

## Minutes of the Land Use and Development Committee

The Land Use and Development Committee of the McLean County Board met on Thursday September 3, 2009 at 4:45 p.m. in Room 400, Government Center, 115 E. Washington Street, Bloomington, Illinois.

Members Present: Chairman Gordon, Members Ahart, Rankin, Segobiano and Soeldner

Members Absent: Members Cavallini

Other Board Members Present: Ms. Lori Wollrab, Mr. John McIntyre, and Mr. George Wendt

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, Mr. Mike Steffa, Director of Parks and Recreation, Paul Russell, Director of Regional Planning Commission

Others Present: Mr. Rick Nolan, Community Planner, Regional Planning Commission, Ms. Jennifer Sicks, Transportation Planner, Regional Planning Commission, Mr. Craig Alexander, Interstate Park Subdivision

Chairman Gordon called the meeting to order at 4:47 p.m.

Chairman Gordon presented the Minutes of the August 6, 2009 Land Use and Development Meeting to the Committee for approval.

Motion by Soeldner / Rankin to recommend approval of the August 6, 2009 Land Use and Development Committee minutes as submitted.

Motion carried.

Chairman Gordon presented the bills from August 31, 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 August 31, 2009 is \$25,462.28.

Motion by Segobiano / Ahart to recommend approval of the August 31, 2009 bills as presented by the County Auditor.  
Motion carried.

Chairman Gordon informed the Committee that the first Item for Action is a request by Craig Alexander for a waiver of preliminary plan requirements and a two lot final subdivision plat for the Re-subdivision of Interstate Park Subdivision, File No. S-09-04.

Mr. Phil Dick, Director of Building and Zoning, stated that this is a two lot subdivision located southeast of McLean. The property is partly zoned M-1 Restricted Manufacturing and partly zoned C-Commercial. He noted that Mr. Alexander is here to answer questions. He stated that the applicant plans to reconfigure Lot 1 of the Interstate Park Subdivision and the two acre tract to the north of Lot 2 and Lot 3 of the Re-subdivision of Interstate Park Subdivision. A seed sales facility and grain storage bins are located on the property. Mr. Dick stated that all requirements have been met and the County Health Department, the County Highway Department and Staff recommend approval of the waiver of preliminary plan requirements and the Re-subdivision of Interstate Park Subdivision.

Mr. Soeldner asked if the Department had gotten an opinion from the Township Road Commissioner. Mr. Dick responded that an Applied Access Certificate (AAC) has been signed by the Road Commissioner.

Motion by Segobiano / Ahart to recommend approval for a waiver of preliminary plan requirements and a two lot final subdivision plat for the Re-subdivision of Interstate Park Subdivision, File No. S-09-04.

Chairman Gordon stated that the next items to be presented to the Committee are in the form of Public Hearings. He advised members of the Committee, staff and members of the public to please use the microphones when speaking. He asked that the public please state their name and address for the record.

Chairman Gordon declared the Public Hearing to recommend the McLean County Regional Comprehensive Plan, previously approved on May 16, 2000 in session. He asked Mr. Paul Russell, Director of the Regional Planning Commission, Ms. Jennifer Sicks, Transportation Planner and Mr. Rick Nolan, Community Planner, Regional Planning Commission to address the Committee.

Mr. Russell thanked the Committee and explained that he and Staff would present an over view of the draft updates of the McLean County Regional Comprehensive Plan. He noted that they would be available after the presentation to respond to any questions.

Mr. Russell explained that the Comprehensive Plan identifies goals and objectives for the future as well as strategies for meeting those goals and objectives. The plan also provides a rational basis for making day to day decisions on matters pertaining to development and budgetary issues. He stated that regional plans are prepared and adopted by the major jurisdictions because:

- Many issues cross jurisdictional boundaries such as transportation facilities, greenways, economic development and a host of others.
- Development in one community can have an impact on the surrounding areas.
- There is a need for a collective vision for the region with participation and cooperation by all levels of government.
- The regional plan provides the framework for continuing cooperation towards that vision.
- The regional plan provides a vision for sensible growth.
- The regional plan promotes economical and environmental growth.
- The regional plan provides more up to date information
- The regional plan identifies numerous goals and objectives for the 25 year planning period.

