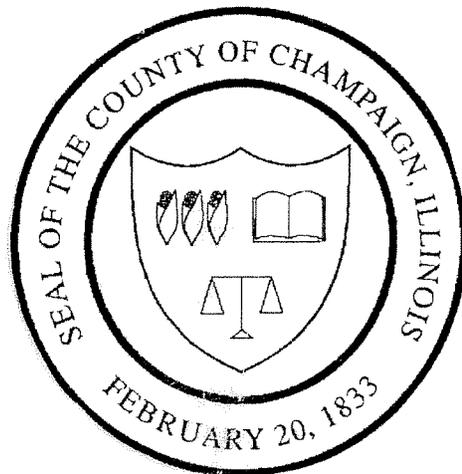


*Environment
& Land Use
Committee Agenda*

September 12, 2005

7:00 p.m.



*Meeting Room 1, Brookens Administrative Center
1776 East Washington, Urbana, Il 61802
(217)-384-3708*

AGENDA

Champaign County Environment & Land Use Committee

Date: *September 12, 2005*

Time: *7:00 p.m.*

Place: *Meeting Room 1
Brookens Administrative Center
1776 E. Washington St.
Urbana, Illinois*

Members:

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

Phone: *(217) 384-3708*

AGENDA

Old Business shown in Italics

1. **Call to Order**
 2. **Approval of Agenda**
 3. **Approval of Minutes (June 12, 2005, August 08, 2005)** **1 thru 14**
 4. **Public Participation**
 5. **Correspondence**
 - A. **Letter to Barbara Wysocki, Chair, Champaign County Board from Clark Bullard dated 5/23/05 with attached "Prairie Rivers Network Statement to Champaign County Board" dated 5/23/05.** **15 thru 17**
 - B. **Letter to Barbara Wysocki, Chair, Champaign County Board from James D. Cotrell dated 7/25/05.** **18 thru 22**
 6. **County Board Chair's Report**
 7. **Subdivision Case 184-05: Duitsman Subdivision. Minor Plat approval for a two-lot minor subdivision in the AG-1 Zoning District in Section 28 of Compromise Township located on the south side of CR 2600N and approximately 350 feet west of the Flatville Drainage Ditch.** **23 thru 43**
 8. **Consideration of an Amendment to the Champaign County Liquor Ordinance Establishing the Rules and Regulations Governing the Sale of Alcoholic Liquor, Regarding Criminal Background Checks for Liquor License Applicants.** **44 thru 46**
 9. **Community Development Assistance Program (CDAP) Loan Request from Family Medical Health Clinic, Philo, Illinois.** **47 thru 48**
 10. **Enterprise Zone Boundary Expansion, University of Illinois Research Park, Phase II.** **49 thru 70**
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Environment and Land Use Committee Agenda
September 12, 2005
Page 2

11. **Revision to Selected Champaign County Land Use Regulatory Policies-
Rural Districts** *(TO BE MAILED SEPARATELY AS AN ADDENDUM)*
12. *Comprehensive Zoning Review*
13. **Planning and Zoning Report**
A. **Monthly Report** **71 thru 80**
14. **Other Business**
15. **Determination of Items to be placed on the County Board Consent
Agenda**
16. **Adjournment**

MINUTES OF REGULAR MEETING

Champaign County Environment & Land Use Committee Champaign County Brookens Administrative Center Urbana, IL 61802	DATE: TIME: PLACE:	June 13, 2005 7:00 p.m. Meeting Room 1 Brookens Administrative Center 1776 E. Washington Street Urbana, IL 61802
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MEMBERS PRESENT: Jan Anderson, Patricia Busboom, Chris Doenitz, Tony Fabri, Nancy Greenwalt (VC), Ralph Langenheim (C), Brendan McGinty, Steve Moser, Jon Schroeder

OTHER COUNTY BOARD

MEMBERS PRESENT: Barb Wysocki

MEMBERS ABSENT: None

STAFF PRESENT: Jeffrey Roseman, Connie Berry, Jamie Hitt, Susan Monte, John Dimit, Joel Fletcher, Susan McGrath

OTHERS PRESENT: Hal Barnhart

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, Addendum I and Addendum II

Ms. Greenwalt moved, seconded by Ms. Anderson to approve the Agenda, Addendum I and Addendum II as submitted. The motion carried by voice vote.

3. Minutes of Previous Meeting (April 11, 2005)

Mr. Schroeder noted minor corrections on Pages 7, 8 and 11.

Ms. Greenwalt moved, seconded by Mr. Schroeder to approve the April 11, 2005, minutes as amended. The motion carried by voice vote.

4. Public Participation

1 None

2
3
4 **5. Correspondence**

5
6 None

7
8
9 **6 County Board Chair's Report**

10
11 None

12
13
14 **7. Recreation and Entertainment License: Champaign County Fair Association, 902 North Coler Ave., Urbana, IL, for the County Fair and Carnival. July 22, 2005 thru July 30, 2005.**

15
16
17 **Mr. Moser moved, seconded by Mr. Doenitz to approve the Recreation and Entertainment License for the Champaign County Fair Association, 902 North Coler Ave., Urbana, IL, for the County Fair and Carnival. July 22, 2005 thru July 30, 2005. The motion carried by voice vote.**

18
19
20
21
22 **8. Request of Dewey Public Water District to waive the required fee for a Special Use Permit to authorize replacement of a nonconforming water treatment facility.**

23
24
25 **Mr. Doenitz moved, seconded by Mr. Moser to approve the request of Dewey Public Water District to waive the required fee for a Special Use Permit to authorize replacement of a nonconforming water treatment facility.**

26
27
28
29 Ms. Anderson stated that Mr. Roseman's memorandum indicated that if the waiver is approved the notification fee would be borne by the County. She asked Mr. Roseman what the amount of the notification fee would be.

30
31
32
33 Mr. Roseman stated that the notification fee would cost the County approximately \$65.

34
35 Mr. Fabri asked why the improvements were needed.

36
37 Mr. Roseman stated that the Dewey Public Water District will be receiving a grant and one of the requirements of the grant is to improve the facilities for water treatment.

38
39
40 **The motion carried by voice vote.**

1 **9. Request for endorsement of the 2004 Champaign County Greenways & Trails Plan.**

2
3 **Ms. Greenwalt moved, seconded by Mr. McGinty to recommend approval of the request for**
4 **endorsement of the 2004 Champaign County Greenways & Trails Plan. The motion carried**
5 **unanimously by voice vote.**
6

7
8 **10. Request approval of 25% reduction in Liquor License Application Fees for Licenses other**
9 **than Class E Licenses through August 31, 2005.**

10
11 **Ms. Greenwalt moved, seconded by Mr. McGinty to approve the request of 25% reduction in Liquor**
12 **License Application Fees for Licenses other than Class E Licenses through August 31, 2005.**

13
14 Ms. Greenwalt stated that recently the County Board approved an amendment to the Liquor Ordinance
15 increasing the fees by 25% although if the license renewal applications were submitted early a 25%
16 reduction was granted. She said that due to an unexpected illness of the person responsible for mailing out
17 the license renewals the applications were not mailed out in a timely manner therefore eliminating the
18 possibility of any 25% reductions in fees. She said that the requested amendment would impose last years
19 rates on the renewals to accommodate the license holders.

20
21 Ms. Anderson asked what the rates would be for next year.

22
23 Ms. Greenwalt stated that the application fees would revert back to the higher rate.

24
25 Ms. McGrath stated that the amendment clearly states that the license renewal fees will remain at the lower
26 rate during April 1, 2005 to March 31, 2006. She said that the Committee must also address the issue of
27 background checks.

28
29 Ms. Greenwalt stated that several bar owners did contact her regarding their concerns over the 25% increase.
30 She noted that the Liquor Advisory Commission has not had a chance to review the proposed amendment.

31
32 **The motion carried by voice vote.**
33

34
35 **11. Request approval of correction to Special Flood Hazard Areas Ordinance.**

36
37 **Ms. Greenwalt moved, seconded by Mr. Schroeder to recommend approval of the request for**
38 **approval of correction to Special Flood Hazard Areas Ordinance. The motion carried unanimously**
39 **by voice vote.**
40

41
42 **12. Comprehensive Zoning Review**

A. Request that Subcommittee be formed to recommend changes to Champaign County Land Use Regulatory Policies - Rural Districts

Mr. Roseman read Section 16.C.5, Duties of Committee Chair, from Resolution No. 4070, Establishment of Organization, Duties, Rules, Policies and Procedures of the Champaign County Board. He said that, prior to the meeting, the proposed subcommittee must be approved by the Champaign County Board prior to meeting.

Mr. Langenheim stated that the Committee is looking at revising the policies which were passed approximately three years ago governing zoning in order to remove conflict with the proposed Comprehensive Zoning Ordinance.

Mr. Roseman stated that the attachment to the June 7, 2004 memorandum provides an outline of the areas within the policies which need to be addressed by the subcommittee. He said that the subcommittee will address those areas and will make a recommendation to ELUC for review and recommendation to the County Board for final approval.

The consensus of the Committee is to approve the appointment of Chair-Ralph Langenheim, Vice Chair-Nancy Greenwalt and Steve Moser to the subcommittee.

B. Champaign County Farm Bureau Resolution

Mr. Roseman stated that the Champaign County Farm Bureau Resolution of support of the direction provided by the recent ad hoc working group in regard to the Comprehensive Zoning Review was provided for the Committee’s review.

A1. Consideration of an amendment to the Champaign County Liquor Ordinance No. 653, Ordinance Establishing the Rules and Regulations Governing the Sale and Consumption of Alcoholic Liquor, regarding criminal background checks for liquor license applicants.

Ms. Greenwalt stated that currently a criminal background check is required for anyone who has 15% ownership or more in a business although it has proved to be a complicated procedure in obtaining those checks. She said that it was suggested that anyone who has 25% ownership or more in a business should be subjected to a criminal background check.

Ms. McGrath stated that current procedure for obtaining criminal background checks has become cumbersome; therefore the proposed amendment is before the Committee. She reviewed Section F: Fingerprinting Fee. She said that these are merely suggestions that she is making to the Committee and the Liquor Advisory Commission regarding Section F to make the procedure more viable.

1 Ms. Busboom stated that she would like the Champaign County Sheriff to be included in the discussion
2 regarding the criminal background checks.

3
4 Ms. McGrath stated that she has spoken to the Sheriff and he indicated that he will provide any information
5 that he has available to assist with this process.

6
7 Ms. Greenwalt suggested that any change to the text be underlined to save any confusion.

8
9 Ms. McGrath stated that she would like to make the Liquor Ordinance more specific. She said that the
10 definition of officers may need to be fine-tuned although typically corporate officers consist of four people.

11
12 Mr. McGinty stated that the 25% would eliminate silent partners and expedite the process.

13
14 **Ms. Greenwalt moved, seconded by Mr. McGinty to recommend approval of consideration of an**
15 **amendment to the Champaign County Liquor Ordinance No. 653, Ordinance Establishing the Rules**
16 **and Regulations Governing the Sale and Consumption of Alcoholic Liquor, regarding criminal**
17 **background checks for liquor license applicants. The motion carried by voice vote.**

18
19
20 **A2. Recreation and Entertainment License: Countryside United Methodist Church, for a youth**
21 **event to include 3 bands, food, action inflatables and outdoor games. Location: RR3, Urbana,**
22 **IL, to be held on July 30, 2005.**

23
24 **Ms. Greenwalt moved, seconded by Ms. Anderson to approve the Recreation and Entertainment**
25 **License: Countryside United Methodist Church, for a youth event to include 3 bands, food, action**
26 **inflatables and outdoor games. Location: RR3, Urbana, IL to be held on July 30, 2005. The motion**
27 **carried by voice vote with one opposing vote.**

28
29
30 **13. Planning and Zoning Report**

31
32 **A. Enforcement Case Procedures**

33
34 Mr. Roseman stated that at the May 9, 2005, ELUC meeting staff presented information to the Committee
35 for consideration in resolving enforcement cases. Over the course of several months staff has examined
36 various ways in reducing the current list of enforcement cases. The memorandum dated May 31, 2005
37 includes an examination of the current process and suggested motions that are intended to reduce the
38 backlog. He reviewed Motion A through F with the Committee.

39
40 Ms. Busboom asked what type of agencies would be involved in Motion D.

41
42 Mr. Roseman stated that the type of agencies would be the Health Department and the Illinois

1 Environmental Protection Agency.
2

3 Ms. Busboom stated that the complaints should be treated equally and it should not matter when the
4 complaint was reported as mentioned in Motion E. She asked if a budget or expense account has been
5 determined for the County Hearing Officer.
6

7 Mr. Roseman stated that there is no budget or expense account determined to date. He said that a County
8 Hearing Officer would expedite the cases rather than being delayed in the court system. He said that the
9 Zoning Officer will be responsible for keeping track of the cases that are being heard before the County
10 Hearing Officer.
11

12 Mr. Moser asked if there was a way to expedite cases which include repeat violators. He said that it would
13 be nice if there was a way to by-pass the process and send the repeat violators straight to the State's
14 Attorney.
15

16 Mr. Dimit stated that Motion B would address the issue of repeat violators.
17

18 Mr. Roseman stated that the violator has 15 days from the date of the first notice to respond but if no
19 response is received the final notice is mailed. The final notice gives the violator seven days to respond.
20 If no contact is made with staff, the case is sent directly to the State's Attorney.
21

22 Mr. Fletcher stated that because of due process, Motion B is the quickest way that repeat violators can be
23 dealt with. He said that the priority list can be amended to deal with repeat violators in a different manner.
24

25 Mr. Schroeder asked if there is a fine structure in the Ordinance.
26

27 Mr. Roseman stated that he needs to discuss the fine structure with the State's Attorney and the Committee.
28

29 Mr. Schroeder stated that he appreciated the example notices from other counties. He said that McLean
30 County's notification letter is very precise and to the point. He said that if too much information is placed
31 in the letter then the public becomes confused and does not respond as well as if the notice is very to the
32 point.
33

34 Mr. Roseman stated that all of the proposed motions can be refined by the State's Attorney. He said that
35 the notice should specify the nature of the violation and perhaps a brief description of how the violation can
36 be rectified. He said that if the notice is precise and specific in regard to the violation he feels that the
37 public will call immediately and at that point staff can explain the process to rectify the violation.
38

39 Mr. Fletcher stated that the short form is all that is legally required for notification.
40

41 Ms. Busboom asked for an explanation of the enforcement notification process.
42

1 Mr. Roseman gave an overview of the process. He said that under direction of the County Board staff was
2 previously directed to take a softer approach and work with the violators in rectifying the violation although
3 this approach does stifle the process.
4

5 Ms. Hitt stated that before 1999 the shorter-to-the point version of the notification was used but during her
6 time it was determined that a longer, nicer version should be used to rectify the violations. She said that
7 there truly are people out in the County who do need additional time in rectifying the violation, therefore
8 the Committee must decide if they are willing to give her the authority to grant that additional time to those
9 violators. She said that many times other entities are involved and the violator cannot rectify the violation
10 within the County's deadline.
11

12 Mr. Roseman stated that staff would not be granting the additional time but would explain the situation
13 when forwarding case to the State's Attorney. He said that in regard to Motion E, Cases prior to 1998, those
14 cases only amount to 54 of the 253 backlogged and some of those cases are floodplain and kennel cases.
15 The kennel cases will be resolved during the re-write of the Zoning Ordinance and in regard to the
16 floodplain cases IDNR determined that staff needs to resolve the complaints involving fill in floodplain if
17 data is obtained to substantiate what the existing elevation was at the time that the FIRM map was
18 developed. He said that it must be determined and reviewed by the State's Attorney's Office as to who will
19 be responsible for those costs in obtaining that data.
20

21 Ms. Busboom noted that she has been in the court room and was very impressed with Ms. Hitt, Zoning
22 Officer, during her testimony in behalf of the County.
23

24 Mr. Dimit stated that the budget for the Hearing Officer has been an issue which has been discussed for
25 several months. He said that it must be determined if the Hearing Officer will be utilized by a single
26 government unit or multi-government unit.
27

28 Mr. Moser stated that there are violators which must be approached by either the Sheriff's office or the
29 State's Attorney's office rather than by the Zoning Officer to get them in gear to rectify the violation.
30

31 Mr. Fletcher noted that the County's resources are not well spent in pursuing violations which are prior to
32 1998. He said that if no other complaints have been received on these properties then it is probable that
33 these violations no longer exist. He said that perhaps on a trial basis staff's efforts. Motion E should be
34 amended placing violations which have received the most complaints first rather than the older violations.
35 He noted that the priority list should still be followed.
36

37 **Mr. Moser moved, seconded by Ms. Anderson to approve the Enforcement Procedures: Motion A-F,**
38 **as amended. The motion carried by voice vote.**
39
40

41 **B. Monthly Report**
42

1 Mr. Roseman gave a brief overview of the May, 2005, Monthly Report.

2
3 **C. Alternative date for October, 2005, ELUC Meeting**
4

5 **The consensus of the Committee was to approve October 11, 2005, as an alternative date for the**
6 **October, 2005, ELUC Meeting.**
7

8
9 **14. Other Business**
10

11 Mr. Roseman stated that staff received a bill for the NPDES therefore a budget request must be submitted
12 to the Finance Committee in the amount of \$1000 for the annual fee. He said that he failed to include in
13 Item # 5: Correspondence that a letter was received from the Rock Island Corps of Engineers regarding
14 receipt of public notices.
15

16
17 **15. Determination of Items to be placed on the County Board Consent Agenda**
18

19 **The consensus of the Committee was to place Items #9, #10, #11, #12 and A1 on the County Board**
20 **Consent Agenda.**
21

22
23 **16. Adjournment**
24

25 The meeting adjourned at 8:00 p.m.
26
27

28
29 Respectfully submitted,
30

31
32
33
34 Secretary to the Environment and Land Use Committee
35

MINUTES OF REGULAR MEETING

Champaign County Environment & Land Use Committee	DATE:	August 08, 2005
Champaign County Brookens Administrative Center	TIME:	7:00 p.m.
Urbana, IL 61802	PLACE:	Meeting Room 1 Brookens Administrative Center 1776 E. Washington Street Urbana, IL 61802

MEMBERS PRESENT: Ralph Langenheim (Chairperson), Patty Busboom, Steve Moser, Jon Schroeder, Brendan McGinty, Chris Doenitz

MEMBERS ABSENT: Jan Anderson, Tony Fabri, Nancy Greenwalt (VC)

STAFF PRESENT: Frank DiNovo, John Hall, Susan Monte, Lori Busboom, Deb Busey (Co-Administrator), Joel Fletcher (Legal Counsel)

OTHERS PRESENT: Barbara Wysocki (County Board Chair), Hal Barnhart, Sherry Schildt, Thomas Berns, Paul Gulliford, Rich Schugel, Sharon White, William Campo, Don White, Helen Weckel

1. Call to Order, Roll Call

Chairperson Langenheim called the meeting to order at 7:05 p.m. The roll was taken by oral record and a quorum was declared present.

2. Approval of Agenda

Mr. Moser made the motion, which was seconded by Mr. McGinty, to approve the agenda as presented. Upon vote, the motion carried unanimously.

3. Minutes of Previous Meeting (May 09, 2005)

The Minutes of the Regular meeting of May 9, 2005 were presented for approval.

Mr. Schroeder moved and Mr. Moser seconded to approve the minutes as distributed. Upon vote, the motion carried unanimously.

