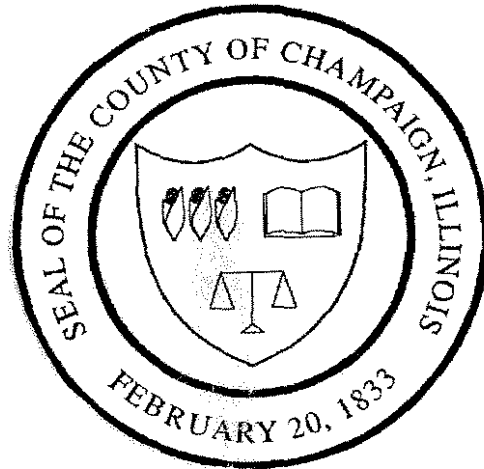


Environment & Land Use Committee Agenda

February 12, 2007



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

Date: February 12, 2007

Time: 7:00 p.m.

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

Members:

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

Phone: (217) 384-3708

AGENDA

Old Business shown in Italics

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes (January 16, 2007) 1 thru 18
4. Public Participation
5. Correspondence 19
 - A. Letter from Reg Ankrom, Illini Ethanol, LLC
6. County Board Chair's Report
7. Recreation and Entertainment License: Shirley's Oasis, 2705 CR 3000N, Penfield, IL, February 1, 2007 through December 31, 2007. 20 thru 26
8. *Remanded Zoning Case 520-AM-05 Petitioner: Gene Bateman* 27 thru 66

Request: Amend the Zoning Map to allow for the development of 2 single-family lots in the AG-1, Agriculture Zoning District by adding the Rural Residential Overlay (RRO) Zoning District

Location: Approximately seven acres of an existing 62.20 acre parcel 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 CR 2600N and CR 200E.
9. Case 542-AM-06 Petitioner: Louis and JoAnn Wozniak 67 thru 106

Request: Amend the Zoning Map to allow for the development of 8 single family residential lots in the AG-1, Agriculture Zoning District by adding the Rural Residential Overlay (RRO) Zoning District.

Location: A 57.64 acre tract of land located in the East ½ of the Southwest ¼ of Section 22 of Newcomb Township and located on the west side of Illinois Route 47 and between CR 2600N and CR 2650N.

ENVIRONMENT AND LAND USE COMMITTEE
SUMMARY OF COMMITTEE AGENDA
FEBRUARY 12, 2007
PAGE 2

10. Endorsement of the US Route 130 Corridor Plan prepared by the Champaign -Urbana Urbanized Area Transportation Study (CUUATS) 107 thru 112
11. Proposal to prepare a Comprehensive Land Use Plan for Champaign County (Information to be distributed separately)
12. *FY07 Regional Planning Commission County Work plan (annual work plan for the County Special Projects Planner at the RPC)*
(Information to be distributed separately)
13. Update on Enforcement Cases
(Information to be distributed at meeting)
14. Monthly Report (January, 2007)
(Information to be distributed at meeting)
15. Other Business
16. Determination of Items to be placed on the County Board Consent Agenda
17. Adjournment

1 **MINUTES OF REGULAR MEETING**

3	Champaign County Environment	DATE:	January 16, 2007
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, Chris Doenitz, Matthew Gladney, Brad Jones, Ralph
13 Langenheim, Steve Moser, Carrie Melin, Jon Schroeder (VC), Barbara
14 Wysocki (C)

15
16 **OTHER COUNTY** C. Pius Wiebel, County Board Chairman
17 **BOARD MEMBERS**
18 **PRESENT:**

DRAFT

19
20
21 **MEMBERS ABSENT:** None

22
23 **STAFF PRESENT:** John Hall, Jamie Hitt, Leroy Holliday, J.R. Knight, Susan Monte (Regional
24 Planning Commission), Frank DiNovo (Regional Planning Commission),
25 Susan McGrath (Assistant State's Attorney), Christina Papavasiloiu
26 (Assistant State's Attorney), Brent Rose (Regional Planning Commission)

27
28 **OTHERS PRESENT:** Teri Legner, Jason Barickman, Hal Barnhart, Louis Wozniak, Michael Tague,
29 Reg Ankrom

30
31
32
33 **1. Call to Order, Roll Call**

34
35 The meeting was called to order at 7:00 P.M. The roll was called and a quorum declared present.

36
37 Ms. Wysocki welcomed all members to the new session of the Environment and Land Use Committee. She
38 said that the Committee has three new members, two of which are new to the County Board, and welcomed
39 them to this experience in land use. She thanked the veteran members of ELUC for continuing to serve on
40 the Committee with their wisdom and expertise. She said that she hopes that the newcomers can learn from
41 the veterans and the veterans from the newcomers. She encouraged the Committee members to use their
42 microphones and requested that they speak directly and clearly so that the tape can pick up their comments
43 and the audience can hear the Committee's comments.

44
45 **2. Approval of Agenda**

46
47 **Ms. Anderson moved, seconded by Mr. Langenheim to approve the agenda as submitted. The motion**
48 **carried by voice vote.**

1
2 **3. Approval of Minutes (December 19, 2006)**
3

4 **Mr. Schroeder moved, seconded by Mr. Jones to approve the December 19, 2006, minutes as**
5 **submitted. The motion carried by voice vote.**
6

7 **4. Public Participation**
8

9 Mr. Jason Barickman, who resides at 1401 S. State St, Champaign stated that he is present at tonight's
10 meeting on behalf of Ivanhoe Estates, LLC as their agent. He said that Ivanhoe Estates, LLC has requested
11 an amendment to the zoning map which would reclassify the mobile home park owned by Ivanhoe Estates,
12 LLC from the R-2, Single Family Residence Zoning District to the R-5, Manufactured Home Park Zoning
13 District. He said that the request is only for the portion that was involved in a court case which decided that
14 the property should be designated R-5, Manufactured Home Park when the owners requested such but that
15 request never occurred. He said that the property has changed owners several times and now the current
16 owner is trying to get the property in conformance with the Zoning Ordinance.
17

18 Mr. Michael Tague, Attorney for the Mr. Bateman (Case 520-AM-05), stated that he would be happy to
19 answer any questions that the Committee may have regarding Case 520-AM-05.
20

21 **5. Correspondence**

22 **A. Mahomet Aquifer Consortium letter dated January 5, 2007, regarding the Committee on**
23 **Regional Water Supply Planning for East Central Illinois.**
24

25 Ms. Wysocki stated that this letter is for the Committee's information only. She said that ELUC is
26 represented on the Mahomet Aquifer Consortium by Mr. Langenheim.
27

28 Mr. Langenheim stated that the Committee on Regional Water Supply Planning for East Central Illinois is
29 established under the terms of grant by the State to study the aquifer located in the Chicago area and the
30 Mahomet aquifer. He said that this will be a consulting committee which will consist of 12 members and
31 they have a long list of the type of people that they would like to serve on the Committee. He said that if any
32 of the members are interested in the aquifer and would like to have influence on the three year study he
33 suggested that they complete the attached application.
34

35 Mr. Wiebel stated that he will be attending the February 16, 2007 organizational meeting.
36

37 Ms. Wysocki thanked Mr. Langenheim for being so faithful about attending the Consortium meetings.
38

39 Mr. Langenheim stated that he decided that the County should be represented and he requested that Ms.
40 Avery (previous County Board Chair) appoint him to the Consortium.
41

42 Mr. Wiebel asked Mr. Langenheim if he knew the time of the meeting.

1
2 Mr. Barry Suits, Illinois American Water Corporation stated that the agenda has not been published but he
3 believes that it will be an all day meeting with registration beginning around 8:30 a.m. He said that the
4 agenda for the February 16, 2007, meeting will be published on the Mahomet Aquifer Consortium website
5 and on the State Geological Survey website.
6

7 Mr. Langenheim distributed a copy of an article to the Committee for review which is a summary of the
8 problems of large scale ground water development but it also deals with surface water development. He said
9 that essentially this is a policy which must be considered in developing large scale water supplies in areas of
10 limited supply. He said that he believes that this would be interesting reading for the entire County Board.
11

12 Mr. Wiebel stated that the Department of Urban and Regional Planning at the University of Illinois is
13 planning an annual planning institute. He said that if any members of the Committee are interested in
14 attending the institute they should let him know and he will try to get the funds to pay for costs of
15 attendance.
16

17 Ms. Wysocki stated that Mr. Hall distributed the Illinois Environmental Protection Agency, *Notice of*
18 *Comment Period and Public Hearing Concerning the Proposed Issuance of a Construction Permit to The*
19 *Andersons Marathon Ethanol LLC in Champaign*, to the Committee for review. She said that the hearing
20 will be held January 27, 2007, at 6:00 p.m. at Parkland College in Room D244. She said that additional
21 input will be taken at the hearing and written comments will be accepted if they are postmarked by midnight,
22 March 29, 2007.
23

24 **6. County Board Chair's Report**

25
26 None
27

28 **7. Joint Champaign County – City of Champaign Enterprise Zone: Boundary Amendment:** 29 **Illini Ethanol, LLC Project in Royal.** 30

31 **Mr. Langenheim moved, seconded by Mr. Gladney to recommend sponsorship of the Joint**
32 **Champaign County – City of Champaign Enterprise Zone: Boundary Amendment: Illini Ethanol,**
33 **LLC Project in Royal.**
34

35 Mr. Hall stated that this project requires a sponsor. He said that the Enterprise Zone is unique in that it does
36 not require an application form and is typically handled by the City of Champaign staff. He said that
37 typically the sponsor of such an amendment would be the staff from the City of Champaign, if the project is
38 in line with what they would support. He said that this project is not supported by the City of Champaign
39 and in order to continue with the request a sponsor is required.
40

41 Mr. DiNovo stated that as a practical matter ELUC is asking the Regional Planning Commission staff to take
42 this matter up with the City of Champaign staff and start the process of moving forward.

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Ms. Anderson stated that after reviewing the letter from Mayor Schweighart to Mr. Wiebel and some of the points that he raises to Mr. Wiebel about the size of the current Enterprise Zone she would like to hear comments from Ms. Legner, Economic Development Manager for the City of Champaign.

Mr. Moser asked if this issue was worth discussing if the City of Champaign is not interested in supporting the request.

Ms. Teri Legner, Economic Development Manager for the City of Champaign, stated that the Enterprise Zone was approved in 1985 by both the City of Champaign and Champaign County and then the State of Illinois certified the zone and it became effective July 1, 1986. She said that the express purpose of the zone is to encourage job creation and redevelopment of slighted or depressed areas. She said that the zone was approved by the State based largely upon statutory evaluation criteria which relied heavily upon the City of Champaign’s census data relative to income status and unemployment. She said that since its inception the City of Champaign and the County have considered and approved amendments to the ordinance for a variety of reasons including revisions to incentive programs, boundary expansion, and boundary expansions that are greater and larger than this specific request. She said that these amendments have been made after much consideration by the City of Champaign and Champaign County staff, ELUC, the County Board and the City of Champaign’s City Council. She said that in each of these circumstances amendments are made that are mutually beneficial to the City of Champaign and the County. She said that the City of Champaign has strong concerns with the request to expand the boundaries of the Enterprise Zone to areas that will never become part of the City of Champaign. She said that such requests have been made in the past and have not been approved because of the City of Champaign’s policy. She said that speaking on behalf of the City of Champaign they believe that the request to expand the boundary to include property near Royal also does not meet the City of Champaign’s Policy objective and as a result the City of Champaign respectfully requests that ELUC deny this request for expansion. She said that additionally in an effort to maximize the potential of the zone for its remaining life and capacity, the City of Champaign would like to work together with the County to establish zone operating policies, which are above and beyond what the ordinance prescribes. She said that the Enterprise Zone covers approximately nine and one half square miles that is assuming the approval of the pending Clearview and The Andersons amendments which have not been approved by the State to date. She said that the state statute limits the size of the zone to twelve square miles. The Enterprise Zone is scheduled to expire at the end of year 2016. She said that with these constraints it would be imperative that both bodies are in agreement on how the zone would be administered and what areas are anticipated to meet these needs for development and what would the process be for considering amendments and other issues.

Mr. Moser asked Ms. Legner how a strip of land which is 25 miles long and three feet wide and runs across numerous property owners is included in the zone without their permission.

Ms. Legner stated that in the process which has been utilized in the past because we have considered projects that are in proximity to the city limits or within the city limits annexation agreements have been required to be in place for continuity. She said that because of this requirement the City of Champaign has needed

1/16/07

DRAFT SUBJECT TO APPROVAL DRAFT

ELUC

1 bridge property owners to agree to the concept of the extension of the Enterprise Zone across their property.
2 She said that this was the issue when the amendment for The Andersons was requested in October. She said
3 that in the case of the Enterprise Zone expansions that do not require annexation there is not a process for
4 objection or denial.

5
6 Mr. Wiebel asked what has to be done to deny this request.
7

8 Ms. Legner stated that a boundary amendment requires public notice and public hearing with legally
9 described property for the expansion.

10
11 Mr. DiNovo stated that this is not like a zoning case. He said that if ELUC does not want to proceed with
12 this request it can defeat Mr. Langenheim's motion to recommend sponsorship.
13

14 Mr. Langenheim asked Ms. Legner if the project in Royal does not have to be in physical contiguity with the
15 existing zone.
16

17 Ms. Legner stated no, the expansion has to come from a point of contact with the current zone but not in
18 terms of the annexation contiguity.
19

20 Mr. Langenheim stated that a while back the Village of Savoy extended its city limits south to a boundary
21 line with Tolono occupying nothing but the highway. He asked Ms. Legner if it is possible to take a strip as
22 part of a highway.
23

24 Ms. Legner stated that the three foot strip that Mr. Moser spoke of earlier has been utilized in the past for
25 Enterprise Zone boundary expansions.
26

27 Mr. Langenheim stated that the entire proposal sounds ridiculous.
28

29 Mr. Moser stated a similar project had been proposed to the Village of Rantoul and it was denied.
30

31 Mr. Reg Ankrom, Project Development Manager for the Illini Ethanol, LLC at Royal stated that he
32 appreciates the opportunity to speak to the Committee tonight about this project. He said that the project is
33 basically the creation of 100 million gallon ethanol plant at Royal which would use approximately 37 million
34 bushels of corn from Champaign County. He said that currently the investment is at \$160 million and that
35 investment continues to grow simply because ethanol is high in demand. He said that this plant would
36 employ 40 people full-time and a few part-time workers with an annual payroll of \$2 million and since the
37 City of Champaign is the largest trader in the area would benefit from a lot of services and retail and
38 wholesale purchases that the ethanol plant would be required to make in the area. He said that the Enterprise
39 Zone is important to them because the \$160 million does not include the peripheral types of things that they
40 have to do. He said that each site has its own requirements and in the case of Royal there is one Union
41 Pacific rail which requires unit trains therefore there will be a lot of rail installed on the property and that rail
42 has been purchased amounting to a multi-million dollar project. He said that Royal is served by a two inch

1 main from Trunkline Pipeline and it is insufficient to serve the plant therefore they will be required to build a
2 pipeline at a fairly significant cost. He said that at each of the Illini Ethanol, LLC plants, Royal is the second
3 of several plants that are in process, organized labor has been used for construction therefore the cost for that
4 organized labor will be greater. He said that this is the first time that rural taxing districts within the County
5 would have the opportunity to enjoy this type of investment. He said that they paid substantially more than
6 farmground is going for in Champaign County and the assessor will be reassessing the property from
7 agriculture at 20% to industrial which is 33-1/3%. He said that the rural taxing districts will have an
8 immediate substantial increase. He said that schools are somewhat penalized because of the nature of the
9 way the law works in provision of foundation aid for students in schools and schools in the Enterprise Zone
10 are held harmless up to the foundation level therefore they will not be penalized as a result of the abatement
11 in property taxes. He said that they would be one of the first applications from the County and the process
12 requires that both the council and the County Board approve the request. He said that there is a depletion of
13 Enterprise Zone and if their application was granted for enterprise zone status that depletion would amount
14 to 1/10th of one square mile. He said that extensions of enterprise zones may be made with a three foot
15 swath from an enterprise zone boundary along a public right of way, such as in this case Leverett Road. He
16 said that the total enterprise demand for a project would be 1/10th of a square mile and asked if this is too
17 high of a price to pay for a \$160 million investment. He said that the growing enterprise zone status to Illini
18 Ethanol, LLC draws the benefit actually closer from that 12 mile limitation currently. He said that the statute
19 that created the enterprise zone in 1982 also allows enterprise zone boundaries to be extended another three
20 miles. He said that the actual maximum is 15 square miles and the participation of four intergovernmental
21 units is required and that could include the Champaign County Board and the City of Champaign therefore
22 two other units are needed. He said that he is asking for fairness in that the County has already approved the
23 request by The Andersons who is a competitor of Illini Ethanol, LLC. He said that there is precedence for
24 extension even beyond county boundaries. He said that the Great River Economic Development Foundation
25 which is an enterprise zone administrator along with the City of Quincy have recently extended their
26 enterprise zone approximately 50 miles from Adams County in to Brown County for Dodd Foods. He said
27 that Dodd Foods is a very large company that wanted to build a \$5 million warehouse and the Adams County
28 enterprise zone was extended for that project.

29
30 Mr. Gladney asked Mr. Ankrom if Illini Ethanol, LLC would be using the Mahomet Aquifer.

31
32 Mr. Ankrom stated yes.

33
34 Mr. Gladney stated that he does not see how this appears to be in the spirit of the joint City of Champaign –
35 Champaign County Enterprise Ordinance. He said that the County is already waiting to see if The
36 Andersons are really going to build their ethanol plant west of Champaign and he has concerns with their
37 usage of the Mahomet Aquifer. He said that he does not want so much competition for an ethanol plant in
38 Champaign County to the point that it risks perhaps losing one or both of them. He said that since the
39 County has already agreed to the enterprise zone expansion for The Andersons’ ethanol plant he would like
40 to see if they follow through with their plans before another expansion is granted.

41
42 Ms. Melin asked Mr. Ankrom if any other avenues have been researched for placement of their ethanol plant.

