



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

*Planning Division*

m e m o r a n d u m

**TO:** Urbana Plan Commission

**FROM:** Lorrie Pearson, AICP, Planning Manager and Zoning Administrator

**DATE:** October 6, 2017

**SUBJECT:** **Study Session:** Preview of Proposed Champaign County Nursing Home Plat

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This Study Session item is a result of Champaign County's request that the Plan Commission receive the draft subdivision materials in advance of when the formal application will be considered by the Commission. This advance distribution allows for additional public review of the subdivision and for the Plan Commission to ask questions prior to formal review. The County Board must approve the application before it is submitted to the City for processing. This extra step will also enable County staff to make adjustments to the application prior to County Board consideration based on feedback or questions received at the Study Session.

No action is required at this time. Staff will provide a full analysis of the waiver application once it is submitted and scheduled for Plan Commission formal review.

**Attachments:**

1. 10/4/2017 Memorandum from John Hall and Jacob Croegaert to Lorrie Pearson
2. 10/4/2017 Memorandum from County staff to Champaign County Board Committee of the Whole
3. DRAFT Minor Plat of Champaign County Nursing Home Subdivision, dated 10/4/2017

TO: **Lorrie Pearson, City of Urbana Planning Manager**

FROM: **John Hall, Champaign County Zoning Administrator**  
**Jacob Croegaert, Assistant State’s Attorney**

DATE: **October 4, 2017**

RE: **Preview of the proposed Champaign County Nursing Home  
Subdivision Plat at the City of Urbana Plan Commission**

Champaign County  
Department of



Brookens Administrative  
Center  
1776 E. Washington Street  
Urbana, Illinois 61802

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I appreciate the opportunity to preview the proposed Champaign County Nursing Home Plat of Subdivision at the Plan Commission. For background, I have attached the memorandum for the October 10, 2017, Champaign County Board Committee of the Whole meeting.

As we have discussed, the subdivision application will request the following waivers:

- Waiver of Section 21-36 Design of Streets
- Waiver of Section 21-37 Arrangement of Sidewalk
- Waiver of Section 21-38 (A)-(E) for Right-of-Way dedication for streets

I understand that these are very significant waivers that need careful consideration. To that end, the following summarizes some of the unique circumstances and considerations that justify these waivers and has been drafted for the Application for Waiver of Subdivision Regulations for the Champaign County Nursing Home Subdivision Plat:

***Application for Waiver of Subdivision Regulations Question: What practical difficulties or conditions exist that are not applicable generally to other properties which make it difficult to comply with the requirements of the development ordinance?***

1. The Special Use Permit for the Nursing Home was approved with access being provided only by Art Bartell Road, a private street maintained by Champaign County. Requiring dedication of right-of-way for Art Bartell Road now, as required per Section 21-38, would fragment the Champaign County Brookens Campus and would likely reduce the long-term functionality of the real estate for County operations without significantly improving access to the Nursing Home.
2. At the time of approval of the Special Use Permit for the Nursing Home, Art Bartell Road was not anticipated to be used for general traffic circulation in the area (see page 3 of the attached Community Development Staff Memorandum for Plan Case No. 1888-SU-04) and Art Bartell Road is still not used for general traffic circulation in the area. Converting Art Bartell Road to a public street now as required by Section 21-36 could result in additional nuisance traffic in the interior of the Brookens Campus that would not be related to, and thus could hinder and interfere with, County, Nursing Home, and Urbana Park District operations.
3. Art Bartell Road was constructed as a private street without curbs and gutters for a great part of its length and converting Art Bartell Road to a public street

as required by Section 21-36 would require additional expense without significantly improving access to the Nursing Home.