4. Public Participation

Mr. Berns was representing Mr. Pusey concerning the documents he submitted for review, Item VIII of the Agenda. He stated that the recommendations are good and positive relating to the subdivision. He brought to the committee's attention utilization of the outlot and explained that an outlot is a characterization of a

1 lot that is not available for independent use. He stated that the buyer would be required to purchase lot 1a
2 as well as lot 1. Mr. Berns stated that this specific recommendation is to suggest that in particular areas that
3 are flood-prone, i.e. Saline Branch Drainage District, it is suggested that this not be used for a home. He
4 requested that this be designated as unavailable for any other use except in conjunction with the other lot.
5 He further explained that as a result, when a home is built on lot 1, no other flood insurance program is
6 necessary because it is above the flood insurance area and lot 1a would also not be subject to flood
7 insurance. Mr. Berns stated that this type of predetermination of these lots would save time and money from
8 all aspects and for all agencies and individuals concerned.
9

10 Mr. Moser asked if the outlot could be sold separately and Mr. Berns stated that the lot on which Mr.
11 Pusey's house is located would be sold together with the outlot adjacent to the parcel and that the provision
12 calls for ownership of both parcels.
13

14 Mr. Hall commented that this is a unique approach that makes sense. He stated that there has been a lot
15 more thought and planning put into this subdivision than what normally comes before this committee. He
16 pointed out that this approach would make permitting easier in the future. Mr. Hall added that the zoning
17 ordinance prohibits zoning use permits to be written on outlots. He stated that even if the outlot came to
18 be under separate ownership by some fluke in the future, a permit could not be written for it.
19

20 Mr. Berns stated that he is familiar with the communities along the Sangamon River and this type of
21 procedure has been done frequently.
22

23 Mr. Hall reminded the committee that there are two map amendments on the agenda and if testimony were
24 to be taken on one side of an issue, the opposing side should probably also be heard.
25

26 Ms. Weckel addressed Agenda Item #9, Case 453-AM-04. She stated that this particular parcel was zoned
27 incorrectly and explained that the building was originally used for cold storage of beer for distribution and
28 was zoned non-conforming. Ms. Weckel gave a short history of the use of the building. She explained that
29 Hal's Meat Market bought the building in 1976 and they also used it for cold storage, no retail. From Hal's
30 Meat Market it went to Illini Institutional Foods in 1977 and was used for cold storage of meat again but
31 no retail. In 1983, the building was leased to Kraft Foods for cold storage of food ingredients. About 1986,
32 the building was rented to a sand-blasting business and ammonia tanks and other farm equipment were
33 sand-blasted. The building was sold in 1990 to Mr. Lee who ran a lawn maintenance business. Mr. Lee quit
34 that business and rented the building to Jim Goodman, who did business as G&G Specialties, a small-scale
35 metal fabricating shop and they were granted a special use in the AG2, Agricultural District on Feb. 15,
36 2001. Ms. Weckel stated that there is no need for any B-1 or commercial business in this area as everything
37 is either agricultural or homes.
38

39 Mr. Hall explained that on the adoption of zoning, the use in that building was a non-conforming use for
40 cold storage and, provided that subsequent uses were the same type of use and occupied it within 180 days
41 of the previous use, that non-conforming use could continue as long as it met those standards. He expressed
42 his appreciation for the history of the building. Mr. Hall explained that the first legal use in that building

1 since it was first used as cold storage was when the special use permit was granted in 2001. He pointed out
2 that stand-alone, non-agricultural uses are very limited in AG2, District and that a text amendment in 2001
3 was necessary in order for Mr. Goodman to use it as a sheet metal fabricating business. He added that the
4 current use is also illegal.

5
6 **5. Correspondence**

7
8 None

9
10 **6 County Board Chair's Report**

11
12 Ms. Wysocki announced that there was an item found in the Liquor Advisory Committee that did not make
13 the agenda regarding the fingerprinting issue. She requested that this item be included in the September
14 meeting agenda.

15
16 **7. Establishment of Noxious Weed Control Program**

17
18 Mr. Joel Fletcher stated that a few months ago, Mr. Moser asked about a noxious weed situation and he
19 looked into this. He explained that strict enforcement of the noxious weed law in this county has been lax
20 for several years because there has been no superintendent. He requested direction from the Committee on
21 how the County would like to proceed with this issue.

22
23 Ms. Busboom stated that the Zoning Department has enough to do and recommended that this issue be
24 referred to Highway or some other organization that might have more time. Mr. Moser pointed out that
25 Canadian thistle is being allowed to grow and CRP strips are not being taken care of especially along Staley
26 Road, where Shatter Cane growing for half mile. He stated that this should be taken care of as soon as
27 possible and if these weeds are allowed to go to seed, the weeds would spread wildly.

28
29 Mr. Fletcher stated that he would be happy to send out a letter to the owner but he cannot until a
30 superintendent is determined to backup the enforcement. He reiterated that we need someone who is trained
31 in the identification of noxious weeds and the methods of elimination of the weeds. Mr. Langenheim
32 suggested contacting an owner of a nursery who could serve as the administrator.

33
34 Mr. McGinty suggested that Planning and Zoning identify the expert and that department would be taking
35 this on as one of their responsibilities with a volunteer expert.

36
37 Mr. Fletcher asked if this would then go to Policy for appointment of the superintendent with
38 recommendations from Planning and Zoning. Mr. Moser suggested a retired agronomy professor, of which
39 he knows four persons who would qualify.

40
41 Ms. Busey pointed out that Mr. Fletcher's memo has defined the scale and responsibilities and she
42 recommends making it a County Board Chair appointment. An appointment search should be done for the

1 position and all this committee would need to do is recommend that procedure take place. The only other
2 item to be identified is some sort of compensation for this person and if so how much so that the applicant
3 would be fully informed of the position. She also recommended requiring an annual report from this
4 individual that would come directly to this committee therefore removing the burden from Planning and
5 Zoning.

6
7 **Mr. McGinty made the motion to adopt the recommendations of Ms. Busey as stated above, with the**
8 **exception of the position being a non-paid position to work on a voluntary basis with all reasonable**
9 **expenses to be paid by the County, i.e. mileage, etc. Mr. Schroeder seconded the motion.**

10
11 Mr. Moser suggested that all complaints be forwarded to the Planning and Zoning Department and
12 explained that there would be other costs related to eradicating any noxious weeds.

13
14 Mr. Langenheim suggested action be deferred until a proper motion could be brought before the committee
15 for review and consideration at the next scheduled meeting.

16
17 Mr. McGinty pointed out that we shouldn't defer because it is reasonable to have the County Board
18 Chairperson have Planning and Zoning to identify opportunities to appoint such an individual. Mr.
19 Langenheim stated that the committee would need to know exactly the duties of this position. Mr. McGinty
20 stated that the duties could be defined by an individual that would be identified by the County Board Chair
21 with assistance from Planning and Zoning therefore this committee should move on it now. He was willing
22 to restate his motion for clarification purposes.

23
24 **Mr. McGinty then restated his motion that we direct the County Board Chair to work with Planning**
25 **and Zoning to identify qualified individuals from which to select to serve in the role as Noxious Weed**
26 **Superintendent. Ms. Busboom seconded the motion.**

27
28 Mr. Moser stated that he would like zoning office to call the Highway Department regarding the Shatter
29 Cane along Staley Road between Kirby Avenue and Route 10.

30
31 Ms. Wysocki stated that she has had a complaint which she referred to the Highway Department. She said
32 that according to Jeff Blue, County Highway Director, the City of Champaign will enforce the issue because
33 Staley Road is pretty much all located within the city.

34
35 **The motion carried.**

36
37
38 **8. Subdivision Case: 183-05: Pusey First Subdivision. Combined Area General Plan and Final**
39 **Plat Approval for a Two-lot Minor Subdivision of an Existing 9.4 Acre Residential lot Located**
40 **in the CR Zoning district in Section 12 of Urbana Township.**

41
42 **Mr. Moser moved to recommend approval of this subdivision. Mr. Schroeder seconded. There being**

1 no further discussion and upon vote, the motion carried unanimously.
2
3

- 4 9. **Case 453-AM-04: Petitioner: William and Peggy Campo Request: Amend the zoning Map to**
5 **Change the Zoning District Designation from AG2, Agriculture to B-1, Rural Trade Center**
6 **(as amended on April 18, 2005). Location: A .62 Acre Tract of Land located in the N1/2 of the**
7 **NW 1/4 of the NE 1/4 of the SW 1/4 of Section 34 of Somer Township and located**
8 **approximately one-half mile east of Illinois Route 45 on the south side of Oaks Road (CR**
9 **1850N) and known as the business located at 2305 East Oaks Road, Urbana.**

10
11 **Mr. Schroeder moved to recommend denial of this request. Mr. Moser seconded the motion.**

12
13 Mr. Hall updated the committee concerning this matter and explained that the Urbana Plan Commission
14 recommended a protest at their meeting last week and the Urbana City Council will consider this matter at
15 their next meeting on August 15, 2005. Mr. Schroeder stated that this would be considered spot zoning in
16 that area and the business density moves north/south across High Cross Road and we should not put
17 east/west business along that residential area. Ms. Busboom stated that everyone in her district has
18 commented negatively concerning this proposal and requested that the committee deny this map
19 amendment.
20

21 **There being no further discussion and upon vote, the motion carried unanimously.**

- 22
23 10. **Case 504-AM-05: Petitioner: Central Illinois Trucks, Inc. and Richard Schugel, Agent.**
24 **Request: Amend the Zoning Map to Change the Zoning District from B-3, Highway Business**
25 **Zoning District to B-4, General Business Zoning District.**
26 **Location: An approximately 15 acre tract in the East ½ of the Northeast 1/4^{ll} of the Northeast**
27 **1/4 of Section 24 of Hensley Township and located between Leverett Road and Interstate 57**
28 **and that is commonly known as the Field on the West Side of Leverett Road at the Interstate**
29 **57 Interchange on Leverett Road.**

30
31 **Ms. Busboom moved to recommend approval. Mr. Moser seconded the motion. There being no**
32 **further discussion, and upon vote, the motion carried unanimously.**

- 33
34 11. **Approval of Recommendation regarding Planning and Zoning Department**

35
36 **Ms. Busboom moved for approval of this recommendation. Mr. McGinty seconded the motion.**
37 **There being no further discussion, and upon vote, the motion carried: 5-Aye, 1-Nay.**

- 38
39 12. **Comprehensive Zoning Review**

40
41 Ms. Monte reported that a special subcommittee of ELUC has met 3 times to discuss modifications to
42 selected portions of the Champaign County Land Use Regulatory Policies. She stated that those proposed

1 modifications would be brought before this committee at its meeting in September. Ms. Monte added that
2 staff is awaiting for communication from the Attorney General on several matters forwarded in January.

3
4 **13. Planning and Zoning Report**

5
6 Mr. Hall reported that Mr. Roseman had major surgery and is home recuperating and there is no monthly
7 report. He explained that there is no interim director and the monthly report is one of the duties of the
8 director. He said that staff could put together a monthly report if the committee considers that is a critical
9 thing. Mr. Langenheim asked if we should appoint an interim director. Mr. Hall reported that at the last
10 ZBA meeting, there was a determination that could only be made by the Zoning Administrator and Mr.
11 Roseman should not be bothered while he is recuperating. Some of these things, if we want to continue
12 meetings, you can continue decisions otherwise, we need someone to make decisions. Mr. Fletcher stated
13 that it is not on the agenda and if you wanted to do that at a special meeting of the full board, you could do
14 that. But you can't take action on it tonight. Ms. Wysocki pointed out that this is a function of the CEO
15 of the Regional Planning Commission and Planning and Zoning is still part of Regional Planning.

16
17 **14. Other Business**

18
19 None

20
21 **15. Determination of Items to be placed on the County Board Consent Agenda**

22
23 Mr. Langenheim reported that since the Planning and Zoning item was not unanimous, it would be placed
24 before the full Board. All others items were unanimous. Mr. Fletcher stated that it would take a motion to
25 amend the ordinances with a recommendation of denial from the ELUC committee. Items 8 and 10 would
26 be placed on the consent agenda and items 9 and 11 would go before the full ZBA board.

27
28 **16. Adjournment**

29
30 The meeting adjourned at 7:42 p.m.

31
32
33 Respectfully submitted,

34
35
36
37
38 Secretary to the Environment and Land Use Committee

39
40 eluc\minutes\minutes.frm

Prairie Rivers Network

Protecting Illinois' Streams

23 May 2005

Barbara Wysocki, Chair
Champaign County Board
Brookens Administration Bldg.
Urbana IL 61801

Dear Ms. Wysocki:

In August 2004 I appeared on behalf of Prairie Rivers Network before the Policy Committee and the full County Board to raise concerns about the ineffectiveness of County government policies aimed at protecting our local environment. The board responded by requesting a legal memorandum from the States Attorney detailing the County's powers in this area, but none has been forthcoming. First it was delayed by the election, then by a series of other events. The bottom line is that nothing is yet available.

The attached statement is intended to underscore the urgency of completing this task and taking appropriate action. It is clear that state and federal governments aren't doing enough to protect our local environment. At the same time we recognize that local governments are famous for denouncing state and federal intervention in local affairs. We ask that you and your fellow board members step forward with creative proposals to break this impasse.

A degraded natural environment not only affects current residents of our county, but it also undermines our ability to attract young professionals with families who might have a lot to offer high-tech companies in the UI research park. The Champaign County Forest Preserve District went almost 30 years without purchasing more forests to preserve, and only recently obtained state funds to buy an abandoned gravel pit from a willing seller. In the meantime, the pressure on our remaining forests – nearly all of them along stream corridors – has increased steadily.

I would appreciate it if you would provide all members of the county board with a copy of this correspondence.

Sincerely,

Clark Bullard

809 South Fifth Street, Champaign, IL 61820-6215
www.prairierivers.org

PRAIRIE RIVERS NETWORK STATEMENT TO CHAMPAIGN COUNTY BOARD

May 23, 2005

Prairie Rivers Network calls on the Champaign County Board to step in and protect the remaining fish and wildlife habitat along our rivers and streams. We can no longer afford to rely on federal and state laws to prevent clearcutting of trees along our streambanks, or destruction of fish habitat in the rivers themselves. If we don't act now, it will be too late. Habitat is being destroyed at an alarming rate by agribusiness, urban sprawl and residential developments. Nobody wants to live in a sterile desert of asphalt, corn and beans.

County ordinances currently provide little protection for our stream corridors. Homes can be built too close to the rivers and with inadequate septic systems. Individual and corporate farmers have the right to clear-cut forest right up to the stream bank to plant corn and beans. The general public is shortchanged twice, first by the loss of fishing, hunting and birdwatching opportunities, and then again at tax time when we pay for federally-subsidized crop insurance to cover flood damages.

For example, the Spoon River, a tributary of the Salt Fork of the Vermilion River is literally being destroyed by a dredging and clearcutting project conducted this spring by the local drainage district. To free itself of county oversight, the District recently began electing its commissioners instead of having them appointed by the County Board.

Federal and state agencies routinely exempt or overlook "small" projects such as these unless they pose threats of widespread environmental damage or downstream floods affecting neighboring states or counties. Champaign County is dying a death by a thousand cuts. It is time for our elected County Board members to take responsibility for protecting what's left of our natural environment.

Prior to this destruction, the Spoon River



was rated a BSC (biological stream characterization) Class A stream by the Illinois DNR and EPA. Less than 1% of Illinois stream mileage rates this classification.

There are about 70 drainage districts in Champaign County. They spend about \$800,000/year and inflict serious environmental damage. Only citizens living inside the district are allowed to object, at their own expense, in county court. Citizens living outside the district have no legal standing. But fish and wildlife roam freely, unaware of drainage district boundaries. The birds we see in town may have nests along rural rivers and streams. The big fish we catch in our larger rivers may have hatched and survived their early years in the safety of a small tributary in the middle of a cornfield. Most of this habitat destruction is totally unnecessary; they are still using 19th century technology. There are kinder, gentler and greener ways to provide adequate drainage.

Prairie Rivers Network www.prairierivers.org is the Illinois affiliate of the National Wildlife Federation.

DOBBINS, FRAKER, TENNANT, JOY & PERLSTEIN

A PROFESSIONAL CORPORATION
ATTORNEYS AND COUNSELORS
215 NORTH NEIL STREET
CHAMPAIGN, ILLINOIS 61820-4012

TELEPHONE (217) 356-7233
FACSIMILE (217) 356-3548

www.dobbinslaw.com

WHITE & DOBBINS	1894-1901
RAY & DOBBINS	1901-1912
DOBBINS & DOBBINS	1912-1935
DOBBINS, DOBBINS, BARR & THOMAS	1935-1937
DOBBINS, DOBBINS & THOMAS	1937-1945
DOBBINS, DOBBINS & FRAKER	1945-1952
DOBBINS & FRAKER	1952-1965
DOBBINS, FRAKER & TENNANT	1966-1980

DONALD V. DOBBINS	1913-1981
TODD M. TENNANT	1954-1997

RICHARD M. JOY
GUY C. HALL
RENÉE L. MONFORT
JAMES D. COTTRELL
STEPHEN J. LESUEUR
DANIEL P. WURL
MAGGIE C. BEDNAR

PARALEGALS
VICKI L. SCHUMACHER
CHERYL D. TRACEY

OF COUNSEL
D. CAMERON DOBBINS
DONALD M. TENNANT
CREED D. TUCKER

July 25, 2005

Ms. Barbara Wysocki
Champaign County Board
Brookens Administration Building
Urbana, Illinois 61801

Re Drainage Districts of Champaign County

Dear Ms. Wysocki:

I was recently provided with a copy of Clark Bullard's letter of May 23, 2005, and I would like to respond. I am one of the attorneys in this County who works with our local Drainage Districts. Drainage Districts are, of course, municipal corporations which are established by statute. The Drainage Code can be found at 70 ILCS 605. Drainage Districts have been in existence for well over 100 years and are the entities which have allowed this County to be what it is today. While I have not had an opportunity to research the issue as yet, I have grave doubts about the ability of a County to pass any ordinance, which would interfere with the statutorily mandated rights and obligations of Drainage Districts and the landowners within those Districts. I will follow up and will provide you with further thoughts on this subject.

In paragraph three of this letter, Mr. Bullard refers to a "degraded natural environment". Of course it must be understood that this is Mr. Bullard's opinion, and that, apparently, his opinion is that land that has been converted to farmland is to be considered "degraded". All of us in the agricultural community have become aware of Mr. Bullard's desire for trees and brush and swamps, as opposed to farmland. His suggestion that we should impinge upon the rights and obligations of Drainage Districts and the landowners within those Districts and reduce their property values and their income, in order to attract "young professionals with families who might have a lot to offer high tech companies in the U of I Research Park" is nothing short of appalling. I personally find Mr. Bullard's statement that such individuals should be considered more important than the long-standing citizens of this County highly insulting.

At the end of paragraph three, Mr. Bullard's indication that pressure on the County's "remaining forest – nearly all of them along stream corridors – has increased steadily", is inaccurate. There were only a few wooded areas in this county prior to settlement, and there is no data to support his proposition that the trees and brush one may see being cleared from time to time along Drainage Ditches

July 25, 2005
Page 2

constitutes any portion of any "remaining forests". Further, I can indicate to you that the channels that people see in the countryside of Champaign County are not what existed in pre-settlement times. Many of the channels that are seen in this County are entirely man-made and simply followed low contours in the area. Drainage Districts do perform brush and tree clearing from time to time, but such growth is not "pre-settlement". It simply constitutes trees and brush that have grown up over time since prior maintenance was carried out and which are cut periodically to maintain the integrity of the ditch banks and to provide access to the ditch for future purposes. At this time, Spoon Rive, a District that I represent, is carrying out a maintenance project on approximately six miles of its very extensive ditch system. In two or three of those sections trees and brush are being cleared, but again, this is not original growth.

In addition to the foliage issue, it is important to be advised that any stream system that existed in this County was far less extensive than what is visible at this time, and was much shallower than anything that can be seen at this time.

Many years ago, when I first began working with Drainage Districts, I had the opportunity to attend a presentation by an attorney from Iowa who had a great deal of historical information on the subject. I will never forget the "nick name" he said had been given to the State of Illinois back in the mid to late 1800's. The "nick name" was "the graveyard of the nation". Why? Malaria. Even though medical technology has greatly advanced, this is still something to consider.

As a result of the ongoing operations of the Districts, this County is livable. Without them, the county would return to its pre-settlement condition. Large areas of the County would be impassable during certain times of the year; roads would be washed out, and large areas of farmland would no longer be viable. Health issues may also develop again. People concerned with drainage in this County know that this was how conditions were when the county was being settled. It is not a matter of conjecture.

Mr. Bullard has indicated that Spoon River has switched from having its Commissioners appointed by the County Board, to being elected by the landowners within the District. This can be done pursuant to the Drainage Code. That process was completed late last year with almost 70% of the landowners within the Spoon River Drainage District signing off on the petition for the change. Since we only needed 50% to get the job done, the Commissioners did not pursue any further signatures. Frankly, if they had continued, they may have been able to acquire the signatures of all of the landowners of the District. Spoon River is a very large District and this is a significant fact. It is a strong statement that should not be ignored. The action was taken by the District as a direct result of the attempts to place "environmentalists" on Drainage District boards.

