

Minutes of the Land Use and Development Committee

The Land Use and Development Committee of the McLean County Board met on Thursday, December 6, 2007 at 4:45 p.m. in Room 400, Government Center, 115 E. Washington Street, Bloomington, Illinois.

Members Present: Chairman Gordon, Members Segobiano, Sweeney, Ahart, Caisley, and Baggett

Members Absent: None

Other Board Members Present: None

Staff Present: Mr. John Zeunik, County Administrator,
Ms. Diana Hospelhorn, Recording Secretary,
County Administrator's Office

Department Heads/
Elected Officials
Present:

Mr. Phil Dick, Director, Building and Zoning,
Mr. Bill Wasson, Director, Parks and
Recreation

Others Present:

Ms. Michelle Covi, Director, Ecology Action
Center, Mr. Michael Brown, Incoming Director,
Ecology Action Center, Mr. Jerry Swartz,
University of Illinois Extension's Master
Gardener, Lead Project Volunteer, Mr. Mike
Behary, Building and Zoning, Mr. Jeff Tracy,
Highway Department

Vice Chairman Segobiano, due to Chairman Gordon's temporary absence, called the meeting to order at 4:50 p.m. Vice Chairman Segobiano stated that the first order of business is consideration of the October 4, 2007 minutes.

Motion by Caisley / Baggett to recommend approval
of the minutes from the October 4, 2007 meeting
of the Transportation Committee.
Motion carried.

Vice Chairman Segobiano presented the bills from November, 2007 which have been reviewed and recommended for transmittal to the Land Use and Development Committee by the County Auditor. The prepaid total is \$24,634.71 and the fund total is \$24,824.53. He asked for a motion to approve the bills as presented by the County Auditor.

Motion by Ahart / Baggett to recommend approval of the November, 2007 bills as presented by the County Auditor.
Motion carried.

Vice Chairman Segobiano stated that the first item for the Committee's consideration is a request by the McLean County Solid Waste Management Technical Committee to approve a grant in the amount of \$3,925.00 for the Master Gardener Plastic Plant Container Recycling Program administered by the Ecology Action Center. Vice Chairman Segobiano invited Ms. Michelle Covi, Director, Ecology Action Center to address the committee. He noted that this would be Ms. Covi's last meeting.

Ms. Covi introduced Mr. Michael Brown, the incoming Director of the Ecology Action Center. Vice Chairman Segobiano welcomed Mr. Brown to the meeting.

Ms. Covi introduced Mr. Jerry Swartz, University of Illinois Extension's Master Gardener, Lead Project Volunteer. Ms. Covi noted that this project has been looked at in the past; however, a program was never acted on. The Missouri Botanical Garden in St. Louis has a recycling program that accepts nursery containers to be recycled into landscaping timbers. She stated that the Ecology Action Center has looked at other possible reuses of the plastic containers. Recycling is the most feasible option.

Ms. Covi explained that the project will place collection containers at three different nurseries. The public will then be able to return used nursery containers. The containers will then be collected by volunteers and brought to a central location. She stated that they are currently working with Illinois State University on providing a donated site. The containers will be sorted and once they have a truck load, they will be transported to the Missouri Botanical Garden for recycling. Ms. Covi stated that the funding requested would be for a pilot, one year program.

Motion by Ahart / Caisley to recommend approval of the grant application in the amount of \$3,925.00 from the County's Solid Waste Management fund for the Master Gardener Plastic Plant Container recycling program administered by The Ecology Action Center.
Motion Carried.

Vice Chairman Segobiano expressed how pleasant it has been to work with Ms. Covi.

Ms. Covi responded that it has been an honor to be part of such a great program. She expressed how pleased she is with the progress the Community has made. Ms. Covi assured the Committee that her successor, Mr. Michael Brown, will be an excellent Director.

Vice Chairman Segobiano, on behalf of the Committee, thanked Ms. Covi for her dedication and wished her the best. Ms. Covi thanked the Committee.

Chairman Gordon thanked Vice Chairman Segobiano and the Committee for its indulgence.

Chairman Gordon informed the Committee the next item for action is a request by the Chairman of the Land Use and Development Committee and the Director of Building and Zoning to approve a Resolution of Commendation and Thanks to Michelle Covi, departing director of the Ecology Action Center.