1
2 Mr. Ankrom stated that they did contact the Village of Rantoul because there are four capped wells on the
3 old Chanute Air Force Base. He said that an engineering study was completed for the availability of water
4 supply and seven sources of water were investigated. He said that the Village of Rantoul was one of the
5 seven sources and in addition to their water supply they also had a wastewater treatment facility which puts
6 out approximately 1.2 million gallons per day but there was too much risk with what could come with that
7 wastewater. He said that the Village of Rantoul declined to provide the water for their project.
8
9 Mr. Moser asked how extending the enterprise zone for 20 miles would affect the adjacent property owners
10 in regard to zoning.
11
12 Mr. Hall stated that the County Board would be the final vote for any rezoning requests.
13
14 Mr. Schroeder asked Mr. Hall if it was customary for the City of Champaign to sponsor an enterprise zone
15 expansion request or the County to sponsor an enterprise zone request.
16
17 Mr. Hall stated that to date, projects that have come forward have only been sponsored by the City of
18 Champaign but he is not aware of any prohibition of the County sponsoring an expansion.
19
20 Mr. DiNovo stated that one important thing to remember is that if the County wants to expand the enterprise
21 zone the County along with the City of Champaign submits an application for the Department of Commerce
22 and Economic Opportunity. He said that the County has to decide whether to ask for their own purposes or
23 not. He said that people can propose that the County ask to expand the zone but the request would be as a
24 joint applicant not as single applicant. He said that in the past the provisional waiver that the County
25 established with the City of Champaign projects that would be annexed into the City of Champaign would
26 managed by the City's staff and projects that would remain in the unincorporated area of the County would
27 be managed by the County staff. He said that currently almost every project has been managed by the City of
28 Champaign staff because almost every project has either been in the City of Champaign or proposed to be
29 annexed. He said that in terms of the County's real authority to control the enterprise zone the City and the
30 County are partners in that we are joint applicants for the zone and one party cannot do anything without the
31 other party's concurrence.
32
33 Mr. Schroeder asked Mr. Ankrom if Illini Ethanol, LLC had discussed the expansion of the Enterprise Zone
34 with any other municipalities.
35
36 Mr. Ankrom stated no.
37
38 Mr. Schroeder asked Mr. Ankrom if he was familiar with American Ethanol.
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40 Mr. Ankrom stated that he only knows who they are but he is not familiar with their company.
41
42 Mr. Schroeder asked Mr. Ankrom if Illini Ethanol, LLC was affiliated with American Ethanol.

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Mr. Ankrom stated no.

Mr. Schroeder asked Mr. Ankrom if the Royal plant has a planned date to begin construction.

Mr. Ankrom stated that they had an anticipated date to begin construction in February, 2007. He said that they are going through financing at this point and they have raised the equity for both plants and are in the process of working with the banks. He said that this process has taken longer than originally anticipated therefore February will slip and construction should begin within the third or fourth quarter of 2007. He said that the debt financing process should be wrapped up by May.

Mr. Schroeder asked Mr. Ankrom if any dirt has been moved at the Royal site.

Mr. Ankrom stated no. He said that they have done some onsite studies but no dirt has been turned at this point. He said that they purchased a smaller parcel from Mr. and Mrs. John Bensyl which had an existing house on the property. He said that they anticipate using the house to begin the construction but it will be demolished at some point.

Mr. Schroeder stated that over the past few months Jeff Blue, Champaign County Highway Engineer, has been in contact with Illini Ethanol, LLC and subsequently the County has applied for state grants for funding for road improvements. He asked Mr. Ankrom if there is anything that Illini Ethanol, LLC has applied for with the State for road improvement projects beyond what the County has applied for.

Mr. Ankrom stated no. He said that he has worked with Jeff Blue on the TARP and DOT grant money.

Mr. Langenheim asked Mr. Ankrom why they are not considering setting up an enterprise zone with the Village of Royal.

Mr. Ankrom stated that the Speaker of the House, Mike Madigan, stated that there would be no more enterprise zones in Illinois and the Village of Royal does not have an established enterprise zone.

Mr. Moser asked Mr. Ankrom if the road from Interstate 74 to the Village of Royal would be State improved.

Mr. Ankrom stated that he cannot speak with the State of Illinois. He said that he did meet with the District 5 State Engineer and they are anticipating improving the road between I-74 and the Village of Royal.

Mr. Moser asked Mr. Ankrom if the ethanol plant will be built with or without the enterprise zone amendment.

Mr. Ankrom stated that we are talking about a lot of money that this will help mitigate but the decision on whether to build or not is up to the investors of the plant.

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Ms. Anderson stated the Prairieview School is not included in the Enterprise Zone therefore the tax abatement will only occur within the zone.

Mr. Akrom stated that Prairieview School taxes the parcel that was purchased by Illini Ethanol, LLC, therefore if the request for the enterprise zone expansion is approved the school would be limited as to the growth in tax base.

Mr. DiNovo stated that the only taxes that would be abated would be approximately 47 cents of the County's tax rate. He said that school taxes are not abated and it is a very small reduction in the property tax rate. He said that the County has a misapprehension that enterprise zones trigger abatement of all of the taxing monies. He said that it is only the participating units of government and the only one that would apply to Royal is the County's rate therefore it is a tiny reduction in the property base.

Ms. Anderson stated that the area that will be affected more will be the City of Champaign.

Mr. DiNovo stated that the City of Champaign will not lose a penny because they are not taxing the property currently. He said that the only expense would be to the County.

Mr. Louis Wozniak, who resides at 401C CR 2425N, Mahomet stated that he is a Registered Professional Engineer and teaches at the University of Illinois. He said that he is not an expert on this subject but he does read journals that come through his office and the general view is that corn is a very inefficient source of ethanol. He said that because of the fossil fuels used in the process it contributes greatly to the "Greenhouse Effect" through carbon emissions. He said that most of the plants in the United States that produce ethanol produce it under government subsidies except for one in Oregon that uses cattle excrement during the heating process for the production of ethanol. He said that it is a very large national sentiment in the technical community that ethanol is not a good idea and it is probably not going to fly.

Ms. Wysocki requested a roll call vote.

Anderson-no	Doenitz-yes	Gladney-no
Jones-no	Langenheim-no	Melin-no
Moser-yes	Schroeder-yes	Wysocki-no

Ms. Wysocki stated that the motion failed.

Ms. Wysocki stated that Teri Legner stated in her closing remarks that perhaps this would be a good opportunity for the County and the City of Champaign to sit down and talk about establishing some guidelines for enterprise zone improvements. She said that this issue came up in the fall of 2006, when ELUC was dealing with the Clearview Development and some of the Committee members desired to have a checklist that could be utilized to assure that the enterprise requests meets a certain threshold.

1 Mr. Schroeder stated that he would be in favor of establishing some guidelines for the enterprise zone.

2
3 Mr. Langenheim asked what type of guidelines would be reviewed.

4
5 Mr. Schroeder stated that the City of Champaign’s Comprehensive Plan could be reviewed. He said that the
6 City of Champaign has some goals in their plan and with all of the expansion they need to sit down with the
7 County to determine what kind of expansion is anticipated in the future.

8
9 Ms. Anderson agrees with Mr. Schroeder.

10
11 Ms. Wysocki stated that she spoke with Steve Carter, City of Champaign Manager and he indicated that he
12 did not want this issue to become a decisive issue between the City and the County. She said that she values
13 the importance that the City of Champaign places on the communication and the cooperation between the
14 two entities. She said that even though the City and the County may not always agree on the same issues the
15 disagreements should not be of such a nature that it would interrupt the relationship between the two. She
16 said that she and Mr. Carter believe that the two entities should meet.

17
18 **8. Remanded Zoning Case 520-AM-05 Petitioner: Gene Bateman Request to amend the Zoning**
19 **Map to allow for the development of 2 single-family lots in the AG-1, Agriculture Zoning**
20 **District by adding the Rural Residential Overlay (RRO) Zoning District. Location:**
21 **Approximately seven acres of an existing 62.20 acre parcel in the East Half of the Northeast**
22 **Quarter of Section 29 of Newcomb Township that is commonly known as the farm field that**
23 **borders the south side of CR 2600N and CR 200E.**

24
25 **Ms. Anderson moved to recommend approval of Remanded Zoning Case 520-AM-05.**

26
27 Ms. Wysocki requested a second to Ms. Anderson’s motion and none was given.

28
29 **The motion failed due to the lack of a second.**

30
31 Mr. Hall stated that Remanded Zoning Case 520-AM-05 will proceed to the full County Board with no
32 recommendation.

33
34
35 **9. Zoning Case 562-AM-06 Petitioner: Ivanhoe Partners, LLC and Jason Barickman, Agent**
36 **Request to amend the Zoning Map to change the zoning district designation from the R-2,**
37 **Single Family Residence zoning District to the R-5, Manufactured Home Park Zoning District.**
38 **Location: The West 500 feet of the South 1,722.12 feet of the Southeast Quarter of Section 4 of**
39 **Urbana Township comprising approximately 19.065 acres and that is commonly known as the**
40 **blocks surrounding Richard Drive and Gurth Drive and the west side of Ivanhoe Drive in the**
41 **Ivanhoe Estates Manufactured Home Park at 26 Ivanhoe Drive, Urbana.**

1/16/07

DRAFT SUBJECT TO APPROVAL DRAFT

ELUC

1 Mr. Moser moved, seconded by Mr. Schroeder to recommend approval of Zoning Case 562-AM-06.

2
3 The motion carried by voice vote with one opposing vote.

4
5
6 **10. FY07 Regional Planning Commission County Work Plan (annual work plan for the county**
7 **Special Projects Planner at the RPC)**
8

9 Ms. Monte stated that the Corrected Copy of the Recommended 2007 Work Program – RPC County Planner
10 dated January 11, 2007, contains a description of the scope of projects that the RPC County Planner would
11 be contracted with the County to work on and prioritize each of these projects. She said that the first priority
12 will be to complete the 5-year Update of the County Solid Waste Management Plan which is to be discussed
13 as Item #11. She said that the second priority of the RPC County Planner will be to process text amendment
14 cases for a limited selection (approximately five) of proposed text amendments receiving broad bipartisan
15 County Board support during the recent comprehensive zoning review effort. She said that in approximately
16 one month ELUC will receive a description of those specific amendments. She said that the third priority
17 project would be the Subdivision Regulations Amendments. She said that a series of revisions have been
18 identified as the Regulations has been used over a period of years and staff has requested that some changes
19 be proposed to the Regulations. She said that in conjunction with the Zoning Ordinance Amendments there
20 could be some modifications necessary to the Land Use Regulatory Policies that the County adopted. She
21 said that the fourth priority would be Coordinating County Support of Recycling Efforts with Local
22 Governments. She said that the County has received requests from the City of Champaign to consider
23 funding of their local drop site to consider participating more and coordinating ‘e-scrap’ collection events.
24 She said that recently a request was received for potential interest in a recycling transfer site in the County.
25 She said that the fifth priority would be to take the County’s Solid Waste Management Plan and complete a
26 comprehensive update. She said that attached to the plan are alternate tasks which could be considered such
27 as further amending the Zoning Ordinance that relate to residential, commercial and industrial zoning
28 districts and general site development requirements. She said also the development of a Local Pre-Disaster
29 Mitigation Plan for Champaign County is included as an alternative task.
30

31 Mr. Hall stated that if this plan meets the approval of ELUC, staff would request that the priorities are
32 approved as Ms. Monte amended them. He said that if ELUC disagrees with the priorities as stated then
33 staff can revise the plan for further review. He said that Ms. Monte has been working on the 5-year Update
34 on the County Solid Waste Management Plan this month because of the deadline. He said that if ELUC
35 agrees with the plan and how it is prioritized then the second item that Ms. Monte would be working on will
36 be the Zoning Ordinance Amendments that ELUC believes can be approved by the County Board. He said
37 that the idea is that something from CZR could be achieved and that is what staff would like to start with in
38 regards the Zoning Ordinance.
39

40 Mr. Doenitz asked Ms. Monte if she was at the same County Board meeting that he was when CZR was
41 defeated.
42

1 Ms. Monte stated yes.

2

3 Mr. Doenitz stated that he does not remember any bipartisan support.

4

5 Ms. Monte stated that staff was at caucuses and all of the public hearings and there were some items that did
6 received broad agreement. She said that there some items which were soundly opposed but there were some
7 items which were not.

8

9 Mr. Hall stated that staff identified some things that would make it easier for citizens and staff to do certain
10 things. He said that the impression that staff received was that those items are not very controversial but do
11 need to be separated. He said that if staff cannot get support for this separation from ELUC then this task
12 would not be a second priority. He said that there are other amendments to the Zoning Ordinance that need
13 to be made that do not relate to CZR. He said that staff would like to produce a specific list and present it to
14 ELUC for review.

15

16 Mr. Doenitz stated that there were enough protests from the planning commissions to get someone's
17 attention. He said that perhaps staff should speak to those planning commissions to see what they will agree
18 to and what they will not.

19

20 Mr. Hall stated that if ELUC wants staff to speak the planning commissions about these issues then staff can
21 set up those meetings but staff gets direction from ELUC and not the planning commissions.

22

23 Mr. Doenitz stated that he does not see any point in proceeding until these discussions take place.

24

25 Mr. Moser stated that the only items which might have gotten passed were the tile protection buffer and the
26 RRO revision. He said that the Republicans would probably agree to those items. He said that he does not
27 want to see another rerun of all of this stuff going back to the ZBA because the same people that came to the
28 meetings and raised holy cane about everything that was proposed previously will be right back again. He
29 said that he doesn't see any reason to waste the ZBA's time, staff's time or anyone else's time if we can't get
30 something done.

31

32 Mr. Langenheim stated that the first set of suggested changes that were actually brought to a vote at the
33 County Board meeting passed by a vote of 16 to 10. He said that if there were no objections it would have
34 been passed therefore if some of these items were brought up again they would probably not be objected to
35 and would only require a simply majority at the full County Board.

36

37 Mr. Moser stated that there are only two items which might be able to be passed without a protest.

38

39 Mr. Langenheim stated that some of the housekeeping amendments would probably not receive protests.

40

41 Ms. Anderson stated that some of the amendments would have made it easier for citizen's to obtain permits
42 and it would have been easier for staff to process those permits but the mood of the room was that none of

1 the amendments were going to be passed.

2
3 Mr. Doenitz asked why the County doesn't get things in order and produce a Comprehensive Plan first.

4
5 Mr. Hall stated that a County Comprehensive Plan is listed as a future task.

6
7 Mr. Moser asked who would create such a plan and what would such a process cost the County.

8
9 Mr. Hall stated that he does not know the cost or who would complete the plan.

10
11 Mr. Doenitz stated that it appears that this should be the first housekeeping item that needs to be done.

12
13 Ms. Monte stated that the Land Use Regulatory Policies as they stand currently would form a basis for a plan
14 or would need to be consistent with a plan.

15
16 Mr. Moser stated that he and Ms. Wysocki attended a meeting this morning with the new Mahomet
17 Administrator and he has a lot of the same concerns about the areas around the Village of Mahomet that the
18 County has in the agricultural zones. He said that when you look at what is going on in Sidney, Philo,
19 Savoy, St. Joseph, Mahomet and Tolono the building that is occurring in those towns is too fast. He said
20 that now would be an excellent time to get the RPC involved with all of these municipalities that have
21 different comprehensive plans and produce some sort of continuity.

22
23 Ms. Wysocki stated that she agrees with Mr. Moser. She said that she has thought about this issue before
24 and the meeting with the Village of Mahomet Administrator really got her to thinking. She said that what
25 occurred to her was that perhaps it would make sense if the County or RPC called together Sidney, Philo,
26 Savoy, St. Joseph, Mahomet and Tolono and to sit down and talk about some of the issues from
27 infrastructure to accommodation of growth. She said that for the County to say that a comprehensive plan is
28 needed to make everything right is not going to happen unless there is some good honest dialogue
29 established between the County and these small municipalities. She said that she has a copy of the Coles
30 County Comprehensive Plan which was adopted on November 16, 2006. She said that this is an interesting
31 document and she was reluctant to read it because given the different size of the county she wasn't sure if it
32 would tell her a lot. She said that it took Coles County 18 months to complete their Comprehensive Plan but
33 it was completed by a steering committee of 23 people who represented the County of Coles, the City of
34 Charleston, the City of Mattoon and some participation from the smaller communities in the county. She
35 said that what drove their plan was the fact that they are anticipating a lot of development along I-57. She
36 said that it was discussed at the County Board and economic development circles and that is what gave
37 impetus to this plan. She said that Coles County does not have zoning and it is stated three times in the plan
38 that they are not going to approve zoning yet they did come up with a plan. She said that they were able to
39 come up with a plan because they had excellent cooperation between the County and the municipalities. She
40 said that Coles County hired a firm from Indianapolis who does this type of work and who incidentally was
41 responsible for the City of Charleston's Comprehensive Plan and the Comprehensive Plan for the City of
42 Mattoon and the same consultant is putting it all together for this county wide approach. She said that

1 Champaign County has a relationship with the bigger entities in this County but we do not have a
2 relationship with the smaller villages and towns and that is where we need to start.

3
4 Mr. Schroeder thanked Ms. Wysocki for her excellent observation. He said that he has been chewing on
5 staff's hide for ten years for a comprehensive plan. He said that he was influenced by his sister-in-law who
6 wrote an ordinance and a comprehensive plan in LaSalle County. He said that it is more than just deciding
7 where to put this and that in the future and he would encourage anyone to obtain a copy of a comprehensive
8 plan and review it. He said that he obtained the Village of Savoy's Comprehensive Plan which was written
9 in 2002, and they indicated that they were ready for an update of their plan in 2007. He said that he does not
10 believe that the County has to wait for big.small.all to produce a comprehensive plan. He said that the
11 County has not had the money or staffing to create a comprehensive plan but we are going to have to bite the
12 bullet and do it.

13
14 Mr. Doenitz stated that he agrees with Mr. Doenitz and the creation of a County Comprehensive Plan should
15 be the first priority on the list.