In his statement of May 23, 2005, at the beginning of the fifth paragraph, Mr. Bullard states that "prior to this destruction the Spoon River was rated a BCS (biological stream characterization) Class A stream by the Illinois DNR and EPA. He has made no indication or makes no statement that Spoon River has lost that status, and simply implies that it has, for obvious purposes. Further, and of great interest, I can advise you that Spoon River is and has been, over many decades, one of the most heavily worked and maintained District systems in this County, and by mechanical means. The work of the Commissioners of

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Page 3

this District can only be described as "aggressive". It is interesting that Spoon River could have acquired this classification when so much "destruction" has been going on.

Spoon River has had an ongoing issue with the Illinois Department of Natural Resources. In the last few years, IDNR has taken the position that Spoon River is a "natural area". This is most unusual, since all one has to do is drive around within the District and see that it is entirely farmland. On behalf of the District, I sent a FOIA request to IDNR requesting everything they had with regard to this determination. The initial response was that they wanted me to sign a licensing agreement indicating that the information could only be used for the District's internal purposes; that it not be disseminated publicly; and, that the District agreed that the requested information was not subject to the FOIA. We, of course, declined to sign such a ludicrous document. The sending of such a document is, absolutely, not sanctioned by FOIA. A follow-up request was made to IDNR with regard to the same information. The IDNR responded with an inquiry with regard to whether we had received the licensing agreement. To make a long story short, two lawsuits were initiated by the District for violation of FOIA against IDNR. As a result of the two lawsuits, little, if any information was acquired from IDNR with regard to their determination. No documents indicating any input from any source, any meetings, or any determination was provided by IDNR. Clearly, some unknown person or persons, at some unknown time, based on unknown information, had decided that Spoon River was to be classified as a "natural area". The significance of the District being determined to be a "natural area" is that whenever the District performs maintenance work, we are required to consult with IDNR. We have advised IDNR that we do not recognize its determination of Spoon River being within a "natural area". Further, we do not anticipate the relationship improving with IDNR. The Commissioners advise me that at least one, and perhaps other individuals who are on the board of the Prairie Rivers Network, are officers of IDNR.

Additionally, a particular professor at the University of Illinois has been studying the Spoon River area. In the last year or so, he has published a scientific "article", indicating that certain portions of the Spoon River channel have "stabilized" naturally and are no longer in need of mechanized maintenance work. The article is followed by a rather extensive list of footnotes, and seems quite impressive. The key to the article was that the District had not performed any maintenance work on the section of the ditch in question for approximately 50 years. Unfortunately, no one associated with this article contacted the District Commissioners or myself to verify this key fact. Of course, the proposition that this particular section has not been worked for approximately 50 years is completely untrue. The previous Commissioners as well as the contractors who have historically worked on the ditch, can provide direct evidence that this particular area of the ditch has been worked during the relevant time period, completing destroying the basis of the article. But, of course, it is now out in the scientific community. Recently, another person involved in the local drainage scene has advised me that he attended a conference where a speaker noted this particular article. The author of this article has been advised of the problem with the publication, but no withdrawal has been forthcoming.

I have also heard the argument, many times, that it is necessary to have trees along ditch banks to shade the water, to provide an appropriate aquatic habitat for fish. Nothing could be further from the truth. If you wish, we could make arrangements for you speak with Mr. Leon Wendte, who was until recently, the head of the local NRCS office here in Champaign County. He has recently taken the position

July 25, 2005
Page 4

of the head of the NRCS in the State of Maine. Mr. Wendte can dispel this illusion for you. We are familiar with a number of Drainage Districts which have no trees whatsoever, and where there are a great variety of fish. The argument with regard to the trees is made for the sake of having trees, solely. They are "prettier" than corn.

Additionally, I would like to advise you that extensive efforts have been made over the years to place property adjacent to the Drainage ditches in the filter strip program. I believe if you contact the local NRCS office, you will be able to receive copies of their maps showing where the filter strips are and will learn just how extensive this has become. These filter strips provide habitat for all forms of wildlife.

I obviously disagree with the statement in the final paragraph of his statement to the effect that "the Drainage Districts inflict serious environmental damage". There is no question that there is a temporary disruption of the habitat, when maintenance is performed. The people living in the countryside, including the Commissioners, can tell you of the startling speed at which nature restores itself. It is not long after a drainage ditch has been worked, that the plant and animal life re-establish themselves.

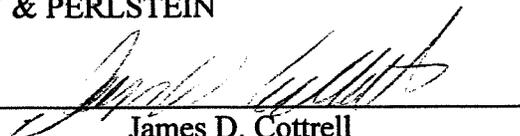
Mr. Bullard also states that the birds we see in town "may" have nests along rural rivers and streams. Further, he states that the big fish that are caught in the larger rivers, "may" have hatched and survived their early years in the safety of a small tributary in the middle of a cornfield. Mr. Bullard's arguments are speculative and without foundation

One final item that I would like to bring to your attention is that when ditches are being maintained, it is not just a matter of brush and tree clearing and removing silt and sandbars. It is also important to keep the ditches clear because of the many sub-surface tile outlets from private farmlands which outlet into the District ditch. If silt were allowed to build up, these tiles would be blocked and the fields would begin to fill up with water again, resulting in crop destruction, falling property values, and the demise of the livelihood of many of the citizenship of this County. Additionally, if the ditch capacity is not maintained, water levels in the ditch, in times of heavy rain, can overtop Township roads and bridges, and do, often, result in damage or the destruction of Township bridges. It is unfortunate that I have felt it necessary to send you this letter. I will shortly provide you with copies of materials out of a number of publications which should, I hope, put matters in proper perspective. If you have any questions please feel free to call me.

Sincerely,

DOBBINS, FRAKER, TENNANT,
JOY & PERLSTEIN

BY:


James D. Cottrell
jcottrell@dobbinslaw.com

July 25, 2005
Page 5

JDC:sls

Sarah\jdc\dd\spoon\corres\wyssocki01

TO: **Environment and Land Use Committee**

FROM: **John Hall, Associate Planner**

DATE: **September 6, 2005**

RE: **Case 184-05 Duitsman Subdivision**

Champaign
County
Department of

**PLANNING &
ZONING**

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

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

REQUESTED ACTION

Minor Plat approval for a two-lot minor subdivision of 2.25 acres out of an existing 14 acre parcel in the AG-1 Zoning District in Section 28 of Compromise Township located on the south side of CR2600N and approximately 350 west of the Flatville Drainage Ditch. ^{feet}

The County Health Department has approved this subdivision and the Compromise Township Highway Commissioner has signed the plat.

The proposed subdivision appears to conform to all of the minimum subdivision standards.

The subdivider performed his own percolation tests and the results are not on the Final Plat and approval at this time requires the following waivers:

- 1. Waive requirement of paragraph 9.1.2 q. for percolation test data at a minimum frequency of one test hole for each lot in the approximate area of the proposed absorption field.**
- 2. Waive requirement of paragraph 9.1.2 r. for certification on the plat by a Registered Professional Engineer or Registered Sanitarian that the proposed land use, the proposed lot, and the known soil characteristics of the area are adequate for a private septic disposal system.**

Subdivider

Marc Duitsman
2079 CR2600N
Gifford IL 61847

Engineer/Surveyor

Moore Surveying & Mapping
101 West Ottawa Street
Paxton IL 60957

Location, Roadway Access, and Land Use

The subject property is an approximately 14.85 acre parcel in the East 1/2 of the Northeast 1/4 of Section 28 of Compromise Township (T21N, R10E 3rd PM). See the Location Map. The existing property is an established farmstead at 2079 CR2600N.

The proposed subdivision is bordered by the remainder of the 14.85 acre parcel which is farmland on the west side of the Flatville Drainage Ditch. See the Land Use Map.

Applicable Zoning Regulations

The subject property is zoned AG-1 Agriculture. See the attached Zoning Map. The proposed lots all *Zoning Ordinance* requirements. See Table 1 for a summary.

Creation of new lots less than 35 acres in area is limited in the AG-1 District (as well as AG-2 and CR) without first rezoning to the Rural Residential Overlay (RRO) District. Parcels of between 25 and 50 acres in area that existed on January 1, 1998, are limited to no more than four lots plus a farmland remainder on best prime farmland. The subject property was part of a larger 32.36 acre parcel that existed on 1/1/98 and is

SEPTEMBER 6, 2005

indicated as the “parent parcel” on the Land Use Map. As indicated on the Land Use Map, the proposed subdivision will result in three lots with dwellings and a farmland remainder and is within the limit on lot creation.

Table 1. Review Of Minimum Lot Requirements

Lot Characteristic	Requirement (or Limit)	Proposed Lots ¹		Notes
		Proposed Lot 1	Proposed Lot 2	
Lot Area (acres)	Minimum: 1.00 acre	1.299 acres	1.001 acres	MEETS OR EXCEEDS MINIMUM REQUIREMENT
	Maximum ² : 3.00 acres			
Lot Frontage (feet)	20.00 (minimum)	200.00 feet	200.00 feet	EXCEEDS MINIMUM REQUIREMENT
Lot Depth (feet)	80.00 (minimum)	315.0 feet	245.0 feet	EXCEEDS MINIMUM REQUIREMENT
Average Lot Width (feet)	200.00 (minimum)	200 feet ³	200 feet	MEETS MINIMUM REQUIREMENT
Lot Depth to Width	3.00 : 1.00 (maximum)	1.575 : 1.00	1.225 : 1.00	LESS THAN MAXIMUM ALLOWED
ALL LOTS MEET ALL REQUIREMENTS				
NOTES NR = No Requirement (or limit)				
1. Average lot width for Lot 1 determined by the largest diameter circle that fits within the lot lines..				

Minimum Subdivision Standards

Minimum subdivision standards were added to the *Subdivision Regulations* on July 8, 2004. Table 2 reviews the conformance of the proposed subdivision with those standards. The proposed subdivision meets all of the standards and there are no required waivers.

Soil Conditions / Natural Resource Report

A Section 22 Natural Resource Report (see attached) prepared for this site by the Champaign County Soil and Water Conservation District indicates the following:

1. **This tract is Best Prime Farmland for Champaign County but is an old farmstead.** The Land Evaluation factor average is 89. Land with an LE factor of 85 or greater is Best Prime Farmland as established by the Champaign County Land Use Regulatory Policies.
2. **The predominant soil type (new map unit 663B Clare silt loam; formerly 148B Proctor silt loam) has severe wetness characteristics.**

Drainage, Stormwater Management Policy, and Flood Hazard Status

The subject property is located in the Flatville Special Drainage District. The drainage district was notified of the proposed subdivision. No part of the proposed lots contain any portion of the right of way of the Flatville Drainage Ditch.

The Subsidiary Plat indicates ground contours on the subject property. There is no tributary area under different ownership that drains through the proposed subdivision and the subdivision drains directly to the Flatville Drainage Ditch. There are no areas of stormwater ponding on the proposed lots.

The portion of the overall property that is next to the Flatville Drainage Ditch is in Zone A (the mapped 100-year floodplain and Special Flood Hazard Area, or SFHA) on the Flood Insurance Rate Map (FIRM) Panel No. 170894 0150 B dated March 1, 1984, but no part of the proposed subdivision is within the mapped floodplain.

The County's consulting engineer has reviewed the proposed subdivision and the main review comments are as follows:

1. No Stormwater Drainage Plan is required for the subdivision due to the low development density (impervious area less than 16%).
2. Agricultural drain tile are unlikely in the area to be subdivided and no drainage easements appear to be required.
3. Even though the subdivision is not within the mapped floodplain the eastern edge of proposed Lot 2 may in fact lie below the base flood elevation. However, the subdivision appears to comply with the minimum subdivision standards and the structure on proposed Lot 2 is apparently above the base flood elevation.
4. Development of this site is unlikely to have adverse impacts on adjacent properties due to drainage.

The letter from the engineer is included as an attachment.

Public Improvements

No public improvements are indicated or required in this subdivision.

Water Wells and Soil Suitability For Septic Systems

The subject property does not have access to either a public water supply or a public sanitary sewer system. The existing dwelling on proposed Lot 1 already has a private water well and a working wastewater system.

The County Health Department has completed its review of this subdivision and approved the subdivision. See the attached letter.

Table 2. Preliminary Assessment Of Compliance With Minimum Subdivision Standards¹

Standard	Preliminary Assessment
SUITABILITY STANDARDS (Section 6.1.5 a.)	
1) No part of a minimum required LOT AREA ² shall be located on the following soils: Ross silt loam soil (No. 3473A), Ambraw silty clay loam soil (No. 3302A), Peotone silty clay loam soil (No. 330A), or Colo silty clay loam soil (3107A)	APPEARS TO CONFORM. The Natural Resource Report indicates that none of these soils are included in the area proposed for subdivision.
2) No part of a minimum required LOT AREA ² shall contain an EASEMENT for an interstate pipeline	APPEARS TO CONFORM. No pipeline is included in the area proposed for subdivision.
3) No part of a minimum required LOT AREA ² shall be within a runway primary surface or runway clear zone	APPEARS TO CONFORM. No runway is known to be in the vicinity of the subject property.
4) Prior to the commencement of any change in elevation of the land, no part of a minimum required LOT AREA ² shall be located more than one foot below the BASE FLOOD ELEVATION (BFE).	APPEARS TO CONFORM. The proposed lots are outside of the mapped Special Flood Hazard Area (100-year floodplain). The engineer's report indicates that portions of Lot 2 may be below the actual base flood elevation but Lot 2 appears to conform to this standard.
5) When a connected public sanitary sewer is not available, the septic suitability of the soils occupied by each proposed LOT must be the most suitable soils on the larger tract from which the SUBDIVISION is proposed.	APPEARS TO CONFORM. The location of the subdivision lots is determined by the existence of a farmstead on Lot 1 and a barn on Lot 2 that is proposed to be remodeled into a residence. The farmstead was located on the highest and best drained location which also has the highest septic suitability. The County Health Department has approved the plat.
6) The amount of farmland with a Land Evaluation score of 85 or greater that is occupied by each LOT must be minimized as much as possible.	APPEARS TO CONFORM. Both lots are best prime farmland and are less than the maximum lot size of 3 acres.
7) A minimum required LOT AREA ² for any LOT must have positive surface drainage with no significant identifiable area of likely stormwater ponding and provided that any portion of any LOT that is likely to experience ponding of stormwater is noted on the FINAL PLAT.	APPEARS TO CONFORM. The Subsidiary Plat indicates positive drainage.
8) Possible driveway locations on each LOT must comply with the Minimum Stopping Sight Distance standards based on lawful speed limits at that location.	APPEARS TO CONFORM.
AGRICULTURAL COMPATIBILITY STANDARDS (Section 6.1.5 b.)	

Table 2. Preliminary Assessment Of Compliance With Minimum Subdivision Standards¹

Standard	Preliminary Assessment
1) Possible driveway locations on each LOT must be limited such that driveway entrances to existing public STREETS are centralized as much as possible consistent with good engineering practice.	APPEARS TO CONFORM. Lot 1 has an existing farmstead with an existing driveway. Lot 2 has an existing farm entrance.
2) The location of a SUBDIVISION on the larger tract from which the SUBDIVISION is proposed must maximize the separation of the proposed SUBDIVISION from: i. adjacent farmland that is under different OWNERSHIP at the time of SUBDIVISION; and ii. adjacent public parks, natural areas, or nature preserves	APPEARS TO CONFORM. These lots are surrounded by farmland owned by the subdivider.
3) The SUBDIVISION LOT arrangement must minimize the perimeter of the SUBDIVISION that borders adjacent agriculture and must be located next to adjacent residential LOTS whenever possible.	APPEARS TO CONFORM. The subdivision is as compact as possible and one lot is occupied by a pre-existing farmstead.
<p>Notes</p> <p>1. A waiver is required for any Minimum Subdivision Standard to which the proposed Area General Plan and subdivision does not conform.</p> <p>2. The minimum required lot area is one acre (43,560 square feet).</p>	

NECESSARY WAIVERS AND REQUIRED FINDINGS

Article 18 of the Champaign County Subdivision Regulations requires four specific findings for any waiver of the Subdivision Regulations. The proposed subdivision does not conform to the following requirements for Final Plats and waivers are required for the following:

1. **The plat does not contain percolation test data at a minimum frequency of one test hole for each lot in the approximate area of the proposed absorption field as required by paragraph 9.1.2 q.**

Proposed Lot 2 already has an approved septic system and percolation test data has not been provided for that system. A soil percolation test has been conducted by the owner for proposed Lot 2 and the County Health Department has approved this subdivision based upon the submission of the test results but those results have not been included on the plat. If the test data was on the plat any new wastewater system on proposed Lot 1 would still have to have additional soil tests in order to received County Health Department approval of a new wastewater system.

SEPTEMBER 6, 2005

- 2. The plat does not contain certification by a Registered Professional Engineer or Registered Sanitarian that the proposed land use, the proposed lot, and the known soil characteristics of the area are adequate for a private septic disposal system as required by paragraph 9.1.2 r.**

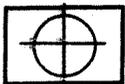
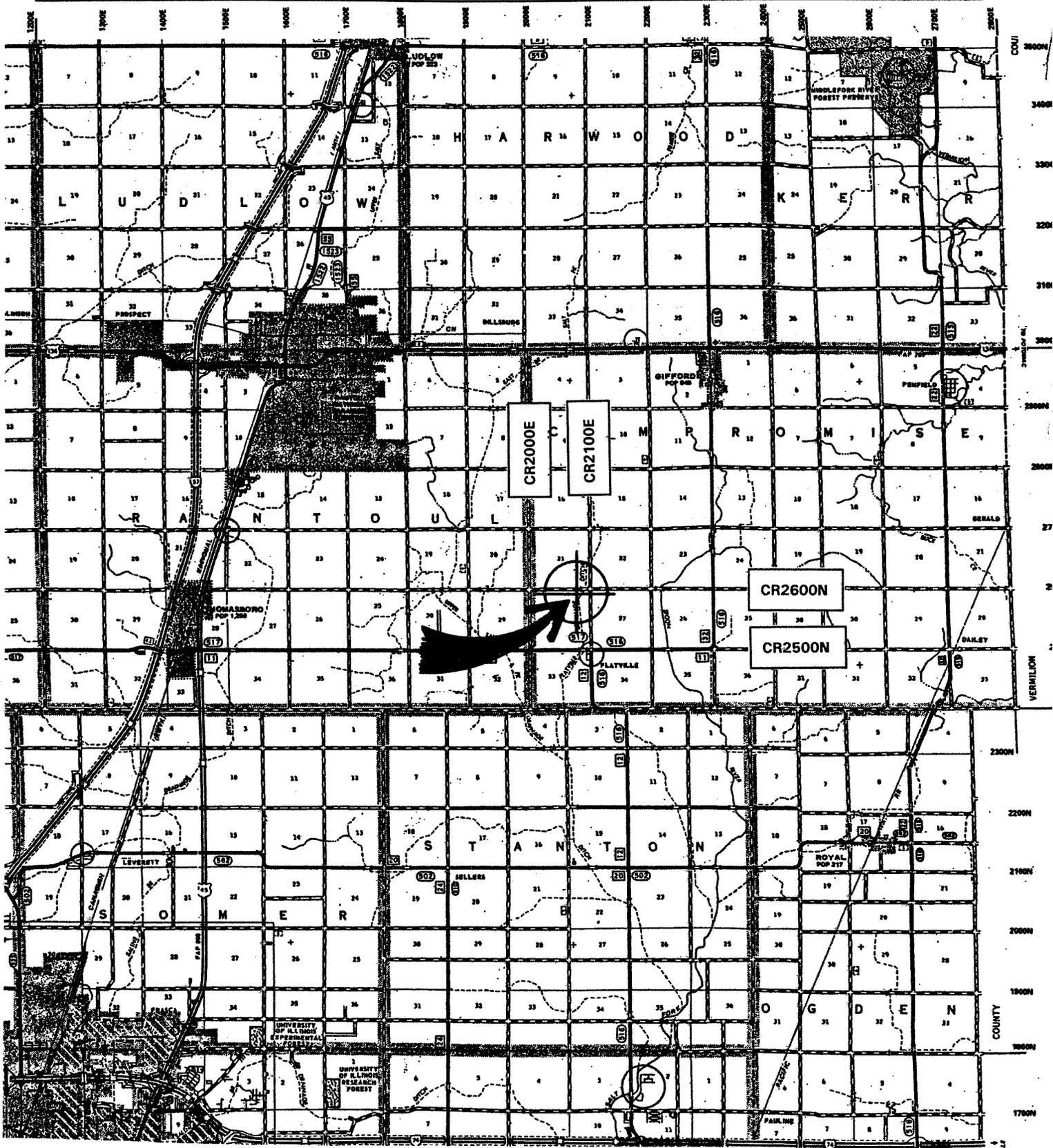
The subdivision has been approved by the County Health Department even though the plat does not contain any such certification.

