



**Champaign County Board
Environment and Land Use Committee (ELUC)
County of Champaign, Urbana, Illinois**

MINUTES – Approved as Distributed 6/6/13

DATE: Thursday, May 9, 2013
TIME: 6:00 p.m.
PLACE: Lyle Shields Meeting Room
Brookens Administrative Center
1776 E Washington, Urbana, IL 61802

Committee Members

Present	Absent
Ralph Langenheim (Chair)	
Aaron Esry (Vice Chair)	
Astrid Berkson	
Stan Harper	
Alan Kurtz	
Pattsi Petrie	
Jon Schroeder	

County Staff: John Hall (Director of Planning & Zoning), Deb Busey (County Administrator), Beth Brunk (Recording Secretary)

Others Present: Susan Monte (Ch Co Regional Planning Commission), John Jay (Champaign Co Board)

MINUTES

I. Call to Order

Committee Chair Langenheim called the meeting to order at 6:01 p.m.

II. Roll Call

A verbal roll call was taken and a quorum was declared present.

III. Approval of Minutes

A. ELUC Committee meeting – April 4, 2013

MOTION by Mr. Esry to approve the minutes for the April 4, 2013 meeting as distributed; seconded by Mr. Kurtz. Upon vote, **the MOTION CARRIED unanimously.**

IV. Approval of Agenda

Mr. Langenheim asked to move Agenda Item VIII-D before Agenda Item VIII-A. The Committee agreed.

MOTION by Ms. Berkson to approve the agenda as amended; seconded by Mr. Esry. Upon vote, the **MOTION CARRIED unanimously.**

V. Public Participation

Marcus Harris – supported approving the zoning change in Case 741-AM-13

Alan Singleton, Wayne Ward – support zoning change in Case 687-AM-13
Larry Hall, Jean Fisher – opposed zoning change in Case 687-AM-13
Christine Main, Robert Illyes, Mary Kay Salecki, Peter Kuchinke, Keith Roll, Susan Forsyth, Tom Smith, Traci Barkley, David Bodnar – supported Resolution to oppose water withdrawal from the Salt Fork of the Vermilion River for coal mine use in Vermilion County

VI. Communications

Mr. Kurtz wanted to let the public know that he has been out of town on County business over the last few days and was unable to respond to their e-mails, phone calls and letters but will do so as soon as possible.

VII. Items to be Approved by ELUC Committee

- A. Recreation & Entertainment License – Eastern Illinois A.B.A.T.E. Inc. for live bands at Rolling Hills Campground in Penfield, June 7-9, 2013
- B. Recreation & Entertainment License – Lake of the Woods Bar & Liquors for outside bands or outside DJ

OMINBUS MOTION by Mr. Esry to approve items, VII-A & VII-B, Recreation & Entertainment Licenses for A.B.A.T.E. Inc. and Lake of the Woods Bar & Liquors; seconded by Mr. Kurtz. Upon vote, the **MOTION CARRIED unanimously.**

VIII. Items to be Approved by ELUC Committee for Recommendation to the County Board

- A. Case 743-AT-13 – Final Recommendation to Approve Zoning Ordinance Text Amendment to allow Variance from Municipal Subdivision Regulations for Rural Water District Water Treatment Plant & Related Facilities

Mr. Langenheim indicated that the State’s Attorney has called for a revision in addition to further modifications from the City of Urbana.

MOTION by Mr. Kurtz to defer this agenda item to the June 6th ELUC Committee meeting; seconded by Ms. Berkson. Upon vote, the **MOTION CARRIED unanimously.**

- B. Case 687-AM-11 –Recommendation to Deny Zoning Map Amendment to change the Zoning District from CR Conservation Recreation to AG-1 Agriculture to establish a Restricted Landing Area pursuant to Zoning Case 688-S-11

MOTION by Ms. Petrie to deny Zoning Map Amendment to change the Zoning District from CR Conservation Recreation to AG-1 Agriculture to establish a Restricted Landing Area (RLA) pursuant to Zoning Case 688-S-11; seconded by Mr. Kurtz.

Mr. Schroeder thought the biggest reason that the ZBA decided not to change the zoning is because this would take 14 acres out of this small Conservation Recreation district into AG-1. Mr. Kurtz noted that this case has been pending for two years. He had confidence that the ZBA has looked at this request very carefully and supported their recommendation to deny. Ms. Berkson wondered if the petitioner, Dr. Phillip Jones, would be willing to trade another 14 acres into the Conservation District as he owns much forested land.