Mr. Russell advised that the plan was prepared with a combination of staff and community input. He advised that any comments received through the public input and review process will be noted and considered for inclusion in the plan. He introduced Ms. Jennifer Sicks, Land Use and Transportation Planner, to give an overview of the Comprehensive Plan.

Ms. Sicks thanked Mr. Russell. She stated that staff had the benefit of the update Committee to work on this plan. The members included:

- 1999 Plan Committee
- Jeanne Moonan (Update Committee Chair), former member and chair of the Urban Planning Commission;
- Connie Griffin, retired Director of Community Development, City of Bloomington;
- Phil Dick, Director, Building and Zoning, McLean County;
- Mike Hall, Director of Public Works, Town of Normal;
- Greg Koos, Executive Director, McLean County Museum of History;
- Don Meyer, Director, University of Illinois Extension for McLean County;
- Gretchen Monti, Member, Regional Planning Commission and Greenways Committee;
- Roy C. Treadway, Professor Emeritus, Illinois State University, specialist in demographics
  
- New Committee Members
- Mercy Davison, Town Planner, Town of Normal;
- George Gordon, McLean County Board Member;
- Doug Grovesteen, retired Chief of Engineering, City of Bloomington;
- Scott Hoeft, President, McLean County Farm Bureau;
- Eric Schmitt, McLean County Engineer;
- Mike Swarz, Farm Bureau;
- Marty Vanags, CEO, Economic Development Council.

Ms. Sicks advised that the Committee held 15 meetings over a period of 2 ½ years. Multiple drafts of the plan were reviewed. The Committee recognized the impact of the economic downturn, particularly in the banking and housing sectors. She stated that the Committee recognized the fiscal concerns confronting local governments and the resulting impact on governmental services and projects. In addition, the Committee acknowledged that the on-going fiscal crisis would affect anticipated revenues, further limiting government activity into the future. Ms. Sicks added that this would also impact maintaining and expanding infrastructure as demanded by new growth.

Mr. Sicks emphasized that public policy should seek to manage the impact of any

economic difficulties. She noted that the Plan overall balances our current concerns of long term analysis of the Community's future. The Plan incorporates plans for land use, transportation plans, and community facility plans. Ms. Sicks noted that the Plan is directed towards planning and achieving a vision of our community in the future and expresses preferences for the path we follow to that future.

Mr. Sicks presented recent population totals for the County and the City of Bloomington as well as projected population totals in 2035. In projecting population growth, we assume that :

- Our quality of life, location and economic stability will continue to sustain growth.
- Our diversified economy will, over the long term, not be seriously damaged by state or national economic crises.
- Lower employment levels in one industrial area will be counteracted by changes in others, balancing employment.
- Rural growth will continue at a somewhat lower rate than the urbanized area.

Ms. Sicks noted that various other trends were also examined in the plan:

- A large percentage increase in the population of over the age of 65.
- Management of our natural resources to maintain their quality and availability.

The update Committee identified priority initiatives within the framework of the Comprehensive Plan:

- The County Wide Land Use Plan
- Transportation
- Community Facilities

Ms. Sicks concluded that the plan includes steps and recommendations for implementation through a variety of tools and strategies. She asked the Committee and public for questions or comments in respect to the McLean County Regional Comprehensive Plan.

Chairman Gordon thanked Mr. Russell and Ms. Sicks. He proceeded by asking if there was anyone from the public with questions, comments or observations.

Mr. David Capodice, 2820 Capodice Road, Bloomington, Illinois stated that he has been a life long resident of McLean County. He has lived at his current address for 50 years. He stated that the Comprehensive Plan for the County does not always agree with the City of Bloomington. He referred to the Evans School and the Grove on Ireland Grove Road. Mr. Capodice pointed out that the residents do not always understand the repercussions involved. When the City leap frogs into the country to annex property, they also take in 1 ½ mile limit around the area.