Draft Findings for these waivers are attached for the Committee's review.

ATTACHMENTS

- A Subdivision Case Maps (Location, Land Use, Zoning)**
- B Subsidiary Plat of Duitsman Subdivision received July 11, 2005**
- C Final Plat of Duitsman Subdivision received July 11, 2005**
- D Section 22 Natural Resource Report By The Champaign County Soil and Water Conservation District**
- E Engineering review comments letter from Don Wauthier of Berns, Clancy and Associates dated August 18, 2005**
- F Letter from Sarah Michaels of the Champaign County Health Department**
- G Draft Findings for Waivers of Final Plat Requirements**

ATTACHMENT A. LOCATION MAP
Case 184-05 Duitsman Subdivision
 SEPTEMBER 6, 2005



Area of Concern



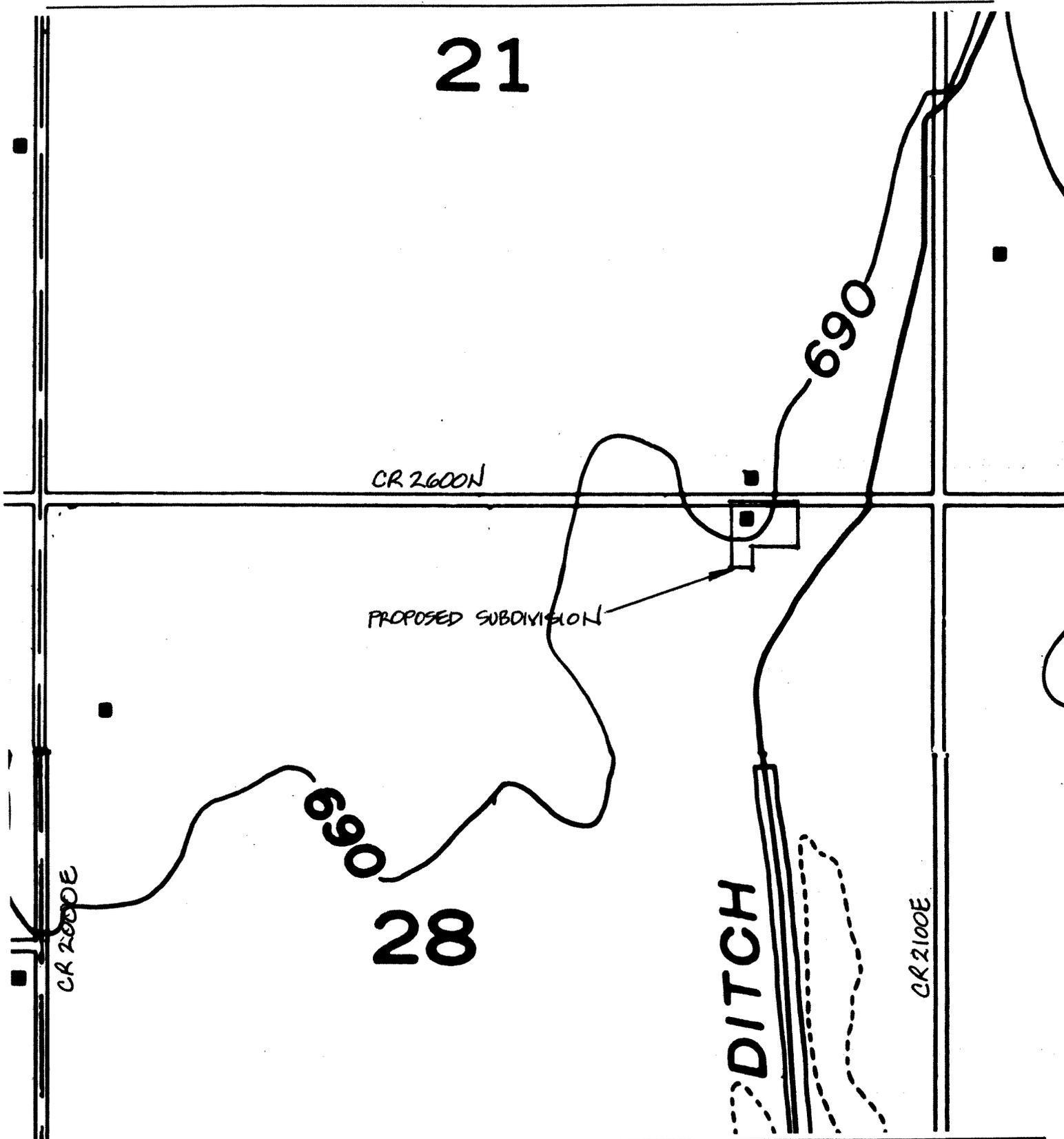
NORTH

**Champaign
 County
 Department of
 PLANNING &
 ZONING**

ATTACHMENT A. ZONING MAP

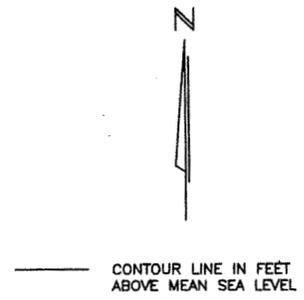
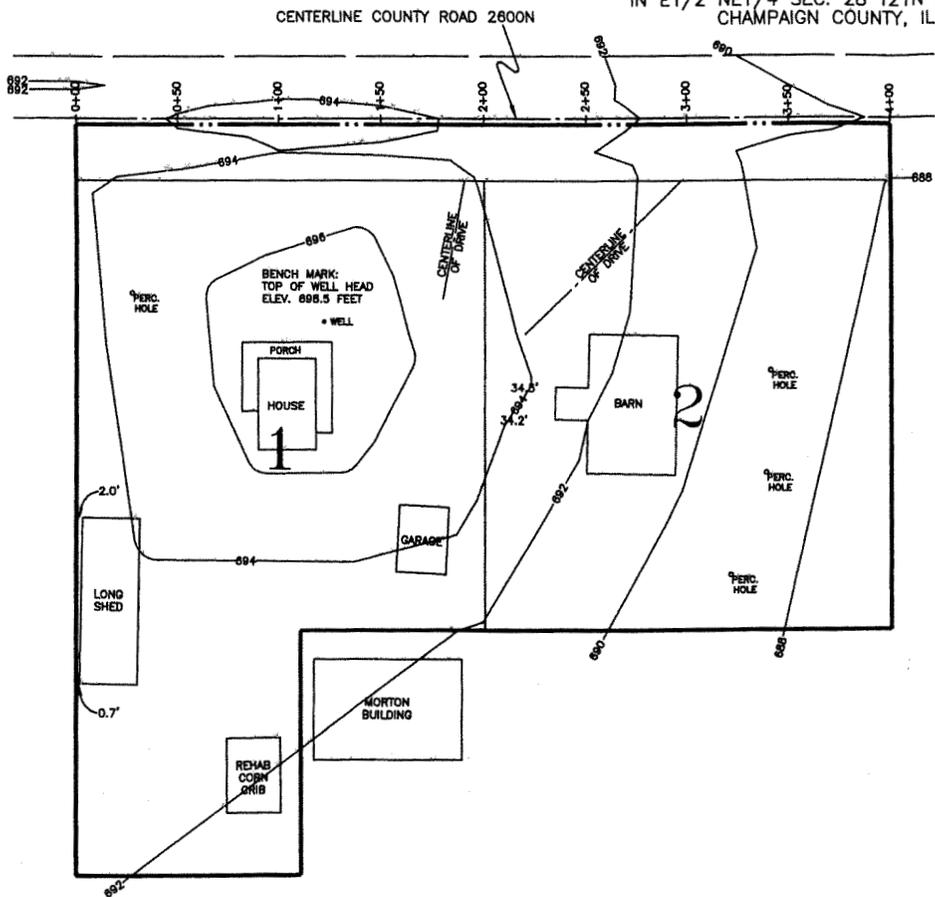
Case 184-05 Duitsman Subdivision

SEPTEMBER 6, 2005



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

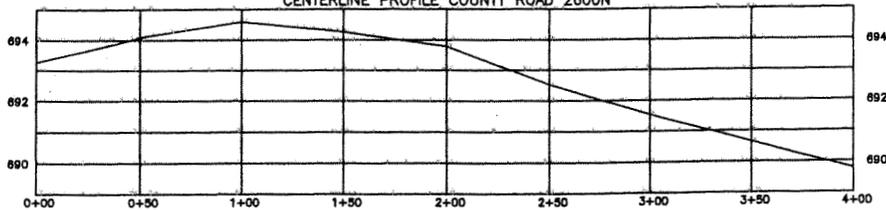
SUBSIDIARY PLAT OF
DUITSMAN SUBDIVISION
 IN E1/2 NE1/4 SEC. 28 T21N R10E 3RD P.M.
 CHAMPAIGN COUNTY, ILLINOIS



NOTES:

1. NO EXISTING BUILDING IN LOTS 1 OR 2 LIES WITHIN THE BUILDING SET-BACK AREA.
2. THE NEAREST EXISTING BUILDING ON LOT 1 IS 0.7 FEET FROM NEAREST SUBDIVISION BOUNDARY LINE.
3. THE NEAREST EXISTING BUILDING ON LOT 2 IS 34.2 FEET FROM NEAREST SUBDIVISION BOUNDARY LINE.
4. NO CHANGE IN DRAINAGE IS ANTICIPATED AT THIS SITE.
5. LOT 1 IS SERVED BY AN EXISTING WELL.

CENTERLINE PROFILE COUNTY ROAD 2600N



RECEIVED

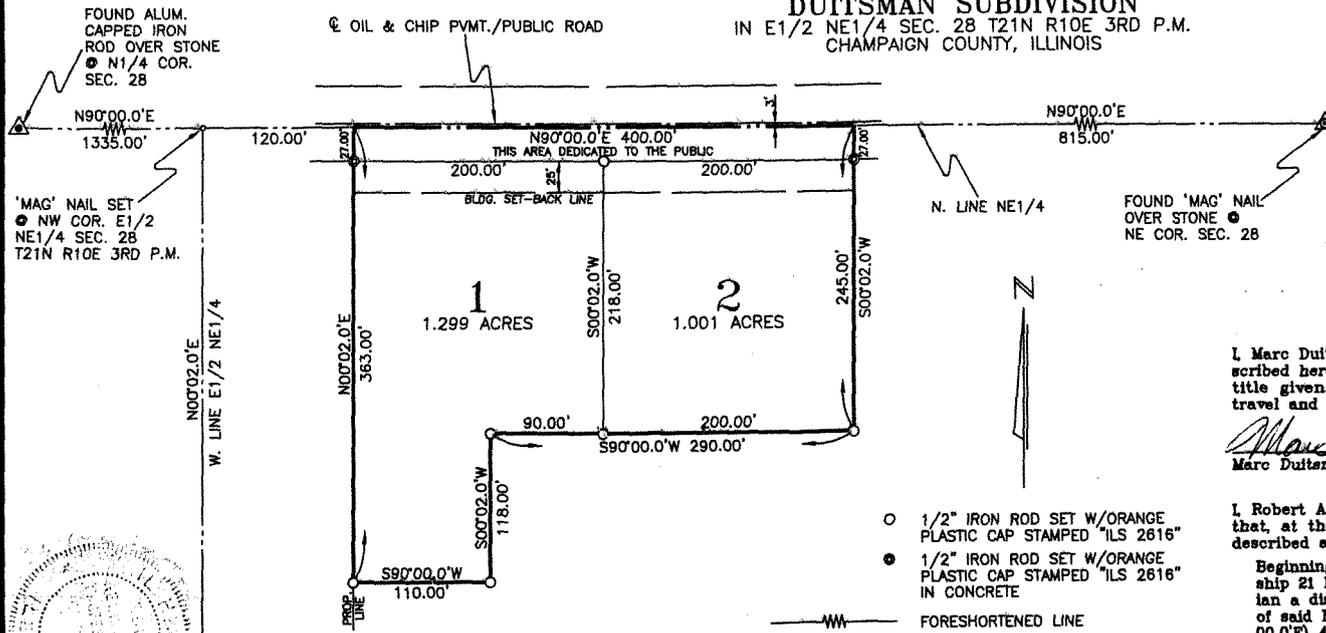
JUL 11 2005

CHAMPAIGN CO. P & Z DEPARTMENT

MOORE SURVEYING & MAPPING			
PAXTON, ILLINOIS			
CLIENT	DATE	SCALE	JOB NO.
MARC DUITSMAN	JULY 2, 2005	1" / 60'	4018S

32

FINAL PLAT
OF
DUTTSMAN SUBDIVISION
IN E1/2 NE1/4 SEC. 28 T21N R10E 3RD P.M.
CHAMPAIGN COUNTY, ILLINOIS



- 1/2" IRON ROD SET W/ORANGE PLASTIC CAP STAMPED "ILS 2616"
- 1/2" IRON ROD SET W/ORANGE PLASTIC CAP STAMPED "ILS 2616" IN CONCRETE

— FORESHORTENED LINE

OWNER'S CERTIFICATION

I, Marc Dutsman, do hereby certify that I am the owner of the tract of land described hereon and do hereby acknowledge and adopt this plat under the style and title given. The area not designated as lots is dedicated to the public for travel and public utilities.

Marc Dutsman 7-11-05
Date
Marc Dutsman

SURVEYOR'S CERTIFICATION

I, Robert A. Moore, Professional Illinois Land Surveyor No. 2616, do hereby certify that, at the request of Marc Dutsman, I have made a survey of a tract of land described as:

Beginning on the north Line of the Northeast Quarter of Section 28, Township 21 North of the Base Line, Range 10 East of the Third Principal Meridian a distance of 120.00 feet east of the Northwest Corner of the East Half of said Northeast Quarter; thence North 90 degrees 00.0 minutes East (N90° 00.0'E) 400.00 feet on said North Line; thence S00°02.0'W 245.0 feet parallel with the West Line of said East Half; thence S90°00.0'W 290.00 feet parallel with said North Line; thence S00°02.0'W 118.0 feet parallel with said West Line; thence S90°00.0'W 110.00 feet parallel with said North Line; and thence N00°02.0'E 363.00 feet parallel with said West Line to the point of beginning; encompassing 2.548 acres, situated in Champaign County, Illinois.

for the purpose of subdividing said tract as shown hereon.

I further certify as follows:

1. This tract is within 500 feet of a surface drain or waterway serving a tributary area of 640 acres or more.
3. The property covered by this plat is not within a flood hazard area identified by the Federal Emergency Management Agency.
4. The tract, as subdivided, is to be known as DUTTSMAN SUBDIVISION.

Robert A. Moore 7-8-05
Date
Robert A. Moore
Illinois Land Surveyor No. 2616
License expires 11/30/2006

COMPROMISE TOWNSHIP HIGHWAY COMMISSIONER CERTIFICATE
I have examined this plat, and to the best of my knowledge and belief find it to be in compliance with the highway requirements as set forth in the regulations governing plats of subdivided land adopted by the County Board of Champaign County, Illinois.

Approved the 11 day of July,
A.D. 2005

Marvin J. Johnson
Compromise Township Highway Commissioner

ENGINEER/SURVEYOR
MOORE SURVEYING & MAPPING
101 W. OTTAWA ST.
PAXTON, ILL. 60957
217-379-2212

OWNER/DEVELOPER
MARC DUTTSMAN
2079 CO. RD. 2600N
GIFFORD, ILL. 61847
217-840-4795

DRAINAGE CERTIFICATION
To the best of our knowledge and belief reasonable provisions have been made for the collection and diversion of surface waters into public areas or drains which the subdivider has the right to use, and such surface waters have been planned for in accordance with generally accepted engineering practices so as to reduce the likelihood of damage to the adjoining property because of the construction of DUTTSMAN SUBDIVISION, Champaign County, Illinois.

Vall H. Moore 7-8-05
Date
Vall H. Moore, I.R.P.E.

Marc Dutsman 7-11-05
Date
Marc Dutsman

APPROVED

Approved the _____ day of _____, A.D. 2005
CHAMPAIGN COUNTY, ILLINOIS

Chairman
CHAMPAIGN COUNTY ENVIRONMENT AND LAND USE COMMITTEE

Chairman
Subdivision officer



MOORE SURVEYING & MAPPING PAXTON, ILLINOIS			
CLIENT	DATE	SCALE	JOB NO.
MARC DUTTSMAN	JULY 2, 2005	1"/100'	4018

33

Champaign County Soil and Water Conservation District

2110 W. Park Court, Suite C

Champaign, IL. 61821

(217) 352-3536, Ext. 3

NATURAL RESOURCE REPORT

Development Name: Duitsman Subdivision

Date Reviewed: August 18, 2005

Requested By: Marc Duitsman

Address: Marc Duitsman
2079 CR 2600 North
Gifford, IL 61847

Location of Property: The East half the Northeast Quarter of Section 28, T21N, R10E, Compromise Township, Champaign County, IL. This is on County Road 2600 North ¼ mile west of the Flatville Rd.

The Resource Conservationist of the Champaign County Soil and Water Conservation District inspected this tract August 18, 2005. The site consists of 2 existing home sites.

SITE SPECIFIC CONCERNS

- 1. The area that is to be developed is has 2 soil types; the predominant soil type is Clare (662B) which has severe wetness characteristics.**
- 2. The area is considered "best prime farmland", but has large trees and an old existing home site and a newer home site. It has not been in agricultural production for decades, if ever.**

SOIL RESOURCE

a) Prime Farmland:

This tract is considered best prime farmland for Champaign County.

This tract has an L.E. Factor of 89; see the attached worksheet for this calculation.

The site is currently 2 home sites with large trees and has not been in agricultural production for many decades, if ever. The site does contain agricultural structures that were used for agricultural production.

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AUG 23 2005

b) Erosion:

The site is currently covered with buildings, driveways and grass. Erosion would be minimal until any construction takes place, if ever. If some future construction does take place the following guidelines should be followed. This area will be susceptible to erosion both during and after any future construction. Any areas left bare for more than 30 days, should be temporarily seeded or mulched and permanent vegetation established as soon as possible.

c) Sedimentation:

Sedimentation is not an issue, unless future construction disturbs the ground cover. If that does happen a complete erosion and sedimentation control plan should be developed and implemented on this site prior to and during major construction activity. All sediment-laden runoff should be routed through sediment basins before discharge. No straw bales or silt fences should be used in concentrated flow areas, with drainage areas exceeding 0.5 acres. A perimeter berm could be installed around the entire site to totally control all runoff from the site. Plans should be in conformance with the Illinois Urban Manual for erosion and sedimentation control.

d) Soil Characteristics:

There are two (2) soil types on this site, but the Clare (663B) covers the vast majority of the tract. See the attached soil map. The soils present have severe limitations for development in their natural, unimproved state. The possible limitations include severe ponding and wetness that will adversely affect septic fields on the site.

A development plan will have to take these soil characteristics into consideration; specific problem areas are addressed below.

Map Symbol	Name	Slope	Shallow Excavations	Basements	Roads	Septic Fields
152A	Drummer Silty Clay Loam	0-2%	Severe: ponding	Severe: ponding	Severe: ponding	Severe: ponding
663B	Clare silt loam	2-5%	Severe: cutbank cave	Severe: wetness	Severe: frost action	Severe: wetness

a) Surface Drainage:

The site is a rise in the surrounding landscape that the home sites were developed on. The water runs off the site with no water coming on to the site. See attached map. This runoff pattern is not a natural resource concern.

b) Subsurface Drainage:

This site may contain agricultural tile, if any tile found care should be taken to maintain it in working order. The likelihood of agricultural tile is minimal.

Wetness may be a limitation associated with the soils on this site. Installing a properly designed subsurface drainage system will minimize adverse effects. Reinforcing foundations helps to prevent the structural damage caused by shrinking and swelling of naturally wet soils.

c) Water Quality:

As long as adequate erosion and sedimentation control systems are installed as described above, the quality of water should not be significantly impacted.