***Application for Waiver of Subdivision Regulations Question: What effects will the requested waivers have on present and future public services to the property proposed for subdivision and land adjacent to the property? Further, will such waivers result in any negative impact or environmental incursions to the property adjacent to or in the vicinity of the proposed subdivision? If so, please state (or attach) evidence identifying such impacts and proposed solutions in order to mitigate or reduce the negative impacts resulting from the waivers.***

1. The waiver of Section 21-36 for Design of Public Streets; and Section 21-37 Arrangement of Sidewalks; and Section 21-38 (A)-(E) for Right-of-Way dedication for streets should have no ill effect on provision of public services to the property or to adjacent land. Art Bartell Road will continue to be maintained by Champaign County and will continue to provide the same good access to the Nursing Home.
2. No negative impact or environmental incursions are anticipated to adjacent properties or to other properties in the vicinity of the proposed subdivision as a result of the waiver of Section 21-36 for Design of Public Streets; and Section 21-37 Arrangement of Sidewalks; and Section 21-38 (A)-(E) for Right-of-Way dedication for streets because the proposed subdivision will not result in any actual change in use (the Nursing Home will continue to be a Nursing Home) and there will be no increase in traffic caused by the proposed subdivision or additional need for new streets or rights-of-way or new sidewalks.

***Application for Waiver of Subdivision Regulations Question What other circumstances justify granting the requested waivers?***

Champaign County will provide on-going maintenance for Art Bartell Road in the same manner as would have occurred if the Nursing Home were to stay under County ownership and given that, there is little justification to add to municipal costs for street maintenance by requiring Art Bartell Road to be converted to a public street, particularly since there will be no change in the actual use of the Nursing Home nor would conversion of Art Bartell Road significantly improve access to the Nursing Home.

ATTACHMENT

Champaign County Board Committee of the Whole Memorandum dated October 4, 2017, regarding the proposed Champaign County Nursing Home Subdivision Plat

Champaign County  
Department of



**TO: Champaign County Board Committee of the Whole**

**FROM: John Hall, Zoning Administrator  
Jacob Croegaert, Assistant State’s Attorney  
Dana Brenner, Facilities Director**

**DATE: October 4, 2017**

**RE: Authorize the County Board Chair to sign the proposed Champaign County Nursing Home Subdivision Plat with Owner’s Certificate and the related City of Urbana Application for Minor Plat and the related City of Urbana Application for a Waiver of Subdivision Regulations**

**Brookens Administrative  
Center**  
1776 E. Washington Street  
Urbana, Illinois 61802

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**BACKGROUND**

In an April 2017 referendum, Champaign County voters authorized the County Board to consider selling the Champaign County Nursing Home. Subsequent to that referendum the County Board approved Resolution No. 10008 that selected a broker to market the Nursing Home and authorized the necessary steps to implement sale of the Nursing Home.

One of the necessary steps in making the Nursing Home saleable is to subdivide (separate) the nursing home (and some amount of land) from the rest of the Brookens Campus. Subdividing property requires a plat of subdivision (ie, a map) to be prepared by a licensed surveyor/ engineer and generally also requires dedication of land as right of way and may require construction of public improvements such as a new street.

The subdivision for the Nursing Home must comply with the City of Urbana Subdivision and Land Development Code and the subdivided property (both the new nursing home lot and the remaining Brookens campus) must be in conformance with the City of Urbana Zoning Ordinance.

**THE NURSING HOME SUBDIVISION PLAT REQUIRES SIGNIFICANT WAIVERS**

Dave Atchley with MSA Professional Services has been hired to prepare the necessary plat of subdivision. The State’s Attorney’s Office has hired Attorney Mary Ann Royce to assist in oversight of the legal aspects of the subdivision.

Access to the Champaign County Nursing Home is via Art Bartell Road which is not a public street and was not constructed to the same standards as the City requires for new streets in new subdivisions. County Administrator Rick Snider has had several discussions with Urbana staff and made it clear that the County would prefer not to make the improvements necessary to bring Art Bartell Road up to Urbana street standards. Such improvements would include construction of curb and gutter drainage (the existing Art Bartell Road has ditches); increasing the pavement thickness; and dedication of the underlying land as a permanent right of way (Art Bartell Road is simply part of the Brookens campus). In lieu of making such improvements to Art Bartell Road, Champaign County must request waivers from the City of Urbana for Right of Way Dedication and Public Street Access.

Since Art Bartell Road will not be a dedicated public street, the County must agree to accept future maintenance responsibility of Art Bartell Road.

