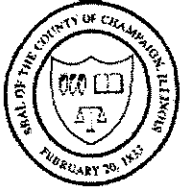


Sharon L. Osterbur
Notary Public

This **COMPLETED** application along with 1
made payable to MARK SHELDEN, CHAMPAIGN

A69

ate amount of cash, or certified check
CLERK, must be turned in to the Champaign



STATE OF ILLINOIS,
Champaign County
Recreation & Entertainment License
Check List and Approval Sheet

FOR ELUC USE ONLY

County Clerk's Office

1. Proper Application Date Received: _____
2. Fee Amount Received: _____

Sheriff's Department

1. Police Record Approval: _____ Date: _____
2. Credit Check Disapproval: _____ Date: _____

Remarks: _____ Signature: _____

Planning & Zoning Department

1. Proper Zoning Approval: _____ Date: _____
2. Restrictions or Violations Disapproval: _____ Date: _____

Remarks: _____ Signature: _____

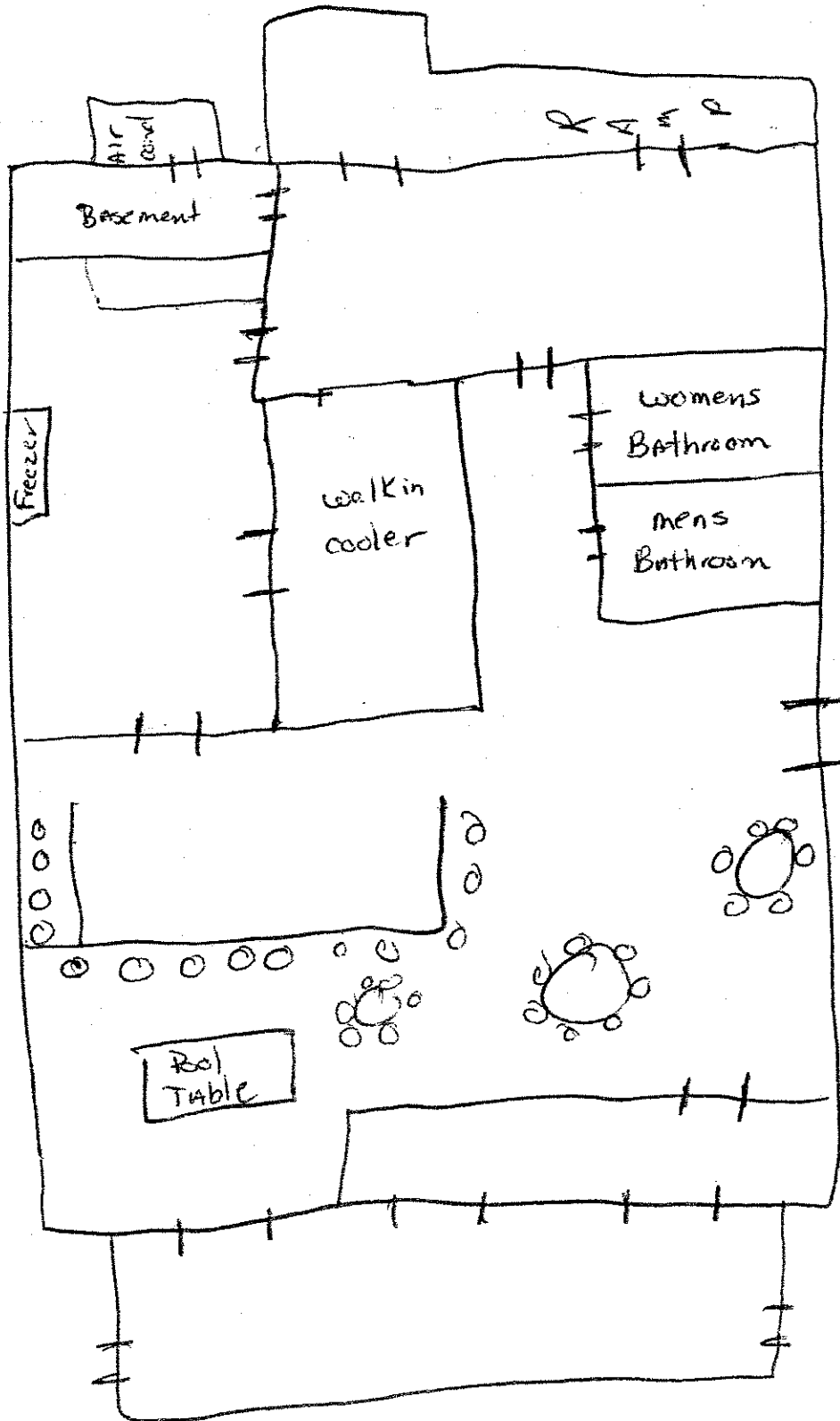
Environment & Land Use Committee

1. Application Complete Approval: _____ Date: _____
2. Requirements Met Disapproval: _____ Date: _____

Signature: _____

Remarks and/or Conditions: _____

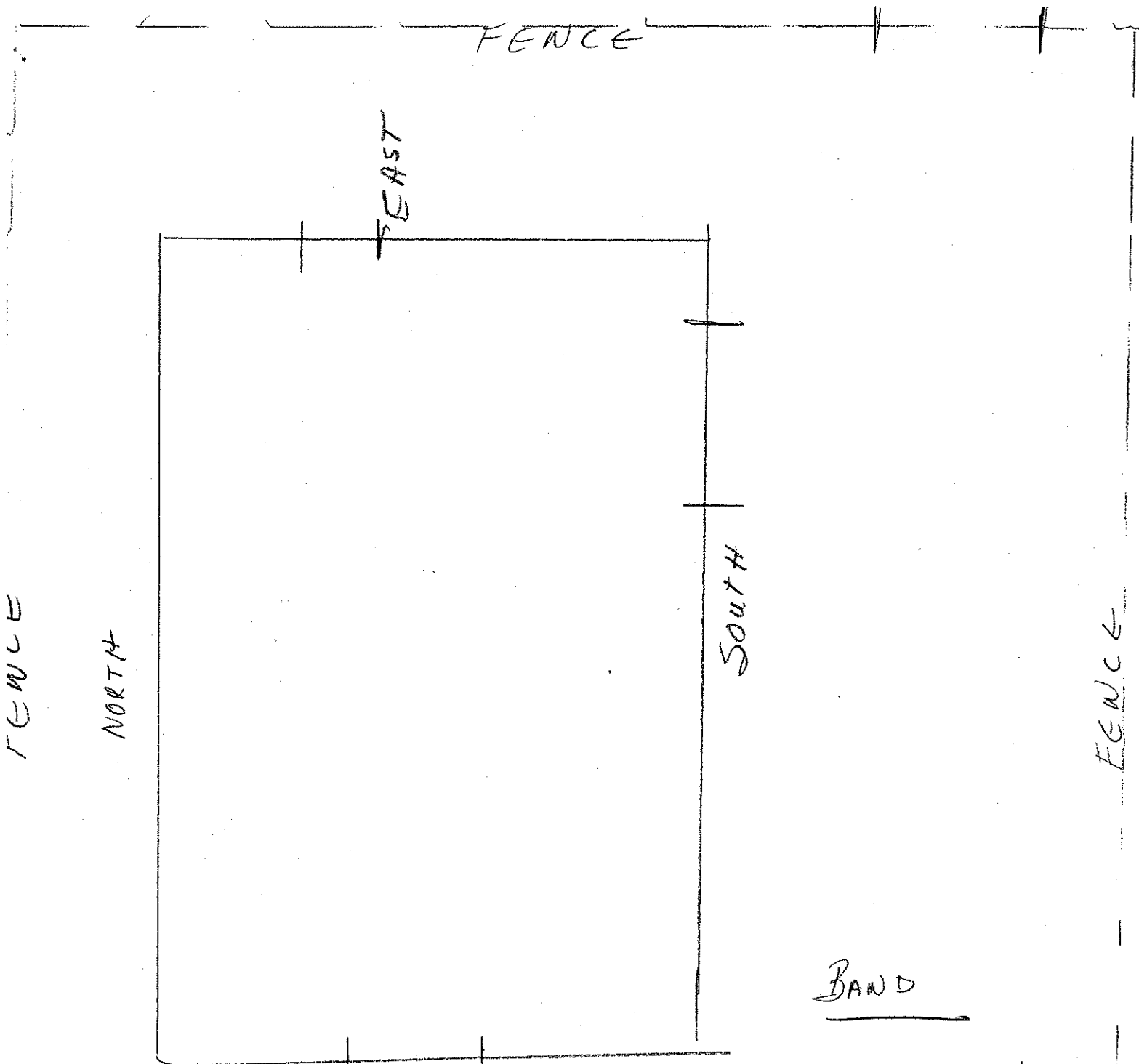
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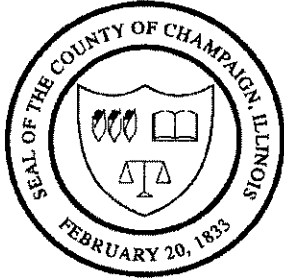


all outside AREA is fenced in during outside events

WEST
FENCE

A72

Drawn by



STATE OF ILLINOIS
COUNTY OF CHAMPAIGN

NOT TRANSFERABLE

ENTERTAINMENT, RECREATION,
LODGING OF TRANSIENTS, AND RACEWAYS LICENSE

No. 2007-ENT-01
\$100.00

THE OASIS OF PENFIELD INC

License is hereby granted to **Rebecca Hanson-Humphrey** 107 W. Plumb, Gifford IL to provide Entertainment/Recreation at 2705CR 3000N, Penfield IL in Champaign County from January 1, 2007 thru December 31, 2007. This License expires the 1st day of January 2007 at 12:01am.

Witness my Hand and Seal this 14th day of November, A.D. 2007.