He noted that he is not able to vote for any candidate for the City of Bloomington, however when he applies for zoning changes he is required to contact the City of Bloomington for approval. If the City does not approve, approval then requires a  $\frac{3}{4}$  super majority by the County Board. Mr. Capodice believes that the residence in the surrounding 1  $\frac{1}{2}$  mile should have more of a say in the process. He is amazed at the low public turn out at the hearing.

Chairman Gordon thanked Mr. Capodice. He asked for further comments from the public. He recognized Ms. Lori Wollrab, County Board Member, 116 Eastview Drive, Normal, Illinois.

Ms. Wollrab thanked the Planning Commission for all the hard work in preparing the Comprehensive Plan. She recognized the importance in identifying and tapping into additional water sources. Ms. Wollrab stated her comments are with the water resource portion of the plan. With the projected growth, she encouraged the Committee to strengthen the plan for water conservation. She believes there is a need to study and identify various methods for water conservation and cost reduction. Ms. Wollrab stated that by making the public aware of proven methods available the County could see an immediate impact.

Chairman Gordon thanked Ms. Wollrab. He asked for others wishing to speak. Hearing no additional public he went to the Land Use and Development Committee.

Mr. Segobiano stated that with regard to Ms. Wollrab's comments, when the Committee was first presented with the plan, water was one of the issues addressed. Mr. Segobiano noted that he feels that the report is extremely partisan, dividing the City east and west.

Mr. Capodice would like to know the history on the requirement of a super majority of the County Board if the City objects to the proposed zoning change. Property may be zoned one way in the County and zoned differently in the City. He stated that it is a very complicated process.

Mr. Dick responded that under State law, municipalities have that right. He noted that the super majority is only required when rezoning. It is not required for a Special Use Permit. Mr. Dick clarified that in the City's Comprehensive Plan they will designate whether an area is zoned for commercial or industrial use in the future. In the County's Plan it just shows if the area is appropriate for development.

Mr. Capodice thanked Mr. Dick for the information.

Mr. Soeldner noted that the development of Evans School, Benjamin School, and

the Groves are in his district. He stated that citizen in the district have voiced their concerns not only with the building projects but with traffic issues. The farmers are concerned with the encroachment of residential building. Mr. Soeldner expressed that, as a County, we do not have many options. The Illinois Municipal League is one of the strongest lobbying forces in Springfield. He advised that is important to stay informed.

Mr. Segobiano stated that it goes beyond being informed. It is our responsibility to represent our district by voting for or against the Comprehensive Plan. He noted that the City of Bloomington has a council, the Town of Normal has a council and we have a County Board. We are the unincorporated area. The Board has talked for a number of years about increasing our opposition to the 1 ½ limit. He stated that the Comprehensive Plan is not balanced and has ignored the traffic problems on the west side. He stated that he is opposed to the Plan and feels that it could support a much more diversified development for McLean County.

Mr. Rankin stated that as a point of information, what we decide today, the Land Use Committee will send forward to the full Board. He pointed out that the decisions that are made today would be carefully considered by the full Board. In reading the plan he noted that the plan does not provide a mandate. If the Committee sends the plan forward, it would indicate that the Committee agrees with what is contained in this Plan.

Mr. Rankin agrees with Ms. Wollrab and believes water, though it was dealt with in several places, is a fundamental issue and should be given its own chapter. He stated that at this point in time he is most disappointed under the Natural Environment Section policy #2 where it states "Encourage the adoption of form based zoning to support pedestrians in transit or in the design with appropriate building orientation, set backs and density patterns at selected locations." Mr. Rankin noted that the form based code has received plenty of public disagreement.

Chairman Gordon asked Mr. Russell to respond to the concern of what this Committee is or is not able to do by way of a response to the draft.

