



## DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

*Planning Division*

### **m e m o r a n d u m**

**TO:** Laurel Lunt Prussing, Mayor

**FROM:** Elizabeth H Tyler, PhD, FAICP, Community Development Director

**DATE:** May 31, 2012

**SUBJECT:** An Ordinance Approving a Final Subdivision Plat for DMT First Subdivision (Plan Case No. 2179-S-12)

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### **Introduction & Background**

Richard Noel and Birkey's Farm Store are requesting that the Urbana City Council approve a Final Plat for the DMT First Subdivision as it is substantially in conformance with the Preliminary Plat as approved by the Urbana Plan Commission on May 24, 2012. Approval of the Final Plat would subdivide 20.0 acres from a larger tract totaling 73.5 acres located east of High Cross Road and opposite Water's Edge Subdivision and Stillwater Landing development. The 20.0 acre DMT First Subdivision would consist of one 19.9 acre lot (Lot 1) and 0.1 acres of new public right-of-way.

Birkey's Farm Store plans to relocate from their current Urbana location on E. University Avenue to Lot 1 of DMT First Subdivision and construct a 50,000 square foot facility for sales and service of farm equipment. The relocation will allow the store to expand on a site which has sanitary sewer service necessary for their operation. The entire property is currently located in unincorporated Champaign County, but Lot 1 would be annexed per an annexation agreement to be considered concurrently by the Urbana City Council. The remainder of the land will remain unsubdivided farmland and will not be developed or annexed into the City at this time.

The property in question is currently zoned County AG-2, Agricultural, and under Table IV-1 of the Urbana Zoning Ordinance, annexed land zoned County AG-2 would automatically convert to City AG, Agriculture. The Urbana Zoning Ordinance specifies that "Farm Equipment Sales and Service" is permitted by right in the AG District.

The applicants have submitted the following documents for approval by the City of Urbana:

- General Area Plan
- Preliminary Plat

- Final Plat
- Annexation Agreement

The General Area Plan and Preliminary Plat were approved by the Urbana Plan Commission at their May 24, 2012 meeting, with a vote of 8 ayes and 0 nays, in accordance with the Urbana Subdivision and Land Development Code. The Urbana City Council is requested to approve the Final Plat as substantially in conformance with the approved Preliminary Plat. No waivers from the Subdivision Code are requested, but a sidewalk deferral is proposed meaning that the City Engineer will require installation of a sidewalk along the east side of High Cross Road when adjoining tracts are developed.

Because the applicant wishes to connect the new store to public sewer, the Urbana-Champaign Sanitary District (UCSD) requires that the property owner agree to annex into the City. The City will enter into an agreement with the current owner, Mr. Noel and the future owner, Birkey's Farm Store, Inc., in order to facilitate annexation. Through the annexation agreement, the City would grant two variances to allow a freestanding sign that would exceed the standards of Table IX-1, Standards for Freestanding Signs, of the Urbana Zoning Ordinance. Additionally, the annexation agreement would recognize outdoor storage and display on dust-controlled gravel surfaces as well as commit to allowing future sewer connection. For an annexation agreement such as this which do not include rezoning of the property, the Urbana City Council holds a public hearing and approves or denies the agreement directly without review by the Plan Commission.

## **Discussion**

### **Zoning and Land Use**

The site is currently zoned AG-2, Agricultural in Champaign County, and upon annexation will convert directly to AG, Agriculture in the City, per Table IV-1 in the Zoning Ordinance. The proposed use of farm equipment sales and service is permitted by right in the AG district. The surrounding areas to the north, east, and south are zoned County AG-2, Agricultural and are used for cropping. Across High Cross Road to the west is zoned City R-5, Medium High Density Multiple Family Residential north of Stone Creek Boulevard, and City R-2, Single and Two-Family Residential to the south of Stone Creek Boulevard. The proposed farm equipment store would be across High Cross Road from zero-lot-line duplexes in Water's Edge subdivision.

### **2005 Comprehensive Plan**

Although the 2005 Urbana Comprehensive Plan (see attached) classifies the future land use of the subdivision as "Residential", the developers plan to make use of the existing Agriculture zoning by construction of a farm equipment store. The property owner plans to continue using the remainder of the tract for agricultural row cropping and indicated at the Plan Commission meeting that he has no future plans for development. The Comprehensive Plan's Mobility Map (Appendix D), indicates the future arterial and collector street network to be extended as the City grows. The Mobility Map shows Stone Creek Boulevard extended east of High Cross Road, and this has been accounted for in

the approved General Area Plan.

**General Area Plan**

General Area Plans are required when subdivision plats are phased and are intended to coordinate future street extensions and major utilities. The submitted General Area Plan is intended to guide future development of the larger tract owned by the Noel family. The General Area Plan shows the tract within the surrounding development context, the proposed lot, access points, utilities, and site layout for the future Birkey's Farm Store. In this case, the General Area Plan shows future extension of Stone Creek Boulevard east of High Cross Road which is consistent with the Comprehensive Plan's Future Land Use Map 7 and Appendix D, Mobility Map. The site is bordered by arterial roads to the west and south, and by a regional drainage ditch to the north. It would integrate with future development to the east along the extended Stone Creek Boulevard and a future north/south collector street which would be generally located along the eastern edge of the larger Noel Tract.

**Preliminary Plat**

The approved Preliminary Plat includes all of the elements required by the Subdivision and Land Development Code, including topography, elevation, monuments, surrounding developments, streets, utilities, proposed developments, location of streets to be built and dedicated to the City, and zoning. The Plat includes a statement obligating future property owners to install a sidewalk along the east side of High Cross Road within six months of a written request by the City Engineer. The Plan Commission approved the Preliminary Plat at their May 24, 2012 meeting in accordance with the Urbana Subdivision and Land Development Code.

**Final Plat**

The proposed Final Plat specifies all necessary elements and is consistent with the approved Preliminary Plat. It shows lot boundaries and dimensions, and proposed rights-of-way, and contains the required surveyor's and drainage statements. The plat depicts the new lot to be created and dedicates a portion of the future Stone Creek Boulevard adjacent to Lot 1. Only the north half (33 feet) of Stone Creek Boulevard right-of-way is required to be dedicated at this time. When the remainder of the overall tract is subdivided or developed the south half of right-of-way for Stone Creek Boulevard will be dedicated to the eastern boundary of the larger tract. The Plat includes a statement obligating future property owners to install a sidewalk along the east side of High Cross Road within six months of a written request by the City Engineer.

**Access**

*High Cross Road Access.* Access to the property will be provided from High Cross Road, directly opposite Stone Creek Boulevard. Access to the property must comply with Illinois Department of Transportation (IDOT) standards as well as street access control standards enacted for High Cross Road.

The Illinois Department of Transportation has approved this location for street access. The access point conforms to the 2005 Comprehensive Plan Future Land Use Map and Appendix D, Mobility Map, which show Stone Creek Boulevard extended to the east at this location. The proposed Plat will dedicate half the street right-of-way (33 feet in width), which will be reserved for extending Stone Creek Boulevard when the remainder of the Noel Tract is developed.

*Windsor Road Access.* The General Area Plan shows a second future access point along Windsor Road (County Road 1400N), which would provide access to the Noel Tract at such time as it may be developed. This would comply with current access guidelines.

*Pedestrian Access.* The applicant is requesting a sidewalk deferral for the east side of High Cross Road, as the adjacent agricultural lands to the north and south have not yet been developed, and there is no existing sidewalk with which to connect. The requested sidewalk deferral would obligate future property owners to install the sidewalk, at the City Engineer's request, when the adjacent area develops and sidewalk is extended to meet the subject property. The City of Urbana is currently constructing a multi-use path along the west side of IL Route 130, but this is a separate project.

