

MINUTES OF REGULAR MEETING

**Champaign County Environment
& Land Use Committee
Champaign County Brookens
Administrative Center
Urbana, IL 61802**

**DATE: February 14, 2005
TIME: 7:00 p.m.
PLACE: Meeting Room 1
Brookens Administrative Center
1776 E. Washington Street
Urbana, IL 61802**

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

MEMBERS ABSENT: Patricia Busboom

STAFF PRESENT: John Hall, Connie Berry, Jeffrey Roseman, Jamie Hitt

OTHERS PRESENT: Daryl Vinson, Dean Crider, Justin Kneeland, Maris Kneeland, Marc Sellers, Jim Randol, Maurice Fisher, Hal Barnhart, Roger Meyer, Brian Shurter, Christine Shurter, Rita McCannon, Robert Malohn, Angela Hunt, Justin Davis, Larry Knox, Susan Vinson Olson, Virginia Vinson, Rob Kowalski

1. Call to Order, Roll Call

The meeting was called to order at 7:03 p.m. The roll was called and a quorum declared present.

2. Approval of Agenda

Ms. Greenwalt requested that the Committee hear Item #10: City of Urbana Comprehensive Plan prior to Item #7: Request of the Seymour Fire Protection District to waive fee for an amendment to a previously granted Special Use Permit (Case #254-S-00) with regard to conditions imposed requiring only one exterior light.

Ms. Anderson moved, seconded by Mr. Doenitz to approve the agenda as amended. The motion carried.

3. Minutes of Previous Meeting (January 10, 2005)

Mr. McGinty moved, seconded by Ms. Anderson to approve the January 10, 2005 minutes as submitted. The motion carried.

4. Public Participation

Mr. Langenheim stated that staff has informed him that the Committee is not required to receive testimony regarding Rural Residential Overlay Map Amendments and has advised the Committee not to accept testimony.

Mr. Fabri moved, seconded by Ms. Greenwalt to accept testimony regarding Rural Residential Overlay Map Amendments. The motion failed.

Mr. Marc Sellers, Seymour Fire Protection District Representative stated that a fee waiver is requested for the required Special Use Permit. He said that the fire protection district has been placed in a financial burden due to the State of Illinois withholding the second half of their Illinois First Grant.

5. Correspondence

A. Champaign County Fire Chiefs Association

Mr. Doenitz stated that he was contacted by fire chief who requested that the Committee be informed that the letter from the Champaign County Fire Chiefs Association does not represent the opinion of all fire protection district chiefs in Champaign County.

Ms. Greenwalt moved, seconded by Mr. McGinty to place the letter from the Champaign County Fire Chiefs Association on file. The motion carried.

6 County Board Chair's Report

Ms. Wysocki informed the Committee that a Blue Ribbon Study Session is scheduled for February 15th and encouraged all interested Committee members to attend.

7. Request of the Seymour Fire Protection District to waive fee for an amendment to a previously granted Special Use Permit (Case #254-S-00) with regard to conditions imposed requiring one exterior light.

Mr. Moser moved, seconded by Mr. Doenitz to approve the request to waive the fee for an amendment to a previously granted Special Use Permit (Case #254-S-00) with regard to conditions imposed requiring one exterior light and the fee for the related variance.

Mr. Schroeder stated that he served on the Zoning Board of Appeals from 1988-1998. He said that he was contacted by a gentleman who happens to serve on the fire protection corporation and is also a local farmer. He said that after his conversation with the gentleman he contacted Ms. Hitt and Mr. Roseman to discuss the situation. This facility is located in the unincorporated area of the county and is for the protection of the public within the area. The volunteers and Emergency Medical Technicians do not receive compensation for their work. The facility was built in good faith that the State of Illinois would provide the entire Illinois First Grant funds for its completion. He said that the in 2000 the Seymour Fire Protection District provided staff with a plan which distinctly indicates three 500 watt sodium lamp bulbs on the west side of the building but the Finding of Fact indicates differently with only one condition regarding glare. He said that he would

prefer that the entire case be thrown out entirely. The fire protection district has shown a hardship and the fee should be waived as well as adequate time given to complete the required screening.