Mr. Russell stated that Regional Planning can certainly take the Committee's thoughts into consideration and make adjustments to the plan. He stated that, with regard to the form based code, for example, it perhaps is a bit stronger of a statement then might be palatable to some people. In many cases those actions would say "consider the use of" rather than "encourage the adoption of". Changes like this are no problem. Mr. Russell noted that with regard to the growth on the east side verses the west side; there is a definite need for balanced growth in the

urban area. He advised that this has been an issue for 15 years. In previous Comprehensive Plans for both the City and the County he stated that they have attempted to balance that growth to the extent possible. Mr. Russell noted that market factors have driven growth to the east. We may not all agree but it is a fact and something we cannot ignore. He stated that there has been a considerable amount of growth on the west side, but the truth of the matter is it has not developed to its full extent. There is still a lot of vacant land for development on the west side that is already planned for development.

Chairman Gordon stated that the Committee does have the ability to identify priority concerns with the draft as it presently stands. He noted that the Committee can record those considerations as part of any motion we might make to forward to the Board.

Mr. Dick pointed out that in terms of development from the County prospective in the unincorporated area; one of the things points of emphasis has been to restrict development on good farm land. The City and the Town approve development according to their own Comprehensive Plan.

Mr. George Wendt, McLean County Board Member, 9856 North 1540 East Road, Bloomington, Illinois stated that he agrees with Mr. Rankin on the form based code. He pointed out that there are many types of zoning. Reaction in this area has been against the form based zoning code.

Chairman Gordon stated that we can note the concerns and substitute language to the Board.

Mr. Rankin asked if we have to vote tonight based on what is in front of us.

Mr. Segobiano agreed with Mr. Rankin. He suggested that the approval of the Comprehensive Plan be tabled until we analyze our discussion and then make a full recommendation to the Board. He pointed out that the developers determine where growth is. Mr. Segobiano stated that we have received the report and would suggest that it be placed on file until we decide to take action at a later date.

Mr. Russell stated that the County Board does need to be comfortable with the Comprehensive Plan. His staff will work in what ever direction it takes to reach that level of comfort. If that means delaying action until we have had a chance to make some adjustments, there seems to be no alternative.

Mr. Rankin suggested that we vote on what we have in front of us and put it before the full Board, adding voices and providing additional information. He asked what would happen if the Committee rejects the document.



Mr. Terry Lindberg, County Administrator responded that if the entire Comprehensive Plan is sent forward rejected, the Committee would be saying that you have read this document and there is nothing in this plan that you like or support. Mr. Lindberg suggested that the Committee is asking the following:

- There needs to more emphasis on water and water conservation.
- That you are troubled by the way form based code is worded.
- That there is a concern for balance between the east side and the west side of the County.

He noted that these all seem to be issues that can be dealt with by staff. Mr. Lindberg advised that it is fair to take no action and to return the draft to the Planning Staff to address these areas.

Mr. Dick pointed out that it would be helpful to be specific in what changes you would like. Staff did put their best effort into putting together this plan. If it has problems, he would like to have more specific input.

Mr. Segobiano stated that the Committee should analyze their discussion without making a recommendation to the Board. He advised that we state what we would like changed, give other Board members a chance for their input, and then bring it back to the Committee for approval.

Mr. Soeldner stated that the County Board is relying on this Committee to give direction but they will certainly have different opinions.

Mr. Wendt stated that, if this goes to the Board without some modifications and adjustments, he feels it will be defeated. He suggested that changes be made before it goes to the Board.

Mr. Rankin pointed out that he was not aware that the Committee was going to be allowed to have input and say what we would like to see changed. He noted that had he known that, he would have come prepared.

Mr. Gordon stated that there seems to be two tracks the Committee can follow. One being that individuals, whether on the Committee or not, are welcome to make written suggestions to the staff of the Regional Planning Commission, as specific as possible. The other option would be for this Committee to forward the draft to the full Board, with the understanding that we will as a Committee suggest that same course of action to the Board, referring the draft back to the Regional Planning Staff or the Update Committee to give serious consideration and possible incorporation of all the comments received in writing. He stated that we are authorized, as a Committee, under County rules, to forward something for further consideration to the Board that does not have an affirmative recommendation.