Mark Shelden, Champaign County Clerk

Chairman, Champaign County License Commission

A73



STATE OF ILLINOIS,
Champaign County
Application for:
Recreation & Entertainment License

Applications for License under County Ordinance No. 55 Regulating Recreational & Other Businesses within the County (for use by businesses covered by this Ordinance other than Massage Parlors and similar enterprises)

FILED

NOV - 3 2006

Filing Fee: Mark Shelden (or fraction thereof): \$ 100.00
 CHAMPAIGN COUNTY CLERK Per Single-day Event: \$ 10.00
 Clerk's Filing Fee: \$ 4.00

For Office Use Only

License No. 2007-ENT-01
 Date(s) of Event(s) JAN. 1 - DEC. 31, 2007
 Business Name: THE OASIS OF PENFIELD INC.
 License Fee: \$ 100.00
 Filing Fee: \$ 4.00
 TOTAL FEE: DUE \$ 104.00
 Checker's Signature: NA

Checks Must Be Made Payable To: Mark Shelden, Champaign County Clerk

The undersigned individual, partnership, or corporation hereby makes application for the issuance of a license to engage a business controlled under County Ordinance No. 55 and makes the following statements under oath:

- A. 1. Name of Business: The Oasis of Penfield, Inc.
2. Location of Business for which application is made: 2705 Cal. Rd. 3000 N Penfield, Inc. 61862
3. Business address of Business for which application is made: 2705 Cal. Rd. 3000 N Penfield, IL 61862
4. Zoning Classification of Property: _____
5. Date the Business covered by Ordinance No. 55 began at this location: _____
6. Nature of Business normally conducted at this location: Restaurant / Bar
7. Nature of Activity to be licensed (include all forms of recreation and entertainment to be provided): DJ, Karaoke, Bands, Amusement Machines, Jukebox
8. Term for which License is sought (specifically beginning & ending dates): Jan 1, 2007 - Dec 31, 2007
 (NOTE: All annual licenses expire on December 31st of each year)
9. Do you own the building or property for which this license is sought? ~~YES~~ NO
10. If you have a lease or rent the property, state the name and address of the owner and when the lease or rental agreement expires: Roxanna Rigdon, 571 Vespe S Texarkana, AR 71854
11. If any licensed activity will occur outdoors attach a Site Plan (with dimensions) to this application showing location of all buildings, outdoor areas to be used for various purposes and parking spaces. See page 3, Item 7.

INCOMPLETE FORMS WILL NOT BE CONSIDERED FOR A LICENSE AND WILL BE RETURNED TO APPLICANT **A74**

3. If this business will be conducted by a person other than the applicant, give the following information about person employed by applicant as manager, agent or locally responsible party of the business in the designated location:

Name: _____ Date of Birth: _____
Place of Birth: _____ Social Security No.: _____
Residence Address: _____
Citizenship: _____ If naturalized, **place and date** of naturalization: _____

If, during the license period, a new manager or agent is hired to conduct this business, the applicant **MUST** furnish the County the above information for the new manager or agent within ten (10) days.

Information requested in the following questions must be supplied by the applicant, if an individual, or by all members who share in profits of a partnership, if the applicant is a partnership.

If the applicant is a corporation, all the information required under Section D must be supplied for the corporation and for each officer.

Additional forms containing the questions may be obtained from the County Clerk, if necessary, for attachment to this application form.

- C. 1. Name(s) of owner(s) or local manager(s) (include any aliases): Rebecca Hanson-
Humphrey (Becky) (Gallagher)
Date of Birth: _____ Place of Birth: Champaign/ Urbana
Social Security Number: _____ Citizenship: Citizen
If naturalized, state **place and date** of naturalization: _____
2. Residential Addresses for the past three (3) years: 107 W. Plum St., Gifford, IL
3. Business, occupation, or employment of applicant for four (4) years preceding date of application for this license: The Oasis of Peoria, Inc.

EACH OFFICER MUST COMPLETE SECTION D. OBTAIN ADDITIONAL FORM PAGES IF NEEDED FROM THE COUNTY CLERK AND ATTACH TO THIS APPLICATION WHEN FILED.

D. Answer **only** if applicant is a Corporation:

1. Name of Corporation exactly as shown in articles of incorporation and as registered:
The Oasis of Peoria, Inc.
2. Date of Incorporation: Jan. 1995 **A75** wherein incorporated: IL

3. If foreign Corporation, give name and address of resident agent in Illinois:

Give first date qualified to do business in Illinois: _____

4. Business address of Corporation in Illinois as stated in Certificate of Incorporation:

2705 Corp. 300N Parkfield, IL 61862

5. Objects of Corporation, as set forth in charter: Service, Quality food

6. Names of all Officers of the Corporation and other information as listed:

Name of Officer: Rebecca Hanson-Humphrey Title: President

Date elected or appointed: Sept. 7, 2004 Social Security No.: _____

Date of Birth: _____ Place of Birth: Urbana / Mercy Hospital

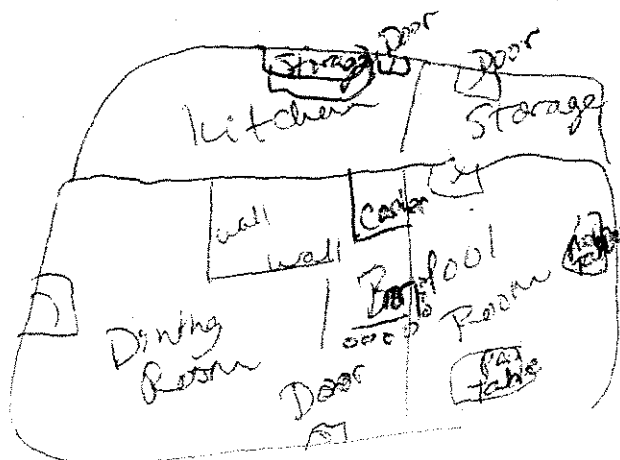
Citizenship: U.S. Citizen

If naturalized, place and date of naturalization: _____

Residential Addresses for past three (3) years: 107 W. Plum St. Gifford IL

Business, occupation, or employment for four (4) years preceding date of application for this license: The Oasis of Parkfield, Inc.

7. A site plan (with dimensions) must accompany this application. It must show the location of all buildings, outdoor areas to be used for various purposes and parking spaces.



AFFIDAVIT

(Complete when applicant is an **Individual or Partnership**)

I/We swear that I/we have read the application and that all matters stated thereunder are true and correct, are made upon my/our personal knowledge and information and are made for the purpose of inducing the County of Champaign to issue the permit hereunder applied for.

I/We further swear that I/we will not violate any of the laws of the United States of America or of the State of Illinois or the Ordinances of the County of Champaign in the conduct of the business hereunder applied for.

Signature of Owner or of one of two members of Partnership

Signature of Owner or of one of two members of Partnership

Signature of Manager or Agent

Subscribed and sworn to before me this _____ day of _____, 20____.

Notary Public

AFFIDAVIT

(Complete when applicant is a **Corporation**)

We, the undersigned, president and secretary of the above named corporation, each first being duly sworn, say that each of us has read the foregoing application and that the matters stated therein are true and correct and are made upon our personal knowledge and information, and are made for the purpose of inducing the County of Champaign to issue the license herein applied for.

We further swear that the applicant will not violate any of the laws of the United States of America or of the State of Illinois or the Ordinances of the County of Champaign in the conduct of applicant's place of business.

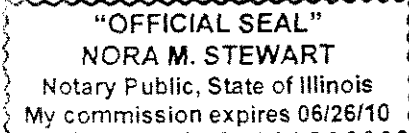
We further swear that we are the duly constituted and elected officers of said applicant and as such are authorized and empowered to execute their application for and on behalf of said application.

Rebecca Ann-Hung
Signature of President

Rebecca Ann-Hung
Signature of Secretary

Rebecca Ann-Hung
Signature of Manager or Agent

Subscribed and sworn to before me this 3rd day of November, 2006.



Nora M. Stewart
Notary Public



STATE OF ILLINOIS,
Champaign County
Recreation & Entertainment License
Check List and Approval Sheet

FOR ELUC USE ONLY

County Clerk's Office

1. Proper Application Date Received: _____
2. Fee Amount Received: _____

Sheriff's Department

1. Police Record Approval: _____ Date: _____
2. Credit Check Disapproval: _____ Date: _____

Remarks: _____ Signature: _____

Planning & Zoning Department

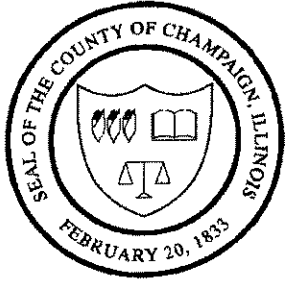
1. Proper Zoning Approval: _____ Date: _____
2. Restrictions or Violations Disapproval: _____ Date: _____

Remarks: _____ Signature: _____

Environment & Land Use Committee

1. Application Complete Approval: _____ Date: _____
2. Requirements Met Disapproval: _____ Date: _____
- Signature: _____

Remarks and/or Conditions: _____



STATE OF ILLINOIS
COUNTY OF CHAMPAIGN

NOT TRANSFERABLE

ENTERTAINMENT, RECREATION,
LODGING OF TRANSIENTS, AND RACEWAYS LICENSE

No. 2006-ENT-02
\$100.00

ROCK THE SHED INC.

License is hereby granted to **STEVEN WILLARD** 552CR 2425N, Dewey IL to provide Entertainment/Recreation at 552CR 2425N, Dewey IL in Champaign County from November 1, 2006 thru December 31, 2006. This License expires the 1st day of January 2007 at 12:01am.

Witness my Hand and Seal this 14th day of November, A.D. 2006.

Mark Shelden, Champaign County Clerk

Chairman, Champaign County License Commission

A79



STATE OF ILLINOIS,
Champaign County
Application for:
Recreation & Entertainment

FILED

OCT 31 2006

Mark Shelden
CHAMPAIGN COUNTY CLERK

For Office Use Only

License No. 2006-02
Date(s) of Event(s) Yearly
Business Name: ROCK THE SHED INC
License Fee: \$ ~~10.00~~
Filing Fee: \$ 4.00
TOTAL FEE: \$ _____
Checker's Signature: MS

Applications for License under County Ordinance No. 55 Regulating Recreational & Other Businesses within the County (for use by businesses covered by this Ordinance other than Massage Parlors and similar enterprises)

Filing Fees:	Per Year (or fraction thereof):	\$ 100.00
	Per Single-day Event:	\$ 10.00
	Clerk's Filing Fee:	\$ 4.00

Checks Must Be Made Payable To: Mark Shelden, Champaign County Clerk

The undersigned individual, partnership, or corporation hereby makes application for the issuance of a license to engage a business controlled under County Ordinance No. 55 and makes the following statements under oath:

- A.
1. Name of Business: rock the shed inc.
 2. Location of Business for which application is made: 556 CR, 2425 N, Dewey, IL 61840
 3. Business address of Business for which application is made: 552 CR, 2425 N, Dewey, IL 61840
 4. Zoning Classification of Property: Conservation recreation
 5. Date the Business covered by Ordinance No. 55 began at this location: 3/4/05
 6. Nature of Business normally conducted at this location: all age music venues
 7. Nature of Activity to be licensed (include all forms of recreation and entertainment to be provided): live music
 8. Term for which License is sought (specifically beginning & ending dates):
11/01/06 - 12/31/06
(NOTE: All annual licenses expire on December 31st of each year)
 9. Do you own the building or property for which this license is sought? no
 10. If you have a lease or rent the property, state the name and address of the owner and when the lease or rental agreement expires: Helen Willard, 556 CR, 2425 N, Dewey, IL 61840. Month to month lease.
 11. If any licensed activity will occur outdoors attach a Site Plan (with dimensions) to this application showing location of all buildings, outdoor areas to be used for various purposes and parking spaces. See page 3, Item 7.