16
17 Mr. DiNovo stated that a comprehensive plan is something that needs some thought and the RPC could put
18 together a memorandum to explain the options. He explained that in the State of Illinois there are three
19 statutory ways to create a county wide plan. He said that one is to do one under the *Regional Planning Act*,
20 in which case the Regional Planning Commission is acting as the County's plan commission. He said that
21 there are five municipalities represented on the Regional Planning Commission and therefore St. Joseph and
22 Tolono would have to be invited into the commission. He said that there is also something called *The Local*
23 *Land Resources Management Planning Act*, which gives county governments themselves the ability to
24 establish a county planning commission that is answerable strictly to the County Board and enables the
25 commission to develop a plan to be adopted by the County Board to be the county government's official
26 plan. He said that the *Local Legacy Planning Act*, would mandate that the County establish a completely
27 new intergovernmental body outside of the Regional Planning Commission who would have the authority to
28 develop an intergovernmental plan, very similar to what the County could do under the Regional Planning
29 Commission. He said that there are several different ways of creating a comprehensive plan with the key
30 difference being does the County want a planning document which is the official planning document for the
31 Champaign County government or does the County want a plan that establishes the foundation for
32 intergovernmental understanding and cooperation from different units of government. He said that prices,
33 estimates and scenarios could be put together on how the County might be able to achieve this task.

34
35 Mr. Moser stated that the RPC is the logical way to approach this task. He said that Mahomet, Savoy,
36 Rantoul and Champaign-Urbana are already at the table. He said that there have been discussions with St.
37 Joseph and they do not appear to have any interest. He said that today is the first time that he had seen
38 anything that looked like Mahomet was interested in doing anything about their problems.

39
40 Mr. Wiebel asked Mr. Moser how long it had been since St. Joseph was contacted about joining the RPC.

41
42 Mr. Moser stated that he does not know how long it has been.

1
2 Mr. DiNovo stated that it has probably been two years.

3
4 Mr. Wiebel stated that perhaps someone should contact St. Joseph again.

5
6 Mr. Moser stated that he would be willing to talk to the Mayor of St. Joseph but it would be better if County
7 Board Member Greg Knott would discuss this issue with St. Joseph.

8
9 Mr. Wiebel stated that he will speak with Mr. Knott and perhaps they can meet with the Mayor.

10
11 Mr. Schroeder stated that all of the small communities who have ingress and egress to the interstates should
12 be included in these discussions.

13
14 Mr. DiNovo suggested that ELUC defer action on Item #10 until ELUC can decide on how the work plan fits
15 in to potential ways of working on a County Comprehensive Plan.

16
17 **Mr. Schroeder moved, seconded by Mr. Doenitz to defer Item #10 to the February, 2007, ELUC**
18 **meeting and direct the RPC to report on the means of creating a Countywide Plan. Ms. Monte is to**
19 **continue with her work on the 5-Year Update of the County Solid Waste Management Plan. The**
20 **motion carried by voice vote.**

21
22 **11. Review of update to Champaign County Solid Waste Plan (part of the FY07 RPC County**
23 **Work Plan)**

24
25 Ms. Monte stated that the Illinois EPA requires a report every five years about the progress that the County
26 has made in implementing its recommendations from the original plan adopted in 1991. She said that two
27 such reports have come before the County in 15 years and in the 1996 Report the recommendations were
28 modified to exclude the landfill recommendation. She said that there are seven or eight recommendations
29 with an implementation schedule that principally is "as possible" with no time implementation schedule.
30 She said that the report is due to the EPA on January 23, 2007, and the County's recommendations are
31 reviewed. She noted that the recommendations are the same as they were in 2002, with one additional
32 proposed recommendation to improve the reporting of recycling efforts throughout the County. She said that
33 the EPA will provide review comments of the report within the next two or three months and the County
34 would then review those comments. She said that if anyone is interested she does have a copy of the "*East*
35 *Central Illinois Landfill Capacity Situation*".

36
37 **12. Update on Enforcement Cases**

38 **A. Foreclosure on the "Monty" Maxwell property in the Village of Broadlands (Enforcement**
39 **Case ZN99-03/36)**

40
41 Mr. Hall stated that the County did not have to expend any monies to get the property cleaned up because
42 Mr. Maxwell's heirs cleaned up the property. He said that because of the enforcement action leading up to

1 the heirs cleaning up the property Mr. Maxwell had a Memorandum of Judgment ordered against him for
2 \$9800 in fines. He said that a title search was completed recently and the Memorandum of Judgment does
3 appear on the title work indicating to anyone who purchases the property that this is a cloud hanging over the
4 property. He said that if the property is sold to the new owner the fines should be paid in full to the County
5 but a more sure way to obtain the fines would be for the County to foreclose and force sale on the property.
6 He said that this is property that Mr. Maxwell owned and not the property that was involved in the
7 enforcement case. He said that this property was Mr. Maxwell's only asset and the property in the
8 enforcement case was not an asset of Mr. Maxwell's. He said that the property was appraised at \$7500,
9 which is less than the fines. He said that staff has discussed expenditure of monies to clean up other
10 properties and this would be a way to get some money to use in that cleanup.

11
12 Mr. Moser stated that the lots are worthless.

13
14 Ms. Hitt stated that a couple of years ago someone was interested in purchasing the property. She said that
15 the prospective owner, a neighboring landowner, wanted the County to clean the lien off of the property.
16 She said that perhaps the neighboring landowner is still interested in purchasing the property.

17
18 Mr. Hall stated that regardless of what ELUC decides to do tonight there is still a Memorandum of Judgment
19 on the Property.

20
21 Mr. Schroeder asked Mr. Hall if the County forecloses on the property would the \$9800 be waived if the
22 property is sold.

23
24 Mr. Hall stated that based on the appraisal the County is not likely to see the full value of the Memorandum
25 of Judgment.

26
27 **Mr. Schroeder moved, seconded by Ms. Anderson to foreclose on the Edward M. "Monty" Maxwell**
28 **property in the Village of Broadlands (Enforcement Case ZN99-03/36). The motion carried by voice**
29 **vote with one opposing vote.**

30
31 **B. Foreclosure on property of Joseph Mefford at 2603 Campbell Drive, Champaign**
32 **(Enforcement Case ZN01-30/14)**
33

34 Mr. Hall stated that the County spent \$7335, to clean up the property under the permission of Mr. Mefford.
35 He said that the property was recently appraised at \$11,000, and foreclosure would allow the County to sell
36 the property and hopefully regain what was spent in cleaning it up. He said that the agreement was that the
37 County could only gain the cost of the cleanup.

38
39 **Mr. Moser moved, seconded by Mr. Doenitz to foreclose on the Joseph Mefford property at 2603**
40 **Campbell Dr, Champaign (Enforcement Case ZN01-30/14). The motion carried by voice vote.**
41
42

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13. Monthly Report (November and December 2006)

Mr. Hall distributed monthly reports for November and December, 2006, to the Committee for review. He said that historically December is when staff completes a yearly review. He said that there have been years when the ZBA has completed more cases but in all of those years the ZBA had more meetings. He said that the current ZBA worked very hard last year and completed an average of 2.3 cases per meeting and did this in 19 regular meetings and in addition to those 19 meetings the ZBA had 10 additional special meetings to deal with the Zoning Ordinance. He said that in addition to the regular cases that were completed they also completed the 13 parts of the proposed zoning amendments. He said that in the coming year there are six RRO cases on the docket but today staff received notice that three RRO cases are being withdrawn. He said that it is still a record breaking year with three RRO cases on the docket.

Mr. Moser asked Mr. Hall how many of the cases were under Ms. Lo.

Mr. Hall stated that Ms. Lo informed staff via telephone that she was going to withdraw her three cases. He said that currently staff is booking cases in to May, 2007. He said that permitting in the office has been down since the City of Champaign annexed the southwest subdivisions. He said that with the decline in permitting staff has been doing more on enforcement but it hasn't made a big difference on the backlog. He noted that if anyone has any questions regarding the monthly reports they should call the office.

Ms. Wysocki stated that the Finance Committee decided to increase the per diem for the members of the Zoning Board of Appeal, effective immediately. She said that the ZBA members will be receiving the \$100 stipend that the County Board members will receive in 2008. She said that based on the work that the ZBA has completed and the dedication that has been given they are worth every penny.

Ms. Anderson moved, seconded by Mr. Moser to accept the November and December, 2006, monthly reports and place them on file. The motion carried by voice vote.

14. Other Business

None

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

None

16. Adjournment

The meeting adjourned at 8:45 P.M.

Respectfully submitted,

ELUC

DRAFT SUBJECT TO APPROVAL DRAFT

Secretary to the Environment and Land Use Committee

eluc\minutes\minutes.frm

ILLINI ETHANOL LLC
ROYAL, ILLINOIS

RECEIVED

25

CHAMPAIGN CO. P & Z DEPARTMENT

Ms. Barbara Wysocki, Chair
Environment and Land Use Committee
Champaign County Board
1776 E. Washington
Urbana, IL 61801

510 MAINE, SUITE 502
QUINCY, IL 62301

OFFICE: 217-641-3011
MOBILE: 217-779-2595
RANKROM@ENNOVALLC.COM

Dear Ms. Wysocki:

Many thanks to you and the members of the Environment and Land Use Committee for your consideration of our request for Enterprise Zone status at our Illini Ethanol project at Royal. We were disappointed, of course, that the committee turned down our request, but we appreciated your willingness to hear it.

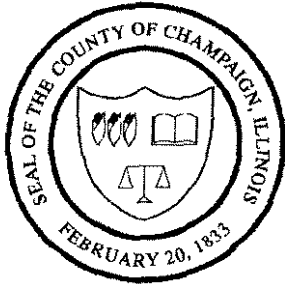
Continued best wishes to you.

Sincerely,



Reg Ankrom, Manager
Project Development

cc: Mr. Les Busboom



**STATE OF ILLINOIS
COUNTY OF CHAMPAIGN**

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

**No. 2007-01
\$100.00**

SHIRLEY'S OASIS

License is hereby granted to Shirley A. LaBounty 206 E. Plumb, Gifford, IL 61847 to provide Recreation/Entertainment at 2705CR 3000N, Penfield IL 61862 in Champaign County from February 1, 2007 thru December 31, 2007. This License expires the 1st day of January 2008 at 12:01am.

Witness my Hand and Seal this 13th day of February, A.D. 2007.

MARK SHELDEN
County Clerk
Champaign County

Chairman, Champaign County License Commission



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-01
Date(s) of Event(s) Yearly
Business Name: Shirley's OASIS
License Fee: \$ 100.00
Filing Fee: \$ 4.00
TOTAL FEE: \$ 104.00
Checker's Signature: M

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: Shirley's Oasis
 2. Location of Business for which application is made: 2705 CR 3000 N
Penfield, IL 61862
 3. Business address of Business for which application is made: same as above
 4. Zoning Classification of Property: _____
 5. Date the Business covered by Ordinance No. 55 began at this location: Jan. 10, 2007
 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, Pool Tables, Juicebox, Amusement Machines
 8. Term for which License is sought (specifically beginning & ending dates): Jan. 10, 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: Roxanna Millard Rigdon
July, 2021 571 Yespe St. 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

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): Shirley A. LaBounty
Shirley Carpenter Shirley Johnson Shirley Gallagher, Squaw
Date of Birth: _____ Place of Birth: Urban
Social Security Number: _____ Citizenship: U.S. Citizen
If naturalized, state **place and date** of naturalization: _____
2. Residential Addresses for the past three (3) years: 206 E. Plum Gifford, IL
61847
3. Business, occupation, or employment of applicant for four (4) years preceding date of application for this license: Self-Employed / Lawn Mowing

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: _____
2. Date of Incorporation: _____ State wherein incorporated: _____

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:

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: _____ Title: _____

Date elected or appointed: _____ Social Security No.: _____

Date of Birth: _____ Place of Birth: _____

Citizenship: _____

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.

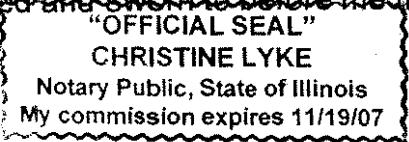
I/We further swear that I/we will not violate any of the laws of the United States of America or of the State of Illinois or the Ordinances of the County of Champaign in the conduct of the business hereunder applied for.

Christine Lyke
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 10th day of January, 2007.



Christine Lyke
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.

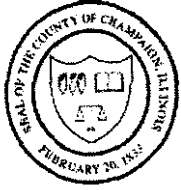
Signature of President

Signature of Secretary

Signature of Manager or Agent

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

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: 12-31-06
2. Fee Amount Received: 104.00

Sheriff's Department

1. Police Record Approval: X Date: 2-5-07
2. Credit Check Disapproval: _____ Date: _____

Remarks: _____ Signature: CAPT Jim Vogel

Planning & Zoning Department

1. Proper Zoning Approval: ✓ Date: 2/7/07
2. Restrictions or Violations Disapproval: _____ Date: _____

Remarks: B-3 ZONING DISTRICT Signature: [Signature] ZONING ADMINISTRATOR

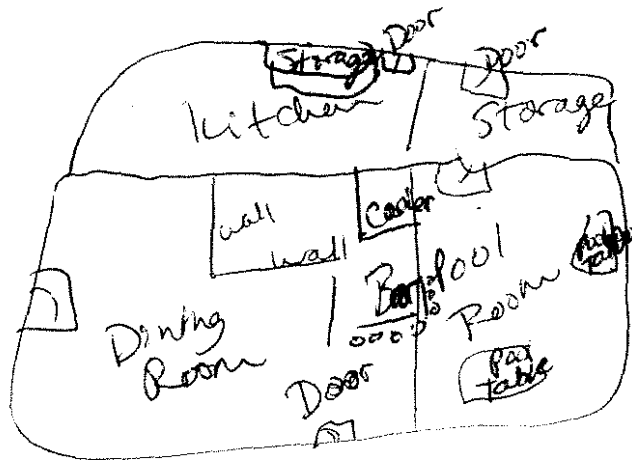
Environment & Land Use Committee

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

Signature: _____

Remarks and/or Conditions: _____

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.



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: **February 7, 2007**
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 2 single-family residential lots in the AG-1 Agriculture Zoning District by adding the Rural Residential Overlay (RRO) Zoning District.**

Petitioners: **Gene and Carolyn Bateman**

Location: **Approximately 6.8 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

This case was before the Committee at the January 16, 2007, meeting but the motion to approve failed to get a second. The Committee must make a recommendation on this case in order to move it to the County Board. The recommendation can be to recommend approval or to recommend denial or even "no recommendation".

ATTACHMENT

A ELUC Memorandum of January 9, 2007

To: **Environment and Land Use Committee**

From: **John Hall, Zoning Administrator**

Date: **January 9, 2007**

RE: **Case 520-AM-05 Rural Residential Overlay Map Amendment for proposed five lot RRO**

Champaign
County
Department of

**PLANNING &
ZONING**

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

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

Zoning Case 520-AM-05

Request: **Amend the Zoning Map to allow for the development of 2 single-family residential lots in the AG-1 Agriculture Zoning District by adding the Rural Residential Overlay (RRO) Zoning District.**

Petitioners: **Gene and Carolyn Bateman**

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STATUS

This case was before the Committee at the November 13, 2006, meeting when the Committee remanded this case to the Zoning Board of Appeals (ZBA) in order for the ZBA to consider a revised request. The revised request is for fewer lots (two instead of the previous five lots) and the lots have been reconfigured such that all buildable area is outside of the "potential impact radius" of nearby gas pipelines. The ZBA considered the remanded case at their December 14, 2006, meeting and voted to "RECOMMEND APPROVAL" of the revised Rural Residential Overlay (RRO) rezoning. 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.

Recall that this is the first RRO to be proposed in the vicinity of the underground Manlove Gas Storage Facility in Newcomb and Brown Townships in the northwestern part of the County. See item 17 on pages 14 through 18 of the Summary of Evidence.

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 SUITED** for the development of **TWO** residences because:
 - A. the site has more or less typical Champaign County conditions due to manmade hazards and safety concerns (see items 17. B., C, D, E, F*); and
 - B. much better than typical and nearly ideal conditions for the other considerations of adequacy of roads; effects on drainage; septic suitability; LESA score; and flood hazard status, and the availability of water is more or less typical (see items 22, 11, 12, 13, 14, 19, and 21*); and
 - C. the property is between 4 and 5 miles from the Cornbelt Fire Protection District (see item 15*); andand despite:
 - D. the fact that there are high pressure gas pipelines in the vicinity (see item 17.*); and
 - E. the site has much worse than typical Champaign County conditions because it is bordered on one side by livestock management facilities (see item 23.B.(3)*); and
 - F. emergency services vehicle access is limited by flooding (see item 12.B.(1)(e)*).

* 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 BE COMPATIBLE** with surrounding agriculture because:
- A. **surface drainage that is much better than typical** (see item 12.*); and
 - B. **the condition to provide an easement for the drainage district tile** (see items 24.B. (1) & (2)*); and
 - C. **the adequacy of the roads that is nearly ideal Champaign County conditions** (see item 11*); and
 - D. **traffic generated by the proposed RRO District that will be only 100% more than without the RRO** (see item 23.A.(1)*);
- and despite:
- E. **the presence of adjacent livestock management facilities on one side and four other livestock management facilities within a one-mile radius of the property for a total of three active facilities that are by law allowed to expand up to 1,000 animal units** (see item 23. B.(3)*); and
 - F. **the presence of a drainage district tile near the proposed RRO District** (see item 12.B.*).