Chairman Gordon noted that part of the record is to make certain that it is clear that the Committee is in the position before the Board meeting to be in contact with Regional Planning Commission staff. He stated that our presentation at the Board meeting would clearly include the invitation to Board member to also forward comments and suggestions.

Mr. Segobiano advised that there is not a problem in delaying the Comprehensive Plan.

Chairman Gordon recessed the Public Hearing until October 1, 2009.

Motion by Segobiano / Ahart to recommend that the Committee report to the County Board that the Committee has reviewed the draft of the McLean County Regional Comprehensive Plan. The Committee is soliciting additional information. Once the Committee sees and analyzes the information, the Committee will make a recommendation to the McLean County Board.  
Motion carried.

Chairman Gordon stated that the next item for action is a Public Hearing to approve an amendment of the McLean County Regional Greenways Plan, previously approved on July 22, 1997.

Chairman Gordon declared the Public Hearing open. He asked Mr. Rick Nolan, Community Planner to address the Committee.

Mr. Nolan thanked Chairman Gordon and members of the Committee. He informed the Committee of the Plan update. Mr. Nolan stated that the Greenways Advisory Committee was appointed by the Regional Planning Commission to help in developing and implementing the 1997 Plan. He introduced Committee members present in the audience:

- Gretchen Monti, Member, Regional Planning Commission and Greenways Committee;
- Jeanne Moonan (Update Committee Chair), former member and chair of the Urban Planning Commission;
- Bill Wasson, Assistant County Administrator
- Phil Dick, Director of Building and Zoning
- Mike Steffa, Director of Parks and Recreation
- Eric Schmitt, County Engineer

Mr. Nolan explained that a Greenway is a band of open space that may provide habitat, migration pathway or wildlife. A Greenway can:

- Filter pollutants from the water and serve a number of other ecological and aesthetic functions.
- Expand recreational, social, cultural and economic opportunities.
- Enhance the existence and improve outdoor aesthesis.

Mr. Nolan stated that there are many types or Greenways:

- Natural barriers – water bodies, tree cover and other areas of native vegetation.
- Open and public space – trails, public parks, nature areas, public trails, public golf courses, parks and green space that can be accessed by a membership or for a fee, university campuses.

Mr. Nolan advised that the analysts began by dividing the County into five separate planning areas. The process resulted in a plan for a County wide interconnected system of Greenways. He pointed out the planning areas, the proposed Greenways, the expansion of regional or state trails and waterways targeted for conservation.

Mr. Nolan reviewed the plan for the urban area, pointing out the Constitution Trail, Route 66, and streets for bicycling. He continued with the plan for the rural area, pointing out Lake Bloomington, Evergreen Lake, Money Creed and the Mackinaw River.

Mr. Nolan stated that the initiatives being targeted for early implementation are:

- Encourage and assist with watershed planning and protection including Total Maximum Daily Load (TMDL) studies.
- Encourage and assist with ecosystem preservation and restoration
- Coordinate and assist with trail extension planning and coordination.
- Strengthen relationships with public and private entities
- Promote greenways through public education
- Explore additional land preservation and protection mechanisms.

Mr. Nolan concluded that the final step is the public review and adoption followed by ongoing assessment of implementation and periodic updates of the plan. He thanked the Committee.

Chairman Gordon asked for comments from the public. Hearing none he asked if the Committee had any questions or comments.

Mr. Segobiano noted that in recent hearings in McLean County one thing that has been proven is that, natural resource deposits in the County are plentiful. He stated that it would be helpful to adopt an overlay showing the locations of these deposits. Mr. Segobiano pointed out how the overlay would help to keep from interfering with the Greenways Plan and assist with the growth plan. Knowing where the deposits are would aid in planning for schools, airports and development. He concluded that an overlay, mapping the mineral deposit could be adopted in the Greenways Plan.

