

Minutes of the Land Use and Development Committee

The Land Use and Development Committee of the McLean County Board met on Thursday, January 5, 2006 at 4:45 p.m. in Room 400, Government Center, 115 E. Washington Street, Bloomington, Illinois.

Members Present: Chairman Gordon, Members Rackauskas, Segobiano, Ahart, Cavallini, and Baggett

Members Absent: None

Other Board Members Present: None

Staff Present: Mr. John Zeunik, County Administrator;
Ms. Christine Northcutt, Recording Secretary,
County Administrator's Office

Department Heads/
Elected Officials
Present: Mr. Phil Dick, Director, Building and Zoning

Others Present: Mr. Jeff Tracy, Project Manager, County Highway Department; Mr. Mike Behary, County Planner, Building and Zoning; Mr. Brian Hug, Assistant State's Attorney; Ms. Michelle Covi, Director, Ecology Action Center

Chairman Gordon called the meeting to order at 4:46 p.m.

Chairman Gordon stated that the first order of business is the approval of the October 6, 2005, November 15, 2005 and the December 20, 2005 minutes. Mr. Cavallini stated that his name appears in the October 6, 2005 minutes making a motion to adjourn. Mr. Cavallini noted that he was not present at the October 6th Meeting. Ms. Northcutt, Recording Secretary, responded that she would check into that and make a correction. Hearing no additional corrections, Chairman Gordon placed the minutes of the October 6, 2005, November 15, 2005 and the December 20, 2005 Land Use and Development Committee meeting on file as amended.

Chairman Gordon presented the bills from December 31, 2005 which have been reviewed and recommended for transmittal to the Land Use and Development Committee by the County Auditor. The pre-paid total and the fund total is \$17,328.98.

Motion by Cavallini/Ahart to recommend approval of the December 31, 2005 bills as presented by the County Auditor. Motion carried.

Chairman Gordon stated that the first item for action is an application of the Mary Frances Tolan Estate for a waiver of preliminary plan requirements and a one lot final subdivision plat for the Mary and Dale Tolan Subdivision which is located in Lawndale Township at 2107 N. 3075 East Road in Colfax. Chairman Gordon asked Mr. Phil Dick, Director, Building and Zoning, to present this item to the Committee. Mr. Dick stated that this is a request to set aside a farmhouse for a one lot subdivision in Lawndale Township. This request meets all the requirements of the Subdivision Ordinance. The County Highway Department and the County Health Department have signed off on this request. The Lawndale Township Road Commissioner has signed off on the Plat Access Certificate. Mr. Dick informed the Committee that Mr. Mike Wilson, the attorney representing the applicants, is present at tonight's meeting if the Committee has any questions. Chairman Gordon asked if there were any questions from the Committee. Hearing none, he called for a motion.

Motion by Segobiano/Ahart to recommend approval of a request for a waiver of Preliminary Plan Requirements and a one lot final subdivision for the Mary and Dale Tolan Subdivision in Lawndale Township at 2107 N. 3075 East Road, Colfax. Chairman Gordon stated that the Chair will vote. Motion carried.

The next item for action is an application of Roger and Sherry Boitnott for a waiver of preliminary plan requirements and a one lot final subdivision plat for the Boitnott Subdivision which is located in White Oak Township at 22253 N. 1000 East Road in Carlock. Chairman Gordon asked Mr. Dick to present this item to the Committee. Mr. Dick stated that this is a request by Mr. Roger Boitnott and Ms. Sherry Boitnott to allow their son to build a home on a parcel of land that is currently zoned agricultural. Mr. Dick stated that the County Health Department and the County Highway Department have signed off on this request. The White Oak Township Road Commissioner has signed off on the Plat Access Certificate. The Boitnott's are present at tonight's meeting if the Committee has any questions. Mr. Dick noted that the Zoning Board of Appeals unanimously recommended approval for a Special Use to allow a residence for the son of a farm owner on this parcel. If the Committee recommends approval of this subdivision application, both items will go before the County Board for approval on January 17th. Chairman Gordon asked if there were any questions. Hearing none, he called for a motion.