CULTURAL, PLANT, AND ANIMAL RESOURCE

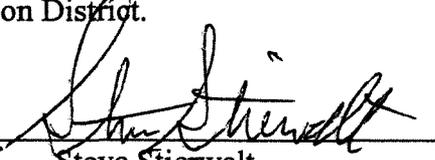
a) Plant:

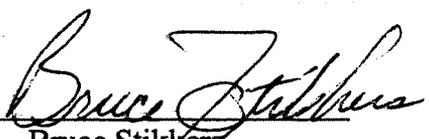
For eventual landscaping of the site, the use of native species is recommended whenever possible. Some species include White Oak, Blue Spruce, Norway Spruce, Red Oak, and Red Twig Dogwood.

b) Cultural:

The Illinois Historic Preservation Agency may require a Phase 1 Archeological Review to identify any cultural resources that may be on the site.

If you have further questions, please contact the Champaign County Soil and Water Conservation District.

Signed by 
Steve Stierwalt
Board Chairman

Prepared by 
Bruce Stickers
Resource Conservationist

LAND EVALUATION WORKSHEET

<u>Soil Type</u>	<u>Aq Group</u>	<u>Relative Value</u>	<u>Acres</u>	<u>L.E.</u>
152A	2	98	0.5	49.00
663B	3	87	1.8	156.60
				0.00
				0.00
				0.00
				0.00
				0.00
				0.00
				0.00

Total LE factor= 205.60

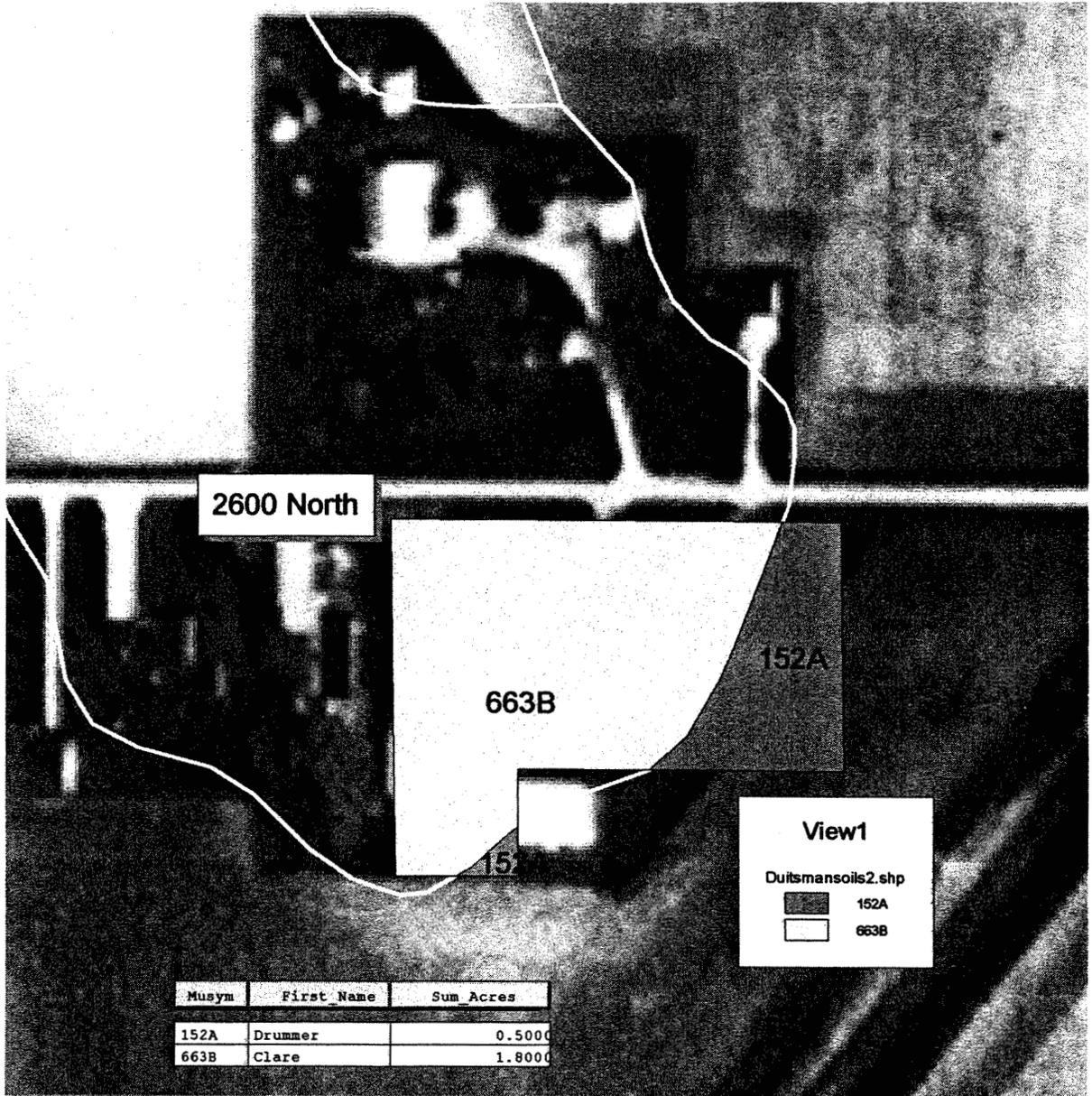
Acreage= 2.3

Land Evaluation Factor for site = 89

Note: The maps used for this calculation are not extremely accurate when use on small tracts such as this. A Soil Classifier could be hired for additional accuracy if necessary.

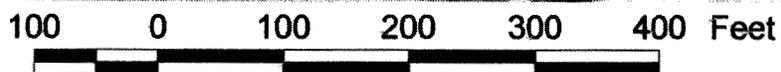
Data Source: Champaign County Digital Soil Survey
Revised fall 2002

Duitsman Subdivision

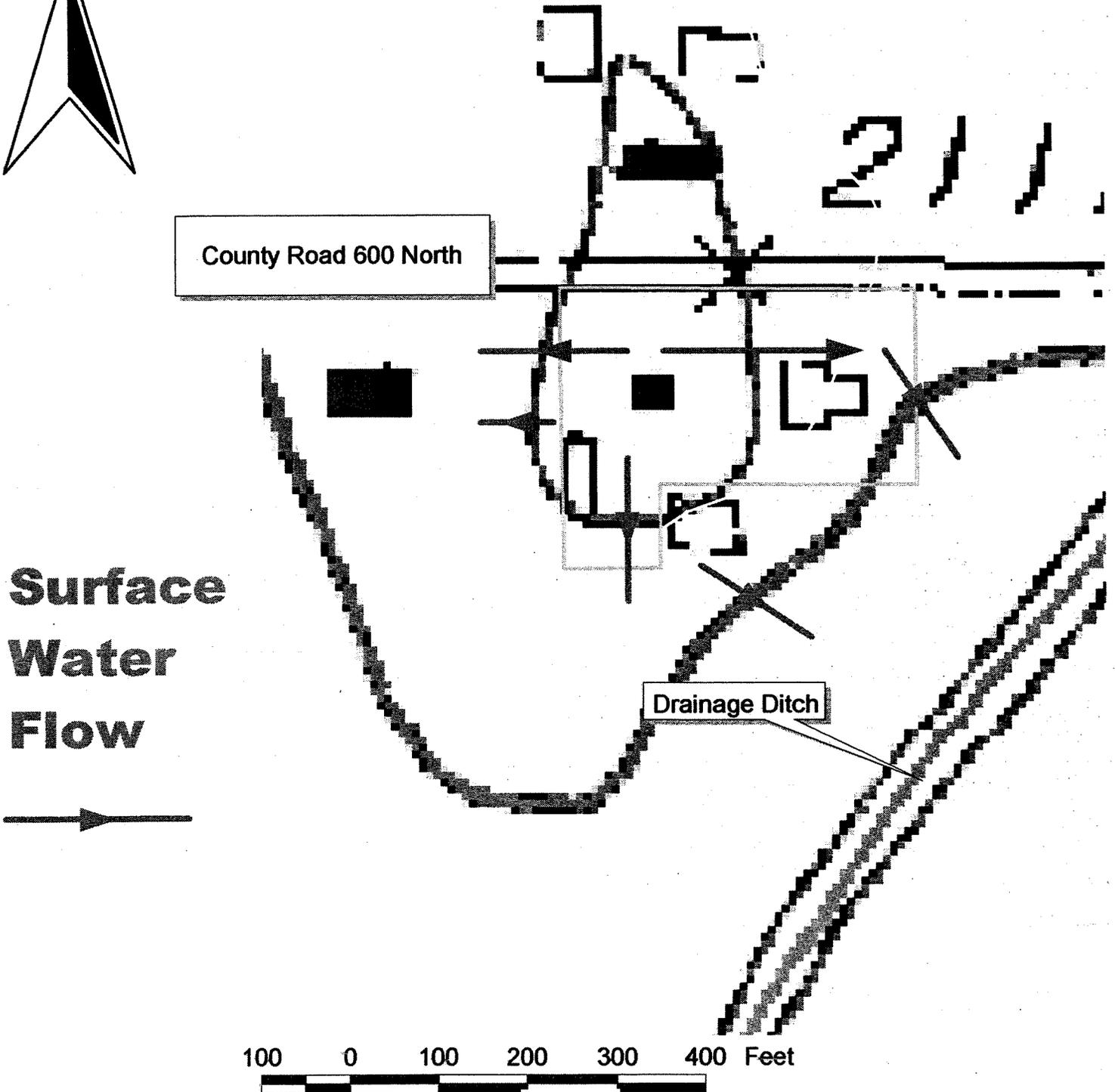
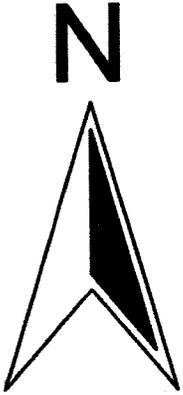


Soils

T21N
R10E
Sec 28



Duitsman Subdivision





BERNS, CLANCY AND ASSOCIATES

PROFESSIONAL CORPORATION

ENGINEERS • SURVEYORS • PLANNERS

THOMAS B. BERNs
EDWARD L. CLANCY
CHRISTOPHER BILLING

DONALD WAUTHIER

BRIAN CHAILLE
DENNIS CUMMINS
MEG GRIFFIN
JENNIFER SELBY

MICHAEL BERNs
OF COUNSEL

August 18, 2005

RECEIVED

AUG 22 2005

CHAMPAIGN CO. P & Z DEPARTMENT

Mr. John Hall
Champaign County Department of Plan & Zoning
Brookens Administration Center
1776 East Washington Street
Urbana, Illinois 61802

**PROJECT: DUITSMAN SUBDIVISION
SUBDIVISION CASE NUMBER 184-5**

RE: STORMWATER MANAGEMENT REVIEW

Dear John:

In response to your directions to us, we performed a technical review of the proposed stormwater management facilities for the proposed Duitsman Subdivision. Duitsman Subdivision is located along County Road 2600 North within the East Half of the Northeast Quarter of Section 28, Township 21 North, Range 10 East of the Third Principal Meridian, Compromise Township, Champaign County, Illinois. Our review included the following documents:

- Subsidiary Plat of Duitsman Subdivision, prepared by Moore Surveying and Mapping, dated July 2, 2005.
- Final Plat of Duitsman Subdivision, prepared by Moore Surveying and Mapping, dated July 8, 2005.
- Excerpt of the Federal Insurance Rate Map Panel 17090894-0150B dated March 1, 1984.

The purpose of our review was to help confirm compliance with the Stormwater Management Policy of Champaign County as amended to date. We offer the following technical review comments:

1. We confirmed that the amount of impervious area and the size of the development site demonstrates that stormwater detention facilities are apparently not required to be constructed for this subdivision per the County regulations.

2. This site is located on a small knoll and has been developed with the existing farmstead buildings for many years. Given the long-standing use of this site as a farmstead, it is unlikely that existing agricultural drain tile will be located within this site. There does not appear to be a need to provide easements for or replacement of any existing field tile lines.
3. The Subsidiary Plat does not depict the size, location, or invert elevations of existing driveway culverts. These drainage features should be added to the Subsidiary Plat.
4. A review of the site elevations provided suggest that a portion of Lot 2 may be within the actual 100-Year floodplain of the Flatville Drainage Ditch. Although the Flood Insurance Rate Map shows the site as being located entirely within Zone C, an area of minimal flooding, a review of elevations at the site in conjunction with elevations depicted on the Gifford, Illinois USGS Topographic Quadrangle Map (provisional 1984) suggests that portions of Lot 2 may actually be within the 100-Year Floodplain of the nearby Flatville Drainage Ditch. Examination of cursory elevation information obtained from the NRCS concerning the Flatville Drainage Ditch suggests that the water surface elevation of the 100-Year return period flood event may be in the range of 688 to 689 feet. Further review of flood elevations may be warranted before any construction occurs upon Lot 2.
5. Although a stormwater drainage plan has not been provided for this site, it appears likely that development of this site is unlikely to have adverse impacts to adjacent properties due to drainage.
6. This Subsidiary Plat does not show topography beyond the boundaries of the proposed subdivision. It would be appropriate to add elevation information extending at least 100 feet beyond the boundaries of the site so that the relationship of this site with the surrounding property can be more fully understood.

We appreciate this opportunity to be of assistance to you. If you have any questions regarding these review comments, please contact us at any time.

Sincerely,

BERNS, CLANCY AND ASSOCIATES, P.C.



Don Wauthier, Vice President



815 N. Randolph St.
Champaign, IL 61820



Champaign County Public
Health Department

Phone: (217) 363-3269
Fax: (217) 373-7905
TDD: (217) 352-7961

July 18, 2005

Marc Duitsman
2079 County Road 2600 North
Gifford, IL 61847-9744

Dear Mr. Duitsman:

This letter is in regard to the final plat for Duitsman Subdivision located on County Road 2600 North, Compromise Township, Champaign County, Illinois. According to the *Plat Act* (765 ILCS 205/2), we are authorized to review the plat with respect to sewage disposal systems.

Based upon the percolation test results submitted for Duitsman Subdivision, a septic system could be designed to serve Lot #2 (East Barn Subdivision Lot). Upon review of the information submitted for Duitsman Subdivision, you may proceed as planned.

Please contact me at (217) 363-3269 if you have any questions.

Sincerely,

Sarah A. Michaels
Senior Sanitarian

ATTACHMENT G. *DRAFT FINDINGS FOR WAIVER OF FINAL PLAT REQUIREMENTS*

Case 184-05 Duitsman Subdivision

SEPTEMBER 6, 2005

DRAFT FINDINGS FOR WAIVER OF FINAL PLAT REQUIREMENTS

As required by Article Eighteen of the Champaign County Subdivision Regulations and based on the testimony and exhibits received at the meeting held on **September 13, 2005**, the Environment and Land Use Committee of the Champaign County Board finds that:

1. The requested subdivision waiver(s) of final plat requirements **WILL NOT** be detrimental to the public health, safety, or welfare or injurious to other property located in the area because:
 - A. The house on proposed Lot 1 already has an approved septic system.**
 - B. The only new dwelling to be established will be established on proposed Lot 2 and a soil percolation test has been conducted on proposed Lot 2 and the County Health Department has already approved the plat.**

2. Special conditions and circumstances **DO** exist which are unique to the property involved and are not applicable generally to other property and granting the subdivision waiver(s) of final plat requirements will not confer any special privilege to the subdivider because:
 - A. This is a subdivision of an existing lot that will result in only one new dwelling and the Plat has been approved by the County health department.**
 - B. These waivers are not prohibited by the Subdivision Regulations and could be requested for any subdivision with similar conditions.**

3. Particular hardships **WILL** result to the subdivider by carrying out the strict letter of the subdivision requirements sought to be waived because:
 - A. This is only a two lot subdivision which will result in only one new dwelling and the County Health Department has approved the subdivision and requiring this information on the plat will only increase the subdivider's costs.**

4. The special conditions, circumstances, hardships, or practical difficulties **DO** result from actions of the subdivider because:
 - A. The subdivider chose to subdivide his property.**
 - B. The surveyor could have prepared the plat without requiring a waiver.**

ORDINANCE NO. _____

ORDINANCE AMENDING THE RULES AND REGULATIONS
GOVERNING THE SALE AND CONSUMPTION
OF ALCOHOLIC LIQUOR
IN CHAMPAIGN COUNTY, ILLINOIS

WHEREAS, the County of Champaign (hereinafter "County") has the power and authority to regulate the retail sale and consumption of alcoholic liquor pursuant to the provisions of the Liquor Control Act of 1934 (235 ILCS 5/1-1, *et seq.*); and

WHEREAS, the rules and regulations established in this Ordinance may not be inconsistent with the Liquor Control Act of 1934 (235 ILCS 5/1-1, *et seq.*); and

WHEREAS, the County Board deems it to be in the public interest and for the public good to enact this ordinance;

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the County Board of Champaign County that Champaign County Ordinance 742 be amended as follows, effective immediately:

1. Section 8.C shall be amended to read as follows:

C. Application Fee

1. April 1, 2005 to March 31, 2006:

Every APPLICANT for a LIQUOR LICENSE or for the renewal of an existing LIQUOR LICENSE shall pay an application fee by certified check or money order payable to the "County of Champaign" or cash at the time of filing such application. Application fees will be as follows:

<u>Class</u>	<u>Fee</u>
Class A	<u>\$1,775</u>
Class B	<u>\$1,050</u>
Class C	<u>\$1,400</u>
Class D	<u>\$ 900</u>
Class D-1	<u>\$ 700</u>
*Class E	<u>\$ 75</u>
Class F – Caterer	<u>\$ 350</u>
Class G – Club	<u>\$1,050</u>
Class H – Hotel/Motel	<u>\$1,600</u>

*An additional fee of \$25 per day will be charged for Class E LICENSES for each consecutive day covered by the license after the first three (3) days.

For applications for all LICENSES, other than a Class E LICENSE, that may result in the issuance of a LICENSE whose term will end in less than one (1) year, the application fee shall be prorated according to the following schedule for the time period April 1, 2005 to March 31, 2006:

<u>Date of Application</u>	<u>Percentage of the Full Year Fee to be Paid</u>
April 1 through June 1 of the year in which the application was made	100%
September 1 through November 30	75%
December 1 through February 28	50%
March 1 through May 31	25%

2. After April 1, 2006:

Every APPLICANT for a LIQUOR LICENSE or for the renewal of an existing LIQUOR LICENSE shall pay an application fee by certified check or money order payable to the "County of Champaign" or cash at the time of filing such application. Application fees will be as follows commencing April 1, 2006:

<u>Class</u>	<u>Fee</u>
Class A	\$2,365
Class B	\$1,400
Class C	\$1,865
Class D	\$1,200
Class D-1	\$ 930
*Class E	\$ 75
Class F – Caterer	\$ 465
Class G – Club	\$1,400
Class H – Hotel/Motel	\$2,130

*An additional fee of \$25 per day will be charged for Class E LICENSES for each consecutive day covered by the license after the first three (3) days.

For applications for all LICENSES, other than a Class E LICENSE, that may result in the issuance of a LICENSE whose term will end in less than one (1) year, the application fee shall be prorated according to the following schedule commencing April 1, 2006:

<u>Date of Application</u>	<u>Percentage of the Full Year Fee to be Paid</u>
April 1 through May 31 of the year in which the application is made	75%

June 1 through August 31	100%
September 1 through November 30	75%
December 1 through February 28	50%
March 1 through May 31	25%

3. Section 8.F shall be amended to read as follows:

F. Fingerprints Required, Other than for Class E LICENSES

Fingerprint Fees and Fingerprint Requirements

~~For all LICENSES other than Class E LICENSES, all persons for whom information is required under Section 8.E.1(a), (b)(vii), (c)(ii), or (d)(ii) must have their fingerprints taken by the Sheriff.~~

In addition to the charges listed in Section C, a fingerprinting fee shall be charged to every applicant other than an applicant for a Class E LICENSE, which shall be forwarded by the office of the COMMISSIONER to the Illinois Department of State Police to conduct a criminal background check, pursuant to 235 ILCS 5/4-7 and 20 ILCS 2630/3.1(b) and (c). As of March 31, 2005 this fee is \$20.00 per person required to be fingerprinted under Section 8.F. This fee is subject to increase by the Department of State Police. This fee shall be submitted with the liquor license application in a separate check or money order made payable to the Illinois Department of State Police.