INCOMPLETE FORMS WILL NOT
AND WILL BE RETURNED **A80**

CONSIDERED FOR A LICENSE
APPLICANT

If this business will be conducted by a person other than the applicant, give the following information about person employed by applicant as manager, agent or locally responsible party of the business in the designated location:

Name: _____ Date of Birth: _____
Place of Birth: _____ Social Security No.: _____
Residence Address: _____
Citizenship: _____ If naturalized, place and date of naturalization: _____

If, during the license period, a new manager or agent is hired to conduct this business, the applicant MUST furnish the County the above information for the new manager or agent within ten (10) days.

Information requested in the following questions must be supplied by the applicant, if an individual, or by all members who share in profits of a partnership, if the applicant is a partnership.

If the applicant is a corporation, all the information required under Section D must be supplied for the corporation and for each officer.

Additional forms containing the questions may be obtained from the County Clerk, if necessary, for attachment to this application form.

- C. 1. Name(s) of owner(s) or local manager(s) (include any aliases): Steven L. Willard
Date of Birth: _____ Place of Birth: Champaign, IL
Social Security Number: _____ Citizenship: U.S. Citizen
If naturalized, state place and date of naturalization: _____
2. Residential Addresses for the past three (3) years: 552 CR, 2425 N. Dewey, IL 61840
3. Business, occupation, or employment of applicant for four (4) years preceding date of application for this license: University of Illinois

EACH OFFICER MUST COMPLETE SECTION D. OBTAIN ADDITIONAL FORM PAGES IF NEEDED FROM THE COUNTY CLERK AND ATTACH TO THIS APPLICATION WHEN FILED.

- D. Answer **only** if applicant is a Corporation:
1. Name of Corporation exactly as shown in articles of incorporation and as registered: rock the shed, inc.
2. Date of Incorporation: 3/4/0 **A81** State wherein incorporated: IL

3. If foreign Corporation, give name and address of resident agent in Illinois:

Give first date qualified to do business in Illinois: _____

4. Business address of Corporation in Illinois as stated in Certificate of Incorporation:

552 CR, 2425 N, Dewey, IL 61840

5. Objects of Corporation, as set forth in charter: drug-free alcohol free safe
environment for teens

6. Names of all Officers of the Corporation and other information as listed:

Name of Officer: Steven Willard Title: President

Date elected or appointed: 3/4/05 Social Security No.: _____

Date of Birth: _____ Place of Birth: Champaign, IL

Citizenship: U.S. Citizen

If naturalized, place and date of naturalization: _____

Residential Addresses for past three (3) years: _____

552 CR, 2425 N, Dewey, IL 61840

Business, occupation, or employment for four (4) years preceding date of application for this license: University of Illinois

7. A site plan (with dimensions) must accompany this application. It must show the location of **all** buildings, outdoor areas to be used for various purposes and parking spaces.

AFFIDAVIT

(Complete when applicant is an Individual or Partnership)

I/We swear that I/we have read the application and that all matters stated thereunder are true and correct, are made upon my/our personal knowledge and information and are made for the purpose of inducing the County of Champaign to issue the permit hereunder applied for.

I/We further swear that I/we will not violate any of the laws of the United States of America or of the State of Illinois or the Ordinances of the County of Champaign in the conduct of the business hereunder applied for.

Signature of Owner or of one of two members of Partnership

Signature of Owner or of one of two members of Partnership

Signature of Manager or Agent

Subscribed and sworn to before me this _____ day of _____, 20____.

Notary Public

AFFIDAVIT

(Complete when applicant is a Corporation)

We, the undersigned, president and secretary of the above named corporation, each first being duly sworn, say that each of us has read the foregoing application and that the matters stated therein are true and correct and are made upon our personal knowledge and information, and are made for the purpose of inducing the County of Champaign to issue the license herein applied for.

We further swear that the applicant will not violate any of the laws of the United States of America or of the State of Illinois or the Ordinances of the County of Champaign in the conduct of applicant's place of business.

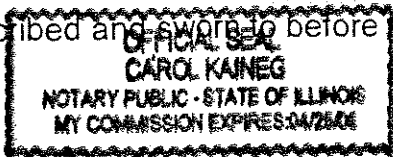
We further swear that we are the duly constituted and elected officers of said applicant and as such are authorized and empowered to execute their application for and on behalf of said application.

Steve Willard
Signature of President

[Signature]
Signature of Secretary

Steve Willard
Signature of Manager or Agent

Subscribed and sworn to before me this 230th day of October, 2006.



Carol Kaineg
Notary Public

This COMPLETED application along with the amount of cash, or certified check

A83

LERK, must be turned in to the Champaign



STATE OF ILLINOIS,
Champaign County
Recreation & Entertainment License
Check List and Approval Sheet

FOR ELUC USE ONLY

County Clerk's Office

- 1. Proper Application Date Received: _____
- 2. Fee Amount Received: _____

Sheriff's Department

- 1. Police Record Approval: _____ Date: _____
- 2. Credit Check Disapproval: _____ Date: _____

Remarks: _____ Signature: _____

Planning & Zoning Department

- 1. Proper Zoning Approval: _____ Date: _____
- 2. Restrictions or Violations Disapproval: _____ Date: _____

Remarks: _____ Signature: _____

Environment & Land Use Committee

- 1. Application Complete Approval: _____ Date: _____
- 2. Requirements Met Disapproval: _____ Date: _____

Signature: _____

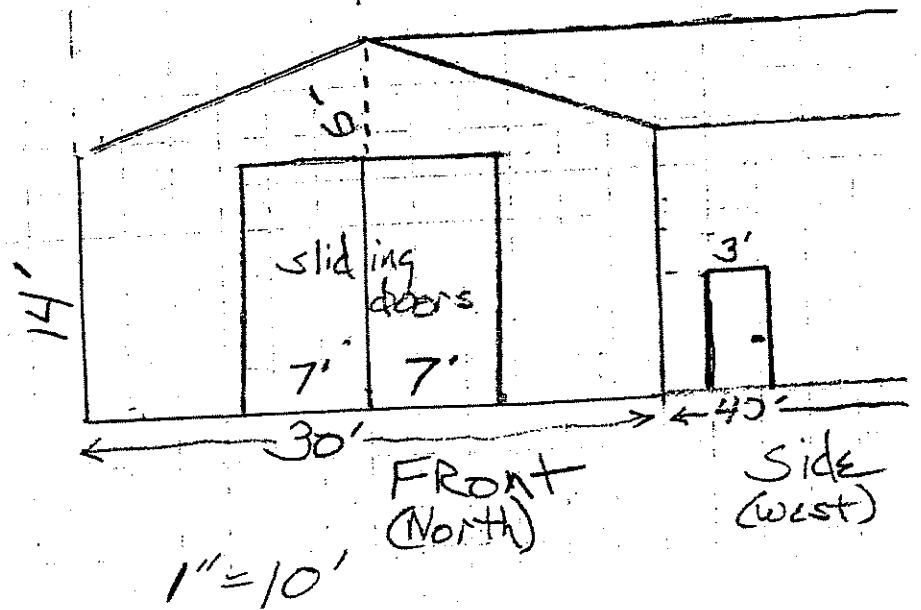
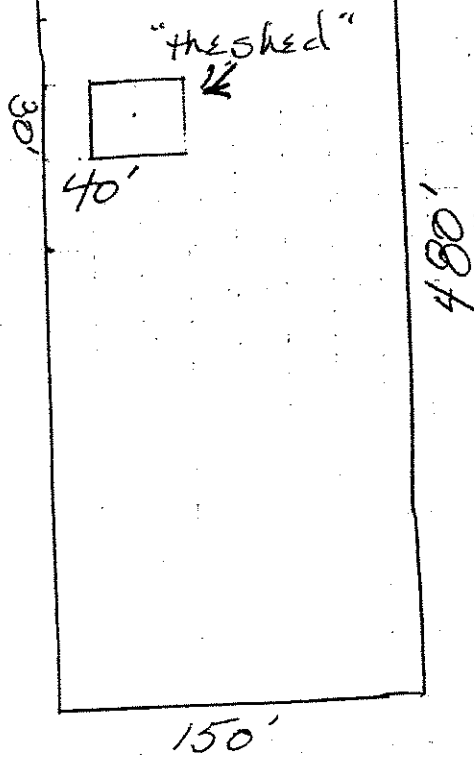
Remarks and/or Conditions: _____

150'