County staff along with Dave Atchley and Mary Ann Royce met with City of Urbana staff on September 13, 2017, and discussed the proposed subdivision. Urbana staff was open to the concept of the new nursing home lot having an easement of access over Art Bartell Road to both Lierman Avenue and Main Street. Urbana staff cautioned that this was an unprecedented subdivision request for the City and warned that the County might encounter some setbacks in the process which will include a review by the Plan Commission and approval by the City Council.

The attached Champaign County Nursing Home Plat of Subdivision (see attached) proposes to create a new 12.315-acre zoning lot for the nursing home and an easement of access over Art Bartell Road and a secondary easement of access from Art Bartell Road to the Nursing Home staff parking lot. The attached plat needs some minor revisions and a revised Plat will be handed out at the Committee meeting.

The Owner's Certificate is a related document that will establish Champaign County's commitment to future maintenance of Art Bartell Road and the County's commitment to ongoing compliance with the Intergovernmental Agreement between Champaign County, the Urbana Park District, and the City of Urbana for storm water drainage facilities in Weaver Park that was part of the original Special Use Permit for the Nursing Home. A Draft Owner's Certificate will be handed out at the Committee meeting.

Copies of the revised Plat, the Owner's Certificate, and the related applications will be available at the meeting. If the County Board approves the Plat at the full Board meeting on October 19, a complete application package will be ready to submit to the City of Urbana.

#### CONFORMANCE WITH URBANA ZONING ORDINANCE

The Nursing Home was originally authorized by the City of Urbana as a Special Use Permit in City of Urbana Ordinance No. 2004-04-045. It is not clear whether the subdivision will have any effect on that Special Use Permit. County staff hopes to hear from Urbana in the next few days whether the existing Special Use Permit will be affected by the subdivision and an update should be available at the Committee meeting.

