

CASE# 2018-035 71
RESOLUTION NUMBER _____

GRANTING A REZONING AND A CONDITIONAL PERMITTED USE
FOR CERTAIN PROPERTY LOCATED AT
1823 CAMP LINCOLN ROAD, SPRINGFIELD
SANGAMON COUNTY, ILLINOIS

WHEREAS, the Zoning Board of Appeals has presented to the Sangamon County Board, Sangamon County, Illinois, its Findings of Fact and Recommendation that the Sangamon County Board **grant an amendment and a Conditional Permitted Use** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioner, **The Gym of Springfield, IL**, has petitioned the Sangamon County Board for a **rezoning from “A” Agricultural District to “B-3” General Business District and a Conditional Permitted Use (CPU) for a private outdoor recreation center**; and,

WHEREAS, a public hearing was held at the Sangamon County Building on **July 19, 2018** after proper notice was posted on said property and given by news publication, as is required by said Ordinance, and all procedural and jurisdictional requirements of the Sangamon County Zoning Ordinance have been met; and,

WHEREAS, the Sangamon County Zoning Board of Appeals has presented to the Sangamon County Board of Sangamon County its Findings of Fact and Recommendation that the Sangamon County Board **grant the rezoning and Conditional Permitted Use**; and,

WHEREAS, the Sangamon County Board does hereby adopt the recommendation of the Sangamon County Zoning Board of Appeals.

FILED

JUL 25 2018


Don J. King
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 14th Day of August, 2018 that the requests for a rezoning from "A" Agricultural District to "B-3" General Business District and a Conditional Permitted Use (CPU) for a private outdoor recreation center on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 14th day of August, 2018.

Respectfully submitted,

PUBLIC HEALTH, SOLID WASTE & ZONING
COMMITTEE OF THE SANGAMON COUNTY BOARD



GREG STUMPF, CHAIRMAN

DAVID MENDENHALL, VICE CHAIRMAN

CRAIG HALL

SAM SNELL

ABE FORSYTH

JASON RATTS

LINDA DOUGLAS WILLIAMS

ANNETTE FULGENZI

LINDA FULGENZI

LISA HILLS

MIKE SULLIVAN

ROSE RUZIC

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

Exhibit A**TRACT A:**

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 16 NORTH, RANGE 5 WEST OF THE THIRD PRINCIPAL MERIDIAN, SANGAMON COUNTY, ILLINOIS; THENCE S 89°08'42" W ALONG THE NORTH LINE OF SAID QUARTER-QUARTER SECTION. A DISTANCE OF 113.57 FEET TO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING ; THENCE S 01°30'13" W 300.02 FEET; THENCE S 89°08'42" W 700.06 FEET; THENCE N 01°30'13" W 300.02 FEET TO SAID NORTH LINE OF SAID QUARTER – QUARTER SECTION; THENCE N 89°08'42" E ALONG SAID NORTH LINE, A DISTANCE OF 700.06 FEET TO THE POINT OF BEGINNING.

CONTAINING 4.821 ACRES, MORE OR LESS.

TRACT B:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 16 NORTH, RANGE 5 WEST; THENCE N 89°08'42" E, ALONG THE NORTH LINE OF SAID QUARTER – QUARTER SECTION, A DISTANCE OF 512.03 FEET TO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING; THENCE N 01°30'13" W 187.56 FEET; THENCE N 63°00'31" E, 169.17 FEET; THENCE S 00°55'12" W, 262.07 FEET TO THE NORTH LINE OF SAID QUARTER – QUARTER SECTION; THENCE S 89°08'42" W, ALONG SAID NORTH LINE, A DISTANCE OF 150.05 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.780 ACRE, MORE OR LESS.

PARCEL NUMBERS: 14-20.0-200-019 (PT.) & 14-20.0-200-025 (PT.)

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: #17 NAME: Annette Fulgenzi

DOCKET NUMBER: 2018-035

ADDRESS: 1823 Camp Lincoln Road, Springfield, IL 62707

PETITIONER: The Gym of Springfield, IL

PRESENT ZONING CLASSIFICATION: "A" Agricultural District.