### **Drainage**

Stormwater runoff for development of Lot 1 will be managed through a detention basin and connection to a drainage ditch bordering the property to the north serviced by St. Joseph Drainage District #3. St. Joseph Drainage District has indicated that development of the property will necessitate approval to connect to and discharge stormwater into their ditch and flattening and widening of the side slopes of the drainage ditch to conform to urban rather than agricultural uses. At the time of development, City staff will insure site grading plans take this into account and that the easement accommodates the ditch and slopes.

The Final Plat also depicts a drainage easement that will allow future development of the Noel Tract to drain into the drainage ditch to the north. Again, actual connection will require approval by St. Joseph Drainage District.

### **Utilities**

Being able to connect to public sewer was a major factor in locating the planned Birkey's Farm Store. Public sewer will be located across High Cross Road from Lot 1, and the developer proposes to bore under High Cross Road to connect to this sewer. Once a planned sanitary sewer interceptor is constructed along the east side of High Cross Road, Birkey's Farm Store would connect to that new system. Lot 1 of the subdivision reserves a 20-foot wide easement for the planned sewer interceptor.

Likewise, electric lines, phone lines, and water mains are all on the west side of High Cross Road, and connections will need to be made across the road. The Final Plat will reserve the easements necessary for installation and repair of future public utilities extended along the east side of High Cross Road.

### **Waivers**

The applicant is not requesting any waivers from the Urbana Subdivision and Land Development Code.

## Summary of Findings

1. Richard Noel and Birkey's Farm Store have submitted a General Area Plan and Combination Preliminary Plat/Final Plat for a 20.0-acre subdivision called DMT First Subdivision, located east of High Cross Road and north of Windsor Road.
2. The proposed Final Plat would allow for development of Birkey's Farm Store on the site.
3. The General Area Plan was approved by the Urbana Plan Commission at their May 24, 2012 meeting as consistent with the 2005 Comprehensive Plan's Future Land Use Map and Appendix D (Mobility Map).
4. The Preliminary Plat for DMT First Subdivision was approved by the Urbana Plan Commission at their May 24, 2012 meeting as conforming to existing and proposed zoning as well as the technical requirements of the Urbana Subdivision and Land Development Code.
5. The proposed Final Plat would be consistent with existing and proposed Agricultural zoning designations for the site.
6. The proposed Final Plat meets the technical requirements of the Urbana Subdivision and Land Development Code and is consistent with the approved Preliminary Plat.

## Options

The Urbana City Council has the following options concerning the Final Plat of DMT First Subdivision:

- a. Approve the Final Plat; or
- b. Deny the Final Plat. If denying the plat, the City Council must state findings whereby the plat is deficient.

## Recommendation

At their May 24, 2012 meeting, the Urbana Plan Commission, by a vote of 8 ayes and 0 nays, approved the General Area Plan and Preliminary Plat, and recommended APPROVAL of the Final Plat for DMT First Subdivision. City staff concurs with this recommendation.

Prepared by:

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Robert Myers, AICP, Planning Manager

cc:

Ron Birkey  
Birkey's Farm Store  
1120 Veteran's Pkwy  
Rantoul, IL 61866

Richard Noel  
c/o Dan Noel  
P.O. Box 625  
Champaign, IL 61824

Pat Moone  
Farnsworth Group  
1819 S Neil St  
Champaign, IL 61820

Attachments:      Ordinance approving Final Plat for DMT First Subdivision  
                         Exhibit A: Approved General Area Plan for DMT First Subdivision  
                         Exhibit B: Approved Preliminary Plat for DMT First Subdivision  
                         Exhibit C: Proposed Final Plat for DMT First Subdivision  
                         Exhibit D: Location Map  
                         Exhibit E: Zoning Map  
                         Exhibit F: Future Land Use Map

**ORDINANCE NO. 2012-06-055**

An Ordinance Approving a Final Subdivision Plat  
(DMT First Subdivision - Plan Case 2179-S-12)

WHEREAS, Richard Noel and Birkey's Farm Store have submitted a General Area Plan and Combination Preliminary Plat/Final Plat for a 20.0-acre subdivision called DMT First Subdivision, located east of High Cross Road and north of Windsor Road and to be addressed as 2202 S. High Cross Road; and

WHEREAS, the proposed Final Plat would allow for development of Birkey's Farm Store on the site; and

WHEREAS, the General Area Plan was approved by the Urbana Plan Commission at their May 24, 2012 meeting as consistent with the 2005 Comprehensive Plan's Future Land Use Map and Appendix D (Mobility Map).

WHEREAS, the Preliminary Plat for DMT First Subdivision was approved by the Urbana Plan Commission at their May 24, 2012 meeting as conforming to existing and proposed zoning as well as the technical requirements of the Urbana Subdivision and Land Development Code; and

WHEREAS, the proposed Final Plat would be consistent with existing and proposed Agricultural zoning designations for the site.

WHEREAS, the proposed Final Plat meets the technical requirements of the Urbana Subdivision and Land Development Code and is consistent with the approved Preliminary Plat.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. The Final Plat for DMT First Subdivision attached hereto is hereby approved.

Section 2. This Ordinance is hereby passed by the affirmative vote of a majority of the members of the City Council, the "ayes" and "nays" being called at a regular meeting of said Council.

PASSED by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2012.

AYES:

NAYS:

ABSTAINED:

\_\_\_\_\_  
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Laurel Lunt Prussing, Mayor



**CERTIFICATE OF PUBLICATION IN PAMPHLET FORM**

I, Phyllis D. Clark, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois. I certify that on the \_\_\_\_ day of \_\_\_\_\_, 2012, the corporate authorities of the City of Urbana passed and approved Ordinance No. \_\_\_\_\_, entitled "An Ordinance Approving A Final Subdivision Plat (DMT First Subdivision - Plan Case 2179-S-12)" which provided by its terms that it should be published in pamphlet form. The pamphlet form of Ordinance No. \_\_\_\_\_ was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the \_\_\_\_ day of \_\_\_\_\_, 2012, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

DATED at Urbana, Illinois, this \_\_\_\_ day of \_\_\_\_\_, 2012.

# DMT FIRST SUBDIVISION

A PART OF THE SW 1/4 OF SECTION 23, TOWNSHIP 19 NORTH, RANGE 9 EAST  
OF THE THIRD PRINCIPAL MERIDIAN, CHAMPAIGN COUNTY, ILLINOIS

PRATHER HEIRS  
FARM PARTNERSHIP

ENGINEERS  
ARCHITECTS  
SURVEYORS  
SCIENTISTS



**Farnsworth GROUP**

1819 S. NEIL STREET, SUITE F  
CHAMPAIGN, ILLINOIS 61820  
(217) 352-7408 / (217) 352-7409 Fax  
www.f-w.com

ISSUE:  
# Date: Description:

PROJECT:  
BIRKEY'S

DMT FIRST SUBDIVISION  
URBANA, ILLINOIS

Date: 05-11-12

Design/Drawn: SJB

Reviewed:

Book No.: 53/35 Field: 03/29/12

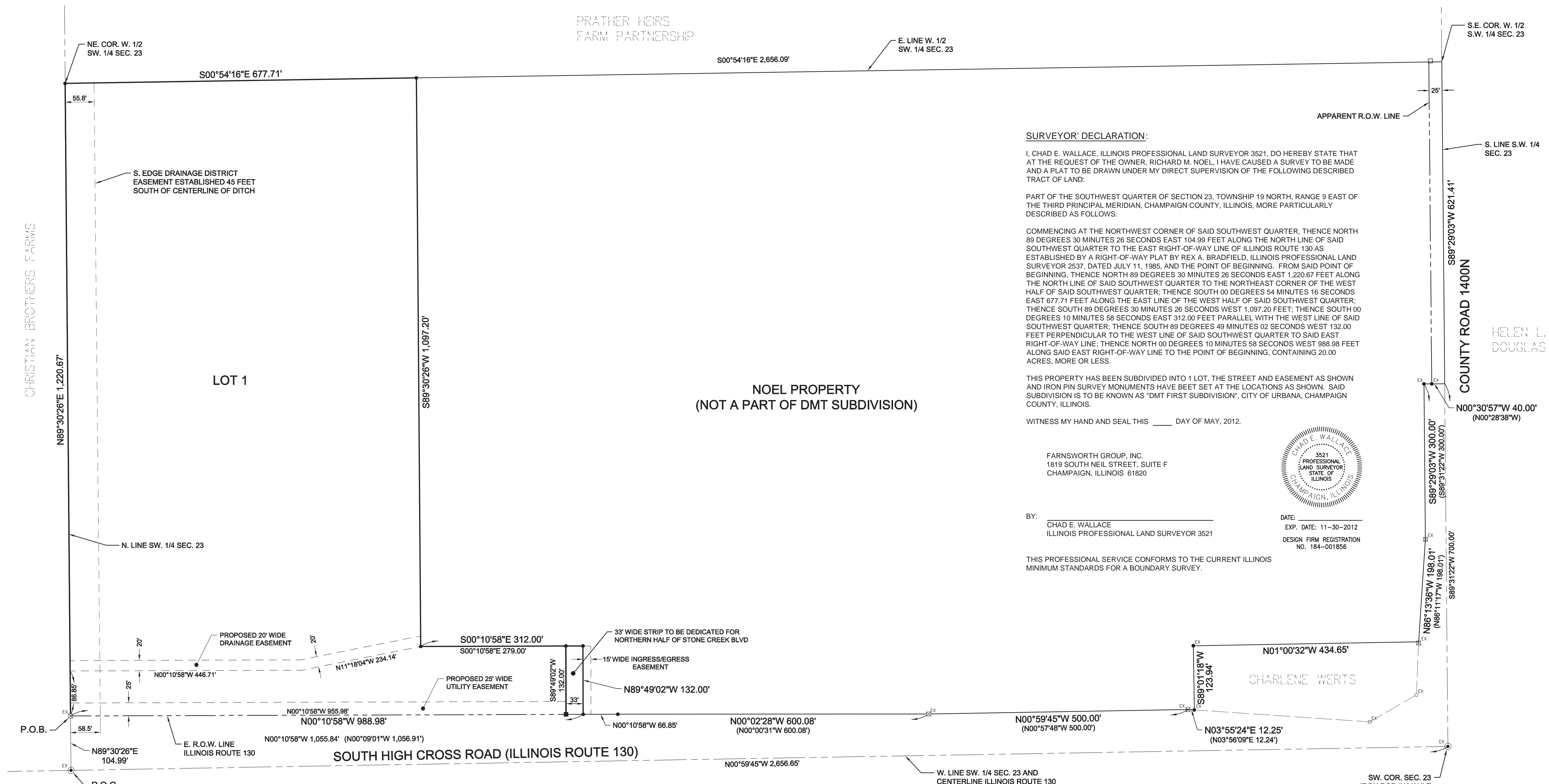
SHEET TITLE:

**FINAL PLAT**

SHEET NUMBER:

**1**

Project No.: 0120421.00



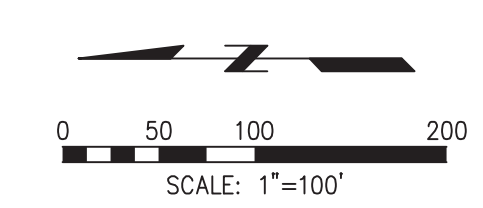
- NOTES:**
- BEARINGS REFER TO THE ILLINOIS STATE PLANE COORDINATE SYSTEM, EAST ZONE, AS ESTABLISHED BY THE CITY OF URBANA HORIZONTAL CONTROL NETWORK. THE BEARING AND DISTANCE FROM THE NORTHWEST CORNER OF LOT 1 IN DMT FIRST SUBDIVISION TO URBANA HORIZONTAL CONTROL POINT 60 IS NORTH 18 DEGREES 14 MINUTES 10 SECONDS WEST 228.23 FEET. THE BEARING AND DISTANCE FROM THE NORTHEAST CORNER OF LOT 1 IN DMT FIRST SUBDIVISION TO URBANA HORIZONTAL CONTROL POINT 60 IS NORTH 80 DEGREES 53 MINUTES 00 SECONDS WEST 1,308.58 FEET.
  - THE AREA OF DMT FIRST SUBDIVISION IS 20.00 ACRES, MORE OR LESS.
  - THIS SUBDIVISION LIES WITHIN ONE AND ONE-HALF (1 1/2 MILES) OF THE CORPORATE LIMITS OF THE CITY OF URBANA.
  - ALL STREET RIGHT-OF-WAY SHALL BE DEDICATED TO THE CITY OF URBANA.
  - THE DEVELOPER(S) OR SUBSEQUENT OWNER(S) OF THE PROPERTY AFFECTED WILL CONSTRUCT THE SIDEWALK ALONG HIGH CROSS ROAD AT THE DEVELOPER(S) OR SUBSEQUENT OWNER(S) EXPENSE WITHIN SIX (6) MONTHS OF A WRITTEN REQUEST BY THE CITY ENGINEER OR HIS/HER REPRESENTATIVE TO DO SO OR THE CITY WILL CONSTRUCT AND INVOICE THE THEN OWNER(S) AND/OR THE DEVELOPER(S) AS APPLICABLE.
  - THIS SUBDIVISION LIES WITHIN THE ST. JOSEPH DRAINAGE DISTRICT NO. 3.
  - THIS PROPERTY LIES WITHIN ZONE "C", AREAS OF MINIMAL FLOODING, ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP FOR CHAMPAIGN COUNTY, ILLINOIS, COMMUNITY PANEL NO. 170894 0185 B, WITH AN EFFECTIVE DATE OF MARCH 1, 1984 AND COMMUNITY PANEL NO. 170035 0001-0011, WITH AN EFFECTIVE DATE OF JANUARY 16, 1981.

APPROVED BY:  
THE CITY OF URBANA PLAN COMMISSION OF THE CITY OF URBANA, ILLINOIS.  
DATE: \_\_\_\_\_ CHAIRPERSON: \_\_\_\_\_

APPROVED BY:  
THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, IN ACCORDANCE WITH ORDINANCE No. \_\_\_\_\_  
DATE: \_\_\_\_\_ BY: \_\_\_\_\_ MAYOR

ATTEST: \_\_\_\_\_ CITY CLERK

PRESENTED FOR RECORDING BY: \_\_\_\_\_, PLANNING MANAGER,  
CITY OF URBANA.