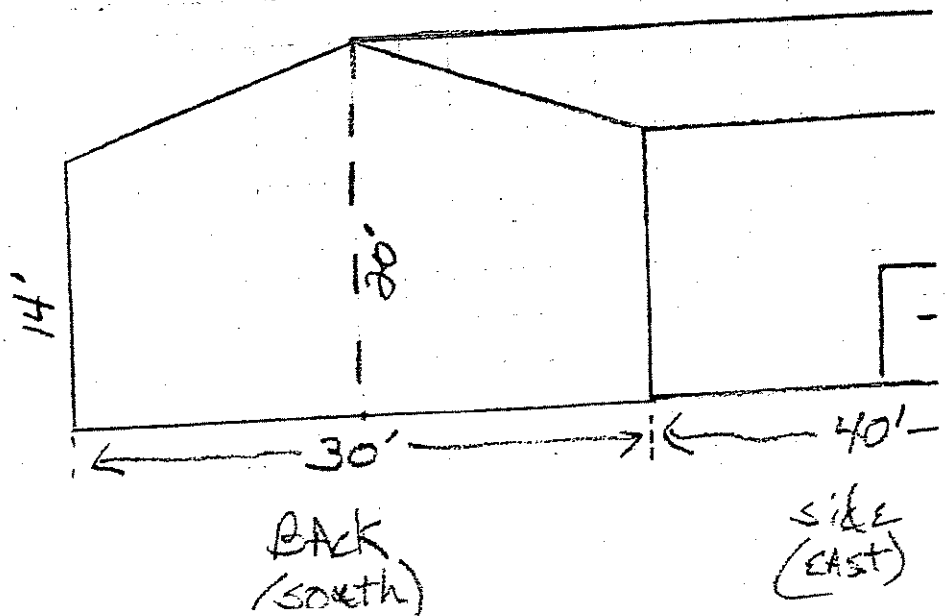
550 East

North
→

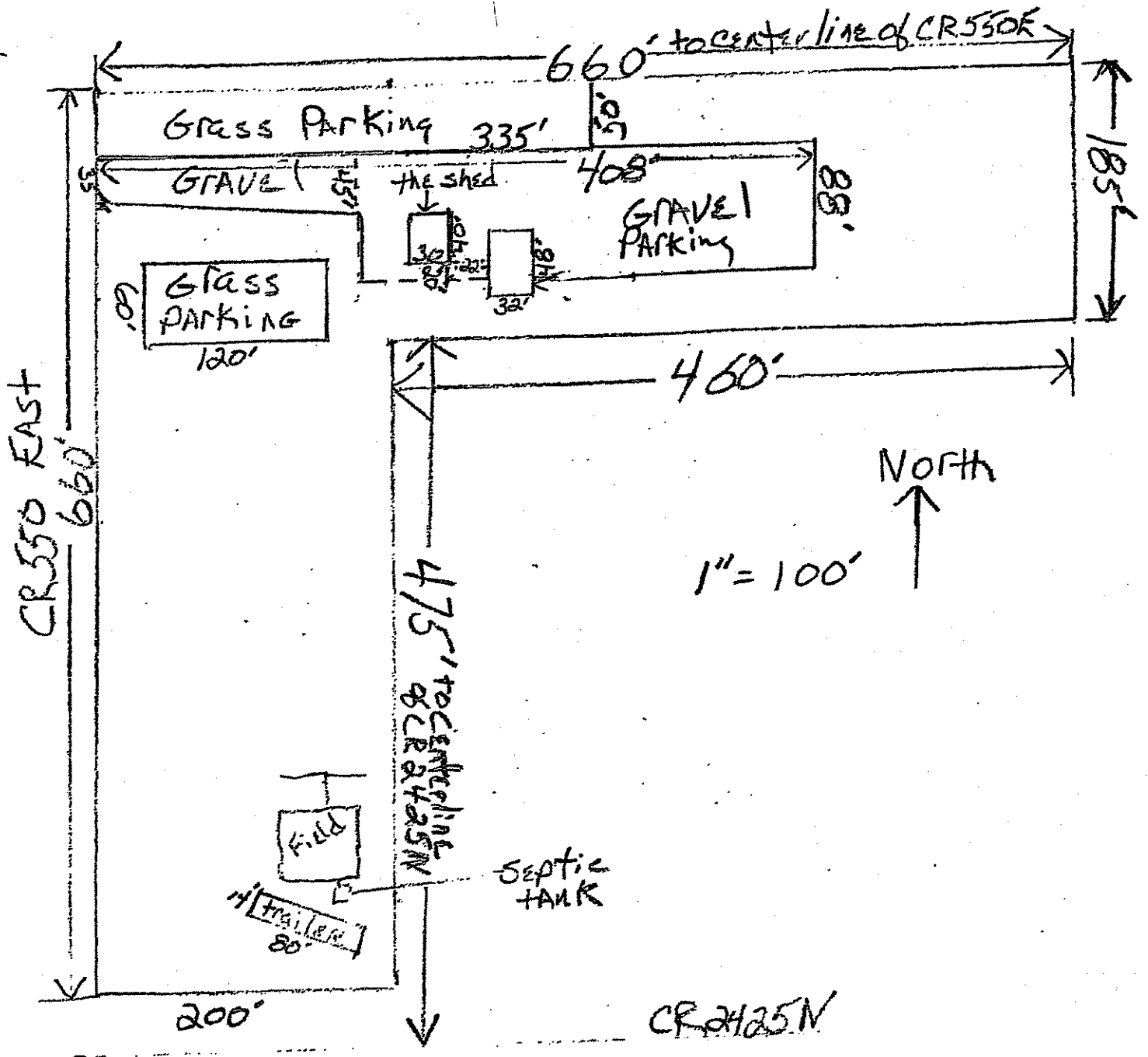
CASE # 497-AM-05



1" = 80'



CASE# 497-AM-05



CASE# 497-AM-05

10.00

1000

-009

29.00

(Blue)

Reel parking lot - 65 ft wide

(Red)
GRASS PARKING
for 40+ vehicles

10.00

3003
2000
264

400

326

302

302

409.77

1
-001

2
-002

3
-003

FARMS
-004

130

Sherry Newton - Secretary
Treasurer
1306 E. Kimela
Mahomet, IL 61853
appointed 3/4/05

Place of birth: India

U.S. Citizen

employment: Alan G. Ryle Companies

Micah Boyce - Vice President
202 W. Koplín

Cissna Park, IL 60924

appointed: 3/4/05

Place of birth: Urbana, IL

U.S. Citizen

employment: musician

2005R06141

FORM NFP 102.10 (rev. Dec. 2003)
ARTICLES OF INCORPORATION
General Not For Profit Corporation Act

Jesse White, Secretary of State
Department of Business Services
Springfield, IL 62756
Telephone (217) 782-9522
www.cyberdriveillinois.com

Remit payment in the form of a cashier's
check, certified check, money order
or an Illinois attorney's or CPA's check
payable to the Secretary of State.

FILED
MAR 04 2005
JESSE WHITE
SECRETARY OF STATE

RECORDED ON
03/09/2005 01:36:33PM
CHAMPAIGN COUNTY
RECORDER
BARBARA A. FRASCA
REC FEE: 25.00
REV FEE:
PAGES: 3
PLAT ACT: 0
PLAT PAGE:

File # 641-827-7 Filing Fee: \$ 50.00 Approved:

Submit in duplicate Type or Print clearly in black ink Do not write above this line

Article 1. The name of the corporation is: rock the shed, inc.

Article 2. The name and address of the initial registered agent and registered office are:

Registered Agent	<u>Steven</u>	<u>L.</u>	<u>Willard</u>
	First Name	Middle Name	Last Name
Registered Office	<u>552 CR 2425 N</u>		
	Number	Street	(Suite #) (A P.O. Box alone is not acceptable)
	<u>Dewey</u>	<u>IL 61840</u>	<u>Champaign</u>
	City	ZIP Code	County

Article 3. The first Board of Directors shall be 5 (five) in number, their names and addresses being as follows:
(Not less than three)

Directors Names	Street Address	City	State	ZIP Code
<u>Steven L. Willard,</u>	<u>552 CR 2425 N,</u>	<u>Dewey,</u>	<u>IL</u>	<u>61840</u>
<u>Peter Ruedi,</u>	<u>1308 E. Kimela Dr.,</u>	<u>Mahomet,</u>	<u>IL</u>	<u>61853</u>
<u>Sherry Newton,</u>	<u>1306 E. Kimela Dr.,</u>	<u>Mahomet,</u>	<u>IL</u>	<u>61853</u>
<u>Micah Boyce,</u>	<u>1072 Pomona Dr.,</u>	<u>Champaign,</u>	<u>IL</u>	<u>61822</u>
<u>Brian Maroon,</u>	<u>205 E. Briarcliff,</u>	<u>St. Joseph,</u>	<u>IL</u>	<u>61873</u>

Article 4. The purposes for which the corporation is organized are:

See Attached

After recording,
return to: David C. Thies
Webber & Thies, P.C.
P.O. Box 189
Urbana, IL 61803-0189

(over)

Article 4. (continued)

Is this corporation a Condominium Association as established under the Condominium Property Act? Yes No (Check one)

Is this corporation a Cooperative Housing Corporation as defined in Section 216 of the Internal Revenue Code of 1954? Yes No (Check one)

Is this corporation a Homeowner's Association which administers a common-interest community as defined in subsection (c) of Section 9-102 of the code of Civil Procedure? Yes No

Article 5. Other provisions (please use separate page if additional space is needed):

See Attached

Article 6. NAMES & ADDRESSES OF INCORPORATORS

The undersigned incorporator(s) hereby declare(s), under penalties of perjury, that the statements made in the foregoing Articles of Incorporation are true.

Dated February 28, 2005 (Month & Day) (Year)

SIGNATURES AND NAMES

POST OFFICE ADDRESS

1. [Signature] Steven L. Willard
Signature
Steven L. Willard
Name (please print)
2.
Signature
Name (please print)
3.
Signature
Name (please print)
4.
Signature
Name (please print)
5.
Signature
Name (please print)

1. 552 CR 2425 N
Street
Dewey IL 61840
City/Town State ZIP
2.
Street
City/Town State ZIP
3.
Street
City/Town State ZIP
4.
Street
City/Town State ZIP
5.
Street
City/Town State ZIP

(Signatures must be in BLACK INK on original document. Carbon copied, photocopied or rubber stamped signatures may only be used on the duplicate copy.)

- If a corporation acts as incorporator, the name of the corporation and the state of incorporation shall be shown and the execution shall be by a duly authorized corporate officer. Please print name and title beneath the officer's signature.
• The registered agent cannot be the corporation itself.
• The registered agent may be an individual, resident in this State, or a domestic or foreign corporation, authorized to act as a registered agent.
• The registered office may be, but need not be, the same as its principal office.
• A corporation which is to function as a club, as defined in Section 1-3.24 of the "Liquor Control Act" of 1934, must insert in its purpose clause a statement that it will comply with the State and local laws and ordinances relating to alcoholic liquors.