REQUESTED ZONING CLASSIFICATION: A rezoning from "A" Agricultural District to "B-3" General Business District and a Conditional Permitted Use (CPU) for a private outdoor recreation center.

AREA: 42.72 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: **Recommend approval. The petitioner is proposing B-3 with a CPU for a private outdoor recreation center in order to combine the portions of the subject property with the parcel to the northeast that is currently zoned B-3. Staff believes the proposed B-3 is appropriate due to the predominantly commercial/industrial trend in the immediate area outside the floodplain, and because the LESA score of 94 indicates the subject property is acceptable for non-agricultural development. The effects on the character of the surrounding area will be limited because the property to the northeast was granted a private outdoor recreation center in 2005. It has operated without apparent negative effects since that time. The other area surrounding the portions**

of the subject property is heavily timbered.

SANGAMON COUNTY BOARD OF APPEALS
RECOMMENDATION:

Approval of Staff Recommendation.


RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2018-035
The Gym of Springfield, IL))
)	PROPERTY LOCATED AT:
)	1823 Camp Lincoln Road
)	Springfield, IL 62707

RECOMMENDATION OF THE BOARD OF APPEALS

THIS MATTER, Coming on for a hearing before the Sangamon County Zoning Board of Appeals of Sangamon County, Illinois, and it appearing to said Board that a petition for an **amendment and Conditional Permitted Use** of the Zoning Regulations of said County has been filed herein by the above captioned petitioner (s); that legal publication has been made pursuant to law; and that a public hearing was held on **July 19, 2018** pursuant to law; and that said Board took testimony of witnesses, examined the evidence, and otherwise being fully advised in the premises, therefore finds as follows:

1. That said Board has jurisdiction to consider the petition filed herein.
2. That the above-captioned petitioner(s) is the owner(s) and/or has a beneficial interest in, contract to purchase, or is the County Board Member representing the property commonly known as: **1823 Camp Lincoln Road, Springfield, IL 62707** and more particularly described as:

See Exhibit A

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- 3. That the present zoning of said property is **“A” Agricultural District.**
- 4. That the present land use of said property is **timber.**
- 5. That the proposed land use of said property is **a private outdoor recreation center.**
- 6. That the requested **rezoning and Conditional Permitted Use** of said property are **for a rezoning from “A” Agricultural District to “B-3” General Business District and a Conditional Permitted Use (CPU) for a private outdoor recreation center.**
- 7. That required findings and standards of the Sangamon County Board of Appeals are accurately stated on the attached exhibit(s).
- 8. The evidence adduced at the hearing **does** support the proposition that the adoption of the proposed **rezoning and Conditional Permitted Use** is in the public interest and is not solely in the interest of the petitioner(s).

IT IS, THEREFORE, the recommendation of the Sangamon County Zoning Board of Appeals to the County Board of Sangamon County that the requested **rezoning and Conditional Permitted Use** be approved.


 CHAIRMAN TCo

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Tony Mares**, to concur with the findings of fact and recommendation of the Regional Planning Commission and recommend to the County Board that the petition be **approved** which was duly seconded by **Don Wulf**.

The vote of the Board was as follows:

YES: **Charlie Chimento, Tony Mares, Don Wulf, Andrew Spiro, Gina Lathan**

NO:

PRESENT:

ABSENT:


RECORDING SECRETARY

**SANGAMON COUNTY
RECOMMENDED - FINDINGS OF FACT**

Case #: **2018-035**

Address: **1823 Camp Lincoln Road, Springfield**

- (i) Existing uses of property within the general area of the property in question.

North – Residence, cropland, and indoor/outdoor recreation center & tavern. East – Indoor/outdoor recreation center & tavern, residence, and truck repair service. South & West – Timber.

- (ii) The zoning classification of property within the general area of the property in question.

North – City I-2 & B-3. East – B-3, Agricultural, & I-1. South – Agricultural. West – City R-5.

- (iii) The suitability of the property in question to the uses permitted under the existing zoning classification.

The subject property could be granted a CPU in the A District. However, the LESA score of 94 indicates the subject property is acceptable for non-agricultural development. The subject property will be combined with the parcel to the northeast that is currently zoned B-3 which is a better fit because it would be uniform zoning.