For all LICENSES other than Class E LICENSES, the following individuals must have their fingerprints taken by the Sheriff:

- a. The individual or individuals who will be the day-to-day onsite managers of the APPLICANT PREMISES.
- b. All officers of the CORPORATION as defined in Section 8(E)(1)(b).
- c. All persons owning or controlling at least twenty-five percent (25%) of the stock of the CORPORATION as defined in Section 8(E)(1)(b).
- d. All individuals in Section 8(E)(1)(c) who have more than a twenty-five percent (25%) share in the profits of the organization.

To: Environmental Land Use Committee
From: Brent Rose
Re: Loan request from Family Medical Health Clinic, Philo, Illinois
Date: September 12, 2005

This is a request for \$75,000 in Community Development Assistance Program (CDAP) assistance.

Background

Family Medical Health Clinic, to be located in Philo, is a start-up business that will serve the people of Philo and surrounding areas. Susan Mantell will be the sole shareholder of this business. Dr. Mantell was trained in family medicine and she currently works at Carle Clinic in Urbana. She graduated from the University of Illinois and is a native of Philo.

Loan Request

Family Medical Health Clinic is requesting financing of \$75,000 for the purchase of land, building, equipment and inventory in Philo, Illinois.

Sources and Uses of Funds

The project has a total cost of \$245,000. Financing consists of: (1) \$20,000 in owner cash, (2) \$75,000 CDAP assistance and a \$150,000 loan from Philo Exchange Bank.

The funds will be used for the purchase and construction of the building and real estate as well as equipment and inventory.

Debt Service Coverage

Projected debt service is adequate.

Sources:

Dollar Amounts:

Philo Exchange Bank	\$150,000
Dr. Mantell	\$20,000
CDAP Loan	<u>\$75,000</u>
Total	\$245,000

Collateral Coverage

Collateral for the CDAP loan will consist of a first position security interest on all equipment, inventory and accounts receivable. Dr. Susan Mantell will also be required to sign a personal guaranty on the loan

Jobs Created

As a result of the CDAP assistance, this project will create 5 full-time equivalent jobs.

Rate and Term of CDAP loan

Up to \$75,000 for 5 years at 6.0% fixed interest rate with a 1% closing fee, yielding monthly payments of \$832.65.

Staff Recommendation

Debt Service is sufficient. Collateral coverage is acceptable.

Staff recommends approval of up to \$75,000 for 5 years at a 6.0% fixed interest rate with a monthly payment of \$832.65.



TO: Environment & Land Use Committee

FROM: Casey Rooney

DATE: September 12, 2005

RE: Joint Champaign County-City of Champaign Enterprise Zone:
Proposed Enlargement

REQUESTED ACTION: Recommend Amendment to Enterprise Zone Ordinance (No. to expand boundaries of Enterprise Zone to accommodate Phase II of South Research Park.

STAFF RECOMMENDATION: Approve Enlargement of Enterprise Zone

Background:

The City of Champaign has forwarded a request (see attachment 1) to enlarge the Joint Enterprise Zone by adding property (University of Illinois Research Park, Phase II) generally located South St. Mary's Road, East of First Street, West of Fourth Street extended, and North of Hazelwood Drive extended. Since this is a joint Enterprise Zone these changes require action by the County. A study session will be held on at 7:00 p.m. on September 6 with the City Council to discuss the proposed changes. The Champaign City Council will act on an ordinance on Tuesday, September 20, 2005 following a public hearing to accomplish this goal, and has forwarded the matter to the County for action.

Requested Action

Annex a single tract of approximately 41 acres known as "University of Illinois Research Park, Phase II" to Champaign/Champaign County Enterprise Zone planned (see legal description attachment 3, and Enterprise Zone expansion drawing attachment 4).

Prior County Board Action:

- On March 21, 1995 the County Board adopted Resolution No. 3542, a *Resolution Establishing Champaign County-City of Champaign Enterprise Zone Annexation Policy*. (See attachment 4) The Resolution calls for the County **to approve** annexations for specific projects that are “not in significant direct competition in the local market.”
- From time to time since then the Champaign City Council and the Champaign County Board have expanded the boundaries for specific developments.

Background:

1. Request to Amend Boundaries. Staff received a request from the developer of Phase II, University of Illinois Research Park to amend the boundaries of the Enterprise Zone to include certain properties for which a new project is.

2. Enterprise Zone Benefits. Enterprise Zone benefits are designed to promote investment in private development by providing tax abatement during the period of business startup or following relocation. The local benefits for these projects are a five-year abatement of the increase in City, County, and Park District property taxes, and the waiver of sales tax on building materials (excluding tenant finish items), purchased within the City or unincorporated Champaign County. Location in an Enterprise Zone also allows certain state benefits, such as tax credits and employee training funds.

3. Proposed Project. The first project in Phase II of the Research Park is a proposed hotel and conference center in the Research Park resulting in a net increase of approximately 80 jobs. The total project cost is approximately \$28 million. The cost of the hotel is \$16 million and the convention center will cost \$12 million. The City is proposing amendments (see attachment 5) to the requirements of the Enterprise Zone to make hotel and conference center complexes eligible for Enterprise Zone benefits. This change would also be applicable for projects outside the University Research Park as well. Currently, the redevelopment of the Chancellor property would become eligible under these changes.

4. Procedure for Amendment. The State requires that a public hearing be held at a place inside the Enterprise Zone. Then, in conjunction with the County, the City forwards the transcript of that hearing, together with the application form, to the State Department of Commerce and Economic Opportunity. The State of Illinois will review the application and returns it. This proposal combines these two steps by having the proposed area of expansion become effective when approved by the State, and confirming action by the County Board is not necessary unless the State makes some modifications in the area.

Discussion:

The property proposed for EZ expansion, while not initially included in the Enterprise Zone, is a logical location for the expansion of development in the area.

There is currently a shortage of large, high quality meeting space in the community, which has limited our ability to attract new meetings and conventions and retain local meetings in our community. The addition of a new conference facility at the Research Park will provide a new meeting and event facility for university groups, community groups, local employers, individuals and visitors. This project will also have positive spillover effects on hotels throughout the community who will benefit from increased room nights from guests attending larger meetings

a. Advantages of the Proposal:

- Promotes the continued development of the University of Illinois Research Park, which provides additional high paying employment opportunities, and promotes the transfer of research at the University to new economic enterprise in the community.
- Facilitates the University's development of a conference center which will accommodate larger meetings and conferences, bringing new revenues to the community
- Encourage the development of hotel/conference center complexes that will draw new meetings and visitors into our community.
- Continues a relationship of cooperation with the University of Illinois.
- Results in development that benefits Champaign County due to the location in the Metro Zone that was provided for in the boundary agreements between the communities.

b. Disadvantages of the Proposal

- Will not immediately increase tax revenues for the City, County, and Park District. Future development of this property would contribute a greater amount of taxes to the tax base when the abatement expires.

Community Input: Community input is solicited for Enterprise Zone applications by means of the public hearing held on Tuesday September 20, 2005 at the Champaign City Council Chambers.

Budget Impact: Approval of this Bill and the subsequent expansion of the Enterprise Zone will abate taxes for projects on these properties for 5 years. Failure to expand the Enterprise Zone may result in the properties not being developed at all, or developed at a slower pace.

Assuming the value of the hotel (\$16 million) and the convention center (\$12 million) the total value is approximately \$28 million. The University owns the convention center, therefore non-taxable. The owners will be assessed 1/3 of the value of the hotel equaling \$5.3 million. The County's share of the property taxes at the current rate of .5333 would be \$28,265 per year, which would be abated for 5 years. The sales tax for materials purchased within the County would also be abated. However, since we do not have knowledge of how much of the \$12 million is materials vs. labor, and we further do not know how much would be purchased within the County, this number would be difficult to estimate.

Staffing Impact: Approval of this Bill will require staff time (approximately 40 hours) to review enterprise zone applications and prepare the necessary reports, but the increase in workload caused by these additional projects is negligible.

Attachments:

1. Report to City of Champaign City Council
2. Legal Description of Property
3. Enterprise Zone Expansion Drawing
4. Annexation Policy
5. Proposed Amendments



REPORT TO CITY COUNCIL

FROM: Steven C. Carter, City Manager

DATE: September 2, 2005

SUBJECT: UNIVERSITY OF ILLINOIS RESEARCH PARK: CONFERENCE CENTER INCENTIVE AND ENTERPRISE ZONE AMENDMENTS – SS 2005-061

A. Introduction: The purpose of this memo is twofold. First it will present to City Council for discussion the proposed incentive package for the Research Park Conference Center and Hotel. Second, it will present proposed amendments to the Champaign Enterprise Zone incentives and boundary, which also affect the proposed Research Park development. The amendments would allow hotels and conference center complexes to be eligible for enterprise zone benefits. The boundary amendment would include Phase II of the University of Illinois Research Park.

B. Action Requested: Direct staff to forward amendments to the Enterprise Zone boundary and incentives for consideration at a regular meeting, and to include a tax incentive package capped at \$3 million or 15 years for the conference center into an annexation agreement with the University of Illinois. Although this memo covers a wide range of issues, staff believes these issues are related through the Research Park development and should be discussed together.

C. Prior Council Action:

- In July 2005 the City Council held a study session to discuss the proposed hotel and conference center in the Research Park and generally discussed potential incentives for the development including potential amendments to the Enterprise Zone to encourage the development of the Research Park hotel.
- On August 2, 2005 the City Council held a study session to discuss the proposed redevelopment of the Chancellor Hotel property and to consider potential incentives for the development including potential amendments to the Enterprise Zone.

D. Background:

1. Reason for Conference Center. There is currently a shortage of large, high quality meeting space in the community, which has limited our ability to attract new meetings and conventions and retain local meetings in our community. The addition of a new conference facility at the Research Park will provide a new meeting and event facility for university groups, community

groups, local employers, individuals and visitors. This project will also have positive spillover effects on hotels throughout the community who will benefit from increased room nights from guests attending larger meetings.

2. Research Park Conference Center Incentive Package. As discussed at the July 12, 2005 Study Session, the best way for the City to contribute to the University's financial gap in constructing the conference center is to commit new taxes generated by the hotel/conference center to the project. City staff has worked with the University to develop projections for hotel-motel, food & beverage, and real estate tax revenue generated by the hotel/conference center, which could be pledged to the project. These projections are detailed in Attachment A. Staff proposes to collect hotel-motel taxes, food & beverage taxes, and the City portion of property taxes on the hotel (after Enterprise Zone benefits expire) and forward them to the University to help cover debt service costs on the conference center. This incentive would be capped at \$3 million or 15 years, whichever comes first. Based on the current projections, the incentive will reach \$3 million in Year 12.

3. Enterprise Zone Program. The purpose of the Champaign Enterprise Zone is to stimulate development and redevelopment in areas of the City where it is most desired and needed. The Enterprise Zone offers tax incentives for qualifying development within the mapped boundary. Qualifying commercial development is eligible for abated sales tax on building materials and for property tax abatement of the City, County and Park District taxes for up to five years. Industrial development that creates jobs may also be eligible for additional benefits through the State of Illinois. With some exceptions, incentives are generally available for residential, industrial and professional service uses. Incentives are limited for retail and personal service uses. The code distinguishes between new construction, expansion and rehabilitation.

4. Proposed Commercial Enterprise Zone Program Amendments. At the July 12, 2005 Study Session on this topic, Council reviewed a proposal from the Research Park developer to create an Enterprise Zone incentive to encourage a higher quality hotel. After thoroughly researching this approval, staff found that adequate criteria did not exist to define this standard. Instead, staff is proposing to tie benefits to the combination of hotel and conference space. The proposed amendments to the commercial Enterprise Zone Program would include a definition for *Hotel & Conference Center Complex* and would specifically list this use as being eligible for incentives provided that the use contains a minimum of 100 hotel rooms and 15,000 square feet of conference center space. The primary purpose for these minimum requirements is to ensure that only developments of significant size and economic impact would be eligible for the benefit. The development would be eligible regardless of whether it is new construction, an expansion project or a rehabilitation project. The amendment would specify that the development may be a "complex" meaning that the hotel and conference center may or may not be within the same building but they are part of a unified development plan. Uses that are accessory to, and located within the hotel/conference center buildings, would also be eligible. (See Attachment B for specific language on the hotel/conference center changes.) In addition to the hotel/conference center language, staff is proposing other minor amendments to the Enterprise Zone requirements that would simply clean-up the ordinance and make it easier to administer.

5. Application of Proposed Hotel/Conference Center Amendments. Under the existing commercial Enterprise Zone program, the renovation of the existing portion of the Chancellor Hotel into the Hilton Garden Inn would qualify for benefits, however, additions to the building, and the new Homewood Suites planned for the Chancellor site would not qualify because it is new construction. The proposed hotel/conference center complex amendments will enable the Research Park Hotel, new additions for the Hilton Garden Inn, the Homewood Suites, and any other qualifying hotel/conference center complexes to be eligible for benefits.

6. Enterprise Zone Boundary Amendment. In 2000 the City Council approved an amendment to the Enterprise Zone boundary to include Phase I of the University of Illinois Research Park. A similar amendment is now being proposed to include Phase II which would include the area south of St. Mary's Road, east of First Street, west of Fourth Street extended and north of Hazelwood Drive extended. This area would include the proposed hotel and conference complex as well as future institutional and non-institutional uses. Not all development within this area is expected to be eligible for Enterprise Zone benefits.

7. Process for Approval of Conference Center Incentive and Enterprise Zone Amendments. The incentive package for the conference center will be outlined within an annexation agreement amendment to be presented to City Council for final action on September 20, 2005. Proposed changes to the Enterprise Zone will also be presented for final action at that time. Amendments to the Enterprise Zone require consideration from the City, County and State. Currently, the County is anticipating action at the September 22, 2005 County Board meeting. This would follow final consideration by the Champaign City Council. Pending these actions a final request for amendment would be forwarded to the State of Illinois Department of Commerce and Economic Opportunity (DCEO).

E. Alternatives:

1. Direct staff to forward the proposed Commercial Enterprise Zone Amendment and Enterprise Zone Boundary Expansion to a regular Council meeting, and include a pledge of hotel-motel, food & beverage, and property taxes capped at \$3 million or 15 years, whichever comes first, in the Annexation Agreement for Phase II of the Research Park.
2. Do not direct staff to proceed with the proposed Enterprise Zone changes and the proposed University of Illinois conference center incentive and provide alternate direction to staff.

F. Discussion of Alternatives:

Alternative 1 would direct staff to proceed with the proposed Enterprise Zone changes and the proposed University of Illinois conference center incentive.

a. Advantages

- Promotes the continued development of the University of Illinois Research Park, which provides additional high paying employment opportunities, and promotes the transfer of research at the University to new economic enterprise in the community.

- Facilitates the University's development of a conference center which will accommodate larger meetings and conferences, bringing new revenues to the community.
- Encourages the development of hotel/conference center complexes that will draw new meetings and visitors into our community.
- Continues a relationship of cooperation with the University of Illinois.
- Results in development that benefits Champaign, Urbana and Savoy due to the location in the Metro Zone that was provided for in the boundary agreements between the communities.

b. Disadvantages

- City will forgo new tax revenues for a period of time
- Staff time is required to amend the Enterprise Zone and negotiate an annexation agreement.

Alternative 2 would not direct staff to proceed with the proposed Enterprise Zone changes and the proposed University of Illinois conference center incentive and provide alternate direction to staff.

a. Advantages

- City will not forgo increased tax revenues to encourage development
- Will not require staff time to amend the Enterprise Zone and negotiate an annexation agreement

b. Disadvantages

- Does not enable the University to proceed with plans to construct a conference center that will benefit the entire Champaign-Urbana community
- Does not encourage the development of hotel/conference center complexes that would attract new meetings and visitors to the community
- May delay or alter plans for a development that through the Metrozone will provide long-term benefits to Champaign, Urbana and Savoy.
- May discourage cooperation between the City and the University
- May discourage opportunities to transfer research to economic enterprises in the community, or cause such enterprises to locate in other communities.

G. Community Input: The proposed \$3 million incentive for the University of Illinois Conference Center was discussed in Study Session in July 2005. A public hearing is required to consider amendments to the Enterprise Zone. A public hearing will also be held to consider the annexation agreement amendment for the Research Park. The public hearings will be advertised in the News-Gazette.

H. Budget Impact: The proposed changes to the Enterprise Zone program and the conference center incentive should have minimal impact to current budget. In both cases, the City will forgo future, unbudgeted revenues for a prescribed period of time to encourage development. In the

case of the two planned hotel and conference centers, the Research Park development is not currently generating any property taxes and the Chancellor Hotel site has underperformed for several years and is currently closed. The Research Park hotel is expected to generate \$70,000 in city property taxes annually while the Hilton Gardens / Homewood Suites development is expected to generate an increase in city property taxes annually of about \$40,000. Long-term, the City will benefit from higher tax revenues than would have been realized without the proposed incentives.

I. Staffing Impact: Staff time devoted to drafting proposed changes to the Enterprise Zone and the Research Park Annexation Agreement Amendment has been limited to approximately 40 hours. Collectively, the Planning Department, Legal Department and City Manager’s Office have coordinated on the proposed amendments. It is not expected that there will be ongoing staff commitments for this effort.