* refers to items in the Summary of Evidence

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

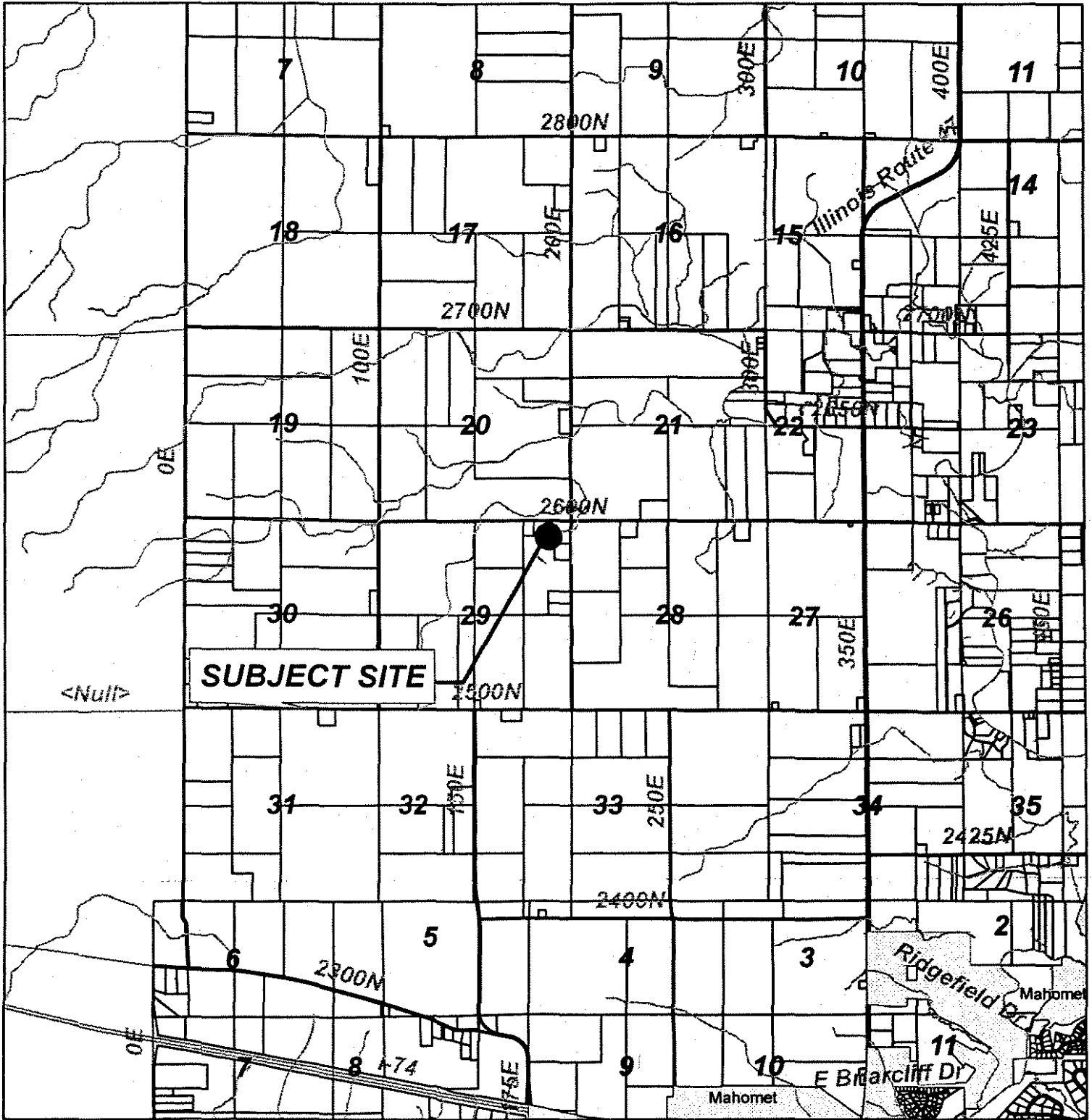
PROPOSED CONDITIONS

The ZBA approved several conditions to address safety concerns related to the high pressure gas pipelines; the presence of a drainage district tile; driveway access for emergency services vehicles; 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.

ATTACHMENTS (excerpted from the Documents of Record)

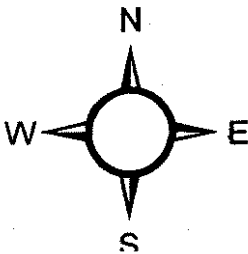
- A Zoning Case Maps (Location, Land Use, Zoning)
- B Revised Proposed Bateman Tracts received December 14, 2006, as revised at the public hearing (with indication of Potential Impact Radius for high pressure gas pipelines)
- C Summary of Evidence, Finding of Fact, and Final Determination of the Champaign County Zoning Board of Appeals as approved on remand on December 14, 2006 (UNSIGNED)

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



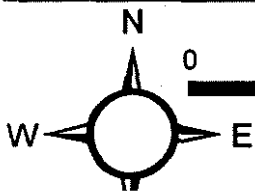
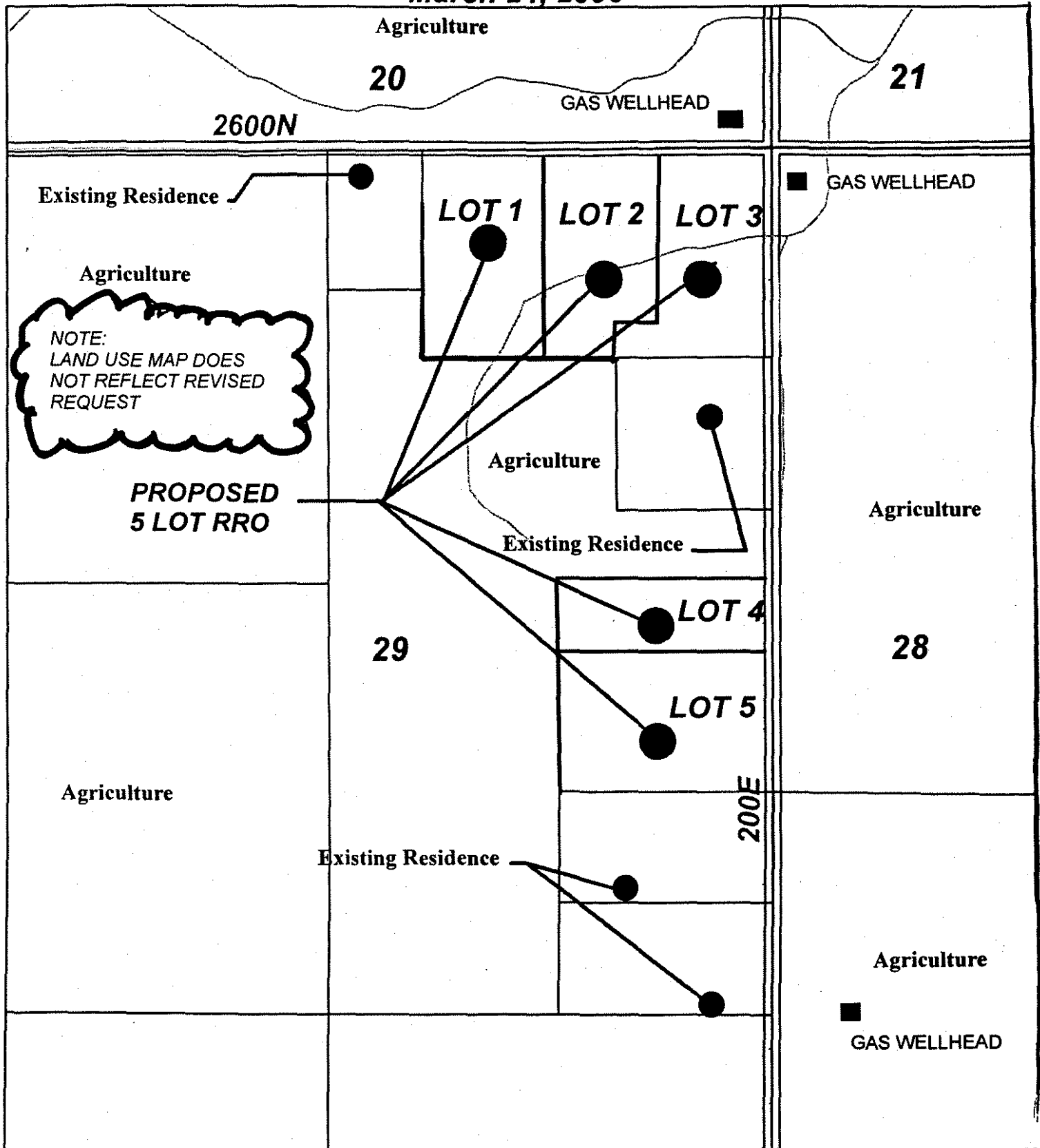
SUBJECT SITE

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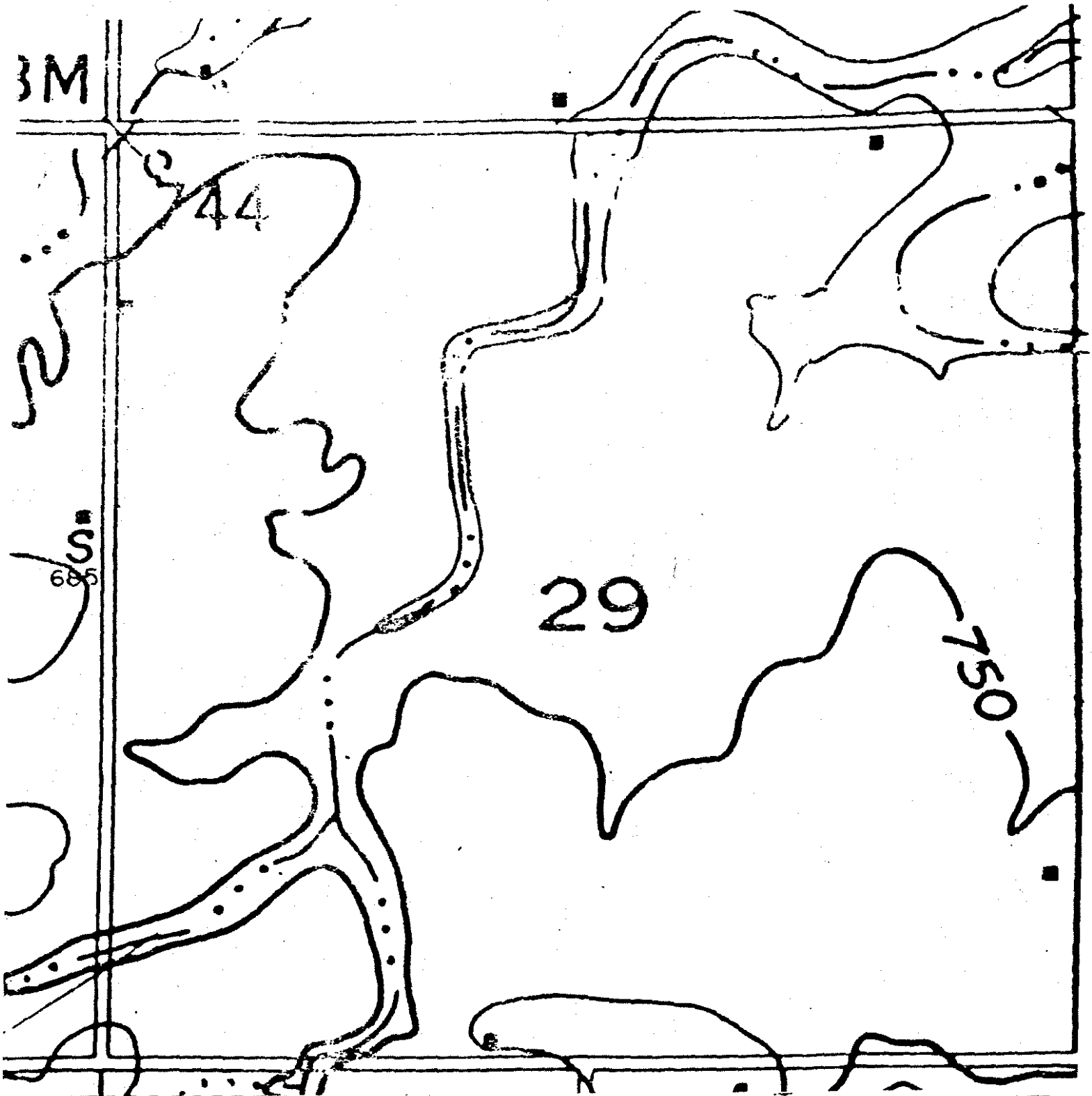
**Champaign County
Planning and Zoning Department
1776 E. Washington Street
Urbana, IL 61802
217-384-3708**

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



0 350 700 1,400 Feet

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	 NORTH Champaign County Department of PLANNING & ZONING
AG-2 Agriculture	R-2 Single Family Residence	R-5 Mobile Home Park	I-3 Highway Business	I-1 Light Industry	

33

BATEMAN
PROPOSED TRACTS
NEWCOMB TOWNSHIP
CHAMPAIGN COUNTY, ILLINOIS

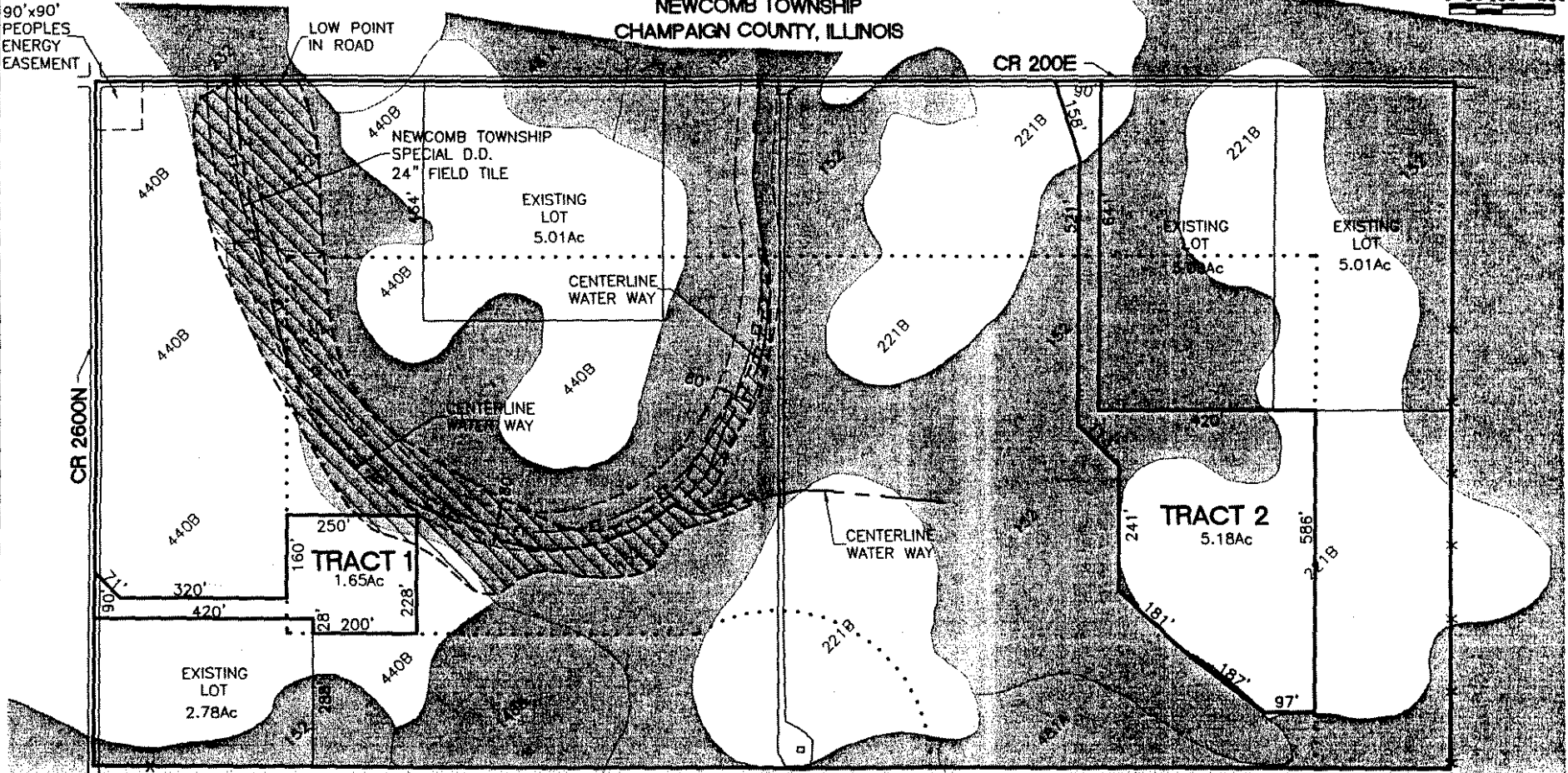
0' 50' 100' 200





90'x90'
PEOPLES
ENERGY
EASEMENT

LOW POINT
IN ROAD

CR 200E

CR 2600N



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

	BPF SOIL		NON-BPF SOIL		LE
TRACT 1	1.65Ac.	152 DRUMMER 0.07Ac.- 4.2%	440B JASPER 1.58Ac.-95.8%		
TRACT 2	5.18Ac.	152 DRUMMER 1.51Ac.-29.2%	221B PARR 3.67Ac.-70.8%		84.5

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

Revised: 12/18/
Revised: 12/14/
Revised: 12/13/
Revised: 11/8/0
Revised: 10/12/
Revised: 10/11/
Job # 05114
Drawn By: BDB/CAM Date: 03/27/06 Revised: 07/13/
HDC
ENGINEERING
201 West Springfield, Suite 1
Champaign, Illinois 61824-0
Phone No. 217-352-6976
Professional Design Firm License No. 184-00322

**AS REVISED AT THE PUBLIC HEARING
DECEMBER 14, 2006**

**AS APPROVED ON REMAND
520-AM-05**

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

Final Determination: **RECOMMEND APPROVAL**

Date: **December 14, 2006**

Petitioner: **Gene Bateman**

Request: **Amend the Zoning Map to allow for the development of 2 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; October 12, 2006; and December 14, 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 Revised Proposed Bateman Tracts received December 14, 2006, and as amended at the public hearing on December 14, 2006, has the following changes:
 - (1) The number of lots was reduced to two.
 - (2) All proposed lots are flag lots with access strips that are 680 feet long for Tract 2 and 340 feet long for Tract 1.

- 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 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. 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.

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 Parr 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.
 - (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

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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:
 - (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) No part of any buildable area on any of the tracts is within the Potential Impact Radius of the adjacent high pressure gas pipeline.
- F. Based on the available information, the proposed RRO District is comparable to "more or less 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 proposed RRO lots have all of the 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 the 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.

A letter received on December 12, 2006, from Bob Bidner, 148 CR2600N, Mahomet, who lives on this property states that he no longer raises hogs at this address and the petitioner has his blessing if he wants to build more houses on the subject property.
 - (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 one 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.

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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.
- (2) The Site Assessment component rating for the proposed RRO District is 136 to 142.
- (3) The total LESA score is 220 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;
 - (3) Natural or man-made hazards;
 - D. "Much Worse Than Typical" conditions for the following two factors:
 - (1) 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 two single-family dwellings that will result from the proposed RRO will generate 100% more traffic than the non-RRO alternative development of only 1 homes.