FOR INSERTS - USE WHITE PAPER - SIZE 8 1/2 x 11

**Attachment to Articles of Incorporation for
rock the shed, inc.**

Article 4

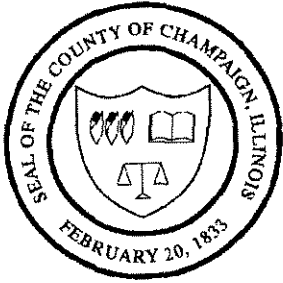
The corporation is organized exclusively for charitable, religious, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

Article 5

No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article 4. No substantial part of the activities of the corporation shall be the carrying on the propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provision of these articles, the corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or (b) by a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

Upon the dissolution of the corporation, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by a Court of Competent Jurisdiction of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

NOT TRANSFERABLE



**STATE OF ILLINOIS
COUNTY OF CHAMPAIGN**

**ENTERTAINMENT, RECREATION,
LODGING OF TRANSIENTS, AND RACEWAYS LICENSE**

**No. 2007-ENT-02
\$100.00**

ROCK THE SHED INC.

License is hereby granted to **STEVEN WILLARD** 552CR 2425N, Dewey IL to provide Entertainment/Recreation at 552CR 2425N, Dewey IL in Champaign County from January 1, 2007 thru December 31, 2007. This License expires the 1st day of January 2007 at 12:01am.

Witness my Hand and Seal this 14th day of November, A.D. 2006.

Mark Shelden, Champaign County Clerk

Chairman, Champaign County License Commission

A 92



STATE OF ILLINOIS
Champaign County
Application for:
Recreation & Entertainment

FILED

OCT 31 2006

Mark Shelden
CHAMPAIGN COUNTY CLERK

Applications for License under County Ordinance No. 55 Regulating Recreational & Other Businesses within the County (for use by businesses covered by this Ordinance other than Massage Parlors and similar enterprises)

For Office Use Only

License No. 2007-02
Date(s) of Event(s) yearly 2007
Business Name: ROCK THE SHED INC
License Fee: \$ 100.00
Filing Fee: \$ 4.00
TOTAL FEE: DUC \$ 104.00
Checker's Signature: MS

Filing Fees: Per Year (or fraction thereof): \$ 100.00
Per Single-day Event: \$ 10.00
Clerk's Filing Fee: \$ 4.00

Checks Must Be Made Payable To: Mark Shelden, Champaign County Clerk

The undersigned individual, partnership, or corporation hereby makes application for the issuance of a license to engage a business controlled under County Ordinance No. 55 and makes the following statements under oath:

- A. 1. Name of Business: rock the shed, inc.
2. Location of Business for which application is made: 556 CR, 2425 N, Dewey, IL 61840
3. Business address of Business for which application is made: 552 CR, 2425, Dewey, IL 61840
4. Zoning Classification of Property: Conservation Recreation
5. Date the Business covered by Ordinance No. 55 began at this location: 3/4/05
6. Nature of Business normally conducted at this location: all age music venue
7. Nature of Activity to be licensed (include all forms of recreation and entertainment to be provided): live music
8. Term for which License is sought (specifically beginning & ending dates): 1/1/07 - 12/31/07
(NOTE: All annual licenses expire on December 31st of each year)
9. Do you own the building or property for which this license is sought? No
10. If you have a lease or rent the property, state the name and address of the owner and when the lease or rental agreement expires: Helen Willard, 556 CR, 2425 N, Dewey, IL 61840, month to month lease.
11. If any licensed activity will occur outdoors attach a Site Plan (with dimensions) to this application showing location of all buildings, outdoor areas to be used for various purposes and parking spaces. See page 3, Item 7.

INCOMPLETE FORMS WILL NOT BE CONSIDERED FOR A LICENSE AND WILL BE RETURNED TO APPLICANT

If this business will be conducted by a person other than the applicant, give the following information about person employed by applicant as manager, agent or locally responsible party of the business in the designated location:

Name: _____ Date of Birth: _____
Place of Birth: _____ Social Security No.: _____
Residence Address: _____
Citizenship: _____ If naturalized, place and date of naturalization: _____

If, during the license period, a new manager or agent is hired to conduct this business, the applicant MUST furnish the County the above information for the new manager or agent within ten (10) days.

Information requested in the following questions must be supplied by the applicant, if an individual, or by all members who share in profits of a partnership, if the applicant is a partnership.

If the applicant is a corporation, all the information required under Section D must be supplied for the corporation and for each officer.

Additional forms containing the questions may be obtained from the County Clerk, if necessary, for attachment to this application form.

- C. 1. Name(s) of owner(s) or local manager(s) (include any aliases): Steven L. Willard
Date of Birth: _____ Place of Birth: Champaign, IL
Social Security Number: _____ izenship: U. S. Citizen
If naturalized, state place and date of naturalization: _____
2. Residential Addresses for the past three (3) years: 552 CR, 2425 N, Dewey, IL 61840
3. Business, occupation, or employment of applicant for four (4) years preceding date of application for this license: University of Illinois

EACH OFFICER MUST COMPLETE SECTION D. OBTAIN ADDITIONAL FORM PAGES IF NEEDED FROM THE COUNTY CLERK AND ATTACH TO THIS APPLICATION WHEN FILED.

- D. Answer **only** if applicant is a Corporation:
1. Name of Corporation exactly as shown in articles of incorporation and as registered: rock the shed inc.
2. Date of Incorporation: 3/4/0 A 94 state wherein incorporated: IL

3. If foreign Corporation, give name and address of resident agent in Illinois:

Give first date qualified to do business in Illinois: _____

4. Business address of Corporation in Illinois as stated in Certificate of Incorporation:

552 CR, 2425 N, Dewey, IL 61840

5. Objects of Corporation, as set forth in charter: drug-free alcohol free safe
environment for teens

6. Names of all Officers of the Corporation and other information as listed.

Name of Officer: Steven Willard Title: President

Date elected or appointed: 3/4/05 Social Security No.: _____ 7

Date of Birth: _____ Place of Birth: Champaign, IL

Citizenship: U.S. Citizen

If naturalized, place and date of naturalization: _____

Residential Addresses for past three (3) years: 552 CR, 2425 N,
Dewey, IL 61840

Business, occupation, or employment for four (4) years preceding date of application for this license: University of Illinois

7. A site plan (with dimensions) must accompany this application. It must show the location of all buildings, outdoor areas to be used for various purposes and parking spaces.

AFFIDAVIT

(Complete when applicant is an **Individual or Partnership**)

I/We swear that I/we have read the application and that all matters stated thereunder are true and correct, are made upon my/our personal knowledge and information and are made for the purpose of inducing the County of Champaign to issue the permit hereunder applied for.

I/We further swear that I/we will not violate any of the laws of the United States of America or of the State of Illinois or the Ordinances of the County of Champaign in the conduct of the business hereunder applied for.

Signature of Owner or of one of two members of Partnership

Signature of Owner or of one of two members of Partnership

Signature of Manager or Agent

Subscribed and sworn to before me this _____ day of _____, 20____.

Notary Public

AFFIDAVIT

(Complete when applicant is a **Corporation**)

We, the undersigned, president and secretary of the above named corporation, each first being duly sworn, say that each of us has read the foregoing application and that the matters stated therein are true and correct and are made upon our personal knowledge and information, and are made for the purpose of inducing the County of Champaign to issue the license herein applied for.

We further swear that the applicant will not violate any of the laws of the United States of America or of the State of Illinois or the Ordinances of the County of Champaign in the conduct of applicant's place of business.

We further swear that we are the duly constituted and elected officers of said applicant and as such are authorized and empowered to execute their application for and on behalf of said application.

Steve Willard
Signature of President

Sherry S. N...
Signature of Secretary

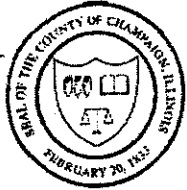
Steve Willard
Signature of Manager or Agent

Subscribed and sworn to before me this 29th day of October, 2006.



Carol Kaineg
Notary Public

This COMPLETED application along with the appropriate amount of cash, or certified check, must be turned in to the Champaign Clerk, must be turned in to the Champaign **496**



STATE OF ILLINOIS,
Champaign County
Recreation & Entertainment License
Check List and Approval Sheet

FOR ELUC USE ONLY

County Clerk's Office

1. Proper Application Date Received: _____
2. Fee Amount Received: _____

Sheriff's Department

1. Police Record Approval: _____ Date: _____
2. Credit Check Disapproval: _____ Date: _____

Remarks: _____ Signature: _____

Planning & Zoning Department

1. Proper Zoning Approval: _____ Date: _____
2. Restrictions or Violations Disapproval: _____ Date: _____

Remarks: _____ Signature: _____

Environment & Land Use Committee

1. Application Complete Approval: _____ Date: _____
2. Requirements Met Disapproval: _____ Date: _____

Signature: _____

Remarks and/or Conditions: _____

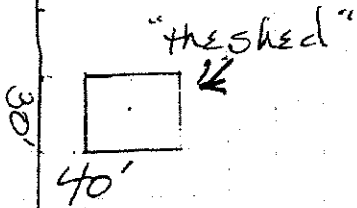
150'

