

Minutes of the Land Use and Development Committee

The Land Use and Development Committee of the McLean County Board met on Thursday October 1, 2009 at 4:45 p.m. in Room 400, Government Center, 115 E. Washington Street, Bloomington, Illinois.

Members Present: Members Ahart, Rankin, Cavallini, and Soeldner

Members Absent: Chairman Gordon, Member Segobiano

Other Board Members Present:

Staff Present: Mr. Terry Lindberg, County Administrator, Mr. Bill Wasson, Assistant County Administrator and Ms. Diana Hospelhorn Recording Secretary

Department Heads/
Elected Officials
Present:

Mr. Phil Dick, Director, Building and Zoning, Mr. Eric Schmitt, County Engineer, Paul Russell, Director of Regional Planning Commission

Others Present:

Ms. Jennifer Sicks, Transportation Planner, Regional Planning Commission, Mr. Mike Behary, County Planner, Department of Building and Zoning, Kimberly Tuchel, Bloomington Resident

Mr. Cavallini called the meeting to order at 4:51 p.m.

Mr. Cavallini, in the absence of Chairman Gordon and Vice Chairman Segobiano, presented the Minutes of the September 3, 2009 Land Use and Development Meeting to the Committee for approval.

Motion by Rankin / Soeldner to recommend approval of the September 3, 2009 Land Use and Development Committee minutes as submitted.

Motion carried.

Mr. Cavallini presented the bills from September 30, 2009 which have been reviewed and recommended for transmittal to the Land Use and Development Committee by the County Auditor. The prepaid total and fund total for September 30, 2009 is \$17,238.31.

Motion by Ahart / Rankin to recommend approval of the September 30, 2009 bills as presented by the County Auditor.
Motion carried.

Mr. Cavallini stated that the first item to be presented to the Committee is in the form of a Public Hearing. Mr. Cavallini declared the Public Hearing for the request by Kimberly Tuchel to vacate a part of the front setback area of Lot 47 in the First Addition to Terrace Lawn subdivision which is located in Old Town Township at 9671 sunrise Street, Bloomington, IL in session. He asked Mr. Phil Dick, Director of Building and Zoning to address the Committee.

Mr. Dick noted that Ms. Kimberly Tuchel is present to address any questions or concerns the Committee might have. He stated that the applicant wants to vacate the east 14 feet of the west 40 foot front setback to build a detached garage accessory to her single family dwelling. He pointed out that Ms. Tuchel applied for a variance in case SV-09-05 in order to be 26 feet from the front property line rather than the required 30 feet and 10 feet on the side rather than the 20 feet required in the R-1 Single Family Residence District.

Mr. Dick stated that the County Health Department, County Highway Department, Township Road Commissioner and Staff recommend approval of the proposed front yard setback vacation. He pointed out if approved the request will go to the County Board on October 20, 2009.

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Mr. Cavallini asked for further questions or comments. Hearing none he declared the Public Hearing closed.

Motion by Rankin / Ahart to recommend approval of the request by Kimberly Tuchel to vacate a part of the front setback area of Lot 47 in the First Addition to Terrace Lawn subdivision which is located in Old Town Township at 9671 sunrise Street, Bloomington in session.
Motion Carried.

Mr. Cavallini stated that the next item to be presented to the Committee is in the form of a Public Hearing. Mr. Cavallini declared the Public Hearing for an Amendment of the McLean County Regional Comprehensive Plan, previously approved on May 16, 2000; discussion of this case continued from the September 3rd Committee Meeting in session.

Mr. Dick stated that as a response to the Committee's comments and suggestions at the September meeting, staff of the Regional Planning Commission met with the Regional Plan update Committee to discuss the Committee's input along with the suggestions of Mr. Edward Mehnert, Ph.D., Senior Geohydrologist, Illinois State Geological Survey Institute of Natural Resource Sustainability, University of Illinois at Urbana-Champaign. Mr. Dick presented Mr. Mehnert's suggestions.

Mr. Paul Russell, Director of Regional Planning Commission noted that Mr. Mehnert is an expert in his field and his comments have been incorporated in the proposed revisions.