Mr. Soeldner congratulated the Regional Planning Commission on the Greenways Plan. He noted that it addressed the Lake Bloomington – Evergreen Lake watershed plan.

Chairman Gordon asked for further questions or comments. Hearing none he declared the Public Hearing closed.

Mr. Segobiano stated that, if the Committee believes an overlay showing mineral deposits in McLean County would be helpful, it should be suggested as part of the Greenways Plan.

Mr. Rankin noted that an overlay view would be more appropriate in the Comprehensive Plan rather than in the Greenways Plan.

Mr. Russell advised that one of the priority initiatives in the Regional Comprehensive Plan is the development of an up to date digital data base on natural resources. The project is very similar to the suggested overlay map.

Mr. Dick indicated that he is not sure what data could be used to produce the overlay map. He noted that the U. S. Geological Survey (USGS) has some maps however a lot of the gravel information is proprietary. The information is not shared. Mr. Dick noted that the data base Mr. Russell is referring to would be a process of collecting the information before the overlay could be done.

Motion by Soeldner / Ahart recommended  
approval of the Amendment of the McLean  
County Regional Greenways Plan.  
Motion carried.

Chairman Gordon stated that the last item for action is the County Watershed Management Program Intergovernmental Agreement with the City of Bloomington, Town of Normal and the McLean County Soil and Water Conservation District.

Mr. Dick advised that the City of Bloomington has been funding a position of a Soil Conservationist with the Soil and Water Conservation District for 15-18 years. Last year it was funded for \$78,000.00. This year the City of Bloomington is not funding the position. Staff from the Town of Normal, Mr. Bill Wasson, Assistant County Administrator and Mr. Dick discussed the issue. He noted that the County does have an interest in the Lake Bloomington – Evergreen Lake Watershed Plans. The Soil and Water Conservation District does a lot of work in regards to limiting what's going into Lake Bloomington and Lake Evergreen. He stated that the Town of Normal and the County negotiated with the Soil and Water Conservation District to cut some cost so that this year the costs will be:

- City of Bloomington                      \$40,000
- Town of Normal                              \$10,000
- County    \$10,000

Mr. Dick pointed out that this is a three year contract. Next year the City of Bloomington would pay up to \$70,000.

Mr. Soeldner asked from what part of the budget would the funding come. Mr. Wasson responded that Conservations Funds which are part of a lease agreement with the City of Bloomington for the Evergreen Lake property will be used. Other projects were anticipated; however this is a priority for the water quality of Evergreen Lake.

Mr. Segobiano noted that a budget was adopted with specific recommendations for those line items and questioned what was being eliminating that was originally agreed to. Mr. Wasson responded that the funds were first allocated for fisheries management activities with the City of Bloomington. The City no longer participates in those activities. There are no alternatives so the funds are available.

Mr. Segobiano understands the financial needs of the City. He stated that he is committed to keeping the County in the black. Mr. Segobiano does not believe we need to spend additional taxpayer's dollars. He pointed out that a budget was adopted from recommendation presented. We need to be cautious about spending dollars that were not allocated for specific reasons.

Motion by Rankin / Ahart to recommend approval of the County Watersheds Management Program Intergovernmental Agreement with the City of Bloomington, the Town of Normal and the McLean County Soil and Water Conservation District.

Motion carried with Segobiano voting no.

Minutes of the Land Use and Development Committee Meeting  
September 3, 2009  
Page Fourteen

Chairman Gordon stated that the first item of information is the "Growing the Greenways Plan and Trail" Conference. The conference is on November 6, 2009 at Davis Lodge, Lake Bloomington.

Chairman Gordon asked if there were other items of information to come before the Committee.

Chairman Gordon stated that the next Land Use and Development Committee meeting will be on October 1, 2009.

Respectfully Submitted

Diana Hospelhorn  
Recording Secretary