- LEGEND**
- SET 5/8" DIAMETER BY 30" LONG IRON ROD WITH PLASTIC CAP STAMPED "FARNSWORTH GROUP"
  - SET 5/8" DIAMETER BY 30" LONG IRON ROD WITH PLASTIC CAP STAMPED "FARNSWORTH GROUP" IN CONCRETE
  - EX EXISTING IRON ROD
  - EX EXISTING IRON PIPE
  - ⊗ EX EXISTING RIGHT-OF-WAY MARKER
  - EX EXISTING VAULT
  - (0.00) DEED CALL
  - PROPERTY LINE
  - - - SECTION LINE
  - - - EASEMENT LIMITS LINE
  - - - VEHICULAR ACCESS CONTROL

**DRAINAGE STATEMENT:**

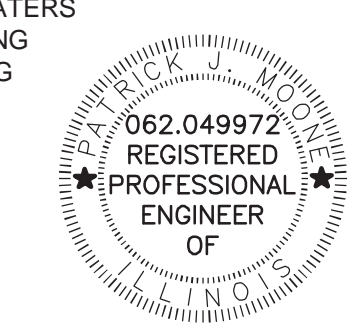
TO THE BEST OF OUR KNOWLEDGE AND BELIEF, PROVISIONS HAVE BEEN MADE FOR THE COLLECTION AND DIVERSION OF SURFACE WATERS INTO PUBLIC AREAS OR DRAINS WHICH THE SUBDIVIDER HAS THE RIGHT TO USE AND THAT SUCH SURFACE WATERS ARE PLANNED FOR IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING PRACTICES SO AS TO REDUCE THE LIKELIHOOD OF DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF THE CONSTRUCTION OF DMT FIRST SUBDIVISION.

PATRICK J. MOONE  
ILLINOIS PROFESSIONAL ENGINEER NO. 062-049972  
EXPIRES: 11/30/13

RICHARD M. NOEL DATE

**OWNER:**  
RICHARD M. NOEL  
1802 FOX DRIVE SUITE C  
CHAMPAIGN, IL 61820  
(217) 352-2246

**DEVELOPER:**  
RON BIRKEY  
1120 VETERANS PARKWAY  
P.O. BOX 900  
RANTOUL, IL 61866  
(217) 892-8255



DATE:  
EXP. DATE: 11-30-2013  
DESIGN FIRM REGISTRATION  
NO. 184-001856

**SURVEYOR' DECLARATION:**

I, CHAD E. WALLACE, ILLINOIS PROFESSIONAL LAND SURVEYOR 3521, DO HEREBY STATE THAT AT THE REQUEST OF THE OWNER, RICHARD M. NOEL, I HAVE CAUSED A SURVEY TO BE MADE AND A PLAT TO BE DRAWN UNDER MY DIRECT SUPERVISION OF THE FOLLOWING DESCRIBED TRACT OF LAND:

PART OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 19 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, CHAMPAIGN COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER, THENCE NORTH 89 DEGREES 30 MINUTES 26 SECONDS EAST 104.99 FEET ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER TO THE EAST RIGHT-OF-WAY LINE OF ILLINOIS ROUTE 130 AS ESTABLISHED BY A RIGHT-OF-WAY PLAT BY REX A. BRADFIELD, ILLINOIS PROFESSIONAL LAND SURVEYOR 2537, DATED JULY 11, 1985, AND THE POINT OF BEGINNING. FROM SAID POINT OF BEGINNING, THENCE NORTH 89 DEGREES 30 MINUTES 26 SECONDS EAST 1,220.67 FEET ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER TO THE NORTHEAST CORNER OF THE WEST HALF OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00 DEGREES 54 MINUTES 16 SECONDS EAST 677.71 FEET ALONG THE EAST LINE OF THE WEST HALF OF SAID SOUTHWEST QUARTER; THENCE SOUTH 89 DEGREES 30 MINUTES 26 SECONDS WEST 1,097.20 FEET; THENCE SOUTH 00 DEGREES 10 MINUTES 58 SECONDS EAST 312.00 FEET PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTH 89 DEGREES 49 MINUTES 02 SECONDS WEST 132.00 FEET PERPENDICULAR TO THE WEST LINE OF SAID SOUTHWEST QUARTER TO SAID EAST RIGHT-OF-WAY LINE; THENCE NORTH 00 DEGREES 10 MINUTES 58 SECONDS WEST 988.98 FEET ALONG SAID EAST RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING, CONTAINING 20.00 ACRES, MORE OR LESS.

THIS PROPERTY HAS BEEN SUBDIVIDED INTO 1 LOT, THE STREET AND EASEMENT AS SHOWN AND IRON PIN SURVEY MONUMENTS HAVE BEEN SET AT THE LOCATIONS AS SHOWN. SAID SUBDIVISION IS TO BE KNOWN AS "DMT FIRST SUBDIVISION", CITY OF URBANA, CHAMPAIGN COUNTY, ILLINOIS.

WITNESS MY HAND AND SEAL THIS \_\_\_\_\_ DAY OF MAY, 2012.



FARNSWORTH GROUP, INC.  
1819 SOUTH NEIL STREET, SUITE F  
CHAMPAIGN, ILLINOIS 61820

BY: CHAD E. WALLACE  
ILLINOIS PROFESSIONAL LAND SURVEYOR 3521

DATE: \_\_\_\_\_  
EXP. DATE: 11-30-2012  
DESIGN FIRM REGISTRATION  
NO. 184-001856

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

S.E. COR. W. 1/2  
S.W. 1/4 SEC. 23

25'

APPARENT R.O.W. LINE

S. LINE S.W. 1/4  
SEC. 23

S89°29'03"W 621.41'

HELEN L. DOUGLAS

N00°30'57"W 40.00'  
(N00°28'38"W)

S89°29'03"W 300.00'  
(S89°31'22"W 300.00')

S89°31'22"W 700.00'

N86°13'36"W 198.01'  
(N86°11'17"W 188.01')

S89°01'18"W 123.94'

N01°00'32"W 434.65'

N03°55'24"E 12.25'  
(N03°56'09"E 12.24')

N00°59'45"W 500.00'  
(N00°57'48"W 500.00')

N00°02'28"W 600.08'  
(N00°00'31"W 600.08')

N00°10'58"W 66.85'

N89°49'02"W 132.00'

S00°10'58"E 312.00'

S00°10'58"E 279.00'

N11°18'04"W 234.14'

N00°10'58"W 446.71'

N00°10'58"W 955.98'

N00°10'58"W 988.98'

N00°10'58"W 1,055.84' (N00°09'01"W 1,056.91')

N89°30'26"E 104.99'

N89°30'26"E 1,220.67'

N.E. COR. W. 1/2  
S.W. 1/4 SEC. 23

S00°54'16"E 677.71'

S00°54'16"E 2,656.09'

E. LINE W. 1/2  
S.W. 1/4 SEC. 23



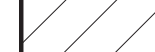
W. LINE SW. 1/4 SEC. 23 AND  
CENTERLINE ILLINOIS ROUTE 130

SW. COR. SEC. 23  
IRON ROD IN VAULT

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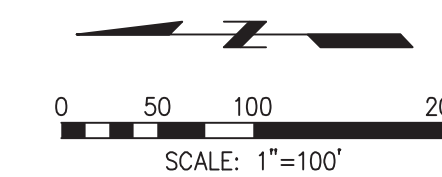


**LEGEND**

-  PAVEMENT SURFACE
-  GRAVEL SURFACE
-  BUILDING

**Notes:**

1. Existing topography and boundary on the proposed Birkey Farm Store Parcel is based upon a field survey performed by The Farnsworth Group Inc.
2. Existing boundary information for the remainder of the Richard Noel property is based upon a field survey performed by The Farnsworth Group Inc.
3. Topography information outside of the proposed Birkey Farm Store project limits, is from the Champaign County, IL GIS Office.
4. Water and sanitary sewer services for the Birkey Farm Store shall be bored under High Cross Road (SR130). No main line extensions are proposed for this project.
5. No proposed development other than the Birkey Farm Store is proposed.
6. The proposed buildings on Lot 1 shall be used as office/sales space, display area and repair of farm and construction equipment.
7. Sidewalk construction along Stone Creek Boulevard is to be deferred until the remainder of the general area plan is to be developed.