#### ANTICIPATED TIMELINE

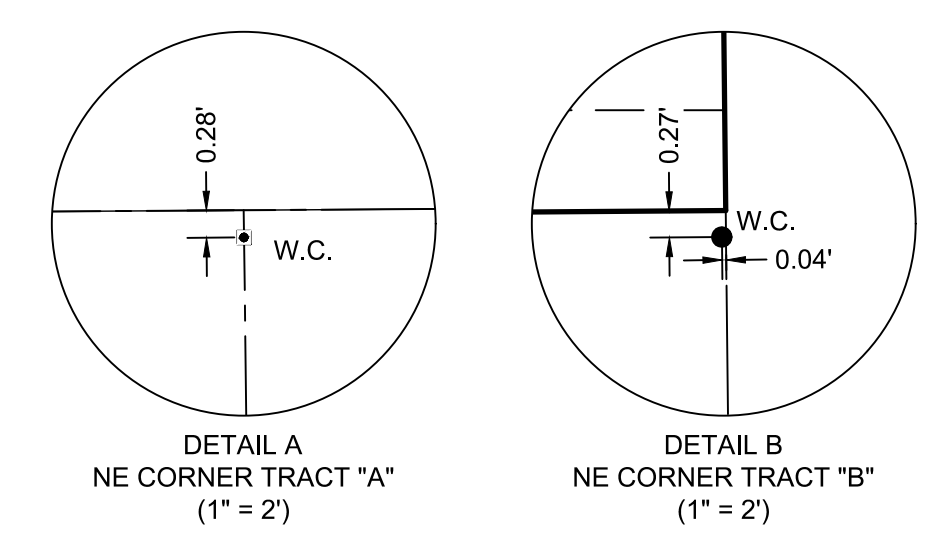
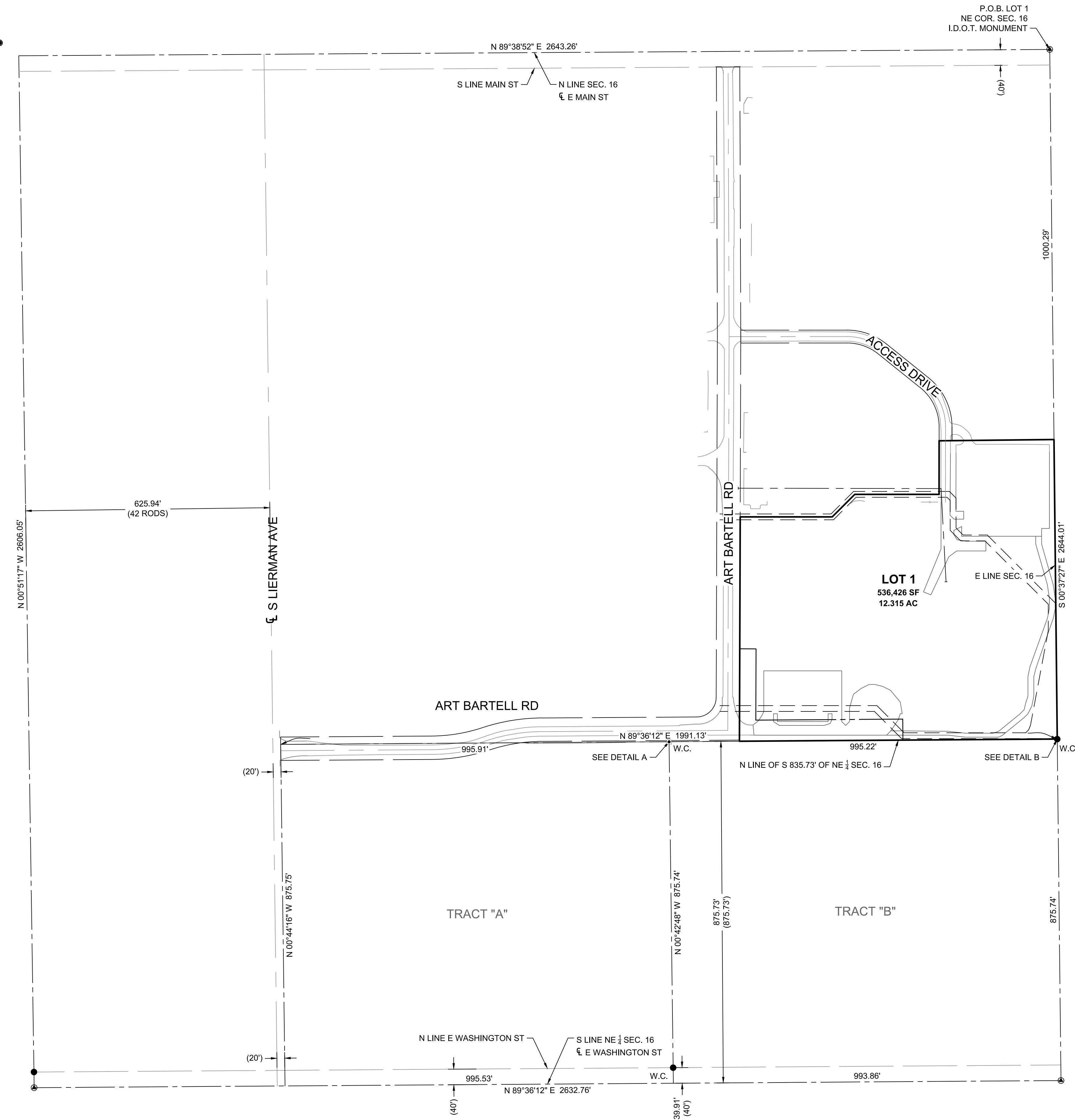
If the County Board authorizes the Board Chair's signature on the Plat and Variance documents at the October 19 County Board meeting the following timeline is the quickest possible timeline based on the published calendars of the Urbana Zoning Board of Appeals and Plan Commission:

- 10/12/17 Preview at Urbana Plan Commission
- 10/19/17 County Board sign-off on all necessary applications
- 11/09/17 Urbana Plan Commission meeting for Minor Subdivision Review
- 11/20/17 Urbana City Council meeting for Minor Subdivision

#### ATTACHMENTS

- A Minor Plat Champaign County Nursing Home Subdivision (received 10/04/17)