Prepared by:

Prepared by:

Reviewed by:

Rob Kowalski, AICP
Assistant Planning
Director

Colleen Braun
Assistant to the City
Manager for Development

Bruce A. Knight, FAICP
Planning Director

- Attachments: A. Conference Center Incentive Tax Projections
B. Proposed Hotel/Conference Center Complex Changes to the Enterprise Zone

LEGAL DESCRIPTION

A tract of land being a part of the Northwest Quarter of Section 19, Township 19 North, Range 9 East of the Third Principal Meridian, and also part of the Northeast Quarter of Section 24, Township 19 North, Range 8 East of the Third Principal Meridian, the boundary of which is described as follows:

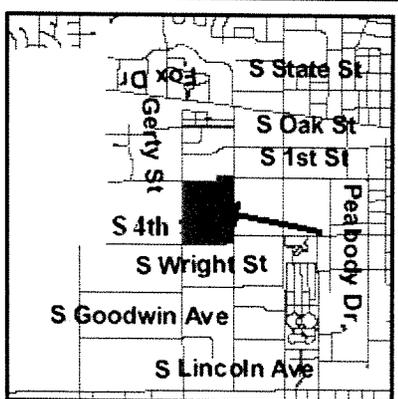
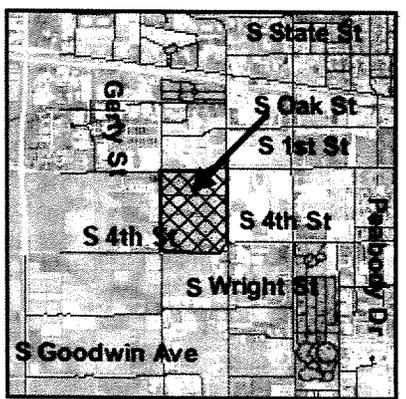
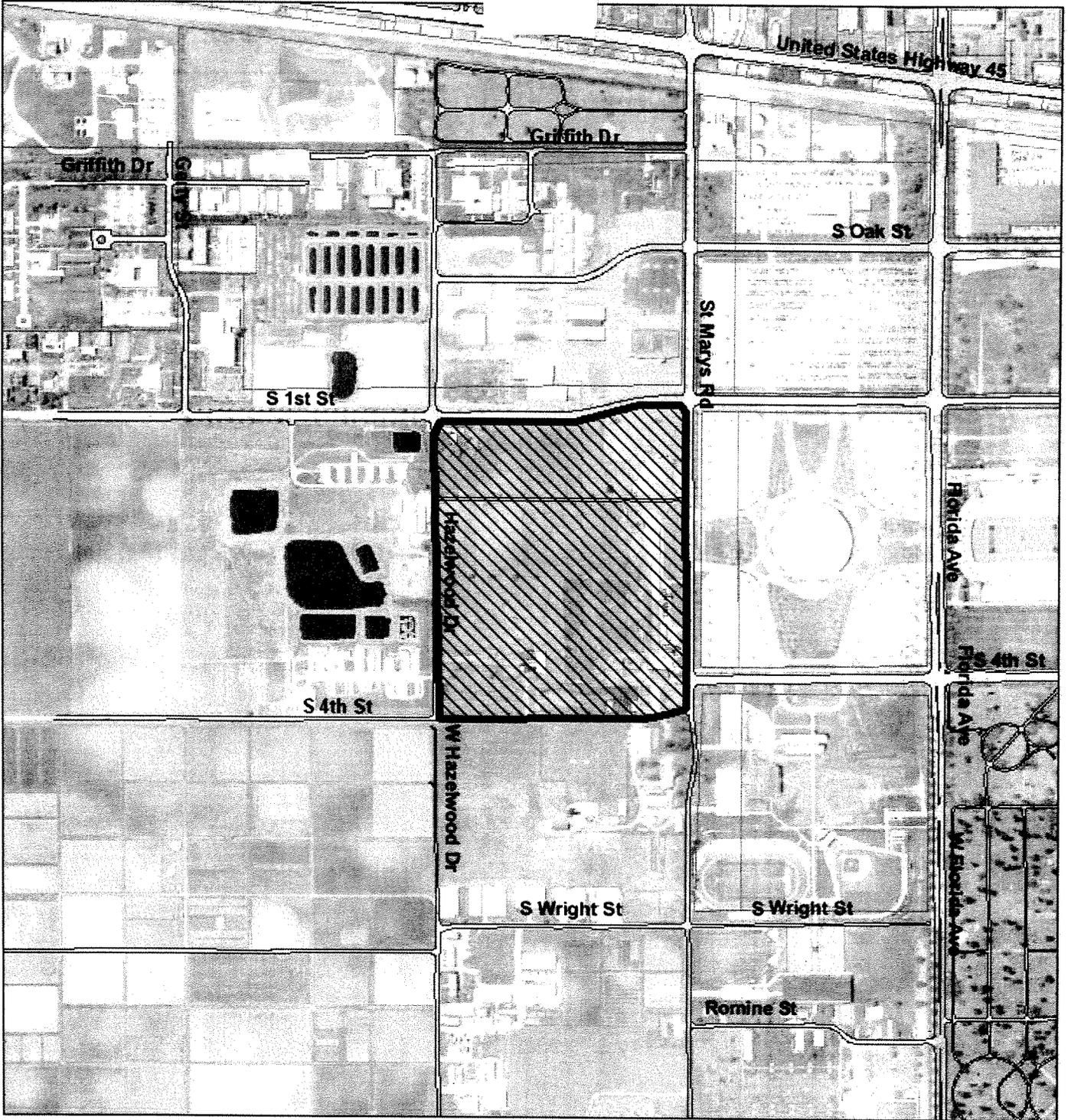
Beginning at a Northeasterly corner of Parcel 1 as shown on the Final Plat of South Center of the Research Park No. 1 recorded as Document 2000R 11309 in the Office of the Recorder of Deeds for Champaign County, Illinois, said corner also being the Northerly Point of Curvature of Curve 1 on said plat and also being located on the Southerly back of curb line of Saint Mary's Road; thence proceed Southeasterly on the East line of said Parcel 1 along the arc of a curve concave to the Southwest, having a radius of 30.00 feet, an arc length of 47.12 feet, a chord bearing of South 43° 34' 00" East and a chord length of 42.42 feet; thence continue on the East line of said Parcel 1 South 01° 25' 48" West 47.42 feet; thence Southerly on the East line of said Parcel 1 along the arc of a curve concave to the East, having a radius of 1122.58 feet, an arc length of 275.34 feet, a chord bearing of South 05° 35' 47" East and a chord length of 274.65 feet; thence along the South line of said Parcel 1 North 88° 33' 48" West 22.10 feet to the Northeast corner of Parcel 206 as shown on the Final Plat of South Center of the Research Park No. 2 recorded as Document 2000R 11312 in the Office of the Recorder of Deeds for Champaign County, Illinois; thence Southerly on the Easterly line of said South Center of the Research Park No. 2 along the arc of a curve concave to the East, having a radius of 1153.00 feet, an arc length of 39.41 feet, a chord bearing of South 15° 15' 43" East and a chord length of 39.40 feet; thence continue South on the Easterly line of said South Center of the Research Park No. 2 along the arc of a curve concave to the West having a radius of 1167.00 feet, an arc length of 323.86 feet, a chord bearing of South 08° 17' 28" East, and a chord length of 322.82 feet; thence along the Easterly line of said South Center of the Research Park No. 2 South 00° 20' 28" East 658.80 feet to a Southeasterly corner of Parcel 210 of said South Center of the Research Park No. 2; thence along a Southerly line of said Parcel 210 South 55° 13' 28" West 36.37 feet to a Southeasterly corner of said Parcel 210, said corner also being on the North Roadway Reserve line of Hazelwood Drive; thence Easterly along an Easterly projection of said North roadway reserve line to the Southerly extension of the Westerly back of curb of Fourth Street; thence Northerly along said Southerly extension of the Westerly back of curb of Fourth Street to the Southerly back of curb of St. Mary's Road; thence Westerly along said Southerly back of curb to the Point of Beginning, encompassing 43 acres, more or less, located in Champaign County, Illinois.

Prepared by: HDC Engineering, L.L.C.
201 W. Springfield Ave.
Champaign, IL 61820

Date: August 29, 2005

HDC Project No.: 05157

UIUC Research Park Annexation Agreement Amendment



August 31, 2005

Case No. PL05-0072

RESOLUTION NO. 3542

**RESOLUTION ESTABLISHING
CHAMPAIGN COUNTY - CITY OF CHAMPAIGN
ENTERPRISE ZONE ANNEXATION POLICY**

WHEREAS, The Champaign County Board adopted Ordinance No. 255, *An Ordinance Establishing an Enterprise Zone*, on December 17, 1985 which is and will be in effect until December 31, 2005;

WHEREAS, A significant number of County residents have experienced poverty, unemployment, and economic distress and significant areas of the County are experiencing physical deterioration, vacancy and underutilization;

WHEREAS, The Enterprise Zone provides certain incentives to promote new investment and the creation of new jobs and the retention of existing jobs within the zone and in the larger community;

WHEREAS, Accommodating new projects eligible for Enterprise Zone benefits on sites outside but adjacent to the Enterprise Zone will provide an immediate substantial utility and benefit to the Enterprise Zone, its residents and businesses by creating jobs, and stimulating commercial revitalization.

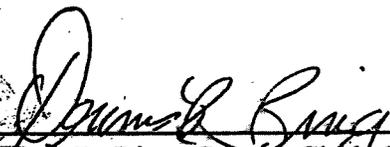
NOW, THEREFORE, BE IT RESOLVED by the Champaign County Board, Champaign County, Illinois, as follows:

1. That the County Board of Champaign County, Illinois hereby endorses the annexation of territory to the Champaign County - City of Champaign Joint Enterprise Zone to accommodate businesses described in item 2 below.
2. That upon presentation of a project plan containing specific commitments, plans, and timetables for development and identifying a specific site, for a business that is not in significant direct competition in the local market with any existing firm in Champaign County that is not located in an Enterprise Zone, the County will undertake all such actions that may be necessary to adopt the required ordinance amendments, amend the *Enterprise Zone Intergovernmental Agreement Between the City of Champaign and Champaign County*, and prepare and submit an application to the Illinois Department of Commerce and Community Affairs, and shall take all reasonable steps to expedite such actions.

3. That the County Board Chairman, County Administrator and all other County staff are hereby directed and authorized to take all necessary actions to fully implement this resolution in an effective and timely manner.

PRESENTED, ADOPTED, APPROVED AND RECORDED this 21st. day of March, A.D. 1995

SIGNED: 
Lyle E. Shields, Chairman
County Board of Champaign
County, Illinois

ATTEST: 
Dennis R. Bing, County Clerk &
Ex-Officio Clerk of the County Board

ARTICLE III. ENTERPRISE ZONE* PROPOSED AMENDMENTS September 2, 2005**Sec. 11-41. Short title.**

This article shall be known and cited as "The Enterprise Zone Ordinance."
(C.B. No. 85-352, § 12, 12-17-85)

Sec. 11-42. Designation and description of Zone area; term.

Subject to certification by the Department of Commerce and Community Affairs (hereinafter "the Department") and the Governor of the State of Illinois, the City, in conjunction with the County, hereby designates as an Enterprise Zone the area described and shown on Exhibit "A" (hereinafter "Enterprise Zone"), which is on file in the City Clerk's office and hereby incorporated by reference, which is located within the City and County. The term of the Enterprise Zone shall commence upon the date the Zone is certified by the Department and the Governor as an Enterprise Zone pursuant to the State of Illinois Enterprise Zone Act (hereinafter "the Act"), and shall be and remain in effect until terminated at midnight of December 31, 2016, unless the Enterprise Zone is earlier decertified in accordance with the Act.

(C.B. No. 85-352, § 1, 12-17-85; C.B. No. 2001-277, § 1, 12-4-01)

Sec. 11-43. Findings.

The city hereby finds:

- (1) That following due and sufficient public notice, published on December 1, 1985 in the News-Gazette, a newspaper of general circulation within the area of the Enterprise Zone, a public hearing concerning the Enterprise Zone as set forth in Exhibit "A" was conducted at 7:00 p.m. on December 10, 1985 in the City Council Chambers of City Building, 102 North Neil Street, Champaign, Illinois, said location being within the Enterprise Zone.
- (2) That the Enterprise Zone is a contiguous area comprising more than one-half square mile and less than ten (10) square miles in total area, in fact comprising an area (as described and shown on Exhibit "A") of seven and one-half (7.5) square miles.
- (3) That the Enterprise Zone is a distressed area as defined by the regulations promulgated by the Department, in that the area designated as the Enterprise Zone meets at least one of the tests for eligibility therein prescribed.
- (4) That the Enterprise Zone meets the conditions and criteria established by the Act and regulations promulgated by the Department.
- (5) That the Enterprise Zone is a depressed area and includes portions of the City and the County for the following reasons:
 - a. To include the maximum number of low- and moderate-income persons;
 - b. To include the older industrial, commercial, and residential areas of the City needing upgrading and rehabilitation;
 - c. To include the areas comprising the highest unemployment;
 - d. To include the existing industrial and commercial facilities which are presently vacant or underutilized;

- e. To include the areas which are the ongoing targets of housing and community facilities expenditures under the Community Development Block Grant Program; and
- f. To include areas representing portions of the City where commercial and industrial development is targeted to occur in complement and support of existing commercial and industrial areas.

(C.B. No. 85-352, § 2, 12-17-85)

Sec. 11-44. Definitions.

Certain terms used in this article are hereinafter defined in this section. When used in this article, such terms shall have the meanings given to them by the definitions in this section defining such terms, unless the context clearly indicates otherwise.

Building-related permit fees. Those fees normally required to be paid prior to issuance of a permit. In the City they include: building permit, HVAC, permit, plumbing permit and electrical permit. In the County, such fees include all zoning use permit fees.

~~*Commercial projects.* Those projects where the primary use of the project land and building(s) is of a service or retail nature.~~

Dwelling unit. One room, or a suite of two (2) or more rooms in a building, designed for or used by one family for living and sleeping purposes.

Expansion. The construction of any part of a building that results in an increase in any exterior dimension of an existing building and has at least one wall or floor in common with an existing building.

Family. A person living alone, or two (2) or more persons living together as a single housekeeping unit in a dwelling unit, as distinguished from a group occupying a rooming house, motel, or hotel, fraternity or sorority house; provided, however, that for the purpose of definition, "family" shall not include more than four (4) persons unrelated to each other by blood, marriage or legal adoption.

Full-time employee. An employee who is hired for a period of indefinitely continuous duration who receives full employment benefits, and who regularly works not less than thirty-five (35) hours within a period of seven (7) consecutive days.

Full-time equivalent (FTE). A unit of measure used to represent those employees hired for a period of indefinitely continuous duration and who are regularly scheduled to work less than thirty-five (35) hours per week and whose total amount of hours worked equals two thousand eighty (2,080) annually.

Hotel and Conference Center Complex. A unified development of one or more buildings that include both a hotel, offering public lodging for transient guests for compensation, and conference/meeting space designed to be used for service organization meetings.

business and professional conferences, and seminars for either hotel guests or the general public.

Industrial projects. Those projects where the primary use of the project land and building(s) is of a manufacturing, assembly, wholesale or warehouse/distribution nature. Service or residential projects, as defined in this section, shall not be considered industrial projects for the purposes of this article.

Legitimate building materials retailer and/or distributor. Any firm selling building materials that can be incorporated into real estate and possessing a tax number for resale from the Illinois Department of Revenue.

Multiple-family building. A building containing more than one dwelling unit.

Personal Services. An establishment or place of business primarily engaged in the provision of frequent or recurrent needed services of a personal nature. Typical uses include, but are not limited to, beauty and barber shops, shoe repair shops, tailor shops, auto repair shops, laundromats, dry cleaners, and amusements uses.

Primary use. The principal use of the project as determined by the Zone Administrator or the Deputy Zone Administrator consistent with guidelines recommended to the Administrators by the Zone Board.

Project. The improvement of a parcel or parcels of real property located within the Enterprise Zone, including the rehabilitation or expansion of existing improvements.

Professional Service projects. Those projects where the primary use of the project land and building(s) is the provision of a professional service in an office, such as an office out of which accounting, legal, architectural, engineering, or medical services are rendered. The term does not include Personal Services as defined herein.

Rehabilitation. The improvement of any part of an existing building that does not result in an increase in any exterior dimension of the building.

Residential projects. Those projects where the primary use of the project land and building(s) is a dwelling unit or dwelling units.

Retail projects. Those projects where the primary use of the project land and building(s) is the sale of goods for delivery on or from the premises to the ultimate customer. If twenty (20) percent or more of the annual dollar volume of the sales made from a business is subject to the Illinois Retailers Occupation Tax, the business shall be considered ~~not~~ Retail. Restaurants shall be considered ~~not~~ Retail projects.

Rooming house. A single-family building that has as a primary use the provision of more than two (2) but less than six (6) rooms for lodging, with or without meals, that are provided for compensation by pre-arrangement and for definite periods of time but which is not open to transient guests.

~~*Service projects.* Those projects where the primary use of the project land and building(s) is the provision of a professional service in an office, such as an office out of which accounting, legal, architectural, engineering, or medical services are rendered. The term does not include retail projects or personal service shops such as beautician, auto repair, laundry, dry cleaning, amusement, or photography establishments.~~

Single-family building. A building with a primary use of one dwelling unit. A building containing more than one dwelling unit shall not be considered a single-family building under this article.

Wholesale projects. Those projects where the primary use of the project land and building(s) is the sale of goods for delivery on or from the premises to a person other than the ultimate customer. If less than twenty (20) percent of the annual dollar volume of the sales made from a business is subject to the Illinois Retailers Occupation tax, the business shall be considered wholesale.

(C.B. No. 85-352, § 3, 12-17-85; C.B. No. 90-69, § 1, 4-3-90)

Sec. 11-45. Administration.

The Chairman and Board of Champaign County and the Mayor and City Council of the City of Champaign in an effort to successfully facilitate the management, operation and development of the Enterprise Zone hereby designate a Zone Administrator and Deputy Zone Administrator who will carry out the functions and management of the Enterprise Zone in accordance with the intergovernmental agreement outlined in Exhibit "B," which is on file in the City Clerk's office and hereby incorporated by reference, and as the same may be amended from time to time.

(C.B. No. 85-352, § 5, 12-17-85; C.B. No. 93-84, § 1, 4-6-93)

Sec. 11-46. Designated Zone Organizations.

In order to facilitate the successful development of the Enterprise Zone and in accordance with the Act, this article hereby provides for the establishment of Designated Zone Organizations under which any or all of the functions provided for in Section 8 of the Act may be carried out. The Designated Zone Organization(s) and any project(s) which it (they) may undertake will be approved in accordance with the provisions of the intergovernmental agreement and rules and regulations promulgated by the Department.

(C.B. No. 85-352, § 6, 12-17-85)

Sec. 11-47. Incentives.

The City, in an effort to facilitate the successful development of the Enterprise Zone, hereby establishes the following incentives and target programs within the Enterprise Zone, for the period of the Enterprise Zone, in accordance with the policies and procedures herein and those which may be established and implemented by the City in conjunction with the County following designation of the Enterprise Zone by the Department of Commerce and Community Affairs:

(1) *Real estate tax abatement.* That portion of real property taxes levied and imposed by the City upon a parcel or parcels of real estate located within the Enterprise Zone and upon which there has been the construction of new improvements or upon which there has been expansion or rehabilitation of existing improvements shall be abated; provided, however, that any abatement of taxes on any parcel or parcels shall not exceed the amount attributable to the construction of the improvements and the expansion or rehabilitation of existing improvements on such parcel, or parcels, nor in the case of property within the redevelopment area created pursuant to the Real Property Tax Increment Allocation Redevelopment Act shall such abatement exceed the amount of taxes allocable to the City; provided, further, that any abatement of taxes on any parcel or parcels shall not exceed an amount determined in accordance with the following provisions and shall be limited to the following projects:

- a. *Industrial projects.* Industrial projects (*whether new construction, expansion or rehabilitation*) will receive abatement of fifty (50) percent of the total increased tax amount on the parcel or parcels for a ten-year period beginning with the tax year in which real property taxes on the new, increased assessment amount is levied.

In addition, industrial projects generating new, permanent, full-time or full-time equivalent (FTE) jobs will receive an additional abatement of up to fifty (50) percent of the total increased tax amount on the parcel or parcels for the same period based upon the new jobs projected to be created within twenty-four (24) months of project occupancy. The actual percentage to be awarded for this criterion will be calculated based upon the number of jobs projected to be created as a percentage of the applicant's total full-time or FTE employment within the Enterprise Zone at the time of application. This percentage of projected increase will be applied toward the additional fifty (50) percent which can be received for this criterion. Regardless of percentage of projected increase, applicants projecting to create twenty (20) or more full-time or FTE jobs will receive the entire additional fifty (50) percent abatement amount. Applicants that have no such employment at the time of application and projecting to create full-time or FTE job(s) will receive the entire additional fifty (50) percent abatement amount.

- b. *Professional Service projects.* *Professional Service projects (whether new construction, expansion or rehabilitation) will receive abatement of one hundred (100) percent of the total increased tax amount on the parcel or parcels for a five-year period beginning with the tax year in which real property taxes on the new, increased assessment amount is to be levied.*

- c. *Personal Service and Retail projects.* *Personal Service and Retail rehabilitation projects will receive abatement of one hundred (100) percent of the total increased tax amount on the parcel or parcels for a five-year period beginning with the tax year in which real property taxes on the new, increased*

assessment amount is to be levied. However, neither the amount attributable to new construction or expansion projects shall be abated.

- d. *Residential projects.* Residential projects (whether new construction, expansion or rehabilitation) will receive abatement of one hundred (100) percent of the total increased tax amount on the parcel or parcels for a five-year period beginning with the tax year in which the real property taxes on the new, increased assessment amount is levied; however, the following residential projects are not eligible:
1. Residential projects which include an expansion of the building envelope which results in the increase in the number of dwelling units on a parcel or parcels.
 2. Residential projects which include the construction of new multiple-family buildings.

Hotel and Conference Center Complex. *Hotel and Conference Center Complex projects, whether new construction, expansion or rehabilitation, which includes a minimum of 15,000 square feet of usable conference center space and a minimum of 100 hotel rooms will receive abatement of one hundred (100) percent of the total increased tax amount on the parcel or parcels for a five-year period beginning with the tax year in which real property taxes on the new, increased assessment amount is to be levied. Any Personal Service or Retail uses that are accessory to the Hotel and Conference Center and are located within the building envelope shall also be abated.*

(2) *Sales tax exemption.* The City hereby authorizes claims for point-of-sale exemption of its sales tax of the Illinois Retailers' Occupation Tax by each retailer who makes a sale of building materials to be incorporated into real estate located in the Enterprise Zone for projects eligible for real property tax abatement under this section. Receipts from such sales may be deducted when calculating the tax imposed pursuant to the Municipal Retailers' Occupation Tax Act. The incentive provided by this subsection (2) shall commence the first day of the calendar month following the month in which the Enterprise Zone is designated and certified, and shall continue for the term of the Enterprise Zone. The provision of this incentive by the City shall automatically invoke the exemption of the State of Illinois sales tax on building materials sold and eligible, in connection with such sale, for exemption in accordance with this subsection (2). In order to receive this exemption (which is provided through the building materials retailer), the following criteria must be met:

- b. The building materials must be affixed to the real estate; and
- c. Only projects which require a building-related permit or zoning use permit will be eligible to receive the exemption; and

- d. Evidence of the project's location and eligibility within the zone must be presented to the retailer at time of purchase in the form of a certificate of eligibility provided by the Zone Administrator or Deputy Zone Administrator along with a copy of any required building-related permit or zoning use permit; and
- e. Certificates of eligibility will be valid for twelve (12) months from the date of issuance. Certificates may be extended for an additional period of twelve (12) months upon application to the Zone Administrator or Deputy Zone Administrator. Such extensions shall be granted no more than two (2) times for any one project and are subject to a determination by the Zone Administrator or Deputy Zone Administrator that they are needed to complete the project and are not necessitated by the failure of the applicant to diligently pursue construction; and
- f. Within the Enterprise Zone all projects which would normally be required to have a building-related permit or zoning permit will still be required to obtain the appropriate permit.