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- (2) Trespassing onto adjacent fields may be more likely resulting in damage to crops or to the land itself. The two single-family dwellings that will result from the proposed RRO may generate 100% 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 two single-family dwellings that will result from the proposed RRO may generate 100% more litter than the non-RRO alternative development of only 1 home.
- (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 not create a populated area within one-half mile of the facility and expansion beyond 50 animal units would not be limited by the proposed RRO.

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.

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- (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) 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

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) 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 conditions will minimize the encroachment of driveways and mailboxes in the proposed RRO District into the right of way:

- (1) **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.

- D. 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 a corner radius approved by the Cornbelt FPD 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.

- E. 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
13. Supplemental Memorandum dated December 8, 2006
14. Supplemental Memorandum dated December 14, 2006, with attachments:
 - A Revised Proposed Bateman Tracts received December 14, 2006
 - B Letter from Bob Bidner received December 12, 2006
 - C ANNOTATED APPROVED Summary of Evidence dated October 12, 2006
15. Revised site plan received December 14, 2006, as revised at the public hearing

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; October 12, 2006;** the Zoning Board of Appeals of Champaign County finds that: **and December 14, 2006,**

1. The proposed site **SUBJECT TO CONDITIONS, IS SUITABLE** for the development of **TWO** residences because:
 - A. the site has more or less typical Champaign County conditions due to manmade hazards and safety concerns; and
 - B. much better than typical and nearly ideal conditions for the other considerations of adequacy of roads; effects on drainage; septic suitability; LESA score; and flood hazard status, and the availability of water is more or less typical; and
 - C. the property is between 4 and 5 miles from the Cornbelt Fire Protection District; andand despite:
 - D. the fact that there are high pressure gas pipelines in the vicinity; and
 - E. the site has much worse than typical Champaign County conditions because it is bordered on one side by livestock management facilities; and
 - F. emergency services vehicle access is limited by flooding.
2. Development of the proposed site under the proposed Rural Residential Overlay development **SUBJECT TO CONDITIONS, WILL BE COMPATIBLE** with surrounding agriculture because:
 - A. surface drainage that is much better than typical; and
 - B. the condition to provide an easement for the drainage district tile; and
 - C. the adequacy of the roads that is nearly ideal Champaign County conditions; and
 - D. traffic generated by the proposed RRO District that will be only 100% more than without the RRO;and despite:
 - E. the presence of adjacent livestock management facilities on one side and four other livestock management facilities within a one-mile radius of the property for a total of three active facilities that are by law allowed to expand up to 1,000 animal units; and
 - F. the presence of a drainage district tile near the proposed RRO District.

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, **SHOULD BE ENACTED** by the County Board **SUBJECT TO THE FOLLOWING CONDITIONS:**

- A. **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.**
- B. **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.**
- C. **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.**
- D. **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.**

- E. 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.**
- F. 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.**
- G. 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 a corner radius approved by the Cornbelt FPD 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.**
- H. 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.**
- I. 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.**

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: **February 6, 2007**
RE: **Case 542-AM-06 Rural Residential Overlay Map Amendment for
proposed 8 lot RRO**

Zoning Case 542-AM-06

Request: **Amend the Zoning Map to allow for the development of 8 single-family residential lots in the AG-1 Agriculture Zoning District by adding the Rural Residential Overlay (RRO) Zoning District.**

Petitioners: **Louis and Jo Ann Wozniak**

Location: **A 57.64 acre tract of land located in the East ½ of the Southwest ¼ of Section 22 of Newcomb Township and located on the west side of Illinois Route 47 and between CR 2600N and CR 2650N.**

STATUS

The Zoning Board of Appeals voted to "RECOMMEND DENIAL" of this proposed Rural Residential Overlay (RRO) rezoning at their February 1, 2007, 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 second RRO to be proposed in the vicinity of the underground Manlove Gas Storage Facility. See item 17 on pages 15 through 21 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. See the Required Finding below.

The site plan originally proposed 34 building lots but over the course of the public hearing the Revised Concept Plan was reduced to only 11 total lots of which three lots could done "by right" without RRO approval.

No frontage protests have 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 **IS NOT SUITED** for the development of 8 residences because:

of the presence of nearby man-made hazards which are high-pressure gas pipelines and gas injection wells that take up a significant portion of five of the lots (see items 17. B., C, D, E, F*) and which outweighs other features related to development suitability which are nearly ideal such as flood hazard status and environmental considerations (see items 16 and 21*) and features which are much better than typical such as road safety, septic suitability, effects of nearby farms, LESA score, and (see items 22, 11, 13, 18, and 19*)

and despite:

a condition that the homes are required to be built outside of the Potential Impact Radius of the high pressure gas pipelines and injection wells (see item 24. A.(3)).

* 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.

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 NOT BE COMPATIBLE** with surrounding agriculture because:

A. the impact on drainage is not known especially in regards to upstream landowners because of the uncertainty of the replacement of all underground tile (see item 12*); and

B. the less reliable tile maintenance that will result under the proposed development (see item 12*);

and despite:

C. the requirements of the Stormwater Management Policy (see items 9.C. and 24.B. *); and

D. the LE rating of 82 which is much better than typical for Champaign County (see items 10. and 19.*).

* refers to items in the Summary of Evidence

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

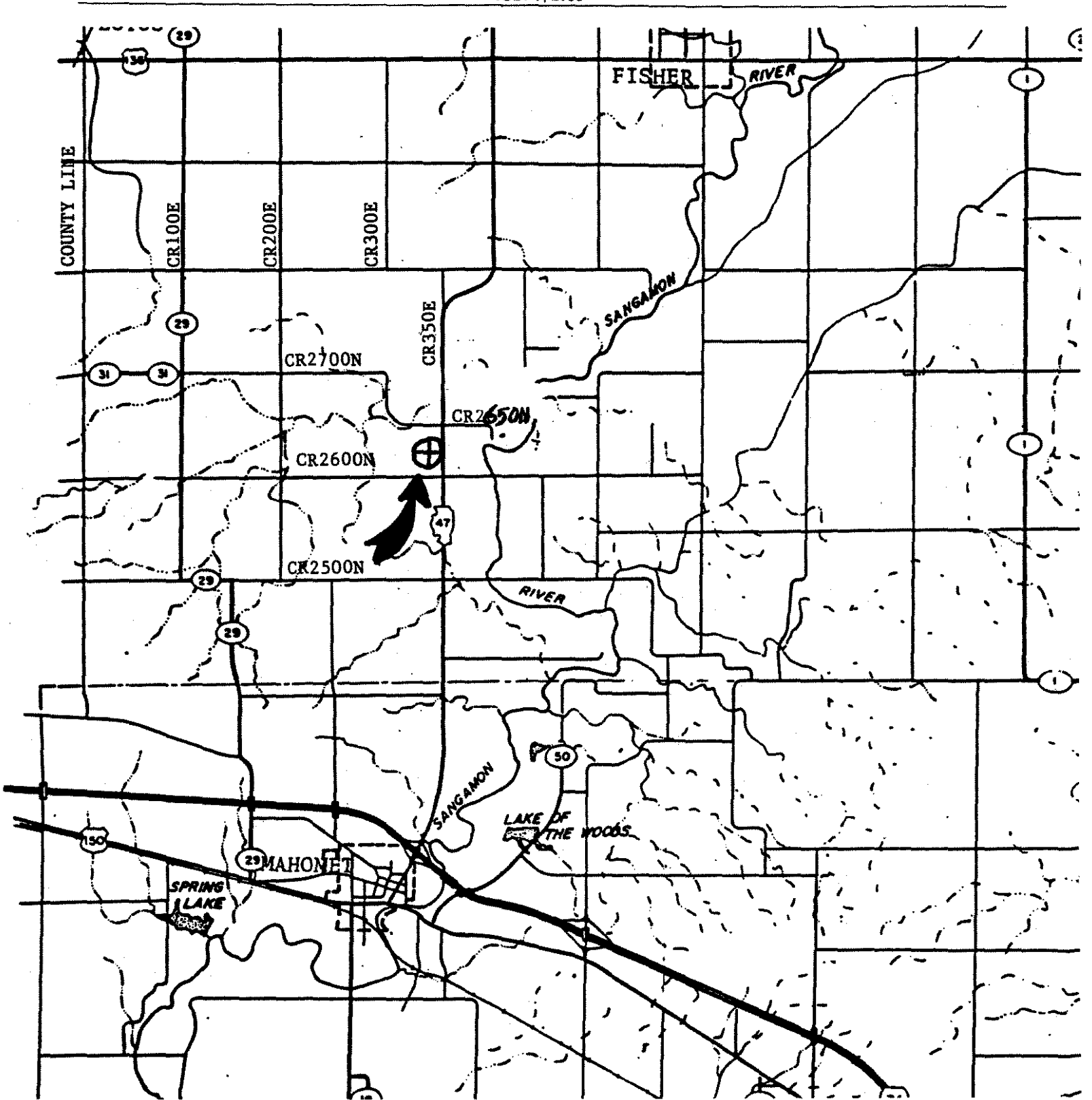
ATTACHMENTS (excerpted from the Documents of Record)

- A Zoning Case Maps (Location, Land Use, Zoning)
- B Revised Concept Plan of Shiloh Swale Subdivision received on August 14, 2006, with RRO lots identified
- C Summary of Evidence, Finding of Fact, and Final Determination of the Champaign County Zoning Board of Appeals as approved on February 1, 2007 (UNSIGNED)


ATTACHMENT A. LOCATION MAP

Case 542-AM-06

JULY 7, 2006

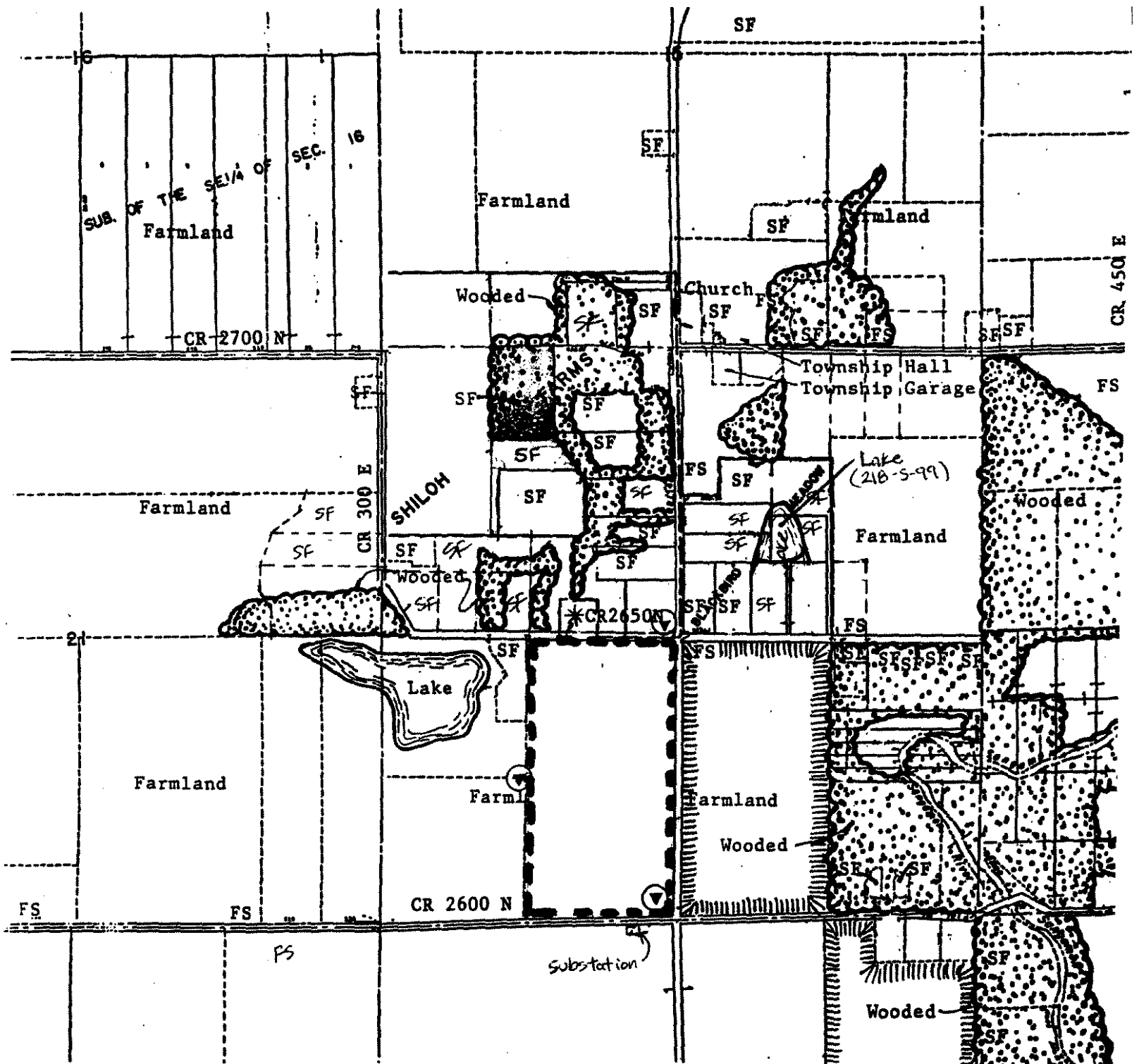


Champaign
County
Department of
**PLANNING &
ZONING**



NORTH

ATTACHMENT A. LAND USE
Case 542-AM-06
 AUGUST 31, 2006



* SHILOH CEMETERY (300-5-03)

⊙ GAS INJECTION WELL



Area of Concern



LIVESTOCK MANAGEMENT FACILITY



Single Family



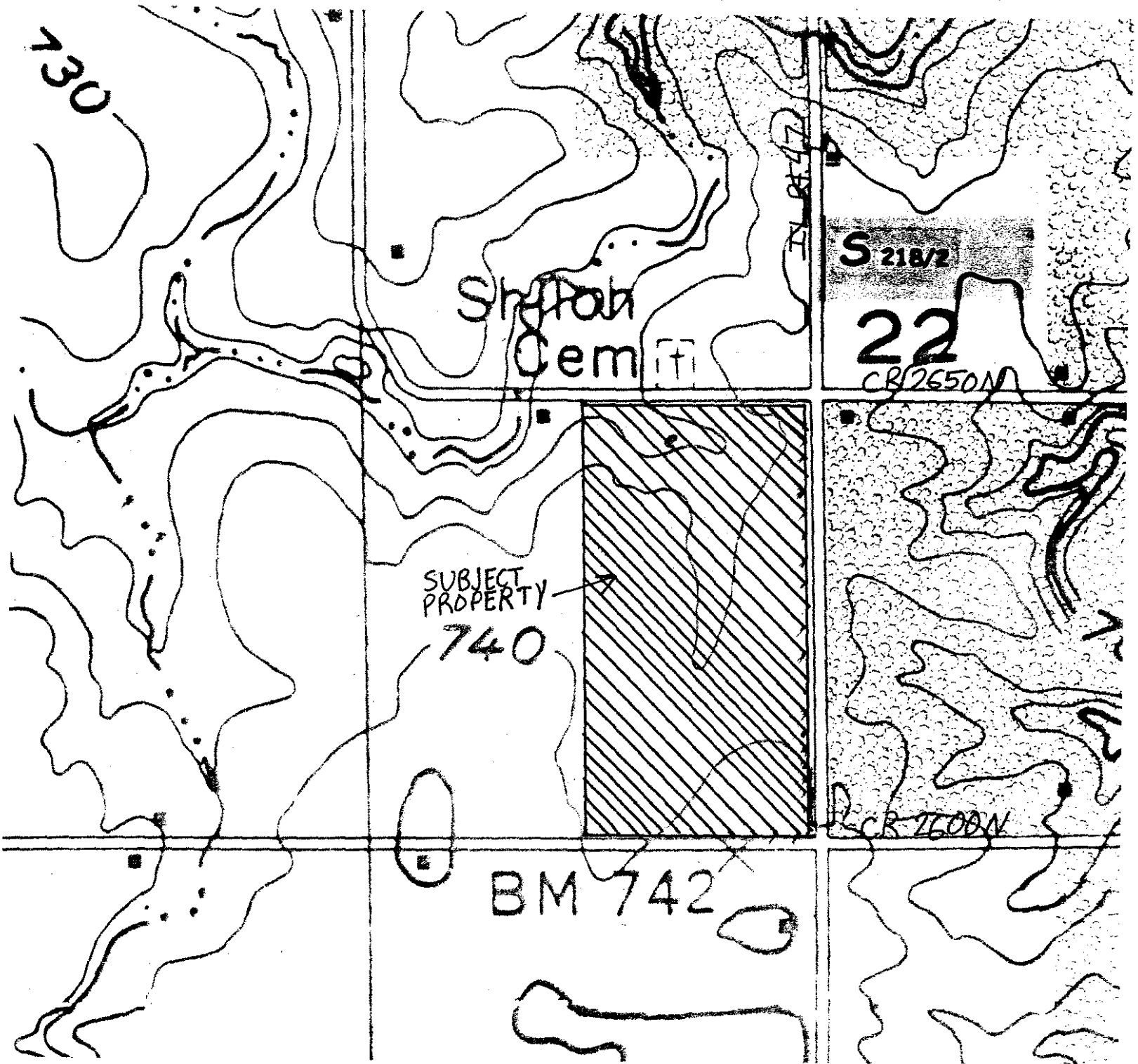
Farmstead



NORTH

Champaign
 County
 Department of
**PLANNING &
 ZONING**

ATTACHMENT A. ZONING MAP
 Case 542-AM-06
 JULY 7, 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 Home 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