Motion by Segobiano / Ahart to recommend approval of a request by the Chairman of the Land Use and Development Committee and the Director of Building and Zoning to approve a Resolution of Commendation and Thanks to Michelle Covi, departing director of the Ecology Action Center.
Motion Carried

Chairman Gordon stated that the last item for the Committee's consideration will take place in the form of a public hearing. Mr. Rickardo Ramirez and Mr. Spencer Vatterrodt are requesting approval on an amended preliminary plan for the Kings Mill Acers Subdivision which is located in Dry Grove Township immediately southwest of the intersection of 975 East Road and the Old Peoria Road, File No. S-07-13. Chairman Gordon declared the Public Hearing in session at 4:57 p.m. He invited Mr. Phil Dick, Director of Building and Zoning to address the Committee.

Mr. Dick stated that the Notice of Public Hearing was published in The Pantagraph on November 13, 2007 and the other required notifications were made, as provided by law. Mr. Dick explained that the application is requesting approval to amend the preliminary plan, approved in case S-07-06 by the County Board on May 15, 2007, for the Kings Mill Acres Subdivision, with respect to the surface of the pedestrian trail, to allow two inches of Ag-Lime rather than two inches of Hot-Mix. Mr. Ramirez and Mr. Vatterrodt met with the County Highway Department, Building and Zoning, and Parks and Recreation regarding the request. Although this is an extension of the Constitution Trail, there is a segment of the trail, between the Kings Mill Acres Subdivision and Illinois Route 9, that has not been completed. A Hot-Mix surface could be applied at a later date.

Chairman Gordon invited Mr. Ramirez and Mr. Vatterrodt's attorney, Mr. Robert Lenz, to address the Committee.

Mr. Lenz thanked the County Departments for their cooperation in joining the Staff for this recommendation. He stated he has talked with the Town Planner for the Town of Normal and they are also in support of the recommended amendment. The parcel's original plan of 57 residential lots has been reduced to 23 residential lots. Mr. Lenz expressed that the hidden costs and problems have made it difficult to get to the final stage of this project. With this approval, the developers will be able to come back with the final plat and start marketing lots.

Mr. Lenz stated the original proposal for the hiking and biking trail was a County Staff proposal, agreed to by the developers. The hiking trail is centered in the 40 foot right of way along the south side of the Kings Mill Acres Subdivision, between Old Peoria Road and the Apollo Acres Subdivision. Mr. Lenz appreciates the Staff report and requests the Committee's Approval.

Chairman Gordon asked for comments from County Staff or other Governmental agencies. Hearing none, he asked for questions or comments from the Committee.

Ms. Ahart asked if there is a plan to hook up to any existing trail.

Mr. Lenz responded that in the future, should landowners dedicate their land, the Constitutional Trail, which now ends at Route 9 would be extended and hook up with this trail. He stated that it is designed to hook up to the Constitution Trail.

Mr. Dick confirmed that this is the plan. He stated that the reason the Hot Mix surface is not needed at this time, is that the trail is not yet connected. When funds are available to build the remaining interval, funds would be obtained to Hot-Mix the surface at that time.

Chairman Gordon asked if there are other parties present that would like to address the Committee. He invited them to introduce themselves. He stated that the Committee would hear their concerns and questions.

Ms. Mary Bohne, 9560 Delta Circle, stated her property abuts the proposed trail. She commented that she does not want the trail to run next to her property. The area is not regularly patrolled by police or the County Sheriff. Ms. Bohne expressed her concern with trash and litter. She stated that she sees no reason to build the trail if it is not going to be usable and will not hook up to anything. Ms. Bohne asked who would be responsible for maintaining the trail.

Mr. Brian Falasz, 9600 Delta Circle, stated his property is also adjacent to the trail. Mr. Falasz informed the Committee the Constitution Trail is not only used for bicycling and walking, but also for rollerblading. He asked if the surface was conducive to rollerblading. Mr. Falasz stated that if the project is not funded through the developer of the subdivision, who will be responsible for the Hot-Mix surface. He stated that, until the future land is dedicated to connect the trail, he is also in agreement that the trail does not need to be there.

Chairman Gordon thanked the property owners for their comments. Chairman Gordon opened the floor to other parties wishing to speak. Hearing none he asked Mr. Lenz and / or Staff to respond and address the questions.

Mr. Lenz thanked Chairman Gordon and stated it would be beneficial to hear from County Staff on the concerns raised by the adjacent property owners.