P.= Future Public Street Connection  
 A.= Private Access Drive  
 — Future sanitary interceptor per Map 6  
 UCSD Long Range Facility Plan

Revisions	Date:	initials:

**Farnsworth GROUP**  
 1819 S. NEIL STREET, SUITE F  
 CHAMPAIGN, ILLINOIS 61820  
 (217) 352-7408 / (217) 352-7409 Fax  
 www.f-w.com

Drawn: SDS Date: 05-08-12  
 Designed: PJM ecked: PJM

**BIRKEY'S CITY OF URBANA CHAMPAIGN COUNTY, ILLINOIS**

**GENERAL AREA PLAN**

Book No.: - eed No.: 1 F 1  
 Project No.: 0120421.00

XRef Files: | dsmith | P:\2012\0120421.00-Birkeys Urbana, IL\Map\BIRKEYS AERIAL PLANNING | DATE: 04/08/2012 | Time: 11:03 |

ENGINEERS  
ARCHITECTS  
SURVEYORS  
SCIENTISTS



**Farnsworth GROUP**

1819 S. NEIL STREET, SUITE F  
CHAMPAIGN, ILLINOIS 61820  
(217) 352-7408 / (217) 352-7409 Fax  
www.f-w.com

ISSUE:  
# Date: Description:  
1 05/18/12 CITY COMMENTS

PROJECT:  
BIRKEY'S FARM STORE

DMT FIRST SUBDIVISION  
URBANA, ILLINOIS

Date: 05-08-12

Design/Drawn: PJM/SJB

Reviewed:

Book No.: 53/35 Field:

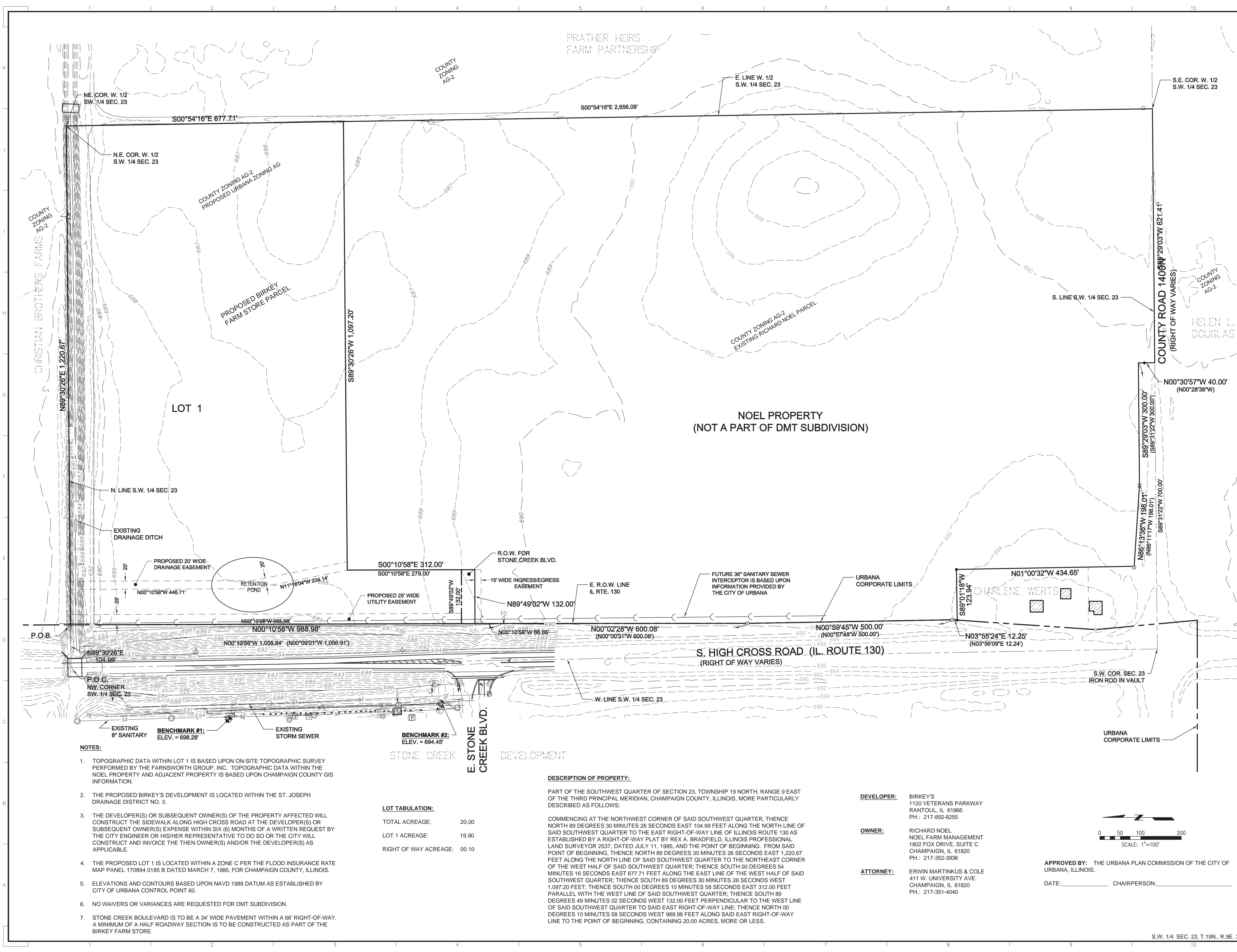
SHEET TITLE:

**PRELIMINARY PLAT**

SHEET NUMBER:

1

Project No.: 0120421.00



- NOTES:**
- TOPOGRAPHIC DATA WITHIN LOT 1 IS BASED UPON ON-SITE TOPOGRAPHIC SURVEY PERFORMED BY THE FARNSWORTH GROUP, INC. TOPOGRAPHIC DATA WITHIN THE NOEL PROPERTY AND ADJACENT PROPERTY IS BASED UPON CHAMPAIGN COUNTY GIS INFORMATION.
  - THE PROPOSED BIRKEY'S DEVELOPMENT IS LOCATED WITHIN THE ST. JOSEPH DRAINAGE DISTRICT NO. 3.
  - THE DEVELOPER(S) OR SUBSEQUENT OWNER(S) OF THE PROPERTY AFFECTED WILL CONSTRUCT THE SIDEWALK ALONG HIGH CROSS ROAD AT THE DEVELOPER(S) OR SUBSEQUENT OWNER(S) EXPENSE WITHIN SIX (6) MONTHS OF A WRITTEN REQUEST BY THE CITY ENGINEER OR HIS/HER REPRESENTATIVE TO DO SO OR THE CITY WILL CONSTRUCT AND INVOICE THE THEN OWNER(S) AND/OR THE DEVELOPER(S) AS APPLICABLE.
  - THE PROPOSED LOT 1 IS LOCATED WITHIN A ZONE C PER THE FLOOD INSURANCE RATE MAP PANEL 170894 0185 B DATED MARCH 7, 1985, FOR CHAMPAIGN COUNTY, ILLINOIS.
  - ELEVATIONS AND CONTOURS BASED UPON NAVD 1988 DATUM AS ESTABLISHED BY CITY OF URBANA CONTROL POINT 60.
  - NO WAIVERS OR VARIANCES ARE REQUESTED FOR DMT SUBDIVISION.
  - STONE CREEK BOULEVARD IS TO BE A 34' WIDE PAVEMENT WITHIN A 66' RIGHT-OF-WAY. A MINIMUM OF A HALF ROADWAY SECTION IS TO BE CONSTRUCTED AS PART OF THE BIRKEY FARM STORE.