Mr. Dick presented Mr. Mehnert's review:

**Review of *McLean County Regional Comprehensive Plan*,
prepared by McLean County Regional Planning Commission, draft
dated June 24, 2009**

By Edward Mehnert, Ph.D., Senior Geohydrologist
Illinois State Geological Survey
Institute of Natural Resource Sustainability, University of Illinois at Urbana-
Champaign

Per a request by McLean County Board Member Jim Soeldner, I reviewed portions of *McLean County Regional Comprehensive Plan*, concentrating on elements related to geologic and water resources. My comments relate to Chapter 2, Natural Resources. I found the plan to be well researched and a nice summary.

However, some additional editing could improve the plan. I offer four comments for your consideration.

1) Groundwater flow modeling

The authors failed to mention the results of groundwater flow modeling which demonstrate the possible effects of large-scale groundwater development in the Mahomet aquifer in southwestern McLean County. These results (Wilson et al., 1998) should be considered in the planning process.

Wilson S.D., G.S. Road cap, B.L. Herzog, D.R. Larson, and D. Winstanley, 1998. Hydrogeology and ground-water availability in southwest McLean and southeast Tazewell Counties, Part 2: Aquifer Modeling, final report, ISWS/ISGS Cooperative Groundwater Report 19.

[download at <http://www.isws.illinois.edu/pubdoc/COOP/ISWSCOOP-19.pdf>]

2) Arsenic in groundwater

There is a growing body of information related to the presence of naturally-occurring arsenic in the groundwater in McLean and neighboring Counties. The presence of arsenic may impact costs to develop this groundwater resource.

This information is summarized at these websites—

<http://www.isws.illinois.edu/qws/arsenic/>
http://il.water.usgs.gov/pubs/wrir03_4103.pdf

3) Aggregate resources

Aggregates include sand and gravel and crushed limestone. These materials are needed for concrete and asphalt. Because these commodities are expensive to transport, careful planning may be needed to develop these resources for efficient development. In addition, encouraging the recycling of aggregates may be considered in this plan. Finally, the County may benefit from the long-term planning for the aggregate extraction sites (i.e., converting these sites from mines to parks or housing developments)

4) Regional water supply planning

I would encourage the authors to consider reviewing the efforts of the Regional Water Supply Planning Committee of East-Central Illinois (www.rwspc.org). Many of the concepts described in the McLean County Regional Comprehensive Plan are echoed in the RWSPC plan. The County may wish to endorse or adopt elements of the RWSPC plan or support the RWSPC planning process.

Mr. Dick presented the Proposed Revisions Approved by the Regional Plan Update Committee To Address Commission, Board and Council Comments on the Draft of the Regional Comprehensive Plan. The proposed changes are:

- Pg. v
Add **date** to Preface. (BPC)
- Pg. ix

In Figure B, insert “**water, mineral**” before “and fiscal resources” in the 2nd priority initiative. (CB-LUC)
- Pg. 18
2nd column, under Policy #2, second action revised to “**Consider** the adoption of **regulatory measures that** support pedestrian and transit oriented design with appropriate building locations, setbacks and density patterns at selected locations.” (CB-LUC)
- Pg. 18
Under Policy #2, add “**public**” before each reference to “transit” excepting references to “transit oriented development.” (CB-Other)
- Pg. 24
Under “Geology and Mineral Resources,” insert second sentence in first action bullet “**Continue to collect data to support overlay area, and make results available to developers as pertaining to gravel and other mineral deposits.**”

Under “Geology and Mineral Resources,” insert second action bullet “**Encourage interagency and intergovernmental discussion, including the County, municipalities and school districts, regarding development in areas where mineral resources are present.**”
- Pg. 30
Under “Civic and Cultural Features” modify the beginning of the first sentence to read “McLean County contains many important historic, **archeological** and civic resources that should...” (CB-Other)
- Pg. 33
In first full paragraph, modify beginning of first sentence to read “Efforts should be made to preserve the region’s historic **and archeological** resources...” (CB-Other)
- Pg. 38
1st column, insert after first full action bullet, “**Encourage adoption of area action plans, such as the West Bloomington Neighborhood Plan, to promote residential and commercial development and renewal through the use of financial tools and other techniques.**” (CB-LUC)