550 East

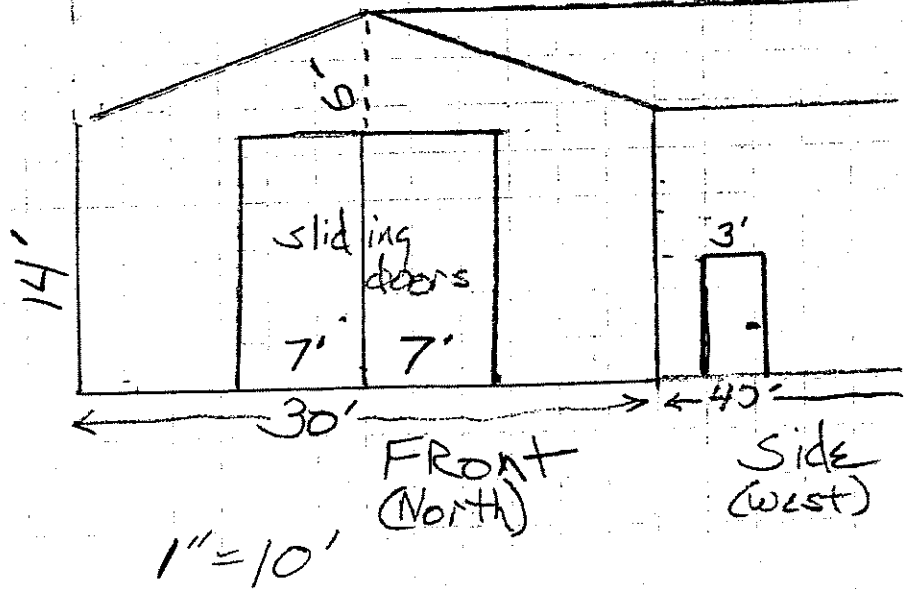
North



CASE # 497-AM-05

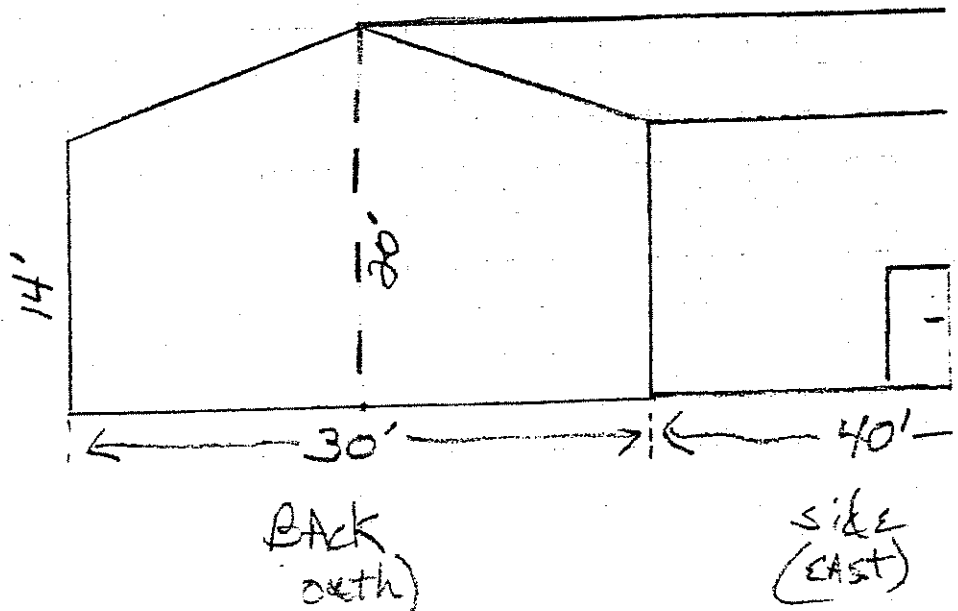


480'



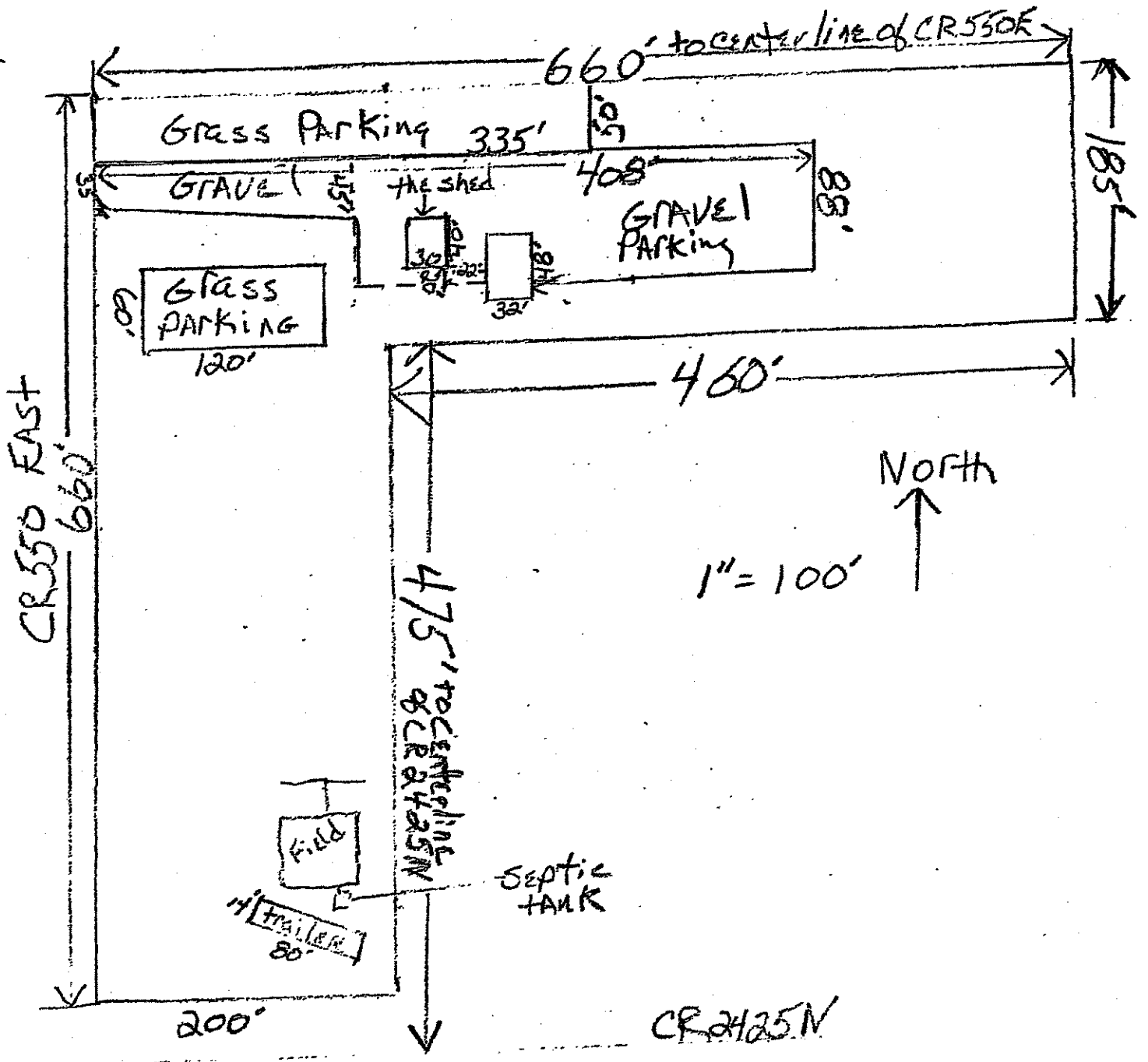
150'

1" = 80'



A98

CASE# 497-AM-05



15551

CASE #497-AM-05

1" = 100'

10.00

6

-009

29.00

(Blue)

Reel parking for 6 trucks

(Red)

GRASS PARKING
for 40+ vehicles

-004

10.00

400

300
300
204

326

302

302

403.77

1
-001

2
-002

5
-003

4
-004
ARMS

130

Secretary
Sherry Newton - Treasurer
1306 E. Kimela
Mahomet, IL 61853
appointed 3/4/05

Place of birth: India
U.S. Citizen
employment: Alan G Ryle Companies.

Micah Boyce - Vice President
202 W. Replin
Cissna Park, IL 60924
appointed: 3/4/05

Place of birth: Urbana, IL
U.S. Citizen
employment: musician

2005R06141

RECORDED ON

03/09/2005 01:36:33PM

CHAMPAIGN COUNTY
RECORDER
BARBARA A. FRASCA

REC FEE: 25.00

REV FEE:

PAGES: 3

PLAT ACT: 0

PLAT PAGE:

FORM **NFP 102.10** (rev. Dec. 2003)
ARTICLES OF INCORPORATION
General Not For Profit Corporation Act

Jesse White, Secretary of State
Department of Business Services
Springfield, IL 62756
Telephone (217) 782-9522
www.cyberdriveillinois.com

Remit payment in the form of a cashier's check, certified check, money order or an Illinois attorney's or CPA's check payable to the Secretary of State.

FILED

MAR 04 2005

JESSE WHITE
SECRETARY OF STATE

File # 6411-827-7 Filing Fee: \$ 50.00 Approved: 

Submit in duplicate

Type or Print clearly in black ink

Do not write above this line

Article 1. The name of the corporation is: rock the shed, inc.

Article 2: The name and address of the initial registered agent and registered office are:

Registered Agent	<u>Steven</u>	<u>L.</u>	<u>Willard</u>
	First Name	Middle Name	Last Name
Registered Office	<u>552 CR 2425 N</u>		
	Number	Street	(Suite #) (A P.O. Box alone is not acceptable)
	<u>Dewey</u>	<u>IL 61840</u>	<u>Champaign</u>
	City	ZIP Code	County

Article 3: The first Board of Directors shall be 5 (five) in number, their names and addresses being as follows: (Not less than three)

Directors Names	Street Address	City	State	ZIP Code
Steven L. Willard,	552 CR 2425 N,	Dewey,	IL	61840
Peter Ruedi,	1308 E. Kimela Dr.,	Mahomet,	IL	61853
Sherry Newton,	1306 E. Kimela Dr.,	Mahomet,	IL	61853
Micah Boyce,	1072 Pomona Dr.,	Champaign,	IL	61822
Brian Maroon,	205 E. Briarcliff,	St. Joseph,	IL	61873

Article 4. The purposes for which the corporation is organized are:

See Attached

After recording,
return to: David C. Thies
Webber & Thies, P.C.
P.O. Box 189
Urbana, IL 61803-0189

(over)

Article 4. (continued)

Is this corporation a Condominium Association as established under the Condominium Property Act? Yes No (Check one)

Is this corporation a Cooperative Housing Corporation as defined in Section 216 of the Internal Revenue Code of 1954? Yes No (Check one)

Is this corporation a Homeowner's Association which administers a common-interest community as defined in subsection (c) of Section 9-102 of the code of Civil Procedure? Yes No

Article 5. Other provisions (please use separate page if additional space is needed):

See Attached

Article 6. NAMES & ADDRESSES OF INCORPORATORS

The undersigned incorporator(s) hereby declare(s), under penalties of perjury, that the statements made in the foregoing Articles of Incorporation are true.

Dated February 20, 2005 (Month & Day) (Year)

SIGNATURES AND NAMES		POST OFFICE ADDRESS		
1.	<u>Steven L. Willard</u> Signature Steven L. Willard Name (please print)	1.	<u>552 CR 2425 N</u> Street Dewey IL 61840 City/Town State ZIP	
2.	_____ Signature _____ Name (please print)	2.	_____ Street _____ City/Town State ZIP	
3.	_____ Signature _____ Name (please print)	3.	_____ Street _____ City/Town State ZIP	
4.	_____ Signature _____ Name (please print)	4.	_____ Street _____ City/Town State ZIP	
5.	_____ Signature _____ Name (please print)	5.	_____ Street _____ City/Town State ZIP	

(Signatures must be in BLACK INK on original document. Carbon copied, photocopied or rubber stamped signatures may only be used on the duplicate copy.)