**LOT TABULATION:**

TOTAL ACREAGE:	20.00
LOT 1 ACREAGE:	19.90
RIGHT OF WAY ACREAGE:	00.10

**DESCRIPTION OF PROPERTY:**

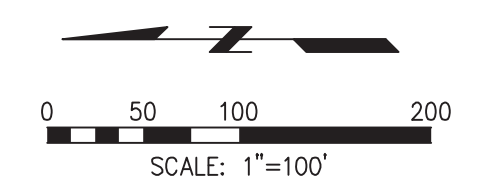
PART OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 19 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, CHAMPAIGN COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER, THENCE NORTH 89 DEGREES 30 MINUTES 26 SECONDS EAST 104.99 FEET ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER TO THE EAST RIGHT-OF-WAY LINE OF ILLINOIS ROUTE 130 AS ESTABLISHED BY A RIGHT-OF-WAY PLAT BY REX A. BRADFIELD, ILLINOIS PROFESSIONAL LAND SURVEYOR 2537, DATED JULY 11, 1985, AND THE POINT OF BEGINNING. FROM SAID POINT OF BEGINNING, THENCE NORTH 89 DEGREES 30 MINUTES 26 SECONDS EAST 1,220.67 FEET ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER TO THE NORTHEAST CORNER OF THE WEST HALF OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00 DEGREES 54 MINUTES 16 SECONDS EAST 677.71 FEET ALONG THE EAST LINE OF THE WEST HALF OF SAID SOUTHWEST QUARTER; THENCE SOUTH 89 DEGREES 30 MINUTES 26 SECONDS WEST 1,097.20 FEET; THENCE SOUTH 00 DEGREES 10 MINUTES 58 SECONDS EAST 312.00 FEET PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTH 89 DEGREES 49 MINUTES 02 SECONDS WEST 132.00 FEET PERPENDICULAR TO THE WEST LINE OF SAID SOUTHWEST QUARTER TO SAID EAST RIGHT-OF-WAY LINE; THENCE NORTH 00 DEGREES 10 MINUTES 58 SECONDS WEST 988.98 FEET ALONG SAID EAST RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING, CONTAINING 20.00 ACRES, MORE OR LESS.

**DEVELOPER:** BIRKEY'S  
1120 VETERANS PARKWAY  
RANTOUL, IL 61866  
PH: 217-892-8255

**OWNER:** RICHARD NOEL  
NOEL FARM MANAGEMENT  
1802 FOX DRIVE, SUITE C  
CHAMPAIGN, IL 61820  
PH: 217-352-3836

**ATTORNEY:** ERWIN MARTINKUS & COLE  
411 W. UNIVERSITY AVE.  
CHAMPAIGN, IL 61820  
PH: 217-351-4040





**APPROVED BY:** THE URBANA PLAN COMMISSION OF THE CITY OF URBANA, ILLINOIS.  
DATE: \_\_\_\_\_ CHAIRPERSON: \_\_\_\_\_

S.W. 1/4 SEC. 23, T.19N., R.9E. 3P.M.

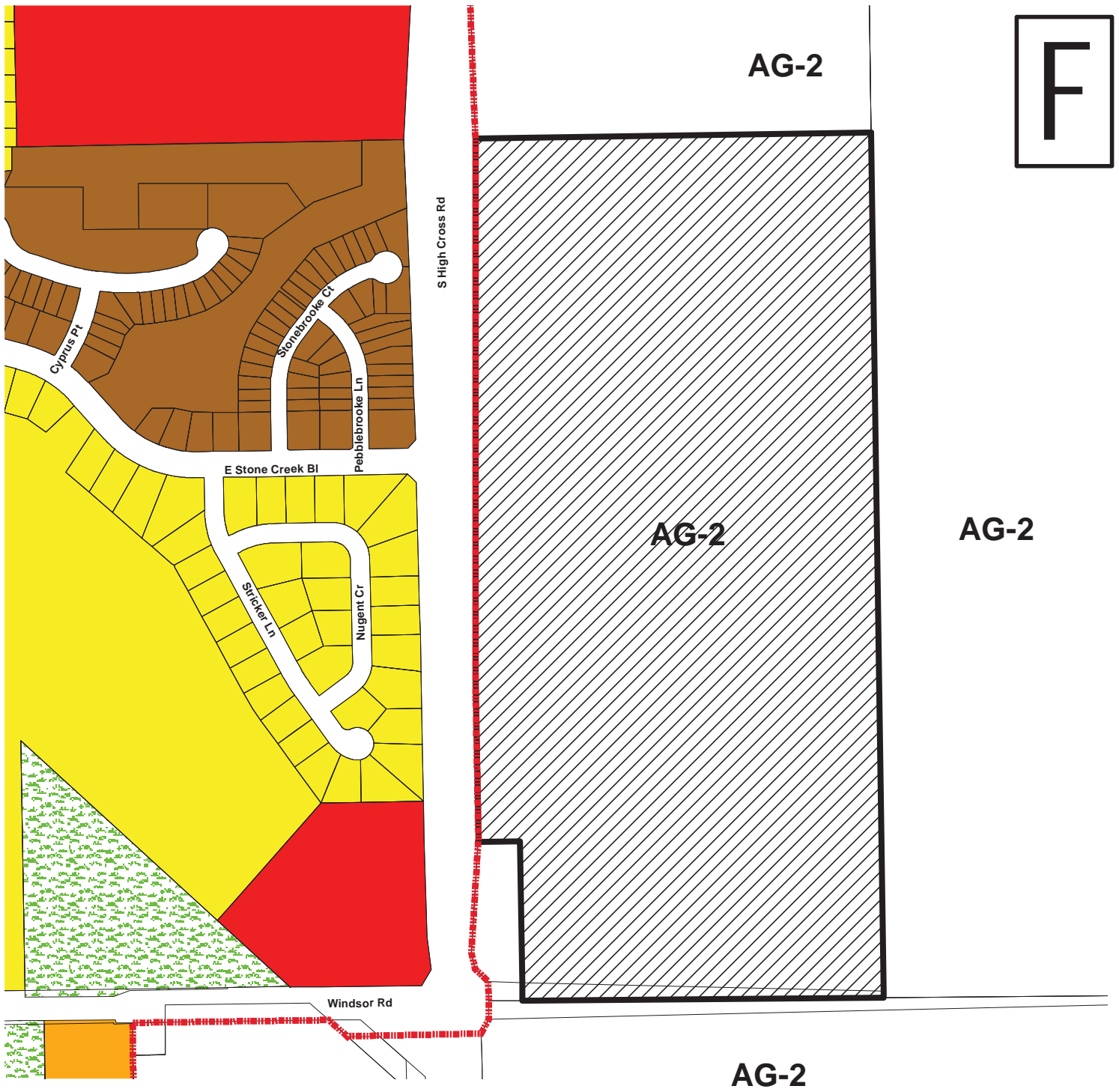
# Exhibit D: Location and Existing Land Use Map










Case: 2179-S-12  
Subject: DMT First Subdivision Preliminary/Final Plat & General Area Plan  
Location: High Cross Rd & Windsor Rd  
Petitioner: Birkey's Farm Store