Mr. Hall stated that this case has taken two years due to some confusion about the petitioner’s original request for a RLA and a heliport RLA. Ultimately, the petitioner clarified that the request was for an RLA with limited helicopter use. Mr. Hall then had to get approval from the Illinois Department of Transportation (IDOT) which occurred in April of 2012. The neighbors and petitioner were highly

motivated and gave much testimony and data. Eventually, the ZBA recommended denying this rezoning request.

Ms. Petrie asked if IDOT defined “limited use”. Mr. Hall responded that IDOT did not but the ZBA did. Mr. Schroeder wondered why the ZBA thought the rezoning was not worthy. Mr. Hall replied that the LRMP refers to “discretionary develop approvals” which is in this context a request for a special use permit pursuant to a map amendment. Both items get reviewed under the policies and are related. Mr. Schroeder felt that the emphasis was more on the planned use development rather than the special use. Mr. Kurtz noted that there was significant public opposition - 32 individuals signed a petition against the rezoning.

Upon vote (a yes vote meant denial of the Zoning Map Amendment):

Yes: 5 – Esry, Schroeder, Langenheim, Kurtz, Petrie

No: 2 – Harper, Berkson

MOTION CARRIED.

Ms. Petrie inquired if there was an option to remand it back to the ZBA for them to consider the rezoning if Dr. Jones would be interested in trading another 14 acres of his land into the Conservation Recreation District. Mr. Hall affirmed that this could be done at the County Board meeting.

- C. Case 741-AM-13 – Recommendation to Approve Zoning Map Amendment to change the Zoning District from I-1 Light Industry to B-4 General Business to establish a firearm sales store and indoor shooting range

MOTION by Mr. Esry to approve the Zoning Map Amendment to change the Zoning District from I-1 Light Industry to B-4 General Business to establish a firearm sales store and indoor shooting range; seconded by Mr. Kurtz.

Mr. Kurtz felt that the State of Illinois will eventually allow residents to carry concealed guns. He has suggested to Senator Raoul who is the sponsor of a concealed-carry bill in Illinois that anyone who gets a new Firearms Owner’s Identification Card must get training. It would be beneficial to have a local facility where a person could learn how to handle and shoot a gun. Mr. Kurtz supported this resolution.

MOTION by Mr. Kurtz to suspend the rules to question Marcus Harris in the audience; seconded by Ms. Petrie. Upon vote, the **MOTION CARRIED unanimously.**

Mr. Harris explained that the closest shooting ranges in this area are in Decatur and Springfield. This will be a 10-lane indoor range rated for both rifle and handgun with action targets. Mr. Harris anticipated employing 12-13 people for his business. Guns will be sold on the premises with mandatory background checks. This facility will have three classrooms to offer educational courses such as the NRA basic pistol, Refuse to be a Victim (for women), gunshot wound first-aid, and hunter’s safety.

Mr. Esry thanked Mr. Harris for bringing this venture of gun training and safety into the County. Ms. Petrie asked what safeguards are in place for people bringing their guns into the facility. Mr. Harris explained that security is a large issue – no firearms will be uncased until the individual is on the range, and all firearms will be pointed down range at all times. Security cameras and range officers will be able to enforce this requirement.

Ms. Petrie stated that she will vote no due to the way the zoning is being changed to accommodate this business. Mr. Jay commented that he has received many positive calls from all over the County supporting this business venture.

Upon vote:

Yes: 6 – Langenheim, Berkson, Esry, Schroeder, Harper, Kurtz

No: 1 – Petrie

MOTION CARRIED.

- D. Case 734-AT-12 – Final Recommendation to Approve Zoning Ordinance Text Amendment to change requirements for “Contractor Facility”

MOTION by Mr. Schroeder to approve Zoning Ordinance Text Amendment to change requirements for “Contractor Facility; seconded by Ms. Petrie. Upon vote, the **MOTION CARRIED unanimously.**

- E. Recommendation to Approve Compliance Commitment Agreement with the Illinois Environmental Protection Agency (IEPA) for the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer (MS4) Storm Water Discharge Permit

MOTION by Mr. Esry to approve the Compliance Commitment Agreement with the Illinois Environmental Protection Agency (IEPA) for the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer (MS4) Storm Water Discharge Permit; seconded by Ms. Berkson. Upon vote, the **MOTION CARRIED unanimously.**

- F. Proposed Resolution Opposing Water Withdrawal from Salt Fork of the Vermilion River for Coal Mine Use in Vermilion County

MOTION by Ms. Petrie to approve the Resolution opposing water withdrawal from Salt Fork of the Vermilion River for coal mine use in Vermilion County; seconded by Mr. Kurtz.