Mr. Bill Wasson, Director of Parks and Recreation stated that the Limestone surface is not as conducive to rollerblading activities as it is to walking, jogging or biking. He responded that the County Parks and Recreation Department, under the proposed plan, would be responsible for maintenance of the trail. Feedback from the biking community shows that Old Peoria Road is used extensively by bikers. Mr. Wasson stated that this process along with the connection between Kings Mill and Route 9 would provide an access lane through what is becoming a much more developed area, and provide a bike and pedestrian access point to the outskirts of the County's urban development. This would allow class A riders to be able to get outside the urban area and, onto rural roads.

Mr. Dick explained that the Limestone surface is reasonable at this time because it is not connected to the bike trail. He stated the hard surface is not necessary until the trail is connected. Mr. Dick informed the Committee that, without a hard surface, rollerblading would be impossible.

Chairman Gordon questioned the statement "A Hot-Mix surface could be applied at a later date." He asked if this would be the responsibility of the developer.

Mr. Dick answered that it would not be the responsibility of the developer to apply the Hot-Mix surface. He stated that the Parks and Recreation Department would accept the right of way without the Hot-Mix surface. It then becomes the responsibility of the County.

Mr. Lenz expressed his appreciation for the support of the Staff. He stated that Mr. Ramirez and Mr. Vatterrodt have committed to dedicate the right of way and to build the trail. He stated they did not want to imply or infer any commitments beyond their original commitment. Mr. Lenz explained that this trail is along the south edge of the Subdivision. The previous subdivider had a dedication but no plan for a trail which would have been along the right of way of Old Peoria Road, on the northern edge. The changes were made at the request of the County.

Mr. Wasson stated that the Department has worked with the adjacent property owners who are willing to donate additional right of way for future construction. Conrail Railroad controls the missing link of property.

Approval of the plan is recommended by the County Health Department and the County Parks and Recreation Department.

The County Highway Department also recommends approval if particular care is taken with respect to drainage design during construction. Mr. Jeff Tracey stated the plans provide adequate drainage.

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Mr. Lenz concurred that Lewis Yockey and Brown, the engineers, have addressed the drainage in the construction drawings.

Chairman Gordon asked for additional discussion from the Committee. Hearing none, he declared the Public Hearing closed at 5:20 p.m.

Mr. Segobiano stated he is pleased with the vision for the future development of the trail.

Mr. Caisley stated there are property owners who do not want the Constitution Trail. He stated that it must be recognized that this is a minority view. It is the responsibility of the Committee to look at the opinion of the majority.

Chairman Gordon asked that, since it is the responsibility of the Park and Recreation Department to maintain the trail, that they be as responsive as they usually are if property owners have concerns.

Mr. Wasson assured the Committee the Department would be as responsive. He noted that as long as proper drainage is in place and there is a minimum slope, (less than 3.5%) limestone surface trails are not a maintenance problem.

Mr. Dick advised that staff recommends approval of the preliminary plan. Staff also recommends that construction traffic in the Kings Mills Acres Subdivision should be restricted from traveling through the Apollo Acres Subdivision as was stipulated in the County Board resolution approved on May 15, 2007.

Motion by Segobiano / Ahart to recommend approval of the amended preliminary plan for the Kings Mill Acers Subdivision which is located in Dry Grove Township immediately southwest of the intersection of 975 East Road and the Old Peoria Road, File No. S-07-13.
Motion carried.

Chairman Gordon stated the next meeting is scheduled for January 3, 2008, at 4:45 p.m.

Mr. Segobiano added that when Committee meetings are cancelled, due to lack of action items, the Committee should still meet to discuss zoning and subdivision issues and enforcement problems.

Mr. Caisley asked that the Committee be given a list of issues needing to be discussed.

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Mr. Segobiano is concerned about the number of unlicensed junk vehicles in McLean County. He also would like to discuss a County policy or regulation on mowing.

Chairman Gordon responded that a work session could be scheduled. To have a better sense of the issues, he asked for ideas and options to be discussed.

Mr. Dick suggested a work session on the regulations and changes taking place in sewage systems in Illinois. He also suggested a discussion on a possible text amendment to the Zoning Ordinance. Mr. Dick requested that his office be notified of any complaints concerning junk cars. He stated that, because of the rural area, it is more difficult for the County to regulate tall grass than for the City.

Chairman Gordon asked for a motion to adjourn.

Motion by Caisley / Baggett to adjourn the meeting.
Motion carried

Chairman Gordon adjourned the meeting at 5:42 p.m.

Respectfully Submitted

Diana Hospelhorn
Recording Secretary