 Subject Property  
 Corporate Limits

# Exhibit E: Zoning Map

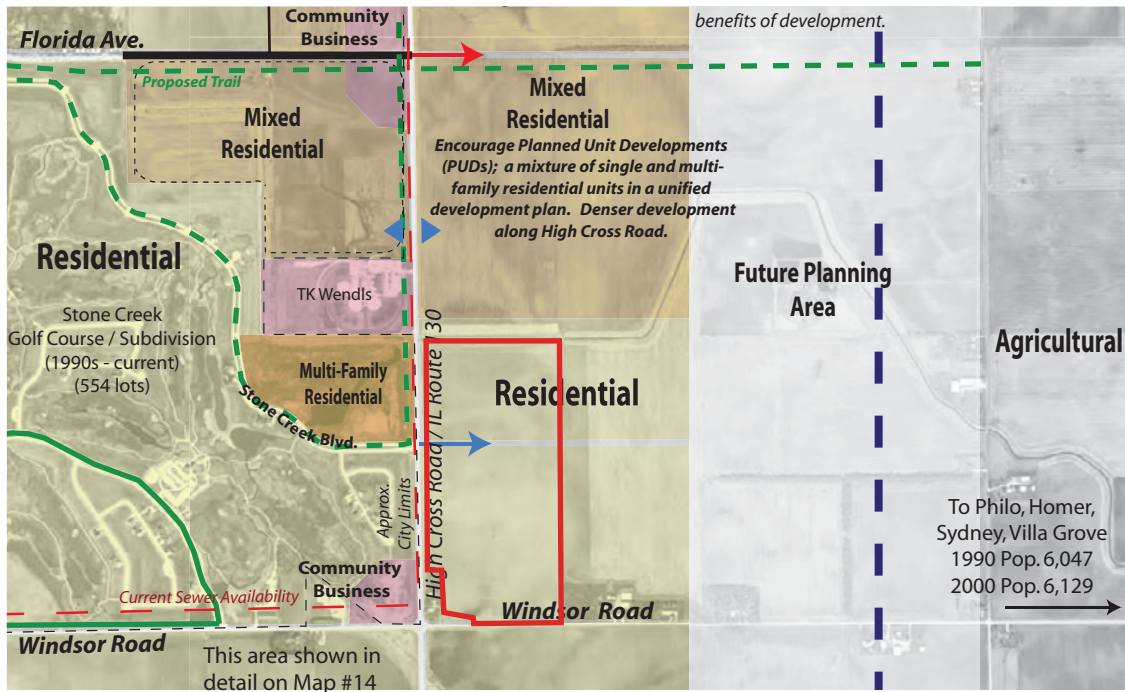


Case: 2179-S-12  
 Subject: DMT First Subdivision Preliminary/Final Plat & General Area Plan  
 Location: High Cross Rd & Windsor Rd  
 Petitioner: Birkey's Farm Store

-  Subject Property
-  Corporate Limits
-  R2
-  R5
-  B3
-  R3
-  AG

# Exhibit F: Future Land Use Map

F



**ADOPTED**

April 11, 2005

Map Created by City of Urbana  
Community Development Services Dept.

**Access Management on High Cross Road**

**Direction and approximate location.**  
The exact location of roadways and/or right-of-way dedication depends on a variety of factors.

**Pre-determined location for extension**  
The desired location of roadways and/or right-of-way dedication is known though further study is required to determine the final design.

Note: See Appendix "D"; Mobility Map



Case: 2179-S-12  
Subject: DMT First Subdivision Preliminary/Final Plat & General Area Plan  
Location: High Cross Rd & Windsor Rd  
Petitioner: Birkey's Farm Store

Subject Property

Prepared 05/2012 by Community Development Services - jme

**MINUTES OF A REGULAR MEETING**

**URBANA PLAN COMMISSION**

**DRAFT**

**DATE:** May 24, 2012

**TIME:** 7:30 P.M.

**PLACE:** Urbana City Building – City Council Chambers  
400 South Vine Street  
Urbana, IL 61801

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**MEMBERS PRESENT:** Carey Hawkins-Ash, Andrew Fell, Tyler Fitch, Dannie Otto, Michael Pollock, Bernadine Stake, Mary Tompkins, Marilyn Upah-Bant

**MEMBERS EXCUSED:** Lew Hopkins

**STAFF PRESENT:** Robert Myers, Planning Manager; Rebecca Bird, Planner II; Jeff Engstrom, Planner II

**OTHERS PRESENT:** Ron Birkey, Pat Moone, Dan Noel, Kasheem Tanksley, Susan Taylor

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**1. CALL TO ORDER, ROLL CALL AND DECLARATION OF QUORUM**

Chairperson Pollock called the meeting to order at 7:30 p.m. The roll was called and a quorum was declared present.

**2. CHANGES TO THE AGENDA**

There were none.

**3. APPROVAL OF MINUTES**

Mr. Fitch moved that the Plan Commission approve the minutes from the May 10, 2012 meeting as presented. Mr. Ash seconded the motion. The minutes were approved by unanimous voice vote.

**4. COMMUNICATIONS**



- Revised General Area Plan, Preliminary Plat and Final Plat for Plan Case No. 2179-S-12 were distributed to Plan Commissioners before the meeting.

## 5. CONTINUED PUBLIC HEARINGS

There were none.

## 6. OLD BUSINESS

There was none.

## 7. NEW PUBLIC HEARINGS

**Annexation Case No. 2012-A-02: Annexation Agreement for a 1.37-acre tract of property at 2100 East University Avenue.**

**Plan Case No. 2178-M-12: Request to rezone a 1.37-acre tract of property at 2100 East University Avenue from Champaign County B-2 (Neighborhood Business) to City B-2 (Neighborhood Business – Arterial) upon annexation.**

Rebecca Bird, Planner II, presented both cases to the Plan Commission. She began with a brief explanation for the proposed rezoning and annexation agreement. She identified the subject property as well as the adjacent properties surrounding it by noting the existing land uses, zoning and future land use designations of each. She reviewed the LaSalle National Bank Criteria that pertains to the proposed rezoning. She talked about the options of the Plan Commission and presented staff's recommendation.

The Plan Commission inquired about the access drive to the proposed site. Casey's may want a larger or an additional curb cut for ingress and egress of the site. Robert Myers, Planning Manager, explained that the developer's engineer and Assistant City Engineer have indicated that the Illinois Department of Transportation (IDOT) will most likely allow one access drive along U.S. Route 150.

With no further questions for City staff, Chair Pollock opened the hearing for public input and or questions.

Patrick Moone, of the Farnsworth Group, stated that they indeed plan to install one access drive that will be 35-feet wide. After reviewing the Concept Plan, IDOT's only request is that the drive be lined up with the driveway across U.S. Route 150.

He then talked about Casey's plans to have a convenience store, sub shop, pizza shop and gas station in one place. It will be nicer than what they have built in the past. They are currently working on the landscaping plans to buffer the residential neighboring properties from the proposed site. He also mentioned that they plan to decommission the existing Casey's down the street once the new one is up and running.

With no further input or questions from the public audience, Chair Pollock closed the public hearing. He then opened the hearing up for Plan Commission discussion and motion(s).

Mr. Fitch moved that the Plan Commission forward Annexation Case No. 2012-A-02 and Plan Case No. 2178-M-12 to the City Council with a recommendation for approval. Mr. Ash seconded the motion. Roll call on the motion was as follows:

Mr. Ash	-	Yes	Mr. Fell	-	Yes
Mr. Fitch	-	Yes	Mr. Otto	-	Yes
Mr. Pollock	-	Yes	Ms. Stake	-	Yes
Ms. Tompkins	-	Yes	Ms. Upah-Bant	-	Yes

The motion was passed by unanimous vote.

## 8. NEW BUSINESS

**Plan Case No. 2179-S-12: A request by Richard Noel and Birkey's Farm Store for approval of a General Area Plan, Preliminary Plat and Final Plat for DMT First Subdivision, including 20.0 acres, and generally located east of High Cross Road (IL Route 130) and north of County Road 1400 North (Windsor Road).**

Jeff Engstrom, Planner II, presented this case to the Plan Commission. He explained that Birkey's Farm Store is planning to relocate and expand. In order to do so, they need to create a new lot, which will also require approval of an annexation agreement from the City Council. The annexation agreement includes two variance requests to allow a freestanding sign that would exceed the standards of the Urbana Zoning Ordinance. In addition, the agreement would allow a variance to allow a dust-controlled gravel surface.