- Pg. 81
2nd column, under “Design Alternatives,” second action bullet revised to “Consider the use of **techniques that provide for appropriate design** in urban areas.” (CB-LUC)
- Pg. 99
2nd column, first action bullet, after “McLean County “ add “**to achieve balanced and sensible growth.**” (CB-LUC)

In box titled “Areas Where Growth Should Not Occur” add as first bullet “**In areas designated as greenways. (See Regional Greenways Plan)**” (CB-Other)

- Pg. 105
2nd column, insert at end of paragraph continued from 1st column, “**These growth areas will be reevaluated as the City and Town update their respective comprehensive plans following the availability of the 2010 Census data.**” (CB-LUC)
- Pg. 123
2nd column, 5th action under Policy #3, revised to “**Use the recommendations of the Main Street corridor redevelopment plan (*Main Street: A Call for Investment*) to guide the planning and development decisions along the Main Street corridor through Bloomington – Normal.**” (CB-LUC)
- Pg. 125
2nd column, under Public Transit objective #1, add action bullet “**Encourage the acquisition of green vehicles, including alternative fuel and power source vehicles, for use by transit providers.**” (CB-Other)
- Pg. 140
In first paragraph in first column, following last full sentence, add “**Several McLean County governments and agencies are represented in the Mahomet Aquifer Consortium, exploring alternatives for future water sources.**” Additionally, on behalf of the Consortium, Bradley Uken has agreed to review our draft plan for the possible addition of enhancements to reflect the findings of the most recent Consortium study.
- Pg. 151
Under “Water,” add to the end of the first action bullet, “**pursuant to watershed plans and intergovernmental agreements.**”

Under "Water," add to the end of the last action bullet "**, including the promotion of conservation techniques discussed on the Ecology Action Center website at www.ecologyactioncenter.org.**"

Add a sidebar highlighted in color and titled "**Water Conservation**" to include the following text "**Conservation of water resources at all levels**

is an important component in insuring that water continues to be safe and available to all. This includes wise water use on the part of governments, institutions, business and agriculture, as well as conservation practiced by citizens in their daily lives. Information on conservation best practices is available from the Ecology Action Center at www.ecologyactioncenter.org."

- Pg. 165
Under Transportation Policy actions, append to policy statement, "**, and promote transportation system improvements that reduce environmental impacts and support sustainable growth.**" (CB-Other)
- Pg. 165
Figure 10.2, bullet 6, insert "**water, mineral**" before the phrase "and fiscal resources." (CB-LUC)
- Pg. 172
Add bibliography reference to McLean County Integrated Solid Waste Management Plan (NPC)

FURTHER REVISIONS FROM COUNTY BOARD – JIM SOELDNER

- Addition **as a third bullet** to Executive Summary, page ix
"Create a comprehensive **water resource management** plan that addresses current and future water quality and quantity needs."
- Addition to Chapter 2, page 23.
Topography and Hydrology –insert after "Support Lake Bloomington watershed...watershed management" "Strongly encourage implementation of the Lake Bloomington and Evergreen Lake watershed plan and develop **financing a financial plan approved by the** City of Bloomington, Town of Normal and McLean County."
- Addition to Chapter 2, page 24.
Your suggestion has been incorporated in to the revisions made by the Regional Plan Update Committee; please see above on page 1.

Strongly consider a geographical study to determine gravel and mineral deposits and ~~make the study available to developers.~~

- Addition to Chapter 7, page 99
Land Use-Urban Growth: ~~Offer~~ **Consider the use of** developer incentives to develop housing, retail, and business projects that use tracts of land

currently within municipalities and disincentives in areas not already **appropriately** zoned.