- (iv) The trend of development, within the vicinity since the property was originally classified.

The area has a commercial and industrial trend. The portions of the subject property will be combined with the parcel northeast of the subject property which has had several requests over the years including in Zoning Case #2000-006, B-3 was granted; in Zoning Case #2001-052, a CPU for a tavern limited to a 1,500 square feet addition to either the west or north side of the existing building was granted but a variance to allow a tavern within 100 feet of a residence was denied; in Zoning Case #2005-046, a CPU for a private outdoor recreation center was approved; and, in Zoning Case #2014-047, a variance to allow an off-premise sign for the truck inspection business was granted.

**SANGAMON COUNTY - RECOMMENDED FINDINGS OF FACT
FOR CONDITIONAL PERMITTED USES**

Case #: 2018-035

Address: 1823 Camp Lincoln Road, Springfield

No conditional permitted uses shall be granted by the County Board unless the conditional permitted use:

- (i) Is so proposed that the proposed location, design and method of operation of such use will minimize the adjacent effects on the character of the surrounding area.

The effects on the character of the surrounding area will be limited because the property to the northeast, in which the portions of the subject property will be combined, was granted a private outdoor recreation center in 2005. It has operated without apparent negative effects since that time. The other area surrounding the portions of the subject property is heavily timbered.

- (ii) Is so proposed to be operated, designed and located so that the public health, safety, and welfare will be protected.

The public health, safety, and welfare will be protected since the portions of the subject property being granted the CPU are surrounded by timber, a four-lane highway, and the private indoor/outdoor recreation center.

- (iii) Will not cause substantial injury to the value of other property in the vicinity in which it is located.

Injury to property value in the area is not foreseen as the property to the northeast has been operating a private indoor/outdoor recreation center since 2005 without apparent negative effects.

- (iv) In addition to the above general standards for all conditional permitted uses that may be allowed, no conditional permitted use listed below shall be granted unless the proposed use can meet the standards as noted:

- (a) Fairgrounds, public or private outdoor recreation centers - that the principal vehicle access for such use is located on a major thoroughfare or a secondary thoroughfare or within one-quarter mile of a major thoroughfare, that such use is so located as to draw a minimum of vehicular traffic to and through minor and collector streets in residential areas.

Yes

- (b) Mobile home parks - must meet the requirements of Section III(R) Large Scale Development.

N/A

- (c) Tourist home, motels, hotels - that the proposed use must be located on or within 400 feet of a major thoroughfare.

N/A

- (d) Taverns and liquor stores - that the following distances be maintained: (1) schools - 100' from the property line of the school to the property line of the tavern or liquor store; (2) churches - 100' from the church building to the tavern or liquor store building; and (3) residences - 100' from the tavern or liquor store property line to the residential structure or institutional care facility.

N/A

LAND EVALUATION AND SITE ASSESSMENT

Part 1: Site Assessment

	Available Points	Points
<u>AGRICULTURAL/RURAL LAND WITHIN .5 MILE</u>		
90% or more	20	
75-89%	10	5
50-74%	5	
Under 50%	0	
<u>CONTIGUOUS AGRICULTURAL/RURAL LAND</u>		
90% or more	20	
75-89%	10	5
50-74%	5	
Under 50%	0	
<u>PERCENTAGE OF SITE AGRICULTURAL/RURAL</u>		
75-100%	10	10
50-74%	5	
Under 50%	0	
<u>COUNTY SECTOR</u>		
Rural	20	
0.5 mile from incorporated area	10	10
Incorporated area	0	
<u>SOIL WITH SEVERE RESTRICTIONS FOR ON-SITE WASTE DISPOSAL</u>		
75% or more	20	
50-74%	10	0
25-49%	5	
Less than 25% or sewer available	0	
<u>ENVIRONMENTAL IMPACT OF PROPOSED USE</u>		
Negative impact	15	
Little or none with protective measures	5	0
Little or none	0	
<u>IMPACT ON UNIQUE HISTORICAL/CULTURAL FEATURES</u>		
Negative impact	10	
No impact	0	0

CONDITION OF ROAD

unpaved, <40' ROW, or < 16' pavement	20	
16'-18' pavement, 40' ROW	15	15
18'-20' pavement, 40' ROW	10	
> 20' pavement, 40' ROW or County or State Highway	0	