- If a corporation acts as incorporator, the name of the corporation and the state of incorporation shall be shown and the execution shall be by a duly authorized corporate officer. Please print name and title beneath the officer's signature.
- The registered agent cannot be the corporation itself.
- The registered agent may be an individual, resident in this State, or a domestic or foreign corporation, authorized to act as a registered agent.
- The registered office may be, but need not be, the same as its principal office.
- A corporation which is to function as a club, as defined in Section 1-3.24 of the "Liquor Control Act" of 1934, must insert in its purpose clause a statement that it will comply with the State and local laws and ordinances relating to alcoholic liquors.

FOR INSERTS - USE WHITE PAPER - SIZE 8 1/2 x 11

**Attachment to Articles of Incorporation for
rock the shed, inc.**

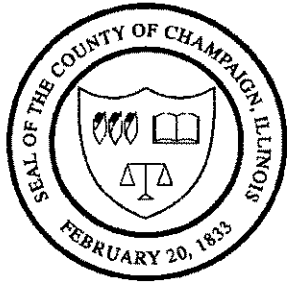
Article 4

The corporation is organized exclusively for charitable, religious, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

Article 5

No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article 4. No substantial part of the activities of the corporation shall be the carrying on the propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provision of these articles, the corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or (b) by a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

Upon the dissolution of the corporation, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by a Court of Competent Jurisdiction of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.



NOT TRANSFERABLE

**STATE OF ILLINOIS
COUNTY OF CHAMPAIGN**

**ENTERTAINMENT, RECREATION,
LODGING OF TRANSIENTS, AND RACEWAYS LICENSE**

**No. 2007-ENT-02
\$100.00**

ALTO VINEYARDS

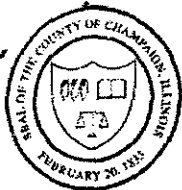
License is hereby granted to **James P. Dubnicek** to provide Entertainment/Recreation at 4210 Duncan Rd., Champaign IL in Champaign County from January 1, 2007 thru December 31, 2007. This License expires the 1st day of January 2008 at 12:01am.

Witness my Hand and Seal this 14th day of November, A.D. 2006.

Mark Shelden, Champaign County Clerk

Chairman, Champaign County License Commission

M05



STATE OF ILLINOIS,
Champaign County
Application for:
Recreation & Entertainment License

FILED

NOV 2 2006

Mark Shelden
CHAMPAIGN COUNTY CLERK

For Office Use Only

License No. 2007-ENT-02
Date(s) of Event(s) JAN. 1 THRU DEC. 31, 2007
Business Name: ALTO VINEYARD

Applications for License under County Ordinance No. 55 Regulating Recreational & Other Businesses within the County (for use by businesses covered by this Ordinance other than Massage Parlors and similar enterprises)

License Fee: \$ 100.00
Filing Fee: \$ 4.00
TOTAL FEE: DUE \$ 104.00
Checker's Signature: *MS*

Filing Fees: Per Year (or fraction thereof): \$ 100.00
Per Single-day Event: \$ 10.00
Clerk's Filing Fee: \$ 4.00

Checks Must Be Made Payable To: Mark Shelden, Champaign County Clerk

The undersigned individual, partnership, or corporation hereby makes application for the issuance of a license to engage a business controlled under County Ordinance No. 55 and makes the following statements under oath:

- A. 1. Name of Business: ALTO VINEYARDS CHAMPAIGN
2. Location of Business for which application is made: DUNCAN RD NORTH of Rt. 150
3. Business address of Business for which application is made: 4210 N. DUNCAN RD, CHAMPAIGN, IL. 61822
4. Zoning Classification of Property: B-2
5. Date the Business covered by Ordinance No. 55 began at this location: 11-01
6. Nature of Business normally conducted at this location: RETAIL WINE AND GIFT SALES, meeting, weddings @
7. Nature of Activity to be licensed (include all forms of recreation and entertainment to be provided): SMALL BAND CONCERTS MAY-SEPT.
8. Term for which License is sought (specifically beginning & ending dates): 1-1-07 TO 12-31-07

(NOTE: All annual licenses expire on December 31st of each year)

9. Do you own the building or property for which this license is sought? YES
10. If you have a lease or rent the property, state the name and address of the owner and when the lease or rental agreement expires: _____
11. If any licensed activity will occur outdoors attach a Site Plan (with dimensions) to this application showing location of all buildings, outdoor areas to be used for various purposes and parking spaces. See page 3, Item 7.

INCOMPLETE FORMS WILL NOT BE RETURNED AND WILL BE RETURNED TO YOU

NOT CONSIDERED FOR A LICENSE APPLICANT

A 106

B. If this business will be conducted by a person other than the applicant, give the following information about person employed by applicant as manager, agent or locally responsible party of the business in the designated location:

Name: MATT DICKSON Date of Birth: _____
Place of Birth: Mc COMB IL. Social Security No.: _____
Residence Address: 1004 S. GARFIELD URBANA IL. 61801
Citizenship: YES If naturalized, place and date of naturalization: _____

If, during the license period, a new manager or agent is hired to conduct this business, the applicant MUST furnish the County the above information for the new manager or agent within ten (10) days.

Information requested in the following questions must be supplied by the applicant, if an individual, or by all members who share in profits of a partnership, if the applicant is a partnership.

If the applicant is a corporation, all the information required under Section D must be supplied for the corporation and for each officer.

Additional forms containing the questions may be obtained from the County Clerk, if necessary, for attachment to this application form.

C. 1. Name(s) of owner(s) or local manager(s) (include any aliases): _____
JAMES DUBNICK
Date of Birth: _____ Place of Birth: CHICAGO IL.
Social Security Number: _____ Citizenship: YES
If naturalized, state place and date of naturalization: _____
2. Residential Addresses for the past three (3) years: _____
375 C.R. 2425 N.
MAHOMET, IL. 61853
3. Business, occupation, or employment of applicant for four (4) years preceding date of application for this license: ACTO VINEYARDS CHAMPAIGN

EACH OFFICER MUST COMPLETE SECTION D. OBTAIN ADDITIONAL FORM PAGES IF NEEDED FROM THE COUNTY CLERK AND ATTACH TO THIS APPLICATION WHEN FILED.

D. Answer only if applicant is a Corporation:

1. Name of Corporation exactly as shown in articles of incorporation and as registered:
ACTO VINEYARDS LTD.
2. Date of Incorporation: 4-11-88 A107 late wherein incorporated: ILLINOIS

3. If foreign Corporation, give name and address of resident agent in Illinois:

N/A

Give first date qualified to do business in Illinois: 4-11-88

4. Business address of Corporation in Illinois as stated in Certificate of Incorporation:

ROUTE #1 BOX 51
ALTO PAS, IL. 62905

5. Objects of Corporation, as set forth in charter: RETAIL/WHOLESALE WINE SALES

6. Names of all Officers of the Corporation and other information as listed:

Name of Officer: PAUL RENZAGLIA Title: PRESIDENT

Date elected or appointed: _____ Social Security No.: _____

Date of Birth: _____ Place of Birth: MINNEAPOLIS, MINN.

Citizenship: YES

If naturalized, place and date of naturalization: _____

Residential Addresses for past three (3) years: _____

87 HARRIS LANE
ALTO PAS, IL. 62905

Business, occupation, or employment for four (4) years preceding date of application for this license: _____

ALTO VINEYARD LTD.

7. A site plan (with dimensions) must accompany this application. It must show the location of all buildings, outdoor areas to be used for various purposes and parking spaces.

3. If foreign Corporation, give name and address of resident agent in Illinois:

N/A

Give first date qualified to do business in Illinois:

4-11-88

4. Business address of Corporation in Illinois as stated in Certificate of Incorporation:

ROUTE #1 BOX 51
ALTO PAS, IL. 62905

5. Objects of Corporation, as set forth in charter:

RETAIL/WHOLESALE WINE SALES

6. Names of all Officers of the Corporation and other information as listed:

Name of Officer: GUY KENZABIA

Title: VICE PRESIDENT

Date elected or appointed: _____

Social Security No.: _____

Date of Birth: _____

Place of Birth: VIRGINIA, MINN.

Citizenship: YES

If naturalized, place and date of naturalization: _____

Residential Addresses for past three (3) years:

325 LAKE RD.
MURPHYSBORO, IL. 62966

Business, occupation, or employment for four (4) years preceding date of application for this license:

RETIRED

7. A site plan (with dimensions) must accompany this application. It must show the location of all buildings, outdoor areas to be used for various purposes and parking spaces.

3. If foreign Corporation, give name and address of resident agent in Illinois:

N/A

Give first date qualified to do business in Illinois: 4-11-88

4. Business address of Corporation in Illinois as stated in Certificate of Incorporation:

ROUTE #1 BOX 51
ALTO PASS, IL. 62905

5. Objects of Corporation, as set forth in charter: RETAIL/WHOLESALE WINE SALES

6. Names of all Officers of the Corporation and other information as listed:

Name of Officer: ADELLE KENERCLIA Title: SECRETARY
Date elected or appointed: _____ Social Security No.: _____
Date of Birth: _____ Place of Birth: CATONIA SASKATCHEWAN, CANADA
Citizenship: YES
If naturalized, place and date of naturalization: _____

Residential Addresses for past three (3) years:

375 C.R. 2425 N.
MAHOMET IL. 61853

Business, occupation, or employment for four (4) years preceding date of application for this license:

UNIVERSITY OF ILLINOIS

7. A site plan (with dimensions) must accompany this application. It must show the location of all buildings, outdoor areas to be used for various purposes and parking spaces.

AFFIDAVIT

(Complete when applicant is an Individual or Partnership)

I/We swear that I/we have read the application and that all matters stated thereunder are true and correct, are made upon my/our personal knowledge and information and are made for the purpose of inducing the County of Champaign to issue the permit hereunder applied for.

I/We further swear that I/we will not violate any of the laws of the United States of America or of the State of Illinois or the Ordinances of the County of Champaign in the conduct of the business hereunder applied for.

Signature of Owner or of one of two members of Partnership

Signature of Owner or of one of two members of Partnership

Signature of Manager or Agent

Subscribed and sworn to before me this _____ day of _____, 20____.