Motion by Segobiano/Rackauskas to recommend approval of an application by Roger and Sherry Boitnott for a waiver of Preliminary Plan requirements and a one lot final subdivision plat for the Boitnott Subdivision which is located in White Oak Township at 22253 N. 1000 East Road, Carlock. Chairman Gordon stated that the Chair will vote. Motion carried.

Chairman Gordon stated that the next item is a request for approval of a Resolution to amend the County Comprehensive Plan, as approved by the McLean County Regional Planning Commission, to indicate the proposed alignment for an East Side Highway Corridor. Chairman Gordon advised the Committee that the proposed Resolution and a copy of the map illustrating the amended portion of the Comprehensive Plan were included in the Committee's packets. Ms. Rackauskas asked if Ms. Michelle Covi, Director, Ecology Action Center, could present her quarterly Solid Waste Management Report before the Committee engages in a lengthy conversation about a controversial topic. Chairman Gordon agreed that was an excellent idea. Chairman Gordon invited Ms. Covi to present her report.

Ms. Covi stated that she would be reporting on the third quarter activities from the Ecology Action Center's (EAC). The fourth quarter report will most likely be presented next week, as the third quarter report was delayed for several months due to the Land Use and Development Committee meetings being cancelled for several months in a row. Ms. Covi stated that the EAC has had a very successful year. The EAC attended several summer camps throughout the third quarter. The EAC has had additional requests from other summer camps to

present recycling programs for their students next year. Ms. Covi stated that the EAC has been working with the Children's Discovery Museum to provide programs that serve a wide-variety of age groups. Ms. Covi advised the Committee that the EAC has published its first book called *Conservation Cat*. This book was written by an intern and distributed free of charge to all local libraries and schools. The book is intended for second graders. Ms. Covi noted that the EAC received some independent funding from some local waste companies for the book project. Chairman Gordon asked Ms. Covi to share with the Committee the change that was made in the frequency and availability of electronics recycling. Ms. Covi stated that due to a grant written by the Town of Normal from the Department of Commerce and Economic Opportunity (?) to establish a permanent electronics recycling site, electronics recycling is now available five days a week at the Town of Normal Public Works yard. Chairman Gordon asked if there were any questions for Ms. Covi. Hearing none, Chairman Gordon asked Mr. Dick if he would like to present the only other item for information which is the announcement of an Audio Conference, on Wednesday, January 18, 2006 in Room 404 of the Government Center. Mr. Dick explained that the City of Bloomington, the Town of Normal, and the County are presenting an Audio Conference for Planning Commissioners entitled "Introduction to the Planning Commission: Part One". This conference is held quarterly and all Committee Members are invited to attend.

Chairman Gordon stated that the Committee can now continue discussion of item 4C. He asked Mr. Dick to introduce this item to the Committee. Mr. Dick explained that this item has been in the County's Comprehensive Plan since 2000. Mr. Dick passed out copies of a rural roads plan from the 2000 McLean County Comprehensive Plan. He directed the Committee's attention to a shaded area on the Plan. This area was set aside for a possible east side highway for accessing the community. At that time, a study was completed. The Town of Normal, the City of Bloomington and the County were never able to agree upon the study's recommendation on the placement of the corridor. Therefore, the McLean County Regional Planning Commission and the Bloomington Planning Commission came up with a new proposal for placement of the corridor. It is in a very similar location to where the original study recommended that the corridor be placed. However, the width of the area that has been set aside for the east side facility has been narrowed from 1½ miles to approximately a half mile. The Regional Planning Commission and the Bloomington City Council have adopted this proposal. Mr. Dick stated that as a part of the comprehensive plan amendment, the Land Use and Development Committee must review and approve the amendment and the Resolution. Mr. Dick stated that the Transportation Committee will also review this amendment as well as an Intergovernmental Agreement between the City of Bloomington, the Town of Normal and the County for implementation of this planning process. Mr. Dick

stated that Mr. Jeff Tracy, Project Manager, Highway Department and Mr. Brian Hug, Assistant State's Attorney are here to answer any questions that the Committee may have.

Chairman Gordon asked exactly what is the change in the length and width of this project. Mr. Jeff Tracy stated that the original width was 1½ miles and the present width is 2500 feet or just under a half-mile. Mr. Dick stated that the length remains the same. Chairman Gordon asked if there were any questions from the Committee.