Champaign
 County
 Department of
**PLANNING &
 ZONING**

Wozniak

SHILOH SWALE SUBDIVISION

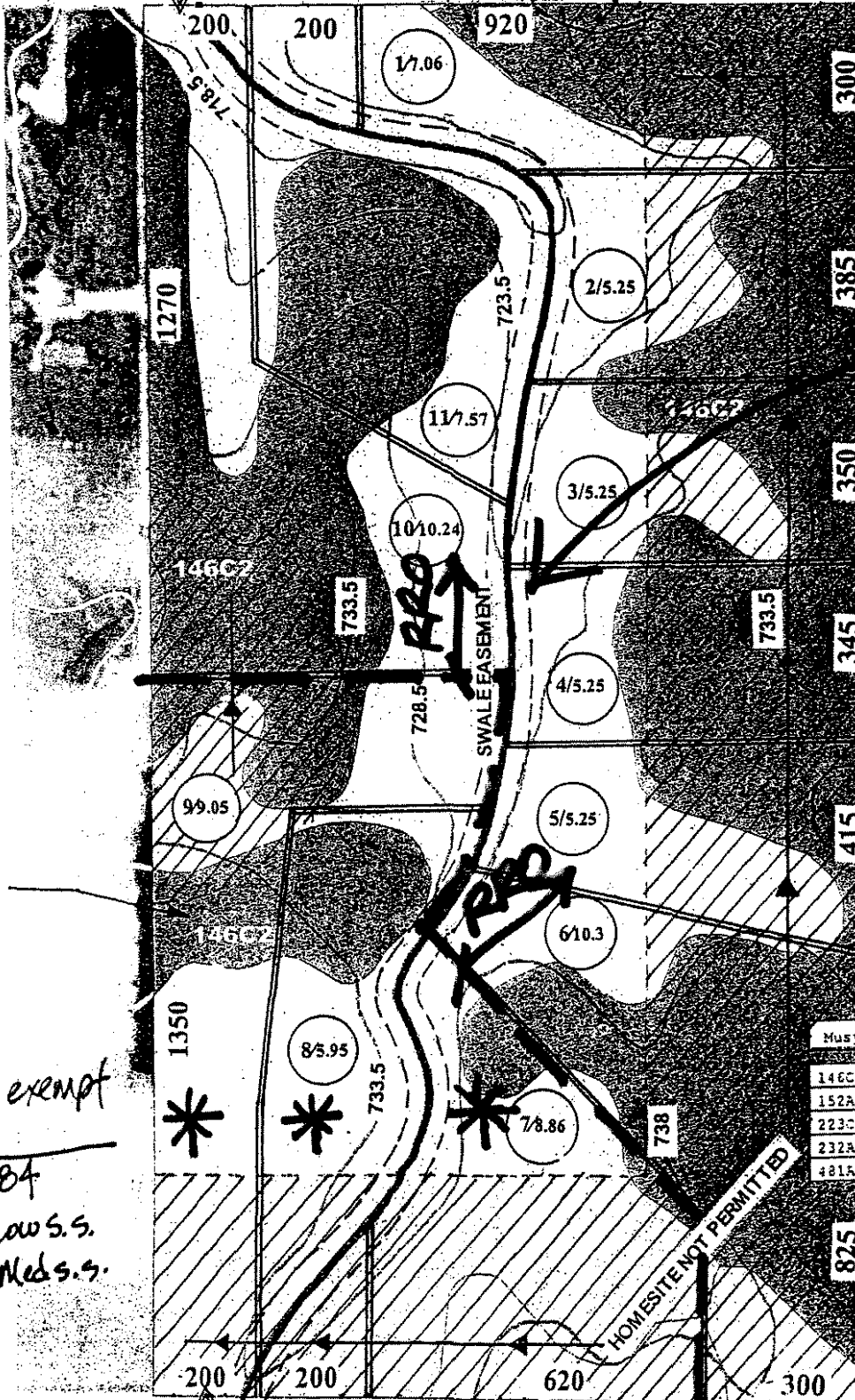
LEGEND

- LOT ENTRANCE
- SHARED ENTRANCE

LOT NO. ACRES

C.R. 2650 N

DIMENSIONS ARE APPROXIMATE



PRO lots
LE ≈ 82
56% Med S.S.
44% Low S.S.

View1

Wozniac-2202solis.shp

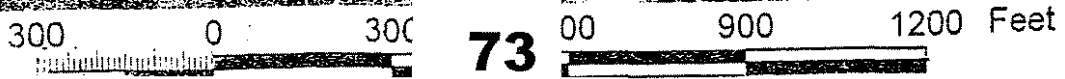
	146C2
	152A
	223C2
	232A
	481A

Soils

** PRO exempt lots*
LE ≈ 84
74% Low S.S.
36% Med S.S.

Musym	First Name	Sum Acres
146C2	Elliott	38.2900
152A	Drummer	1.1000
223C2	Varna	0.9000
232A	Rahnum	42.5000
481A	Raub	1.8000

C.R. 2600 N



AS APPROVED (RECOMMEND DENIAL)

542-AM-06

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

Final Determination: ***RECOMMEND DENIAL***

Date: February 1, 2007

Petitioner: Louis and JoAnn Wozniak

Request: Amend the Zoning Map to allow for the development of 8 single family residential lots in the AG-1 Agriculture Zoning District, by adding the Rural Residential Overlay (RRO) Zoning District to an 57.64 acre tract of land located in the East ½ of the Southwest ¼ of Section 22 of Newcomb Township.

FINDING OF FACT

From the documents of record and the testimony and exhibits received at the public hearing conducted on July 13, 2006; and August 31, 2006; and November 16, 2006; and February 1, 2007, the Zoning Board of Appeals of Champaign County finds that:

1. The petitioners are Louis and JoAnn Wozniak, owners of the subject property.
2. The subject property is located in the East ½ of the Southwest ¼ of Section 22 of Newcomb Township, and commonly known as the field on the west side of Route 47 between CR 2650N and CR 2600N.
3. The subject property is not located within the one and a 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:

No error exists. Request change according to this petition.

5. Land use and zoning on the subject property and in the immediate vicinity are as follows:
 - A. The subject property is zoned AG-1 and is currently in agricultural use.
 - B. Land adjacent to and located north, west, and south of the subject property is zoned AG-1. Land to the south is used as farmland. Land to the west is used as farmland and a small lake. Land to the north is used as large lot single family residential development.

Item 5. (continued)

- C. Land adjacent to and located east of the subject property is zoned CR Conservation-Recreation and is used as farmland.

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;

Item 6.C. (continued)

- (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

AS APPROVED (RECOMMEND DENIAL)

Item 7.C. (continued)

- (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 this 81.5 acre subject property without authorization for the RRO Zoning District. The number of 35 acre lots that could also be created depends upon the how the smaller lots are created. It is reasonable to assume that the smaller lots would not be created by a Plat of Subdivision that needs County approval. However, this tract has been this size and shape since before 1959 and two lots that are each less than five acres in area could be created without a Plat of Subdivision and the third smaller lot could be no larger than five acres which means that the three small lots could be created and take up no more than 10 acres of the property thereby leaving enough land for two 35 acre lots for a total of five RRO exempt lots.

GENERALLY REGARDING THE PROPOSED RRO DISTRICT

- 9. The proposed RRO lots meet or exceed the minimum lot standards in the Zoning Ordinance. The proposed Concept Plan has been subject to one revision, as follows:

Item 9. (continued)

- A. The original Concept Plan was received on February 16, 2006, and described the following:
- (1) There were 34 buildable lots and three outlots proposed. The buildable lots ranged in size from 1.3 acres to 2.8 acres; the average lot area after subtracting rights-of-way is 1.886 acres.
 - (2) A 30 foot wide pipeline easement was indicated along the entire perimeter of the proposed subdivision, this area was also marked as a bike and walking path.
 - (3) The proposed subdivision could be accessed from CR 2600N and CR 2650N with one access road connecting both entrances. Three cul-de-sacs branched off from the local access road.
 - (4) The drainage from the swale that runs through the middle of the subject property was proposed to be carried in roadside ditches and one of the outlots was a stormwater detention pond.
- B. The revised Concept Plan was received on August 14, 2006, and described the following:
- (1) There are 11 buildable lots and no outlots proposed. Since the subject property can be divided into as many as three lots by right, the proposed RRO is for only 8 lots. Mr. Wozniak testified at the August 31, 2006, public hearing that he is asking for an 8 lot RRO but the 81.5 acres will have 11 lots in total because three of the lots are “by-right”.
 - (2) The 11 new lots will range in size from 5.25 acres to 10.3 acres; the average lot area is 7.28 acres.
 - (3) Each lot provides adequate area for a home to be built outside the People’s Gas 90 foot pipeline easement, and outside the potential impact radius of the adjacent high pressure gas pipeline (see item 17).
 - (4) There are no new roads proposed in the revised Concept Plan, but there are seven new driveways accessing the roads around the subject property as follows:
 - (a) Along the north side of the property there are two entrances that access CR 2650N: one for Lot 1 and a shared entrance for both Lots 10 and 11.
 - (b) Along the east side of the property there are two entrances that access IL Rt. 47, one is shared between Lots 2 and 3, and the other is shared between Lots 4 and 5.
 - (c) Along the south side of the property there are three entrances that access CR 2600N: a shared entrance for Lots 8 and 9; a single entrance for Lot 7; and a single entrance for Lot 6.
 - (5) In the revised plan the swale is proposed to be protected by means of an easement 80 feet wide.

Item 10.B. (continued)

- (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 83.
- C. Site specific concerns stated in the Section 22 report are the following:
- (1) The area that is to be developed has 2 soil types that have severe wetness characteristics and 2 that have severe ponding characteristics. This will be especially important for the septic systems that are planned.
 - (2) The property has a waterway running from south to north that drains land to the southwest that will need to be maintained. The placement of lots will make this difficult based on the existing plat.

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 8 new residences are estimated to account for an increase of approximately 80 ADT in total. The maximum traffic increase on each road bordering the subject property is as follows
 - (1) CR 2650N has three lots proposed to access it, which would be an increase of 30 ADT, and two driveways.
 - (2) IL Rte. 47 has four lots proposed to access it, which would be an increase of 40 ADT, and four driveways centralized at two locations.

AS APPROVED (RECOMMEND DENIAL)

Item 11.C. (continued)

- (3) CR 2600N has four lots proposed to access it but three are RRO exempt which would be an increase of 10 ADT and one driveway.
- 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) CR 2650N on the north side of the subject property had an AADT for 2001 of 25.
 - (2) There is no reported AADT for CR 2600N on the south side of the subject property.
 - (3) IL Rt. 47 on the west side of the subject property had an AADT for 2001 of 3650. The traffic assumed to be generated by the proposed RRO is approximately 2.2% of the 2001 AADT.
- 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.

Item 11. (continued)

- H. At the July 13, 2006 ZBA meeting, Doug Emkes testified that the impact of 35 to 70 people on CR 2600N and 2650N could be severe if people don't want to travel on Rte. 47 with it being so busy. He also testified that two years ago there was an accident in the area when a woman got hit pulling out of her driveway.
- I. 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 access is from a Township Highway and is adjacent to IL 47 so any deficiencies are minor.

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 the letter of May 27, 2004, from the Petitioner and Harry G. Wenzel, P.E. which can be summarized as follows (evidence that is no longer relevant to the revised Concept Plan received Aug. 14, 2006, is so indicated):
 - (1) The site slopes generally northward. It is mostly agricultural, except for the 90 foot wide swale running generally through the center of the subject property.
 - (2) The swale drains from south to north carrying drainage from farmland south of it and itself to the northwest corner; through two culverts under CR 2650N to a natural ditch; and then north to a Sangamon River tributary. There are no roadside ditches involved in drainage from this property.
 - (3) Two areas of significant ponding are indicated with one in the southeast corner of the subject property and one in the northeast corner.
 - (4) The proposed subdivision's internal road ditches, where feasible, will maintain current drainage flow. Minor surface recontouring would assure continual flow and correct ponding problems. (Not relevant to the revised Concept Plan received on Aug. 14, 2006)
 - (5) Stormwater detention is not required due to the low percent of impervious area.
 - (6) When completed the extensive grass covering the new development will filter runoff better than the single swale
 - B. The concept plan received on May 31, 2006 indicates topographic contours at five foot intervals. Review of these contours indicates the following:
 - (1) Ground slope varies between 0.7% and approximately 4%, but there may be small areas with 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.

Item 12.B. (continued)

- (2) Existing surface drainage for the subject property is via a natural drainage swale that drains towards the northwest corner of the subject property. The drainageway is indicated on the Surface Water Flow illustration in the Natural Resource Report prepared by the Champaign County Soil and Water Conservation District. Under the revised Concept Plan the natural drainage swale is preserved by means of an 80 foot easement.

Paragraph 7.1 B. of the Champaign County Stormwater Management Policy requires that natural drainageways be incorporated into any drainage system.

- C. At the July 13, 2006 ZBA meeting the following testimony was given regarding local drainage conditions:
 - (1) Doug Emkes testified that he has ground saturation problems on the land he owns and most of it drains to the east, and Frank Kamerer's land drains to the west. He also testified that the tile on the subject property is 8 to 10 inches.
 - (2) Dave Nelson, 2659 CR 350E, Mahomet, testified that his property adjoins the creek downstream and there was no concern shown for the downstream impact of the development regarding environmental effects or erosion. He said that the creek does flood and the creek bed does overflow and get as high as four or five feet, which is why he is concerned about erosion, and he is concerned about erosion in the creek on the backside of his property.
 - (3) Tom Knuth, 336 CR 2650N, testified that he has a drainage ditch that runs along the west side of his property and circles around the north end of his property and he was informed that a few years ago half of his back yard was under water. He has concerns about where that drainage is going to go if there is extra drainage from the subject property.
- D. Mr. Kevan Parrett, who resides at 180 CR 2400N, Mahomet testified at the August 31, 2006, meeting as follows:
 - (1) He is a farmer in the area where the proposed development is to be located and he is representing Keith Hazen, who is the manager of the Hazen Farm and Trust. He said that the Hazen farmground is located directly south of the Wozniak property on CR 2600N.
 - (2) He said that the Hazen ground has approximately 60 acres which drains through the swale and it is his assumption that there is tile on the Hazen land which is connected to the tile which runs under the Wozniak property. He said that the revised plan causes the Hazen estate concern regarding drainage. He said that it appears that Mr. Wozniak is trying to address the drainage issues by informing the lot purchaser about the existing tiles but there is concern about conveying this information to future owners. He said that Mr. Wozniak discussed an easement but it is his understanding that this is a private tile

Item 12.D. (continued)

therefore there would be no need for an easement because each landowner would be responsible for their tile for surface drainage. He said he would like to know what mechanism would be used for future landowners of the development in regard to the tile.

- F. Overall, the subject property and proposed RRO are comparable to “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) All of the soils on the subject property are “wet” soils.
 - (2) There is good surface drainage with adequate outlets and the property 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. A soil percolation test of the subject property was performed by the Petitioner and submitted on June 27, 2006 and the results were as follows:
- (1) Tests were made on: March 24, 2006 and June 26, 2006 at three different locations:
 - (a) Location 1 is in the southwest corner of the subject property, which is an area of Ashkum soil (map unit 232A).
 - (b) Location 2 is in the northeast corner of the subject property, which is an area of Elliott soil (map unit 146C2)
 - (c) Location 3 is in the southeast corner of the subject property, which is an area of Drummer soil (map unit 152A)
 - (2) Findings reported from the test were as follows:
 - (a) The test was for the purpose of assessing septic field tile absorption adequacy. Location 3 was chosen as the benchmark location because it yielded the worst possible absorbency. The early March date was chosen as the benchmark date for the same reason.
 - (b) In order to pass the percolation test water must be absorbed at an average rate of not less than 1 inch per hour for the last 6 inches above the water table. Location 3 at the March testing date just met the 1 inch per hour criterion, taking a full 6 hours for the last 6 inches of water to be absorbed. All other tests on the subject property exceeded the 1 inch per hour criterion.
 - (c) The only mention of observed groundwater levels appears to be that groundwater was observed at a depth of 27 inches in the March, 2006, test. Groundwater is not mentioned in the other tests.

AS APPROVED (RECOMMEND DENIAL)

Item 13.A. (continued)

- (d) The Petitioner asserts that based on the percolation test results the soil of the site will support septic field absorption requirements.

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 soil types on the subject property can be summarized as follows:

- (1) Elliott silt loam (map unit 146B) has a medium suitability for septic tank leach fields with a soil potential index of 79. Elliott has severe wetness problems due to both low permeability and a high groundwater level (1 to 3 feet below the surface of the ground). The typical corrective measures are fill or subsurface drainage improvements (underground drain tiles or curtain drains) to lower the groundwater level. Elliott soil makes up about 44.4% (about 36.2 acres) of the subject property and is likely to make up a significant portion of all proposed lots except Lot 7.
- (2) Ashkum silty clay loam (map unit 232A) has a low suitability for septic tank leach fields with a soil potential index of 49. Ashkum has severe ponding problems due to low permeability, severe flooding, and a high groundwater level similar to Drummer soil (one-half foot above to 2 feet below the surface of the ground). The typical corrective measures are fill, a large absorption field, or subsurface drainage improvements (underground drain tiles or curtain drains) to lower the groundwater level. Ashkum soil makes up about 52% (about 42.5 acres) of the subject property and is likely to make up a significant portion of all proposed lots
- (3) Raub silt loam (map unit 481A) has a medium suitability for septic tank leach fields with a soil potential index of 79. Raub has severe wetness problems due to low permeability and a high groundwater level (1 to 3 feet below the surface of the ground). The typical corrective measures are fill, a large absorption field, or subsurface drainage improvements (underground drain tiles or curtain drains) to lower the groundwater level. Raub soil makes up about 2.2% (about 1.8 acres) of the subject property and all Raub soil is located outside the buildable area on Lot 7.
- (4) Drummer silt loam (map unit 152A) has a low suitability for septic tank leach fields with a soil potential index of 53. Drummer has severe wetness problems due to low permeability and a high groundwater level. The typical corrective measures are fill, a large absorption field, or subsurface drainage improvements (underground drain tiles or curtain drains) to lower the groundwater level. Drummer soil makes up about 1.3% (about 1.1 acres) of the subject property and all Drummer soil is outside the buildable area on Lot 6.