Mr. Roseman stated that the three lights which were mentioned were indicated on the elevation plan and not on the actual building plan. He said that there was a specific condition listed in the report stating that on-site security lighting provided must not result in glare on to adjacent properties and roadways. The findings specifically indicate that one security light is planned at two locations on the building with the possibility of an additional light at the rear of the building. The structure currently has four lights mounted on the west wall of the structure. He said that he visited the site, with only one light illuminated, and he did feel that the glare was an issue. He did speak to the person which filed the complaint and they were not satisfied. The flag pole light is a very bright light. He said that Ms. Hitt informed him that the fire protection corporation did agree to install the screening but was unable to do it at this time due to the lack of funding which is why a variance for the screening requirements is attached to the waiver request. An additional violation was discovered during an inspection of the site in the erection of a freestanding lighted sign without a permit. Upon notification the petitioner filed an application for a zoning use permit for the sign to correct the violation of the Zoning Ordinance.

Mr. Doenitz questioned the location of the complainant.

Mr. Roseman stated that the complainant is within the vicinity.

Mr. Schroeder stated that the plan clearly indicates three lights and questioned why this was ignored.

Mr. Hall stated that the three lights are indicated on the elevation plan and it is an apparent oversight by staff. He said that the only time staff reviews elevation plans is when signs or building heights are in question.

Mr. Schroeder stated that it is common sense that lights be placed on an emergency facility. He said that during his term on the ZBA lighting was always an issue which was considered and discussed. He said that this is a public building which is serving the public good and the lighting is required for the emergency personnel's safety.

Mr. Doenitz stated that last Monday morning at 5:30 a.m. he drove through the parking lot of the facility and witnessed that one light is not sufficient.

Mr. Roseman stated that staff proposed a solution to the petitioner entailing having only one light on during non-emergency hours but allowing the petitioner to switch the other two lights on as needed during non-emergency hours but allowing the petitioner to switch the other two lights on as needed during calls for assistance and to clean-up the equipment after each call.

Mr. Doenitz stated that he has been a volunteer fireman for 25 years and the lights are required.

The motion carried unanimously.

8. Case 445-AM-04: Crystal Hunt Request to amend the Zoning Map to allow for the development of 14 single family residential lots in the AG-1, Agriculture Zoning District by adding the Rural Residential Overlay (RRO) Zoning District (As amended on December 15, 2004).

Mr. Moser moved, seconded by Mr. Schroeder to recommend denial of Case 445-AM-04: Crystal Hunt Request to amend the Zoning Map to allow for the development of 14 single family residential lots in the AG-1, Agriculture Zoning District by adding the Rural Residential Overlay (RRO) Zoning District (As amended on December 15, 2004). The motion carried.

9. Case 468-AM-04: The Knox Family Trust One, U/A/D, 12/11/90 and Larry Knox, Trustee Request to amend the Zoning Map to allow for the development of 6 single family residences on 7 lots in the AG-1, Agriculture Zoning District by adding the Rural Residential Overlay (RRO) Zoning District.

Mr. Doentiz moved, seconded by Mr. Schroeder to recommend approval of Case 468-AM-04: The Knox Family Trust One, U/A/D, 12/11/90 and Larry Knox, Trustee Request to amend the Zoning Map to allow for the development of 6 single family residences on 7 lots in the AG-1, Agriculture Zoning District by adding the Rural Residential Overlay (RRO) Zoning District. The motion carried.

10. City of Urbana Draft Comprehensive Plan

Mr. Rob Kowalski, Planning Manager distributed materials to the Committee regarding the City of Urbana's 2005 Comprehensive Plan. He said that the City of Urbana is approximately six to eight weeks from adoption of the Comprehensive Plan. The process has been intense and has included a significant amount of public participation. In 2001, the Mayor of Urbana appointed a steering committee which proceeded to complete an existing conditions report, held neighborhood visioning workshop sessions followed by a neighborhood survey and focus groups. The information which was compiled was utilized in preparing 14 draft versions of future land use maps and gives detail of each part of the city within one and one-half mile and their planned future land uses. The maps were taken to the surveyed neighborhoods for review and feedback. The 2005 Comprehensive Plan was sent out to approximately 40 different agencies for their review and comment including the Champaign County Department of Planning and Zoning. The Plan itself has an overall vision statement and offers a community profile, offers development trends, goals and objectives and illustrations of how the future land use descriptions are desired. He said that an implementation program will be in the plan which will be a listing of specific actions which need to be taken in order

to achieve the goals, objectives and visions.

Mr. McGinty stated that he served on the Urbana Planning Commission for five years and having worked with the old plan congratulated Mr. Kowalski for his efforts.