AVAILABILITY OF PUBLIC SEWER

Not available	15	
Sewer over 600'-1200' away	8	0
Private central sewage system	5	
Sewer 600' or less away and available	0	

AVAILABILITY OF PUBLIC WATER

Not available	20	
1,000-1,500' away	15	20
Less than 1,000' away	5	
Public water available at site	0	

DISTANCE FROM RESPONDING FIREHOUSE

Not in fire protection district	20	
More than 5 miles or fire protection by assignment	10	0
2.6-5 miles	5	
0-2.5 miles	0	

DRIVING TIME TO HIGH SCHOOL

Over 30 minutes	10	
15-30 minutes	5	0
Less than 15 minutes	0	

SITE ASSESSMENT TOTAL**65**

Part 2: Agricultural Land Evaluation (Based on Sangamon County Soil Survey)

<u>Soil</u>	<u>Name</u>	<u>Type</u>	<u>%</u>	<u>Relative Value</u>	<u>Points</u>
198A	Elburn	P		100	
199A	Plano	P		100	
43A	Ipava	P		100	
7148A	Proctor	P		100	
46A	Herrick	P		100	
7037A	Worthen	P		100	
705A	Buckhart	P		98	
199B	Plano	P		98	
36B	Tama	P		98	
244A	Hartsburg	P2		98	
257A	Clarksdale	P2		98	
68A	Sable	P2		87	
679B	Blackberry	P		87	
705B	Buckhart	P		87	
86B	Osco	P		87	
684B	Broadwell	P		87	
50A	Virден	P2		87	
712A	Spaulding	P2		87	
127B	Harrison	P		87	
3077A	Huntsville	P3		87	
138A	Shiloh	P2		87	
249A	Edinburg	P2		87	
242A	Kendall	P2		87	
7242A	Kendall	P2		87	
134A	Camden	P		87	
17A	Keomah	P2		87	
3451A	Lawson	P3		75	
3107A	Sawmill	P5		75	
7075B	Drury	P		75	
8396A	Vesser	P2		75	
3074A	Radford	P3		75	
3073A	Ross	P3		75	
3284A	Tice	P3		75	
279B	Rozetta	P	27	75	20
45A	Denny	P2		75	
134B	Camden	P		75	
112A	Cowden	P2		75	
685B	Middletown	P		75	
3405A	Zook	P5		75	
131C2	Alvin	P		75	
86C2	Osco	I		74	
36C2	Tama	I		74	
684C2	Broadwell	I		74	
119C2	Elco	I		74	
119D	Elco	I		74	
127C2	Harrison	I		74	
119D2	Elco	I		74	
567C2	Elkhart	I		74	

134C2	Camden	I		74	
259C2	Assumption	I		74	
685C2	Middletown	I		74	
280D2	Fayette	I		74	
119D3	Elco	N		74	
259D2	Assumption	I		74	
212C2	Thebes	I		74	
630C2	Navlys	I		74	
630D2	Navlys	I		74	
630D3	Navlys	I		57	
131D2	Alvin	I		57	
8D	Hickory	I		50	
8D2	Hickory	I		50	
280D3	Fayette	I		44	
8D3	Hickory	I	20	44	9
8F	Hickory	N		44	
549G	Marseilles	N		0	
533	Urban Land	N			
536	Dumps	N			
830	Orthents, Land	N			
862	Pits, Sand	N			
864	Pits, Quarries	N			
801C	Orthents, Silty	N			
W	Water				

Prime/Important Farmlands Designations:

P: Prime farmland

P2: Prime where drained

P3: Prime where protected from flooding or flooding is less often than once in two years during the growing season.

P5: Prime where drained and either protected from flooding or flooding is less often than once in two years during the growing season.

I: Important farmland

N: Not Prime/Important Farmland

AGRICULTURAL LAND EVALUATION TOTAL	29
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GRAND TOTAL	94
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Fewer than 150 points shall be deemed acceptable for non-agricultural development.

From 150 - 175 points is considered marginal requiring mitigating factors for non-ag development.

Greater than 175 points shall be considered suitable for agricultural use only.