Item 13.B. (continued)

- (5) Overall septic suitability of the soils on the proposed RRO District can be summarized as follows:
 - (a) Approximately 56.3% of the proposed RRO District consists of soils that have a medium suitability for septic tank leach fields due to a high groundwater level and low permeability.
 - (b) Approximately 43.7% of the proposed RRO District consists of soils that have a low suitability for septic tank leach fields due to severe wetness problems due to flooding and a high groundwater level as well as low permeability.
 - (c) All the soils on the subject property have severe problems of one sort or another when considering septic suitability. Curtain drains will be required for all the proposed lots to lower the water table to allow onsite septic systems to function properly. All proposed lots, in the revised site plan, have a significant area of Elliot soil that could be used as a location for the septic system, except Lot 7.
 - (d) According to the percolation tests performed on the subject property the permeability of the soils will not be a problem; however, high water tables, as shown by the ponding that continues to occur on the subject property will be a problem without the installation of curtain drains to lower the water table in absorption fields.
- C. Under the revised Concept Plan the natural drainage swale is preserved by means of an 80 foot easement.
- D. The wetness of the soils as indicated by the Champaign County Soil Survey indicates that basements and crawl spaces in the proposed development can be expected to be wet unless provided with sump pumps to lower the groundwater level. Sump pumps would produce “dry weather flows” of groundwater that need to be accommodated by some means other than discharge to the swale or hooking into agricultural drainage tile. The very low overall density resulting from the large average lot area of 7.2 acres in the revised Concept Plan may mitigate the concerns related to wetness of the soils on the subject property.
- E. At the July 13, 2006 ZBA meeting Dave Nelson, 2659 CR 350E, Mahomet, testified that the petitioner’s perc tests need to be reviewed because the area has been in drought conditions and the perc tests should be performed in normal conditions. He also testified that after living out there for ten years he has seen some problems with septic systems that his neighbors have been able to work out, but this will be a different situation. He said that finding someone to service these systems and maintain them for you is not as easy as one might think because of proprietary rights.

Item 13. (continued)

- F. 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 about 56% of the soils in the proposed RRO District have medium septic suitability compared to the approximately 51% of the entire County that has a Low Potential but all soils should be considered wet until better information is provided.

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. Overall, the subject property and proposed RRO are comparable to “typical” conditions for Champaign County in terms of common conditions for the availability of water supply because there is reasonable confidence of water availability; and there is no reason to suspect 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 4.5 miles from the Cornbelt Fire Protection District station on Main Street in Mahomet; the approximate travel time is 7 minutes. The Fire District Chief has been notified of this request for rezoning.
 - B. At the July 13, 2006 ZBA meeting, the petitioner, Louis Wozniak, testified that, the Cornbelt Fire Protection District has an agreement with the Sangamon Valley Fire Protection District, and therefore, this property has two responding stations.
 - C. Overall, the subject property and proposed RRO are comparable to “typical” conditions for Champaign County in terms of common conditions for the availability of emergency services because the site is between four and five road miles from the Cornbelt 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. 170894-0100 none of the subject property is located within the Special Flood Hazard Area.

17. Regarding the presence of nearby natural or man-made hazards; there are several natural gas line hazards near the subject property, and a 14 acre lake as follows:
- 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 east, and south sides of the subject property. There are also natural gas injection wells for the Manlove Gas Storage facility at the northeast and southeast corners of the subject property as well as one at the midpoint of the west boundary.
 - 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.

AS APPROVED (RECOMMEND DENIAL)

Item 17.B. (continued)

- (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.
 - (c) There are also no high consequence areas on or near the subject property.
 - (2) In a letter dated July 7, 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' has three pipelines along the east and south lot lines of the subject property, including, an alcohol line, a water line, and a high pressure natural gas line, with a 30 foot easement for each and a total easement width of 90 feet.

Item 17.C.(2)(a) (continued)

Along the north lot line of the subject property Peoples' has only a water line and only a 30 foot easement. Along the west line of the subject property the only easement Peoples' has is a 90 foot circular easement area surrounding the injection well placed at the midpoint of the west lot line. These easements give Peoples' 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.

- (b) 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.
- (c) The gas pipelines on the east and south sides of the property are nominal 12 inch diameter (12.75 inch actual outside 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.
- (d) Peoples Gas has not asked the Board to prohibit building within the red zone on the map of Manlove Storage Area and Shiloh Swale Subdivision that is attached to the letter dated July 7, 2006, but the red zone is indicated to educate the Board and the public about requirements of the pipeline safety code.
- (e) 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.
- (f) 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.

AS APPROVED (RECOMMEND DENIAL)

Item 17.C.(2) (continued)

- (g) 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.
- (3) In testimony at the July 13, 2006 meeting the petitioner, Louis Wozniak, testified as follows:
- (a) The easement document does not state where the easements are and all of the pipelines are within 30 or 40 feet of Route 47.
 - (b) The easement was granted in 1965 and renewed in 1980 and the easement has not been renewed since and are the easements still there.
- (4) In testimony at the July 13, 2006, meeting Frank Kamerer, 2648 CR350E testified as follows:
- (a) As people have moved to smaller lots in this area some of them have built houses almost on top of the gas pipeline.
 - (b) He was up there when a joint blew out of a gas pipeline and it put a hole in the ground so big you could put a bus in it.
 - (c) Peoples' replaced three quarters of a mile of gas pipeline on his property last year.
 - (d) These pipelines are man made and some day they are going to fail, but Peoples' has done a good job so far.
- (5) In testimony at the July 13, 2006, meeting Dave Nelson, 2659 CR 350E, Mahomet, testified as follows:
- (a) He was present during the pipeline and well rupture event in 1998 and his house was one mile away from where the event occurred, and it sounded like a jet was landing on Rte. 47. He said the staging area for the Cornbelt Fire Department was at the Shiloh Methodist Church and they could not go any closer until Peoples' shut down the gas line. He tried to film the incident but he could not get his camera to focus on the flames until they had died down significantly.
 - (b) He said Peoples' Gas are great neighbors and they try to keep the gas line safe.
- (6) In testimony at the August 31, 2006 meeting the petitioner, Louis Wozniak, testified as follows:
- (a) He said that if the July 13, 2006, minutes are reviewed Mr. Puracchio states that, "clearly the regulations do not in any way require that building not be allowed within the zone and that's not the intent of the code and that's not what he is trying to tell the Board...".

Item 17.C.(2)(6) (continued)

- (b) His easement contract clearly holds People's Gas responsible for any damage that occurs from installation and operation of the gas pipeline.
 - (c) He said that Mr. Puracchio stated that the pipeline was designed to handle 2,000 pounds per square inch (PSI) but they only operate at approximately 1750 pounds per square inch. Mr. Wozniak stated that operating at 250 PSI less than design means that the approximate 400 feet changes, depending upon what pressure is used, and the design is merely a safety factor which makes the pipeline stronger. He said that the "flashing red light" zone should be on the operating pressure and not the design pressure.
 - (d) He said that when an injection well is near a home People's Gas installs a fence around the injection well but as the photographs, attached to the distributed memorandum, indicate a child can crawl under the fence therefore ignoring safety. He said that there are approximately 90 wells in the area which include unlocked doors for easy access to valves and levers which regulate the gas. He said that on July 24, 2006, he contacted the ICC in Springfield regarding his concerns and on August 10, 2006, he met with Mr. Rex Evans, manager of pipeline safety at the Illinois Commerce Commission, and Mr. Puracchio at one of the wells. He said that during the meeting at the injection well his intention was to show Mr. Evans how easily the valves could be accessed and manipulated. He said that Mr. Puracchio admitted that the valves are sometimes faulty and could be manipulated and that the doors were left unlocked. He said that hopefully the County Board would approve a resolution which would require the gas companies to secure the valves so that they cannot be accessed. He said that you cannot fight stupidity but you can design around it.
- (7) In testimony at the July 13, 2006, meeting Thomas L. Puracchio, Gas Storage Manager for The Peoples Gas Light and Coke Company testified as follows:
- (a) He said that they do feel that they do have a very strong safety record.
 - (b) When he and Mr. Wozniak met with Mr. Rex Evans, who is the manager of pipeline safety at the Illinois Commerce Commission at the well site Mr. Evans stated that People's Gas was in compliance with all applicable pipeline safety regulations and codes.

AS APPROVED (RECOMMEND DENIAL)

Item 17. (continued)

- D. Regarding different results of the Potential Impact Radius formula depending upon the values used in the formula:
- (1) If the actual outside diameter of the pipeline (12.75 inches) is used with the maximum allowable operating pressure (2,000 psi), the result is 393 feet. However, if the nominal diameter of the pipeline (12 inches) is used with the maximum allowable operating pressure (2,000 psi), the result is 373 feet. The Potential Impact Radius is between 393 feet and 373 feet depending upon which pipeline diameter is used.
 - (2) If the actual outside diameter of the pipeline (12.75 inches) is used with the approximate normal allowable operating pressure (1,700 psi), the result is 363 feet. If the nominal diameter of the pipeline (12 inches) is used with the approximate normal operating pressure (1,700 psi), the result is 341 feet. This is not the Potential Impact Radius as defined by Title 49, Part 192 of the Code of Federal Regulations but may be useful in a zoning context.
- E. The revised concept plan received on August 14, 2006, indicates the following in regards to pipeline safety:
- The proposed RRO will affect the current class locations as follows:
- (a) The high pressure natural gas pipeline that follows the south and east lot lines of the subject property will take on four to eight new buildings intended for human occupancy, most likely raising it to a Class 2 location.
 - (b) The high pressure natural gas pipeline and injection well that sits at the midpoint of west lot line of the subject property will take on four new buildings intended for human occupancy, but remain a Class 1 location.
 - (c) The proposed RRO will not create any high consequence areas.
- (2) There is a non-buildable area approximately 400 feet deep that runs along the east and south lot lines of the subject property, and another non-buildable, semi-circular area 400 feet in radius at the midpoint of the west lot line of the subject property.
 - (3) There are no easements indicated for either pipeline area.
- F. At the July 13, 2006 ZBA meeting Doug Emkes testified that he owned a 14 acre lake which would be an attractive hazard for young boys living in the proposed RRO and that he would like some kind of fence between his property and the proposed subdivision.

Item 17. (continued)

- G. Overall, the subject property and proposed RRO are comparable to “much worse than typical” conditions for Champaign County in terms of common conditions for the presence of nearby natural or manmade hazards because there are gas lines on the north, east and south sides and a gas well on the west side.

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

- 18. (1) Likely effects of nearby farm operations on the proposed development:
 (a) Analysis of land use within a one-half mile radius of the subject property indicates the following:
 Row crop production agriculture occupies more than half of the land area within the immediate vicinity of the proposed RRO District and occurs on about one-half of the perimeter of the proposed RRO. Illinois Route 47 on the east side provides some separation from the farmland to the east.
- (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 are two known livestock management facility within one mile of the subject property. One livestock management facility is located directly east of the subject property and across Ill. Rte. 47 and the other livestock management facility is located about one quarter mile southeast of the subject property. The proposed RRO District is upwind of both livestock facilities and the prevailing wind may help mitigate any odors associated with livestock facilities.
- 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.

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.

AS APPROVED (RECOMMEND DENIAL)

Item 19.A. (continued)

- (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 82.
 - (2) The Site Assessment component rating for the proposed RRO District is 120 to 130 depending upon the compatibility with nearby agriculture.
 - (3) The total LESA score is 202 to 212 and indicates a High rating for protection of agriculture.
- 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 LESA score because the LE score is 82. The Site Assessment score is 120 to 130 for a total score of 202 to 212.

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 March 8, 2006, and a reply was received on March 31, 2006. The letter reply indicated that initial report from IDNR showed the presence of protected resources on the subject property, but concluded that adverse impacts to those resources are unlikely. The only protected resource listed as part of the reply was the Sangamon River INAI Site.
 - 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 Dr. Brian Adams of the Public Service Archaeology Program of the Department of Anthropology of the University of Illinois at Urbana-Champaign. The survey found no archaeological material and recommended project clearance.

Item 21. (continued)

- 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 two factors (flood hazard status and environmental concerns)
 - B. “Much Better Than Typical” conditions for four factors (road safety; effects of farms; LESA score, and septic suitability) and
 - C. “More or Less Typical” conditions for three factors (availability of water; emergency services; drainage).
 - D. “Much Worse Than Typical” conditions for one factor (other hazards)

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 about two-thirds of the perimeter of the proposed RRO is agricultural farmland. 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. Given the close proximity of the proposed subdivision to Illinois Route 47 this concern should be minimal.

The 11 single-family dwellings that will result from the proposed RRO (including three by-right) will generate 120% more traffic than the non-RRO alternative development of only 5 homes.
 - (2) Trespassing onto adjacent fields possible resulting into damage to crops or to the land itself.

The 11 single-family dwellings that will result from the proposed RRO (including three by-right) will generate 120% more trespass than the non-RRO alternative development of only 5 homes.

Item 23.A. (continued)

- (3) Blowing litter into the adjacent crops make agricultural operations more difficult.

The 11 single-family dwellings that will result from the proposed RRO (including three by-right) will generate 120% more blowing litter than the non-RRO alternative development of only 5 homes.

- (4) Discharge of “dry weather flows” of stormwater or ground water (such as from a sump pump) can make agricultural operations more difficult. This type of drainage concern is not likely to affect any farmland adjacent to the proposed development.
- (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.

This concern may be reduced for the subject property given the small amount of adjacent farmland.

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 are two known livestock management facility within the vicinity of the subject property.

Item 23.B.(3) (continued)

- (a) Regarding the livestock management facility in the southeast corner of the intersection of CR 2650N and Rte. 47;
 - i. There are already several nonfarm residences within one-quarter mile of the facility; and
 - ii. The facility is already within one-half mile of a populated area containing 10 or more nonfarm dwellings; and
 - iii. The proposed RRO District will not change any requirement for this facility under the Illinois Livestock Management Facilities Act (510 ILCS 77/et seq); and
 - iv. The proposed RRO District is located upwind from the facility, which will help mitigate any odors, but there may be complaints from the proposed 8 lots.

- (b) Regarding the livestock management facility located on the east side of Ill. Rte. 47 and between CR 2600N and CR 2500N;
 - i. There are already several nonfarm residences within one-quarter mile of the facility; and
 - ii. The facility is already within one-half mile of a populated area containing 10 or more nonfarm dwellings; and
 - iii. The proposed RRO District will not change any requirement for this facility under the Illinois Livestock Management Facilities Act (510 ILCS 77/et seq); and
 - iv. The proposed RRO District is located more or less upwind from the facility and the prevailing wind may help mitigate any odors but there may be complaints from the proposed 8 lots.

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

Item 24.A.(1) (continued)

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 October 14, 1965, and recorded at pages 95 and 96 in Book 805 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 542-AM-06; 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. 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. Note that the potential impact radius is measured from the pipeline but the exact location of the pipeline is not known but the pipelines should be within 50 feet of the adjacent right of way. The following condition will provide notice of these restrictions and includes 50 feet (to provide for all possible pipeline locations) in addition to the 393 feet potential impact radius:

No dwelling shall be constructed closer than 443 feet to the right of way of Illinois Route 47 nor closer than 443 feet to the right of way of CR2600N nor closer than 443 feet to any gas injection well in the vicinity

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.

Item 24.A. (continued)

- (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 a prohibition on planting of woody vegetation

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 not drainage district tile and should be replaced by the petitioner unless authorized to remain by variance. The following condition would provide for either situation (replacement or a variance):

AS APPROVED (RECOMMEND DENIAL)

Item 24.B.(2) (continued)

Prior to offering any lots for sale the petitioner shall replace the underground drainage tile in the swale and any lateral drainage tile on the property 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 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**

Item 24.C. (continued)

to ensure that

emergency services vehicles have adequate access to all properties.

D. 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.

E. 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 542-AM-06

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. Application, received February 16, 2006, with attachments:
 - A Discussion of RRO factors
 - B Section 22 Natural Resource Report from CCSWCD
 - C IDNR Report
 - D Phase I Archaeological Reconnaissance Survey (abridged)
 - E Newcomb Township Buried Gas Lines Map
 - F Code of Federal Regulations on Pipeline and Hazardous Materials Safety
 - G Schematic of Proposed Subdivision
 - H Copy of Title Policy
 - I Phase I Archaeological Reconnaissance Survey (full text)
 - J Professional Engineer report
 - K March 24, 2006 – June 26, 2006 Percolation Tests

2. Preliminary Memorandum with attachments:
 - A Case Maps (Location, Land Use, Zoning)
 - B Table of Petitioner Submittals
 - C Concept Plan of Shiloh Swale Subdivision received on 5/ 31/06
 - D Professional Engineer report (with figures) received on 5/31/06
 - E Champaign County Land Use Regulatory Policies as amended 11/20/01
 - F Factors affecting suitability for RRO District Establishment received on 5/ 31/06 (petitioner's submittal)
 - G Section 22 Natural Resource Report by the Champaign County Soil and Water Conservation District
 - H IDOT maps (two at different scales)
 - I Petitioner's percolation test results
 - J Excerpted worksheets from *Soil Potential Ratings For Septic Tank Absorption Fields Champaign County, Illinois*
 - K Open Title Policy received on 5/31/06 (petitioner's submittal)
 - L Newcomb Twp. Buried Gas Lines map received on 5/ 31/06 (petitioner's submittal)
 - M Excerpt from Code of Federal Regulations received on 5/ 31/06 (petitioner's submittal)
 - N Land Evaluation and Site Assessment Worksheet
 - O Table Of Common Conditions Influencing The Suitability Of Locations For Rural Residential Development In Champaign County
 - P Comparing The Proposed Site Conditions To Common Champaign County Conditions
 - Q Summary Of Site Comparison For Factors Relevant To Development Suitability
 - R Summary Of Comparison For Factors Relevant To Compatibility With Agriculture
 - S DRAFT Summary of Evidence (included separately)

3. Letter dated July 7, 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
4. Revised Petitioner Submittals, received on August 14, 2006
 - A Concept Plan of Shiloh Swale Subdivision
 - B Petitioner's revised Factors affecting suitability for RRO District Establishment
5. Supplemental Memorandum dated August 25, 2006 with attachments:
 - A Revised Site Plan for Shiloh Swale Subdivision, received on August 14, 2006
 - B Petitioner's revised Factors for RRO Approval, received on August 14, 2006
 - C Draft minutes for case 542-AM-05 for July 13, 2006, ZBA meeting
6. Supplemental Memorandum dated August 31, 2006, with attachments:
 - A Revised Land Use Map
 - B Revised Land Use Map Indicating Areas within 220 yards of a High Pressure Gas Pipeline
 - C Page 28 from the 2005 Champaign County Plat Book with annotations
 - D Summary of Illinois Livestock Management Facilities Act General Requirements Related to Size of Facility
 - E Excerpts from Title 49 of the Code of Federal Regulations
 - F Revised Draft Summary of Evidence
7. Supplemental Memorandum dated November 9, 2006, with attachments:
 - A Revised Concept Plan of Shiloh Swale Subdivision received on August 14, 2006
 - B Site Comparison for Factors Relevant To Development Suitability
 - C Summary of Site Comparison for Factors Relevant To Development Suitability
 - D Revised Summary Of Comparison For Factors Relevant To Compatibility With Agriculture
 - E Revised Draft Summary of Evidence
8. Handout by Louis Wozniak at the August 31, 2006, public hearing
9. Supplemental Memorandum dated January 25, 2007, with attachments:
 - A Revised Concept Plan of Shiloh Swale Subdivision received on August 14, 2006
 - B Draft minutes of hearing of August 31, 2006
 - C Site Comparison for Factors Relevant To Development Suitability
 - D Summary of Site Comparison for Factors Relevant To Development Suitability
 - E Revised Summary Of Comparison For Factors Relevant To Compatibility With Agriculture
 - F Revised Draft Summary of Evidence

10. Supplemental Memorandum dated February 1, 2007, with attachments:
 - A Revised Concept Plan of Shiloh Swale Subdivision received on August 14, 2006, with RRO lots identified
 - B Section 22 Natural Resource Report by the Champaign County Soil and Water Conservation District
 - C Table Of Common Conditions Influencing The Suitability Of Locations For Rural Residential Development In Champaign County
 - D REVISED Site Comparison for Factors Relevant To Development Suitability
 - E REVISED Summary of Site Comparison for Factors Relevant To Development Suitability
 - F REVISED Draft Summary of Evidence
11. Letter from Warren York of York Well Drilling dated 1/ 10/07
12. Handout from petitioner Louis Wozniak at the February 1, 2007, public hearing

FINDING OF FACT

From the Documents of Record and the testimony and exhibits received at the public hearing conducted on **July 13, 2006; and August 31, 2006; and November 16, 2006; and February 1, 2007**, the Zoning Board of Appeals of Champaign County finds that:

1. The Proposed Site is **NOT SUITED** for the development of **8** residences because:

of the presence of nearby man-made hazards which are high-pressure gas pipelines and gas injection wells that take up a significant portion of five of the lots and which outweighs other features related to development suitability which are nearly ideal such as flood hazard status and environmental considerations and features which are much better than typical such as septic suitability, effects of nearby farms, LESA score, and road safety

and despite:

a condition that the homes are required to be built outside of the Potential Impact Radius of the high pressure gas pipelines and injection wells.