- Addition to Chapter 8, page 129
Transportation "Rural Roads" policy #1 after "function" ~~This improvement will require,~~ including **increased** weight limits ~~on roads to be raised and roads to be improved~~ **to safely accommodate increasingly large-sized** farm equipment, garbage trucks, and school buses. ~~require heavier roads as vehicles become larger.~~

Mr. Dick advised that the Town of Normal, Town Council passed the revised Regional Comprehensive Plan on September 21, 2009 and the City of Bloomington Planning Commission reviewed the revisions on September 23, 2009 and is recommending approval to the City Council which meets October 12, 2009.

Mr. Rankin thanked the Comprehensive Review Committee for being open to the suggestions and corrections. He pointed out that the revised Comprehensive Plan looks fantastic. He commended all involved for a job well done.

Mr. Cavallini noted that the revised plan reflects a great deal of time and study invested in something that is important to the future of McLean County.

Motion by Soeldner / Ahart to recommend approval of the McLean County Regional Comprehensive Plan.
Motion carried.

Mr. Cavallini stated that the next item for action is the approval of a Proclamation for McLean County, along with the City of Bloomington, Town of Normal, Illinois Wesleyan University and Illinois State University, declaring Wednesday, November 18, 2009 as GIS Day.

Motion by Ahart / Rankin to recommend approval of the Proclamation for McLean County, along with the City of Bloomington, Town of Normal, Illinois Wesleyan University and Illinois State University, declaring Wednesday, November 18, 2009 as GIS Day.
Motion carried.

Mr. Cavallini informed the Committee that the next item for action is the review of the Fiscal Year 2010 Recommended Budget for the Department of Building and Zoning. He asked Mr. Lindberg for a review of the Fiscal Year 2010 Recommended Budget.

Mr. Terry Lindberg, County Administrator, referred to pages 119-121 of the Budget book and reviewed the highlights of the General Fund 0001 – Department of Building and Zoning, FY' 2010 Recommended Budget.

Revenue:

He advised the Committee that across the board, revenue sources in the County are down. The Building and Zoning Department's revenue is up by 236%, driven entirely by two future Wind Farm projects.

410.0016 Filing Fees/Subdivisions: This line item account is budgeted at \$5,500 in FY' 2010 Recommended Budget, unchanged from the FY' 2009 Adopted Budget.

410.0017 Filing Fees/Zoning: This line item account is budgeted at \$20,000 in the FY' 2010 Recommended Budget, down from \$26,000 budgeted in the FY' 2009 Adopted Budget. The zoning filing fees for residential projects have been significantly lower than in prior years. In September, 2009 \$231,838 was received for a wind farm project. Only \$6,000 in normal filing fees have been received year-to-date.

410.0027 Permit Fees: This line item account is budgeted at \$400,000 in the FY' 2010 Recommended Budget, an increase of \$305,000 over the FY' 2009 Adopted Budget. The projected revenue reflects continued interest in building and developing wind farms in McLean County.

Expenditures: Down overall by 9%.

Personnel: The full-time Office Support specialist II position has been vacant since May, 2009. The Intern staff line has been increased from 0.22 FTE to 0.50 FTE to offset the elimination of the OSSII position.

Materials and Supplies: The Materials and Supplies line item accounts (600's) are down 2%.

Contractual: The Contractual line item accounts (700's), in the aggregate, are not increased over the FY'2009 Adopted Budget.

718.0001 Schooling and Conferences: All 718 line item accounts were reduced across the board by 20%. This line item account is down 22% from the FY'2009 Adopted Budget.

742.0001 Vehicle Maintenance/Repair: New tires will be needed during FY' 2010

Capital Assets: The Capital Assets accounts are down 2% from FY' 2009 Adopted Budget.

Mr. Lindberg thanked Mr. Dick and his staff for their cooperation in preparation of the FY' 2010 Adopted Budget.

Ms. Ahart referred to line item 718.0001. She stated that she does understand the need for the across the board cut. Ms. Ahart noted that this Committee has always prided itself on keeping staff updated and well educated. She expressed her support for the current budget as well as for further education for staff in the future.

Ms. Ahart stated that staying informed and updated is the reason Building and Zoning does such a fine job.

Mr. Rankin asked Mr. Dick if the loss of 22% funding presents a unique hardship or severe impact on the Department. Mr. Dick responded that he realizes that the County is in a tight situation at this time. He stated that he had hoped things would have been different. He asked for support in hopefully trying to regain the loss of staff and funds for training in next year's budget. He noted that they are a team and the Department will be fine.