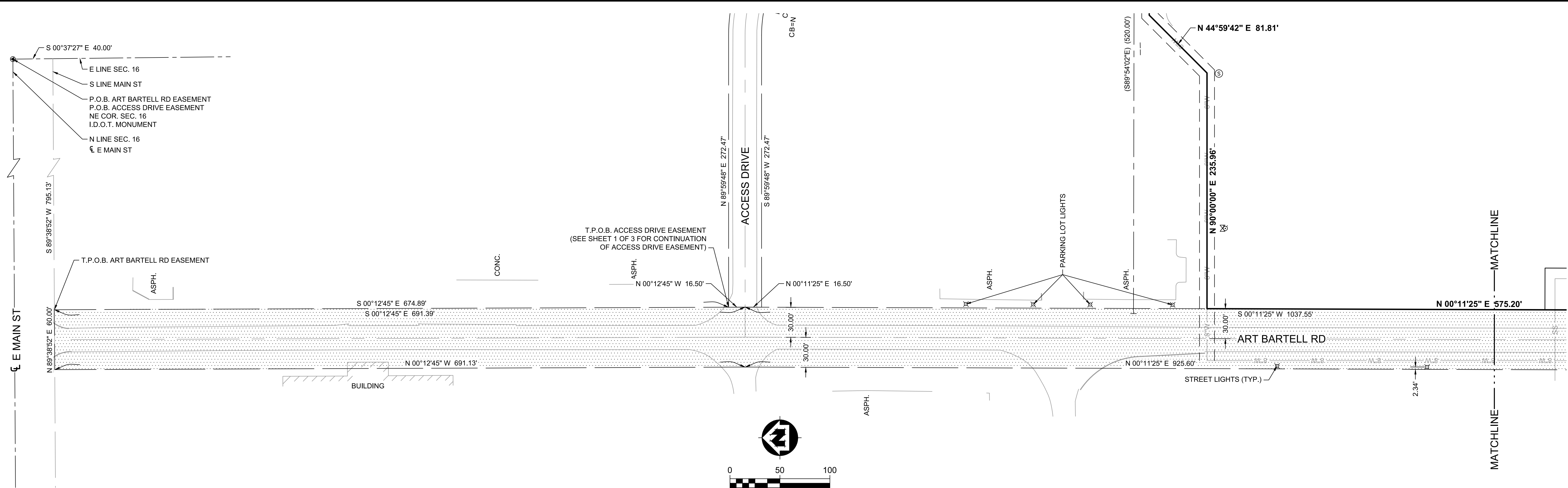
PROJECT NO.:	18933000	SCALE:	AS SHOWN	NO.	DATE	REVISION	BY
PROJECT DATE:	SEP. 2017	DRAWN BY:	CBP	.	.	.	.
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CHAMPAIGN COUNTY NURSING HOME SUBDIVISION  
 CHAMPAIGN COUNTY  
 CITY OF URBANA, ILLINOIS

MINOR PLAT - SECTION TIES  
 FILE NO. 18933000  
 SHEET 2 OF 3





**LEGAL DESCRIPTION FOR ART BARTELL ROAD INGRESS/EGRESS, DRAINAGE, AND PUBLIC UTILITIES EASEMENT**

Part of the Northeast Quarter of Section 16, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, described as follows:

Beginning at the northeast corner of Section 16, a point on the centerline of East Main Street, proceed South 00°37'27" East 40.00 feet along the east line of said Section 16 to the south line of the East Main Street right-of-way, thence South 89°38'52" West 795.13 feet along the said south line of the East Main Street right-of-way to the True Point of Beginning, thence South 00°12'45" East 691.39 feet, thence South 00°11'25" West 1037.55 feet collinear with the proposed west line of Lot 1 of Champaign County Nursing Home Subdivision to a point 2.91 feet north of the north line of Tract "B" as depicted by a plat of survey by Charles S. Danner dated November 3, 1966, thence South 89°37'59" West 506.58 feet, thence 136.03 feet along a curve to the left concave to the southeast with a radius of 435.00 feet and a chord bearing of South 80°40'29" West, thence 151.64 feet along a curve to the right concave to the northwest with a radius of 485.00 feet and a chord bearing of South 80°40'24" West, thence South 89°37'48" West 386.48 feet to the east line of South Lierman Avenue, thence North 00°44'16" West 60.00 feet along the said east line of South Lierman Avenue, thence North 89°37'48" East 386.86 feet, thence 132.88 along a curve to the left concave to the northwest with a radius of 425.00 feet and a chord bearing of North 80°40'24" East, thence 154.79 feet along a curve to the right concave to the southeast with a radius of 495.00 feet and a chord bearing of North 80°40'29" East, thence North 89°37'59" East 397.65 feet, thence 78.05 feet along a curve to the left concave to the northwest with a radius of 50.00 feet and a chord bearing of North 44°54'42" East, thence North 00°11'25" East 925.60 feet, thence North 00°12'45" West 691.13 feet to the said south line of the East Main Street right-of-way, thence North 89°38'52" East 60.00 feet along the said south line of the East Main Street right-of-way to the True Point of Beginning