2. Development of the Proposed Site under the proposed Rural Residential Overlay development **WILL NOT BE COMPATIBLE** with surrounding agriculture because:

- A. **the impact on drainage is not known especially in regards to upstream landowners because of the uncertainty of the replacement of all underground tile; and**

- B. **the less reliable tile maintenance that will result under the proposed development;**

and despite:

- C. **the requirements of the Stormwater Management Policy; and**

- D. **the LE rating of 82 which is much better than typical for Champaign County.**

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 **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

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, Director**
Date: **February 7, 2007**
RE: **IL 130/ High Cross Road Corridor Plan**

REQUESTED ACTION

The Champaign Urbana Urbanized Area Transportation Study (CUUATS) has requested that the County endorse the *IL 130/ High Cross Road Corridor Plan* for the area along Illinois Route 130 and High Cross Road from Curtis Road on the south to Olympian Road on the north. See the attached Executive Summary. The full report is available for review on the Regional Planning Commission website. There is no formal intergovernmental agreement regarding this plan and endorsement at this time amounts to recognizing that the plan exists. The County Engineer has represented the County on this Plan and a letter from the County Engineer is attached.

ATTACHMENTS

- A** **Executive Summary of the *IL 130/ High Cross Road Corridor Plan***
- B** **Letter dated 2/02/07 from Jeff Blue, Champaign County Engineer**

High Cross Road/IL130 Corridor Study

Executive Summary

Background

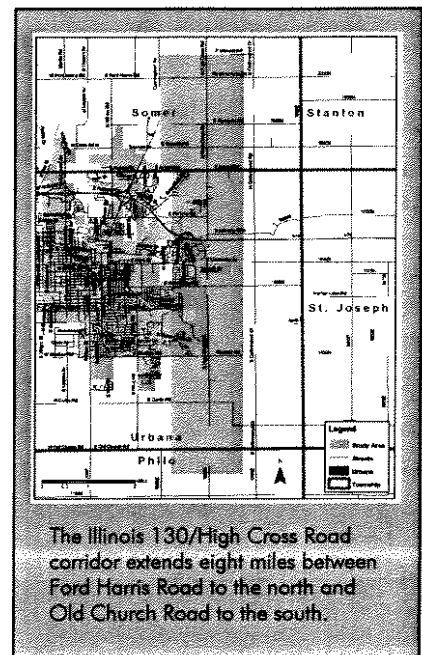
The City of Urbana was awarded a grant from the Illinois Tomorrow Corridor Planning Grant Program in 2003 to study land use and transportation issues on Urbana's east side. As lead agency, the City contracted the Champaign County Regional Planning Commission (CCRPC) to conduct the study.

The primary goal of the *Illinois 130/High Cross Road Corridor Study* is to promote logical development that considers interconnectivity of land uses and transportation networks for the City of Urbana, its rural surroundings, and the urbanized area that is comprised of Urbana, Champaign, Savoy and Bondville.

Corridor Issues

In collaboration with local participating agencies and the public, CCRPC compiled a list of issues for the study area. Issues are topics that need mitigation or resolution, such as congested roads, incompatible land uses, or environmental pollution. Some of the more generalized issues in the area include:

- Integration and compatibility with the existing and future transportation system and land use plans
- User Safety - adequate roadway width for all transportation modes, minimize "conflicts" between users (e.g. motorists, pedestrians, cyclists), minimize crash frequency and severity
- Impacts to roadway capacity - parts of the corridor are close to operating under congested conditions, e.g. – University Avenue and IL 130 intersection and the section of IL 130 between Tatman Court and University Avenue
- Accessibility – comply with CUUATS Access Management guidelines
- Transit - providing regular bus service
- Pedestrian and bicycle facilities - need to provide direct links to other transportation modes and easy-to-use paths to desirable destinations.
- Socio-Community Impacts - need to consider impacts to properties and businesses, and opportunities for economic development and neighborhood enhancement
- Aesthetics and Views - respecting the landscape in the study area
- Environmental Impacts – need to consider impacts on wildlife habitat areas such as the Saline Ditch, University's Brownfield Woods, Trelease Woods, and Trelease Prairie



Goals for the study area

1 *Improve Mobility*

Increase the efficiency, connectivity and reliability of the transportation system by reducing time wasted in congestion, as well as expanding and improving alternatives to single-occupant vehicle travel, such as mass transit access and more bicycle and pedestrian pathways.

2 *Improve Safety*

Provide safer conditions for those traveling along the corridor by reducing the frequency and severity of the crashes involving those driving, walking, or cycling along IL 130/High Cross Road and their adjacent roadways.

3 *Improve Accessibility*

Provide a balanced corridor transportation system of multiple travel modes with adequate capacity for and convenient access to home, work, shopping, recreation and other existing and proposed activities within the study area.

4 *Preserve the Environment*

Reduce the amount of motor vehicle emissions and noise and vibration impacts in the study area. Buffer sensitive land uses and protect existing wooded areas and the rural residential character of the area north of I-74.

5 *Serve Residential Communities*

Provide adequate multi-modal transportation access and connections in existing and planned residential areas, while ensuring that these connections do not induce non-residential traffic flows.

6 *Serve Planned Regional Commercial Centers*

Provide multi-modal transportation improvements to serve the growing commercial and planned residential areas south of I-74. Ensure safe and direct connections to the existing roadway system.

Involving the Public in planning the future transportation system

CCRPC staff held six public meetings and one focus group forum during the study process. Three of these meetings were specifically designed to garner solutions to issues in the corridor that would facilitate achievement of the corridor study goals. The following methods were utilized to invite the public to these meetings:

Meeting Date	Invited via Direct Mailing	Attended	Publicity			
			Direct Mailing	Website	Fillers	News Gazette Ad
March 4, 2004	350+	60	x	x	x	x
September 21, 2004	650+	135	x	x	x	x
February 4, 2006	650+	64	x	x	x	x
April 4, 2006	50+	15	x	x	x	x
June 7, 2006	930+	52	x	x	x	x
October 18, 2006	1030+	68	x	x	x	x
December 14, 2006	1030+	44	x	x	x	x

The primary product of the corridor study was the Preferred Alternative list of projects and its Implementation Plan. The following map illustrates the Preferred Alternative transportation projects.

Preferred Alternative

ROADWAY IMPROVEMENTS ONLY; NO NEW LANES PROPOSED

BRIDGE PROJECTS

BICYCLE PEDESTRIAN PATHS

ROADWAY IMPROVEMENTS WITH ADDITIONAL LANES PROPOSED

Traffic signals are planned for IL 130 at Washington Street and at Florida Avenue

Olympian Drive
Termini: US45 to Cottonwood
Configuration: 2 lane with shoulders

High Cross Road
Termini: Olympian to University (US150)
Configuration: 2 lane with shoulders

Airport Road
Termini: US45 to IL130
Configuration: 2 or 3 lane as warranted

Saline Ditch at High Cross Road
Configuration: widen to 2 full lanes

Saline Ditch at Cottonwood Road
Configuration: widen to 2 full lanes

Along US150
Termini: Smith Road to Cottonwood

Along Washington (bicycle lanes)
Termini: Lierman Road to IL130

Along Florida
Termini: existing path to IL130

Along IL 130
Termini: University to Windsor

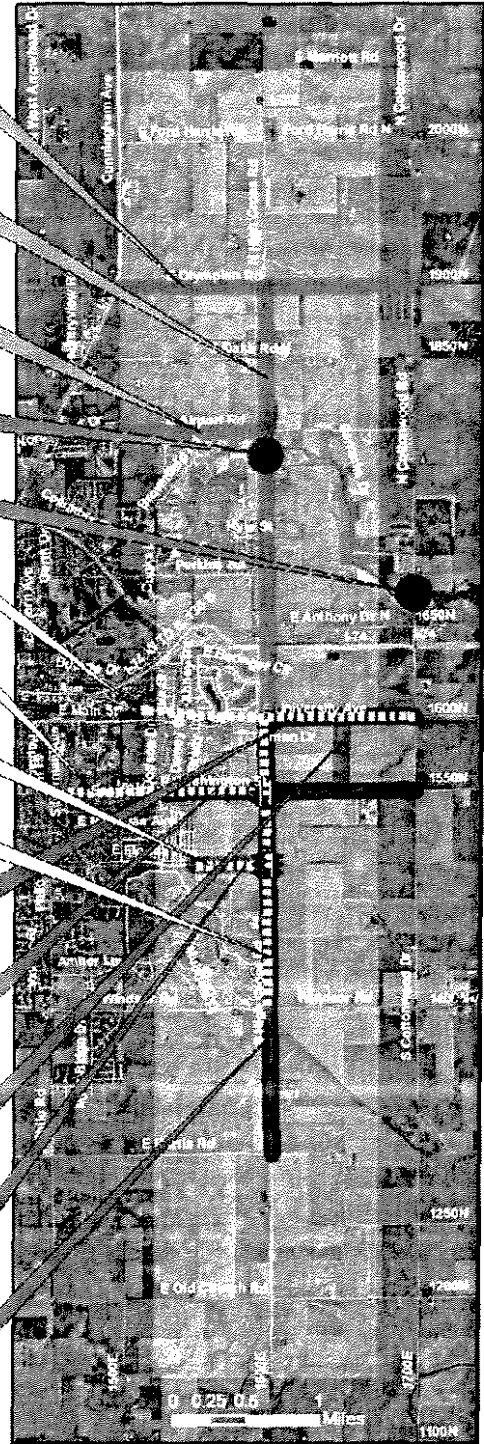
University (US150)
Termini: IL130 to Cottonwood
Configuration: 4 lane

Washington Street
Termini: Dodson to Cottonwood
Configuration: 3 lane

New road
Termini: Washington to University
Configuration: 2 lane

Florida Avenue
Termini: Aberdeen to IL130
Configuration: 3 lane

IL 130
Termini: University to Curie
Configuration: 4 lane with median



Implementation Plan for the Preferred Alternative

The Implementation Matrix shows how the different phases of the corridor study process are linked and how they contribute to the end product.

Implementation Plan

Alternatives	Priority	Estimated Cost (2006\$)	Participating Agencies	Potential Funding Sources	Issues being resolved	How project helps solve issues	Related Goals (see Section 2)	Relevancy to Goals Score (out of 100)	Obstacles to Implementation
Roadway improvements only; no new lanes proposed									
Airport Road between IL130/High Cross and US45, 2 or 3 lane improved as warranted	Med	\$5,250,000	County, Urbana, Township	County, Urbana, Township, Federal, State	congestion, safety	Increases capacity and options for people traveling to/from US45	1,2,3,4,5,6	52.44	Right of way availability/acquisition, funding, environmental concerns
High Cross between Olympian and University, 2 lane with shoulders	Med	\$7,500,000	County, Urbana, Township	County, Urbana, Township, Federal, State	congestion, safety	Increases capacity of roadway, improved surface increases safety	1,2,4,5	39.30	Right of way availability/acquisition, funding, environmental concerns
Olympian between IL130/High Cross and US45, 2 lane with shoulders	Low	\$3,000,000	County, Urbana, Township	County, Urbana, Township, Federal, State	congestion, safety	Improves regional access to community; offers other option for traveling east-west in Urbana-Champaign	1,2,3,4,5,6	66.30	Right of way availability/acquisition, funding, environmental concerns
Olympian between IL130/High Cross and Cottonwood, 2 lane with shoulders	Low	\$3,000,000	County, Urbana, Township	County, Urbana, Township, Federal, State	congestion, safety	Improves regional access to community; offers other option for traveling east-west in Urbana-Champaign	1,2,3,4,5,6	57.30	Right of way availability/acquisition, funding, environmental concerns
Bridge Projects									
Saline Ditch Bridge at High Cross, widen to at least 2 full lanes	Med	\$1,000,000	Township	Township, State	congestion, safety, environment	Widening decreases potential conflict for all modes	1,2,5	42.00	Environmental concerns, funding
Saline Ditch Bridge at Cottonwood, widen to at least 2 full lanes	Low	\$1,000,000	Township	Township, State	congestion, safety, environment	Widening decreases potential conflict for all modes	1,2,5	49.32	Environmental concerns, funding
Bicycle/Pedestrian Paths									
Along west side of IL130/High Cross between Windsor and University	High	\$850,000	Urbana	Urbana, Federal Enhancement funding	safety, multimodalism	Reduces potential multimodal conflict, promotes other transportation modes	1,2,3,4,5,6	72.54	None
Along Washington between IL130/High Cross and Lierman (bike lanes)	High	\$450,000	Urbana, developers	Urbana, developers, grants	safety, multimodalism	Reduces potential multimodal conflict, promotes other transportation modes	1,2,3,4,5,6	75.51	Funding
Along US150 between IL130/High Cross and Smith	Med	\$300,000	Urbana, CCFPD	CCDC, grants, Urbana	safety, multimodalism	Reduces potential multimodal conflict, promotes other transportation modes	1,2,3,4,5,6	62.14	Right of way availability/acquisition, funding
Along US150 between IL130/High Cross and Cottonwood	Low	\$300,000	Urbana, CCFPD	CCDC, grants, Urbana	safety, multimodalism	Reduces potential multimodal conflict, promotes other transportation modes	1,2,3,4,5,6	65.42	Right of way availability/acquisition, funding
Roadway improvements with additional lanes proposed									
Traffic signal at Washington & IL130/High Cross intersection	High	\$250,000	Urbana, IDOT, developers	Urbana, IDOT, developers	congestion, safety	Helps improve traffic flows, increases safety for all travel modes	1,2,3,5,6	84.17	None
Florida extended east to IL130	High	\$1,850,000	Urbana, landowners	Urbana, landowners	congestion, safety	Opens new access to IL130, eases congestion on other roads; provides shared use path along roadway	1,2,3,5,6	NA	None
Washington between IL130/High Cross and Dodson, 3 lane with curb and gutter	High	\$3,500,000	Urbana, developers	Urbana, developers	congestion, safety	Increases capacity for roadway, improves access to major activity corridor (IL130) for all modes	1,2,3,5,6	66.11	Right of way availability/acquisition, funding
IL130/High Cross between University and either Windsor, Curtis, Old Church, or farther as warranted, 4 or 5 lane as warranted	High	\$10,500,000	IDOT, developers	IDOT, developers	congestion, safety	Increases capacity for roadway, improves access to major activity corridor (IL130) for all modes	1,2,3,5,6	57.87	Funding
-Between Florida and University with Frontage Road	High	NA	IDOT, developers	IDOT, developers	congestion, safety	Increases capacity for roadway, improves access to major activity corridor (IL130) for all modes	1,2,3,5,6	57.87	Funding
-Between Windsor and Florida w potential Frontage Road	Med								
-South of Windsor	Low								
New Road between US150 and Washington east of IL130	Med	\$3,500,000	Urbana, developers	Urbana, developers	congestion, safety	Mitigates anticipated congestion issue by taking some traffic off IL130	1,2,3,5,6	39.30	Right of way availability/acquisition, funding, environmental concerns

CHAMPAIGN COUNTY HIGHWAY DEPARTMENT

JEFF BLUE
COUNTY ENGINEER


1776 E. WASHINGTON

(217) 384-3800
FAX (217) 328-5148

URBANA, ILLINOIS 61802

2/2/07

To: John Hall, Planning and Zoning Administrator

From: Jeff Blue, Champaign County Engineer 

Re: US 130 Corridor Plan

As a member of the steering committee for the US 130 Corridor Plan I was able to oversee the interests of the Champaign County transportation system in relation to the corridor plan. I would recommend support of the US130 Corridor Plan.

Cc: Rita Black, CUUATS

RECEIVED

FEB 05 2007

CHAMPAIGN COUNTY HIGHWAY DEPARTMENT

ADDENDUM TO AGENDA

Champaign County Environment & Land Use Committee

Members:

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

Date: *February 12, 2007*

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. Proposal to request federal funding for completion of the Mahomet
Aquifer Study**

A1 thru A7