Mr. Moser congratulated Mr. Kowalski for rectifying the drainage issues on the proposed Wal-Mart site.

Mr. Roseman stated that the comments which were sent to the City of Urbana were based on staff review. He said that the Committee is not obligated to act upon these comments although it would be courteous to send an official comment from the County.

Ms. Greenwalt recommended that the Committee send a letter in support of staff's comments. She stated that she agrees with Items #1, #2 and #3 but has not had adequate time to review Items #4 through #19. She questioned if ELUC was the governing body to recommend Items #14 through #19.

Mr. Roseman stated that in order to meet the City of Urbana's deadline the letter was forwarded under his signature.

Mr. Langenheim stated that Items #1, #2 and #3 are the only policy statements included within the letter.

Mr. Moser questioned the Extra-Territorial Jurisdiction line on the east side of the Future Land Use Map #2.

Mr. Kowalski stated that the ETJ line on the east side of the Future Land Use Map #2 is the approximate line which is one and one-half mile of the City of Urbana's boundary. He said that the March 10th meeting will begin the public hearing process and no final action is expected. He said

that a second meeting is proposed for March 24th and forwarded to the City Council in April.

Mr. McGinty moved, seconded by Mr. Moser directing staff to prepare a letter for signature by Ralph Langenheim, ELUC Chairman that incorporates Items #1, #2 and #3 from the letter dated January 28, 2005 from the Director of Planning and Zoning. The motion carried.

11. Planning and Zoning Report

Mr. Roseman gave an overview of the January 2005 monthly report.

Mr. Schroeder questioned the progress of Nuisance violations.

Mr. Roseman stated that the Nuisance and Zoning violations are grouped together in the count. He said that Ms. Hitt indicates that there are 311 outstanding violations since 1990. He said that he is reviewing the outstanding violations list searching for duplicates and barking dog complaints and investigating how this Committee could assist in removing the barking dog complaints from the Department's responsibilities.

Mr. Schroeder stated that since the County now has the animal control facility the barking dog issues should be switched over to the Animal Control Department. He said that junkyard issues should be handed over to the State's Attorney's Office or Sheriff's Office so that they can put some teeth into rectifying the violations.

Mr. Doenitz questioned how a barking dog violation from a year ago could still be a valid complaint.

Mr. Roseman stated that he agreed. He said that there are several other complaint issues which require staff's attention such as: kennels, inoperable vehicles, placement of fill in the floodplain.

Mr. Moser questioned the number of complaints in relation Mrs. Lo's properties.

Ms. Hitt stated that there are approximately three or four violations on the list but she is sure that there are more which have not had complaints filed. She said that one of the violations located at 1404 Rising Road, Champaign is being forwarded to the State's Attorney's Office.

Mr. Moser questioned if there is anything that the County can do to make the property owners clean up these properties.

Ms. Hitt stated that as soon as she can she will visit the sites and get them to the State's Attorney's Office for action.

Ms. Greenwalt stated that staff was directed to prioritize the complaints which were received and she is sure that barking dogs is not a top priority. She questioned what steps needed to be taken to move the barking dog complaints to Animal Control and requested that staff provide this information at the next ELUC meeting.

Mr. Roseman stated that Mr. Joel Fletcher, Assistant State's Attorney, must be consulted regarding this issue.

Ms. Hitt stated that she discussed this issue with Ms. Busey, Co-Administrator for Champaign County, and she indicated that the Animal Control Ordinance was amended in 2004. The Nuisance Ordinance would require an amendment referencing the barking dog complaints to Animal Control.

Mr. Roseman stated that he will discuss this issue with Mr. Fletcher and provide a report at the March ELUC meeting. He questioned the Committee if when a case is referred to the State's Attorney's Office should it be removed from the backlog list and a separate list compiled or have

the case remain on the list and included in the total number of backlog cases.

Mr. Moser stated that he would prefer a separate list compiled for cases referred to the State's Attorney's Office.

12. Determination of Items to be placed on the County Board Consent Agenda
 - A. Support of HB-4910: Eliminating an inoperable vehicle loophole from the State Statute 55 ILCS 5/12002 of the County Code.

The consensus of the Committee was to place Item #12.A: Support of HB-4910, Eliminating an inoperable vehicle loophole from the State Statute 55/ILCS 5/12002 of the County Code on the County Board Consent Agenda.

13. Adjournment

The meeting adjourned at 8:02 p.m.

Respectfully submitted,

Secretary to the Environment and Land Use Committee