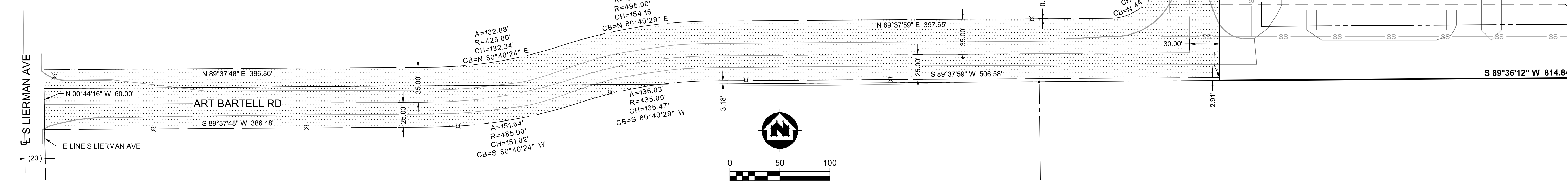
Said tract containing 3.934 acres, more or less.

**LEGAL DESCRIPTION FOR ACCESS DRIVE EASEMENT**

Part of the Northeast Quarter of Section 16, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, described as follows:

Beginning at the northeast corner of Section 16, a point on the centerline of East Main Street, proceed South 00°37'27" East 40.00 feet along the east line of said Section 16 to the south line of the East Main Street right-of-way, thence South 89°38'52" West 795.13 feet along the said south line of the East Main Street right-of-way to the proposed east line of the Art Bartell Road easement, thence South 00°12'45" East 674.89 feet along said proposed east line of the Art Bartell Road easement to the True Point of Beginning, thence North 89°59'48" East 272.47 feet, thence 109.33 feet along a curve to the right concave to the southwest with a radius of 161.50 feet and a chord bearing of South 70°36'34" East, thence South 51°12'56" East 138.04 feet, thence 144.52 feet along a curve to the right concave to the southwest with a radius of 161.50 feet and a chord bearing of South 25°34'49" East, thence South 00°03'18" West 35.21 feet to the proposed north line of Lot 1 of Champaign County Nursing Home Subdivision, thence South 89°22'33" West 33.00 feet along the said proposed north line of Lot 1 of Champaign County Nursing Home Subdivision to a proposed northwest corner of Lot 1 of Champaign County Nursing Home Subdivision, thence North 00°03'18" East 35.60 feet, thence 114.99 feet along a curve to the left concave to the southwest with a radius of 128.50 feet and a chord bearing of North 25°34'49" West, thence North 51°12'56" West 138.04 feet, thence 86.99 feet along a curve to the left concave to the southwest with a radius of 128.50 feet and a chord bearing of North 70°36'34" West, thence South 89°59'48" West 272.47 feet to the said proposed east line of the Art Bartell Road easement, thence North 00°11'25" East 16.50 feet along the said proposed east line of the Art Bartell Road easement, thence North 00°12'45" West 16.50 feet along the said proposed east line of the Art Bartell Road easement to the True Point of Beginning

Said tract containing 0.510 acres, more or less.



PROJECT NO.:	SCALE:	AS SHOWN	NO.	DATE	REVISION	BY
18933000	SEP. 2017	DRAWN BY:	CBP	-	-	-
F.B.:	2281-10-15	CHECKED BY:	DEA	-	-	-
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**CHAMPAIGN COUNTY NURSING HOME SUBDIVISION**  
CHAMPAIGN COUNTY  
CITY OF URBANA, ILLINOIS

**MINOR PLAT - ART BARTELL ROAD RIGHT-OF-WAY**

FILE NO.  
**18933000**  
SHEET  
**3 OF 3**