Mr. Schroeder asked who wrote this resolution and did Planning & Zoning vet the document. Mr. Hall responded that his department did not edit the resolution. A discrepancy he noted was that the County does not have a comprehensive plan but a Land Resource Management Plan. Additionally, in some parts of the resolution, it seemed as if the coal mine is proposed in Champaign County. Mr. Schroeder cannot support this resolution as it has been poorly written and not vetted through the Zoning Department. He has not had the chance to review it. Mr. Schroeder noted that this Board has no jurisdiction over Vermilion County.

Mr. Kurtz stated that he supported the idea of this resolution.

MOTION by Mr. Kurtz to defer this resolution for one month until the information can be reviewed and rewritten by the Planning & Zoning Department; seconded by Mr. Schroeder.

Ms. Berkson suggested that the resolution be rewritten and presented at the May Board Meeting. Ms. Petrie requested that the motion to defer be withdrawn to allow discussion for concerns. Mr. Schroeder felt that this document should not be rushed. Mr. Harper noted that the resolution was mailed to him, and he brought it to the meeting. He has attended some of the Homer meetings and noted that some of the farmers in the area have legitimate concerns. Mr. Harper agreed that some clarification is needed for the document and supported deferment. Mr. Kurtz suggested that any comments/concerns could be e-mailed to Mr. Hall with plenty of time to bring to the next ELUC meeting in June.

MOTION by Ms. Petrie to suspend the rules to question Traci Barkley in the audience if delaying this resolution by one month will have any negative impact in relationship to what will be happening in Homer; seconded by Ms. Berkson.

Upon vote:

Yes: 4 – Harper, Petrie, Berkson, Langenheim

No: 3 – Kurtz, Schroeder, Esry

MOTION CARRIED.

Ms. Barkley stated that the IDNR permit application was submitted in June 2012 and is in process now. There is no official proposal from Sunrise Coal to the Urbana-Champaign Sanitary District to purchase a certain amount of the effluent in the Salt Fork River for their withdrawal downstream. Ms. Barkley did not know when that could be granted.

Roll call vote to defer:

Yes: 5 – Kurtz, Petrie, Schroeder, Esry, Harper

No: 2 – Berkson, Langenheim

MOTION CARRIED.

IX. Provided for Information Only

A. C-U Area Medicine Take-Back Program

Ms. Monte wanted the Committee members to be aware of this program as it will be in the media this Friday. It is a program that will serve to protect water resources and public safety.

Ms. Petrie hoped that this education campaign will cover how syringes, needles and thermometers can be handled as those items are not accepted in this program.

B. Notice from the Illinois Department of Natural Resources regarding the Biggert-Waters Flood Insurance Reform Act of 2012

There were no comments.

X. Monthly Reports

A. March 2013

MOTION by Ms. Berkson to receive and place on file the Planning & Zoning Monthly Report for March 2013; seconded by Mr. Kurtz. Upon vote, **the MOTION CARRIED unanimously.**

XI. Other Business

Mr. Schroeder would like to talk about Cronus Chemical Fertilizer Plant in Douglas County at the next ELUC meeting to clear up misinformation about it.

Ms. Petrie attended the public hearing last night at the Urbana-Champaign Sanitary District. She was impressed by the turnout – approximately 90 people attended. Many different aspects were presented which are worthy of consideration by this County Board. It may be in another county but we need to think about things regionally.

XII. Chair's Report

None

XIII. Designation of Items to be Placed on the Consent Agenda

Mr. Langenheim stated that VIII-C and VIII-E should be placed on the Consent Agenda.

XIV. Adjournment

MOTION by Ms. Berkson to adjourn; seconded by Mr. Kurtz. Upon vote, **the MOTION CARRIED unanimously.** There being no further business, Mr. Langenheim adjourned the meeting at 7:53 p.m.