Notary Public

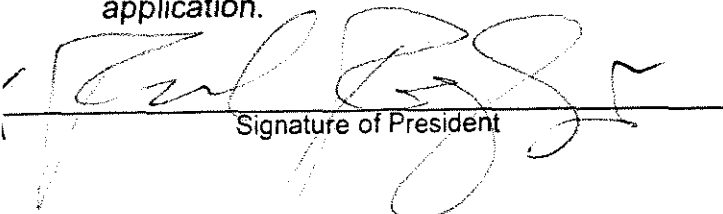
AFFIDAVIT

(Complete when applicant is a Corporation)

We, the undersigned, president and secretary of the above named corporation, each first being duly sworn, say that each of us has read the foregoing application and that the matters stated therein are true and correct and are made upon our personal knowledge and information, and are made for the purpose of inducing the County of Champaign to issue the license herein applied for.

We further swear that the applicant will not violate any of the laws of the United States of America or of the State of Illinois or the Ordinances of the County of Champaign in the conduct of applicant's place of business.

We further swear that we are the duly constituted and elected officers of said applicant and as such are authorized and empowered to execute their application for and on behalf of said application.



Signature of President

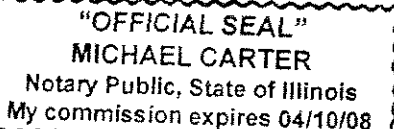


Signature of Secretary



Signature of Manager or Agent

Subscribed and sworn to before me this 2nd day of November, 2006.

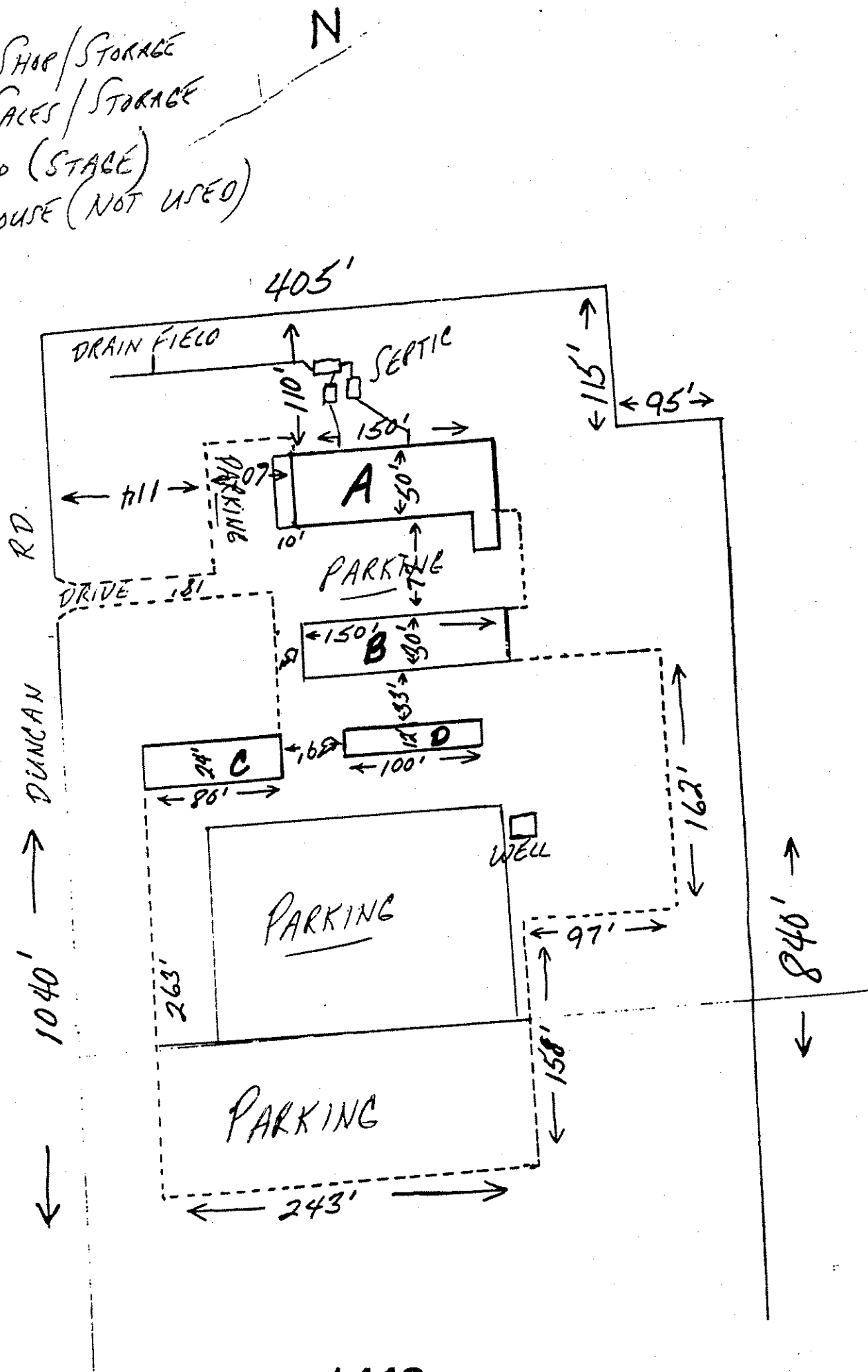




Notary Public

This COMPLETED application along with the appropriate amount of cash, or certified check made payable to MARK SHELDEN, CHAMPAIGN C. CLERK, must be turned in to the Champaign County Clerk's Office, 1776 E. Washington St., Urbana, IL 61802. A \$4.00 Filing Fee should be included.

- A - RETAIL SHOP / STORAGE
- B - RETAIL SALES / STORAGE
- C - GAZEBO (STAGE)
- D - GREENHOUSE (NOT USED)



A112



STATE OF ILLINOIS,
Champaign County
Recreation & Entertainment License
Check List and Approval Sheet

FOR ELUC USE ONLY

County Clerk's Office

1. Proper Application Date Received: _____
2. Fee Amount Received: _____

Sheriff's Department

1. Police Record Approval: _____ Date: _____
2. Credit Check Disapproval: _____ Date: _____

Remarks: _____ Signature: _____

Planning & Zoning Department

1. Proper Zoning Approval: _____ Date: _____
2. Restrictions or Violations Disapproval: _____ Date: _____

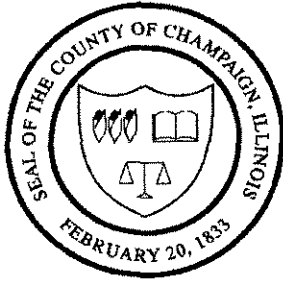
Remarks: _____ Signature: _____

Environment & Land Use Committee

1. Application Complete Approval: _____ Date: _____
2. Requirements Met Disapproval: _____ Date: _____

Signature: _____

Remarks and/or Conditions: _____



STATE OF ILLINOIS
COUNTY OF CHAMPAIGN

NOT TRANSFERABLE

ENTERTAINMENT, RECREATION,
LODGING OF TRANSIENTS, AND RACEWAYS LICENSE

No. 2007-HM-12
\$100.00

TRAVELERS STAY INN

License is hereby granted to **Jintendra R. Patel** 710 Indigo, Savoy IL to provide Entertainment/Recreation at 1906 N. Cunningham Ave., Urbana IL in Champaign County from January 1, 2007 thru December 31, 2007. This License expires the 1st day of January 2007 at 12:01am.

Witness my Hand and Seal this 14th day of November, A.D. 2007.

Mark Shelden, Champaign County Clerk

Chairman, Champaign County License Commission



STATE OF ILLINOIS,
Champaign County
Application for Hotel/Motel License

FILED

NOV 3 2006

FOR OFFICE USE ONLY

License No.: 2007-H-12
Business Name: TRAVELERS STAY INN
License Fee: \$ 200.00
Filing Fee: \$ 4.00
TOTAL FEE: DUE \$ 204.00
Clerk: _____

Application for License under County Ordinance No. 5, providing for the Licensing and Regulation of Public Lodging Facilities within the County.

Mark Sheldon
CHAMPAIGN COUNTY CLERK

The Filing Fee for a Hotel/Motel License is \$25.00 plus \$3.00 for each room available for occupancy. **In no case shall the total fee exceed \$200.00.** An additional \$4.00 Clerk's Fee should be added for the issuance of the license. All checks should be made payable to the Champaign County Clerk.

The undersigned individual, partnership, or corporation hereby makes application to the County Board of Champaign County, Illinois, for a license pursuant to County Board Ordinance No. 5, to operate and maintain a hotel/motel for the use of the general public outside of the limits of any City, Village, or incorporated Town, and in support of said application, makes the following statements under oath.

- Name of Business: RAVE-YASH INC DBA TRAVELERS STAY INN
- Location of Business for which application is made: 1906 N. CHANNINGHAM AVE
- Number of rooms available: 96 URBANA-IL-61802
- Name, age, and address of the applicant; and in case of a copartnership, the name, age, and address of all persons who share in the profits; and in case of a corporation, the name, age, and address of the directors of the corporation, are:

NAME

AGE

ADDRESS

JITENDRA K PATEL

45

700 INDEGO AVE

NATWAR M PATEL

48

SAVOY-IL-61874

- Is applicant a citizen of the United States of America? Yes No

Place of birth: INDIA

If naturalized, place and date of naturalization: CHICAGO-IL

- The applicant intends to operate or maintain the above business at: 1906 N CHANNINGHAM AVE, URBANA-IL

AFFIDAVIT

_____, being first duly sworn on his oath, deposes and states that he is the identical person whose name is signed to the above application, and that each and all of the statements made therein are true and correct.

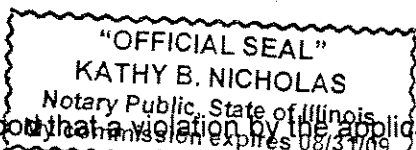
Jitendra K Patel

Signature of Applicant

Natwar M Patel

Signature of Applicant

Signed and sworn to before me this 2 day of NOVEMBER, 2006.



Kathy B. Nicholas

Notary Public

It is understood that a violation by the applicant of any of the laws of the State of Illinois or of the United States, or of any Resolution or Ordinance of the County Board of the County of Champaign, Illinois, in the conduct of the business aforesaid, shall be grounds for the revocation of any license issued hereunder.

Amount of License Fee Accompanying T

A **115**): \$ _____