Mr. Engstrom noted the existing land uses, zoning and future land use designations of the proposed site as well as for the surrounding properties. Referring to the revised General Area Plan, Preliminary Plat and Final Plat that were distributed at the beginning of the meeting, he noted minor changes between these and the ones that were included in the written staff report. He talked about the sidewalk deferral for the east side of High Cross Road, drainage for the proposed site, and connections to utility services. He reviewed the options of the Plan Commission and presented City staff's recommendation.

The Plan Commission inquired as to what the City plans for development of the properties to the south across Windsor Road both on the east and west sides of IL Route 130. Mr. Engstrom stated that the City's Comprehensive Plan has designated these properties for future residential development. The owner has indicated that they have no development plans and will continue to farm.

A question was the Stone Creek Boulevard extended right-of-way is a 33-foot right-of-way with a 15-foot easement? Mr. Engstrom explained that the subdivision includes right-of-way for a half street width. Since the south portion of the property is not being developed at this time, the petitioner is providing his portion of the future street extension. The remainder of the right-of-

way would be dedicated when the remainder of the Noel Tract would be developed as some point in the future.

Were there any comments from surrounding property owners regarding the proposed subdivision and development plans? Mr. Engstrom said he had not received comments. Because the land platting process is a technical review based on Subdivision Code standards, and does not involve a public hearing, letters were not sent to adjoining property owners for the subdivision itself. However, all neighboring property owners and residents were notified by mail for the annexation agreement for this same property. The City Council will hold a public hearing on the annexation agreement at their June 4, 2012 meeting.

With no further questions for City staff, Chair Pollock asked for any comments from the petitioner.

Ron Birkey, petitioner, mentioned that they have outgrown their existing location. The new location needs to have access to the City's sewer system in order to comply with the Environmental Protection Agency's (EPA) regulations relative to floor drains. They are excited about the opportunity to expand because it will give them the opportunity to grow their business. Relocating their business to the proposed site would generate tax revenue for the City of Urbana.

Mr. Otto expressed concern about the petitioner developing this type of business on the north end of the proposed site rather than on the south end along Windsor Road. As it is currently planned, customers will have to access the site on IL Route 130. This could pose a challenge with large farm machinery.

Mr. Birkey explained that Windsor Road/IL Route 130 intersection is a higher impact corner and could provide better future opportunities for a business that could use a corner location, which is not important to his business. Secondly, the quarter mile setback in order to have full right-in/right-out turns is not acceptable along Windsor Road without a variance because it is only 1,220 feet and the requirement is 1,320 feet. Lastly, there is an existing residential home on the corner of Windsor Road and IL Route 130 that he did not want to conflict with.

Mr. Pollock asked if there are any future plans to develop the remainder of the proposed site. Richard Noel, owner of the land, responded no. He has no plans at this time. He is only asking for a subdivision of the land to give Birkey's Farm Store a place to relocate.

Mr. Fitch questioned whether there would be a left turn lane into the proposed site for cars traveling south on High Cross Road. Mr. Birkey said no, not at this time. Both the General Area Plan and the Preliminary Plat show a striped diversion because there is a left turn lane onto East Stone Creek Boulevard off IL Route 130 when heading north.

With no further public input, Chair Pollock opened the case for Plan Commission discussion and/or motion(s).

Mr. Fitch moved that the Plan Commission approve the General Area Plan and the Preliminary Plat as recommended by City staff in the written staff report for Plan Case No. 2179-S-12. Ms. Stake seconded the motion. Roll call was as follows:

Ms. Upah-Bant	-	Yes	Ms. Tompkins	-	Yes
Ms. Stake	-	Yes	Mr. Pollock	-	Yes
Mr. Otto	-	Yes	Mr. Fitch	-	Yes
Mr. Fell	-	Yes	Mr. Ash	-	Yes

The motion was approved by unanimous vote.

Mr. Fitch next moved that the Plan Commission forward the Final Plat described in Plan Case No. 2179-S-12 to the Urbana City Council with a recommendation for approval as recommended in the written staff report. Mr. Ash seconded the motion. Roll call on the motion was as follows:

Mr. Ash	-	Yes	Mr. Fell	-	Yes
Mr. Fitch	-	Yes	Mr. Otto	-	Yes
Mr. Pollock	-	Yes	Ms. Stake	-	Yes
Ms. Tompkins	-	Yes	Ms. Upah-Bant	-	Yes

The motion passed by unanimous vote.

Mr. Engstrom noted that this recommendation would be forwarded to the City Council on June 4, 2012 along with the annexation agreement being proposed.

**Case No. CCZBA-701-AT-11: A request by the Champaign County Zoning Administrator to amend Sections 6.1.1 and 6.1.4 of Champaign County Zoning Ordinance regarding conditions for approval and removal of wind turbines.**

Rebecca Bird, Planner II, presented this case to the Plan Commission. The proposed text amendment addresses weaknesses in the existing ordinance identified by Champaign County staff. She pointed out that the only way the proposed amendment would impact the City of Urbana is if a wind farm is built or if a wind turbine is installed in an area near the Extra Territorial Jurisdiction (ETJ) area and then by annexation, the wind turbine becomes part of the ETJ area. She stated that the proposed changes strengthen the regulations. Many of the proposed County Zoning Ordinance changes are about non-adaptable structures.

Another interesting change being proposed is that if a wind turbine becomes decommissioned, the hole would be required to be filled with farmable soil. Chair Pollock wondered what would happen if the ground is not farmable. Would the proposed text amendment still require farmable soil to be used? Ms. Bird replied that the owner of the property may possibly request a variance from the amended regulations in a case like that.

She continued with her staff presentation by reviewing the options of the Plan Commission and presenting City staff's recommendation.

The Plan Commission asked for clarification on the purpose of the proposed text amendment. Ms. Bird explained that the changes being proposed to the County’s Wind Turbine Ordinance is to make improvements and provide regulations for when wind farms or turbines are decommissioned. They discussed the expected life span of a wind turbine and who is responsible for taking down a wind turbine once it no longer is usable.

With no further questions for City staff, Chair Pollock opened the case for public comment. There was none, so Chair Pollock closed the public input portion of the case and opened it for Plan Commission discussion and/or motion(s).

Mr. Otto moved that the Plan Commission forward Case No. CCZBA-701-AT-11 to the City Council with a recommendation to defeat a resolution of protest as recommended by City staff. Mr. Fitch seconded the motion. Roll call on the motion was as follows:

Mr. Ash	-	Yes	Mr. Fell	-	Yes
Mr. Fitch	-	Yes	Mr. Otto	-	Yes
Mr. Pollock	-	Yes	Ms. Stake	-	Yes
Ms. Tompkins	-	Yes	Ms. Upah-Bant	-	Yes

The motion was passed by unanimous vote.

Mr. Myers noted that this case would be forwarded to the Urbana City Council on June 4, 2012.

**9. AUDIENCE PARTICIPATION**

There was none.

**10. STAFF REPORT**

Mr. Myers reported on the following:

- The Industrial Zoning Text Amendment and Rezoning cases were approved by the City Council. He acknowledged City staff that worked on noticing these two cases.
- Open Meetings Act Training reminder.
- The American Planning Association (APA) will hold the State Conference on September 19-21, 2012 in Champaign. Training specifically for Plan Commissioners is anticipated. City staff will give the Plan Commission members more information on this.

Ms. Upah-Bant reported on:

- “Just What Do Planning Commissioners Do” article in the Spring 2012 issue of the Planning Commissioners Journal is a great article for the members to read.

**11. STUDY SESSION**

There was none.

**12. ADJOURNMENT OF MEETING**

The meeting was adjourned at 8:34 p.m.

Respectfully submitted,

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Robert Myers, AICP, Secretary  
Urbana Plan Commission