Mr. Segobiano asked if the Committee is reviewing the same documents that were approved by the Regional Planning Commission, the City of Bloomington Planning Commission and the City Council. Mr. Dick stated the map that was included in the Committee's packet was taken from the City of Bloomington's Comprehensive Plan as approved by the Bloomington City Council. Ms. Rackauskas asked if the Bloomington City Council approved the Resolution which places a moratorium on development in the specified corridor. Mr. Dick replied that the City of Bloomington and the Town of Normal have approved the Comprehensive Plan, but they have not passed the Intergovernmental Agreement which contains the language "...and thereby forbids construction of buildings in the right-of-way of such planned street according to law.", which is found on paragraph 8 of the proposed Resolution. Mr. Hug replied that similar language is found in the Intergovernmental Agreement which is to go before the Town of Normal and the City of Bloomington later this month.

Ms. Rackauskas asked if there would be any public meetings concerning this amendment. Mr. Cavallini stated that he recalls the last public hearing being held three years ago. He noted that the public should have some input into this proposed change. Mr. Dick replied that public hearings are held as a part of an alignment study for such proposed developments. Mr. Dick stated that there is an \$800,000.00 federal grant for purposes of a second study for the proposed east side bypass. Mr. Dick stated that the public hearings would be held as a part of that process.

Ms. Rackauskas stated that she is concerned that if a new study is conducted, the results of that new study may show that the corridor should be placed much farther east or in a different position than is originally proposed. Ms. Rackauskas stated that her concern is that this Resolution will be, in essence, putting the cart before the horse. Mr. Dick stated that the government entities involved are trying to avoid additional expenses by not allowing development within that corridor. If there are new homes within the corridor, the price of acquiring the land rises greatly. Ms. Rackauskas stated that she understands that, but the study is not even totally funded as of yet, so the County is unsure if the study will even take place, let alone when construction for the proposed corridor would begin.

Mr. Hug stated this Resolution is not the final Resolution that will be approved regarding the bypass. He noted that the corridor would eventually be reduced in width to approximately 300 feet and the exact coordinates where the corridor will be placed will be determined at a later date.

Mr. Segobiano stated that he will vote "no" on this Resolution and hopes that the Committee will do the same. Mr. Segobiano stated that there are too many unknowns at this point.

Mr. Cavallini stated that he was not comfortable amending the County's Comprehensive Plan until the three local governments can meet and discuss this matter. Clearly, this discussion will have a significant impact of the residents who live in this area. Mr. Segobiano noted that there are families who live in the proposed corridor and who have farmed their land for generations. Now, with this action, the local governments are depriving these property owners of their right to their land. Ms. Rackauskas recommended that a joint meeting of the three local governments be scheduled to discuss this matter and provide ample opportunity for comment. Mr. Baggett advised the Committee that he was not prepared to make a decision on this matter this evening. Mr. Segobiano called for the question.

Mr. Zeunik noted that no motion had been made, so the question could not be called.

Ms. Rackauskas stated that she would be more comfortable making a decision regarding this item if it were postponed until the members of the City of Bloomington, the Town of Normal and the County were able to get together for an Intergovernmental Meeting to discuss this matter at length. Chairman Gordon asked Ms. Rackauskas if she wanted to make that a motion. She agreed.

Motion by Rackauskas/Cavallini to postpone a Resolution to amend the County Comprehensive Plan, as approved by the McLean County Regional Planning Commission, to indicate the proposed alignment for an East Side Highway Corridor until after a joint meeting between the Bloomington City Council, the Town of Normal Council and the McLean County Board to discuss the proposal.

Chairman Gordon called for a role call vote.

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Chairman Gordon called for a role call vote.

Member Ahart	"Yes"
Member Baggett	"Yes"
Member Cavallini	"Yes"
Member Rackauskas	"Yes"
Member Segobiano	"No"
Chairman Gordon	"Yes"

Motion carried by a vote of 5-1.

Chairman Gordon asked if there were any other items to come before the Committee. Hearing none, Chairman Gordon asked for a motion to adjourn the meeting.

Motion by Segobiano/Cavallini to adjourn the meeting
at 6:08 p.m. Motion carried.

Respectfully submitted,

Christine Northcutt
Recording Secretary