Motion by Rankin / Soeldner to recommend
approval of the Fiscal Year 2010 Recommended Budget.
Motion carried.

Mr. Cavallini stated that the last item for action is the review of the Fiscal Year 2010 Recommended Budget for the Solid Waste Management Program.

Mr. Lindberg referred to pages 5-7 of the Budget book. He reviewed the highlights of the Solid Waste Management 0159 – County Board/Solid waste Management.

Revenue:

410.0043 Waste Tipping Fee: This revenue line item account has been budgeted at \$170,000 in FY' 2010 Recommended Budget, based on the approved host fee agreement between American Disposal services and the County. The landfill continues to operate at full capacity. Total landfill host fee revenue is estimated at \$340,000 with 50% of the revenue budgeted in the waste Management Fund and 50% budgeted in the General Fund.

Expenditures:

Contractual Services:

706.0001 Contractual Services: This line item account has been budgeted at \$150,000 in the FY' 2010 Recommended Budget. This amount will fund the County's share of the Intergovernmental Solid Waste Program approved by the County Board, the City of Bloomington, the Town of Normal and the Regional Planning Commission.

999.0001 Interfund Transfer: This line item account has been budgeted at \$20,000 in the FY' 2010 Recommended Budget. The proposed transfer of \$20,000 from the Solid Waste Management Fund to the County's General Fund 0001 will fund the following conservation and recycling activities: maintenance of demonstration composting site and educational programs on resource conservation by the Parks and Recreation department, as well as recycling and shredding at the Law & Justice and Government Centers.

Motion by Rankin / Soeldner to recommend approval of the Fiscal Year 2010 Recommended Budget for the Solid Waste Management Program.
Motion carried.

Mr. Cavallini stated that the next items to come before the Committee are Items for Information. The first informational item is the "Growing the Greenways Plan and Trail" Conference.

Mr. Dick noted that the "Growing the Greenways Plan and Trail" Conference will be held at Davis Lodge, Lake Bloomington, November 6, 2009. He asked that those wishing to attend complete the application and return it to him.

Mr. Cavallini stated that the next item for information is the notice of a Public Hearing for the Twin Groves Expansion Wind Farm.

Mr. Dick announced that the Public Hearing for the Twin Groves Expansion Wind Farm will be at 7:00 p.m. on Monday, October 19, 2009 in the Ballroom at the Bloomington Center for the Performing Arts, 600 North East Street, Bloomington, IL concerning an application of Horizon Wind Energy LLC, Black Prairie Wind

Farm, Black Prairie Wind Farm II LLC and Black Prairie Wind Farm III LLC, in case Su-09-07. They are requesting a special use to allow a Major Utility and to be allowed to apply for a building permit for the first phase up to three years after County Board approval rather than two years as allowed and to be allowed to apply for building permits for the second phase up to five years after beginning construction on the first phase. He referred to the map and advised that the exact locations of the turbines are not known, however, the property involved includes part of:

- Towanda Township
- Blue Mound Township
- Martin Township
- Anchor Township

Mr. Dick stated that the megawatt output of the turbines will determine the number of turbines needed. The total megawatt output planned is 500 megawatts. He noted that the Public Hearing is scheduled for Monday, October 19, 2009 and will continue through October 21, 2009 if needed. If the Public Hearing is not complete, it will be scheduled in the Government Center at a date to be determined.

Ms. Ahart asked if it is anticipated that the Enterprise Zone will be extended. Mr. Lindberg responded that it is almost certain that the Enterprise Zone will be extended.

Mr. Cavallini asked if there were other items of information to come before the Committee. He advised that the next meeting of the Land Use and Development Committee will be November 5, 2009.

Motion by Soeldner / Ahart to adjourn the
October 1, 2009 Land Use and Development
Committee.
Motion carried.

Mr. Cavallini adjourned the meeting at 5:27 p.m.

Respectfully Submitted

Diana Hospelhorn
Recording Secretary