(3) *Targeting of funds.* To the extent that local, state and federal funds area [are] available and appropriate, the City has and will continue to target these various funds to portions of the Enterprise Zone area in conjunction with several targeted areas and programs which have been established:

- a. The Downtown Commercial Loan Program, a low-interest loan program for interior and/or exterior improvements for buildings in the Downtown Tax Increment Finance District,
- b. The contract for the redevelopment of the Dr. Martin Luther King, Jr. Subdivision,
- c. The residential rehabilitation programs administered by the City's Community Development Division and targeted to various residential sections of the Zone. This will not prohibit the City from extending targeted areas and programs beyond areas within the Zone and making appropriate adjustments in available funding.

(C.B. No. 85-352, § 4, 12-17-85; C.B. No. 89-130, § 1, 6-6-89; C.B. No. 90-69, § 2, 4-3-90; C.B. No. 93-84, § 2, 4-6-93; C.B. No. 2001-59, § 1, 4-3-01)

Sec. 11-48. Additional incentives.

This article does not prohibit the City from extending additional tax incentives or reimbursements for residents and business enterprises in the Enterprise Zone or throughout the City by separate action.

(C.B. No. 85-352, § 7, 12-17-85)

Sec. 11-49. Project timing.

All applicants who seek incentives for eligible projects under the terms and conditions of this article shall be eligible for applicable incentives, provided that:

- (1) A project shall not be eligible for any incentive if site preparation, site improvements or construction of buildings is initiated prior to January 1, 1986 or buildings are occupied or otherwise put into use prior to July 1, 1986.
- (2) Any building materials purchased for use in said project and paid for prior to July 1, 1986 shall be ineligible for exemption of City and State sales tax on the purchase.
- (3) Projects initiated after July 1, 1986 shall be ineligible for any incentive unless application is made for incentives to the Zone Administrator or the Deputy Zone Administrator prior to any site preparation, site improvements or construction of buildings.

(C.B. No. 85-352, § 8, 12-17-85; C.B. No. 89-130, § 1, 6-6-89)

Sec. 11-50. Conformance to codes, ordinances and regulations.

No incentive shall be available to any project which is not constructed, used or occupied in conformance with all City codes, ordinances and regulations. Except as otherwise expressly and specifically provided herein, nothing contained herein shall be construed to waive, abrogate, lessen or weaken the full force, effect and application of all laws, resolutions, codes, regulations and ordinances of the City to any project or any person or property.

(C.B. No. 85-352, § 9, 12-17-85)

Sec. 11-51. Violations and penalties.

- (a) No person shall knowingly misrepresent facts in order to receive tax abatement or other incentives provided for in this article or present a certificate of eligibility for purposes of purchasing building materials to be used on any premises other than on the premises for which the certificate was issued. "Facts" include, but are not limited to:
 - (1) The number of FTE jobs to be created by an enterprise; or
 - (2) The number of persons currently employed by a concern; or
 - (3) The nature of the project use(s) of or the annual dollar volume of business attributable to the project use(s); or
 - (4) Any representation materially affecting the determination of project eligibility or the determination of the percentage tax abatement to which the project may be entitled under this article.
- (b) In addition to other penalties provided for by law, for the purposes of administration of the Enterprise Zone, the initial determination of any alleged

violation set forth in this section shall be made by the Enterprise Zone Administrator or Deputy Zone Administrator who shall notify the property owner of the alleged violation by certified mail at least fifteen (15) days before any further action is taken. The property owner may, within fifteen (15) days after receipt of the notification, submit a written appeal for review by the governing body of the jurisdiction within which such alleged violation is located. Such written appeal must be submitted to the Zone Administrator or Deputy Zone Administrator in accordance with procedures established by the Zone Board. If the alleged violator fails to appeal the initial determination of violation or if the determination is upheld by the governing body having jurisdiction, the alleged violator will be subject to the following administrative penalties:

- (1) Revocation of any tax abatements provided under the terms of this article and retroactive collection of all taxes due on the property from the date on which the abatement became effective along with interest equal to that which would otherwise be assessed on delinquent property tax payments for the period in which the abatement was in effect;
- (2) Revocation of any certificate of eligibility issued in connection with any project involved in the violation; and
- (3) Loss of eligibility of the project for any other incentive or targeted program provided for under this article.

(C.B. No. 85-352, § 10, 12-17-85; C.B. No. 93-84, § 3, 4-6-93)

Secs. 11-52--11-60. Reserved.

MONTHLY REPORT for AUGUST 2005

Zoning Cases

The distribution of cases filed, completed, and pending is detailed in Table 1. Two zoning cases were filed in August compared to four cases that were filed in August 2004, and five cases that were filed in August 1999. The five-year average for cases filed in August is 2.6 cases.

A total of 31 cases have been filed so far in 2005 compared to 36 cases at this time in 2004 and 35 cases at this time in 1999. The five-year average for total cases filed by the end of August is 31.2 cases.

Two ZBA meetings were held in August. There were four cases finalized in August compared to two cases finalized in August 2004, and three cases finalized in August 1999. The five-year average for cases finalized in August is 2.2 cases.

At the end of August there were 28 cases pending before the ZBA compared to 20 cases pending at the end of August 2004 and 11 cases pending at the end of August 1999.

TABLE 1. ZONING CASE SUMMARY
AUGUST 2005

Type of Case	August 2005 2 non-CZR ZBA meetings		August 2004 1 non-CZR ZBA meetings		August 1999 2 non-CZR ZBA meetings	
	Cases Filed	Cases Completed	Cases Filed	Cases Completed	Cases Filed	Cases Completed
Variance	2	3	3	1*	3	0
SFHA Variance	0	0	0	0	0	0
Special Use	0	1	1	1*	1	2
Map Amendment	0	0	0	0	1	1
Change of Non-conform. Use	0	0	0	0	0	0
Administrative Variance	0	0	0	0	0	0
Interpretation / Appeal	0	0	0	0	0	0
TOTALS	2	4	4	2*	5	3
Total cases filed (year to date)	31 cases		36 cases		35 cases	
Cases pending**	28 cases		20 cases		11 cases	
NOTES						
* These cases were related cases involving one petitioner.						
**Cases pending includes all cases continued and new cases filed.						

Champaign
County
Department of
**PLANNING &
ZONING**

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

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

Subdivisions

There was one new subdivision plat application in August and no plat approvals.

The one major subdivision under construction (Nature's Landing, Case 174-04) has required a greater degree of staff monitoring throughout the summer and will remain so until completion.

Zoning Use Permits

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

- There were 24 permits for 24 structures in August compared to 32 permits in August 2004. The five-year average for permits in the month of August is 25.
- The reported value for construction authorized in permits for August was \$1,737,764 compared to \$3,761,220 in August of 2004.
- The County collected \$6,524 in fees for August compared to \$12,193 in August 2004. The five-year average for fees collected in August is \$11,198. This downturn in August fees is apparently due to the following:
 - Fewer of the permits were for new homes. Only 33% of the permits were for new homes compared to 44% in August 2004 and the five-year average of 53%.
 - None of the homes were in the areas recently annexed in southwest Champaign. In the previous four years the average for permits for new homes in this area for August is six and there were none this August. Homes in this area are on average larger than elsewhere and have larger fees.
 - More of the permits were for residential accessory structures. Residential accessory structures accounted for 50% of the permits this August compared to only 22% for August 2004 and the five-year average of 35%.
- There were 120 compliance certificates issued in August. The certificates were issued following inspections made by staff on temporary assignment from the RPC.

TABLE 2. PERMIT ACTIVITY AUGUST, 2005

PERMITS	CURRENT MONTH			YEAR TO DATE		
	#	Total Fee	\$ Value	#	Total Fee	\$ Value
AGRICULTURAL:						
Residential		N.A.		3	N.A.	383,000
Other	2	N.A.	88,000	12	N.A.	383,500
SINGLE FAMILY Residential:						
New - Site Built	7	3,627	1,332,000	59	34,886	13,187,870
Manufactured	1	177	2,500	7	1,935	427,000
Additions	2	562	37,584	35	5,251	1,226,146
Accessory to Residential	12	2,158	277,680	48	9,385	781,479
TWO-FAMILY Residential				2	1,506	580,000
Average review/approval time for a residential structure	10 days (staffing level low due to vacations/illness)					
MULTI - FAMILY Residential						
HOME OCCUPATION:						
Rural				1	33	0
Neighborhood		N.A.		4	N.A.	0
COMMERCIAL:						
New				2	2,036	710,000
Other						
INDUSTRIAL:						
New						
Other				3	2,611	1,826,475
OTHER USES:						
New						
Other				1	1,533	200,000
SIGNS				3	243	10,700
TOWERS (Includes Acc. Bldg.)						
OTHER PERMITS				10	881	2,150
TOTAL	24	\$6,524	\$1,737,764	190/175	\$60,300	\$19,718,320

*24 permits were issued for 24 structures during August, 2005

◇190 permits have been issued for 175 structures since January, 2005

NOTE: Home occupations and other permits (change of use, temporary use) total 15 since January, 2005, (this number is not included in the total # of structures).

Zoning and Nuisance Enforcement

Staff vacations and illness reduced the hours available for enforcement in August 2005. Table 3 contains the detailed breakdown of enforcement activity for August and is summarized as follows:

- There were eight new complaints received in August.
- There were no cases resolved in August and no cases referred to the State's Attorney.
- August ended with a total of 324 open cases.

ENFORCEMENT ACTIVITY FOR AUGUST, 2005

	2004 Enforcement	Jan. 2005	Feb. 2005	Mar. 2005	Apr. 2005	May 2005	June 2005	July 2005	August 2005
Complaints Received	76	12	8	10	10	8	9	11	8
Inspections	82	34	3	4/5◇	17	2	26	13	1
1 st Notices Issued	25	7	5	4	5	1	6	1	1
Final Notices Issued	1	1	0	4	1	1	2	0	0
Agreements to Abate	0	0	0	2	0	0	0	0	0
Referrals to Other Agencies	2	0	0	0	0	0	0	0	0
Referrals to State's Attorney's Office	2	0	0	0	0	0	1	4	0
TOTAL CASES INCLUDING PREVIOUS YEARS									
Cases Resolved ¹	51	13	3	10#	11#	5	17	4	0
Open Cases ²	312	311	316	316	315	318	309	316	324*/**

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

²Open cases are unresolved cases, and include any cases referred to the State's Attorney's Office and cases in which compliance agreements have been made but have not yet been resolved (i.e., agreement deadline has not elapsed), or new complaints not yet investigated.

◇The first number is the number of properties inspected prior to sending out the first notice, and the second number is the number of properties inspected prior to sending out a final notice.

#This number includes 0 cases from prior to 1999, and 11 cases after 1999.

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

**The 324 open cases include 26 cases that have been referred to the State's Attorney's Office, 15 cases that involve properties where kennels are being operated and will be addressed in the Zoning Ordinance revision process, and 9 cases that involve floodplain matters which brings the total of open cases to 274.

APPENDIX A

ZONING USE PERMITS ISSUED DURING AUGUST, 2005

<u>NUMBER</u>	<u>LOCATION</u>	<u>NAME</u>	<u>DATE IN/ DATE OUT</u>	<u>PROJECT</u>
336-02-02	A one acre tract adjacent east of Lot 1, Barr Farms First Subdivision, Section 27, Somer Township; 4808 N. Cunningham Avenue, Urbana, Illinois PIN: 25-15-27-100-011	Harvey and Charles Treet (Barhns Equipment, Inc., Lessee)	12/02/02 08/03/05	Change the Use to establish a forklift sales and service business – Barnes Equipment, Inc. Case: 385-S-03
140-05-04	Lot 2034, Western Hills Subdivision, Section 35, Hensley Township; 1504 Comanche Drive, Champaign, Illinois PIN: 12-14-35-379-022	Sara Russian	05/20/05 08/04/05	construct a detached garage and a sunporch addition to an existing single family home Case: 503-V-05
246-04-02	More information needed			
11-05-01	Pending Special Use Permit			
111-05-02	Pending resolution of violation			
151-05-01	Lot 3, M & R Drews Subdivision, Section 21, Hensley Township; 5207A North Duncan Road, Champaign, IL PIN: 12-14-21-200-019	Mike and Shirley Johnson	05/31/05 08/16/05	construct a single family home with attached garage Case Pending for Variance or Text Amendment
153-01-05 FP	The South 66' of Lot 12, Carroll's Subdivision; Section 9, Urbana Township; 1102 N. Eastern Avenue, Urbana, Illinois PIN: 30-21-09-128-019	Steve and Jan Street	06/02/05 08/01/05	place a manufactured home with attached garage on the subject property PERMIT WITHDRAWN BY APPLICANT
165-02-01	Pending IDNR review			
173-05-01	Pending Variance			
199-05-01	Pending Tolono review of land division			

200-05-01	Tract 5, Deerfield Farms, Section 36, Newcomb Township; 2417 CR 600E, Dewey, Illinois PIN: 16-07-36-451-005	Robert Januzik	07/19/05 08/04/05	construct a detached garage
203-05-01	A tract of land being part of the NW 1/4 of the SE 1/4 of the SE 1/4 of Section 20, Harwood Township; 3229 CR 2000E, Rantoul, Illinois PIN: 11-04-20-400-012	Charles and Stacey Rothermel	07/22/05 08/15/05	construct an addition to an existing single family home
206-05-01	Lot 4, Block 5, S. H. Busey's 2 nd Subdivision, Section 4, Compromise Township; 313 Main Street, Penfield, Illinois PIN: 06-12-04-352-003	John D. Reardon	07/23/05 08/04/05	place a manufactured home on the subject property
206-05-02	Lot 4, McMahon Subdivision, Section 19, Philo Township; 804 CR 1200E, Tolono, Illinois PIN: 19-27-19-351-004	Sarah and Greg Baumer	07/25/05 08/04/05	construct a detached garage
207-05-01	Lot 2, Deer Crossing Subdivision, Section 25, Newcomb Township; 538 CR 2550N, Mahomet, Illinois PIN: 16-07-25-101-002	Classic Homes	07/26/05 08/04/05	construct a single family home with attached garage
207-05-02	A tract of land located in the E 1/2 of the NW 1/4 of Section 7, Newcomb Township; 337 CR 2900N, Fisher, Illinois PIN: 16-07-10-100-006	Donald Pitts	07/26/05 08/04/05	construct a detached garage
207-05-03	Setback clarification			
208-05-01	Lot 15, O'Neill's 1 st Street Subdivision, Section 30, Urbana, Township; 3006 S. First Street, Champaign, IL PIN: 30-21-30-301-004	Don Pilcher	07/27/05 08/04/05	construct a detached building for a swimming pool enclosure

210-05-01	Lot 122, Windsor Park Subdivision, Section 25, Champaign Township; 609 Park Lane Drive, Champaign, Illinois PIN: 03-20-25-104-012	Roger E. Eagan	07/26/05 08/04/05	construct a detached storage shed
210-05-02	Lot 82, Timberview 9 th , Section 16, Mahomet Township; 106 Carl Drive, Mahomet, Illinois PIN: 15-13-16-180-019	Kevin and Elizabeth Brooks	07/29/05 08/04/05	place an above ground swimming pool with fencing
214-05-01	Lot 6 Linbry Estates, Section 3, St. Joseph Township; 1777B CR 2200E, St. Joseph, IL PIN: 28-22-03-283-006	Dennis and Debra Coakley	08/02/05 08/16/05	construct a single family home with attached garage
214-05-02	A tract of land being the S ½ of the N ½ of the N ½ of the SE ¼ and the N ½ of the S ½ of the N ½ of the SE ¼ of Section 17, Hensley Township; 2140 CR 750E, Champaign, IL PIN: Pt. of 12-14-17-400-008	Ryan Heiser	08/02/05 08/18/05	construct a single family home with attached garage
215-05-01	A tract of land located in the NW Corner of the NE ¼ of the NW ¼ of Section 28, Newcomb Township; 239 CR 2600N, Mahomet, IL PIN: 16-04-28-100-006	John and Judy Pingel	08/03/05 08/16/05	construct a detached storage building
217-05-01	The West 8 acres of the SW ¼ of the SW ¼ of the NW ¼ of Section 20, St. Joseph Township; 1454 CR 1900E, Urbana, Illinois PIN: 28-22-20-100-007	Robert Martin	08/05/05 08/19/05	construct a single family home with attached garage (barn)

220-05-01	A tract of land being part of the North ½ of the NE 1/4 of Section 34, Harwood Township; 2179 CR 3100N, Gifford, Illinois PIN: 11-04-34-200-006	Jacquelin Harris	08/10/05 08/24/05	construct an addition to an existing single family home
221-05-01 RHO	Under review			
221-05-02	A tract of land being a part of the West ½ of the SW 1/4 of Section 31, Philo Township; 628 CR 1200E, Tolono, Illinois PIN: 19-27-31-300-005	Don Spencer	08/09/05 08/24/05	construct a storage shed for horses, hay and equipment/supplies for horses
222-05-01	Lot 2 and the E ½ of Lot 3, The Prospect Subdivision, Section 31, Ludlow Township; 3051H CR 1300E, Rantoul, Illinois PIN: 14-03-31-276-004 & 005	Sheryl Parrish	08/10/05 08/24/05	move a single family home onto the subject property
229-05-01	A 5.44 acre tract of land located in Part of the NW 1/4 of Section 11, Sidney Township; 2203 CR 1100N, Sidney, IL PIN: 24-28-11-100-014	William McKee	08/17/05 08/31/05	construct a horse barn
230-05-01	A tract of land located in the NW Corner of the NW 1/4 of Section 7, Sidney Township; 1196 CR 1800E, Urbana, IL PIN: 24-28-07-100-007	Eric and Michelle Brunk	08/11/05 08/22/05	construct a single family home with attached garage
230-05-02	Lot 14 and the W ½ of Lot 13, The Highlands of Lincolnshire Fields, Section 21, Champaign Township; 2328 Fields South, Champaign, IL PIN: 03-20-21-379-001 & 002	Russ Carter	08/11/05 08/24/05	construct a sunroom addition to an existing duplex

231-05-01	Lot 10, Green Acres 1 st Subdivision and a tract of land .54 acres in size immediately South of Lot 1, Section 17, Mahomet Township; 111 CR 2150N, Mahomet, IL PIN: 15-13-17-301-005 & 033	Michael E. Wattles	08/12/05 08/26/05	construct a detached garage and relocate an existing storage shed
231-05-02	A tract of land being a part of the NE Corner of the SW 1/4 of Section 9 and a part of the SW Corner of the NE 1/4 of Section 9, Sidney Township; 512 Witt Park Road, Sidney, Illinois PIN: 24-28-09-326-006	Martin and Keith Kropp	08/12/05 08/26/05	construct a detached garage
231-05-03	Tract 2 of a Plat of Survey of Part of the SW 1/4 , Section 19, St. Joseph Township; 1490 CR 1800E, Urbana, IL PIN: 28-22-19-100-014	David C. Alagna	08/12/05 08/31/05	construct a detached storage shed
231-05-04	Under review			
234-05-01	Under review			
235-05-01	Under review RHO			
235-05-02	Under review			
236-05-01	Under review			
236-05-02	Under review			
236-05-03	Under review			
236-05-04	Under review			
238-05-01	Under review			
241-05-01	Under review			
241-05-02	Under review			
243-05-01	Under review			