



**LAND SUBDIVISION COMMITTEE MEETING MINUTES**  
**August 8, 2019**

**ATTENDANCE**

<b>Land Subdivision Committee Members</b>	<b>Staff</b>	
Gregg Humphrey, Chairman	Joe Zeibert	Brent Bordenkircher
T.J. Heavisides	Ethan Hendricks	Ed and Kate Harris
Dan Crouse		Gary Warnick
Mike Johnson	<b>Others</b>	Jeff Bell
John Harris	Steve Kuper	Steve Stewart
Ed Canny	Frank Buraski	Matt McLaughlin
Brad Bixby	Bill Coombe	Casey Pratt
Arlin Williams	Charles Adams	
Trustin Harrison	Fred Coombe	
Valera Yazell	John Raynolds	
Ken Springs	Hans Distlehorst	

- **CALL TO ORDER**

Gregg Humphrey called the meeting to order at 1:30 PM.

- **MINUTES OF MEETING**

Gregg Humphrey asked if there were any changes or corrections to the July 3, 2019 Land Subdivision Committee meeting minutes. Humphrey said hearing none, the meeting minutes would stand as approved.

- **ACTION ITEMS**

See attached

- **UNFINISHED BUSINESS AND NEW BUSINESS**

There was no unfinished business. There was no new business.

- **PUBLIC COMMENT**

There were no public comments.

- **ADJOURNMENT**

T.J. Heavisides made a motion, seconded by Dan Crouse, to adjourn the meeting. The meeting adjourned at 1:54 PM.

**SPRINGFIELD-SANGAMON COUNTY REGIONAL PLANNING COMMISSION  
MINUTES OF THE SUBDIVISION COMMITTEE MEETING**

**FILE NO.**                    2012-03  
**CENSUS TRACT #**        36.04

**NAME OF SUBDIVISION:**    Stone Creek Subdivision Revised Preliminary Plan

**JURISDICTION:**            City of Springfield

**DATE OF MEETING:**       August 8, 2019

**OWNER:**                    Frank Buraski – Stone Creek Developers, LLC

**ENGINEER:**                Mark Vasconcelles – Vasconcelles Engineering Corp.

**DESCRIPTION:**            Pt. of the SE 1/4 of the SE 1/4 of Sec. 2, T15N, R6W – Located on  
the East side of Meadowbrook Road and North of Iles Avenue

19.75    **Acres**    67    **Lots**

**MOTION TO RECOMMEND:** Approve, Subject To

**BY:**                            T.J. Heavisides

**2<sup>ND</sup> BY:**                    Val Yazell

**VOTE:**                        Unanimous

Steve Kuper, Vasconcelles Engineering Corp., presented the revised preliminary plan. He said Stone Creek would like to finalize their subdivision with the third phase of development. He said they originally had a cul-de-sac at the end of Cornerstone Circle and another cul-de-sac at the east side of the property to divide the single family and duplex homes. He said they would now like to connect the two cul-de-sacs and extend the single family residences.

Joe Zeibert, Regional Planning Commission, asked if the drainage swales were located within the drainage easements at the rear of the lots. Kuper said they are 10' drainage easements and the swales would be located within those easements. Zeibert said the electric lines shall be identified throughout the site. He said the width of the drainage and utility easements shall be identified on the plat.

Dan Crouse, Office of Public Works, said amended drainage calculation shall be provided. He said a request was received from IDNR recommending the EcoCAT process

begin at this time, as they have records of State-listed species in this area. He said proof of submittal and approval to proceed from IDNR will be required at the construction plan phase. Kuper said they have contacted IDNR, and a consultation is set up due to the Franklin Ground Squirrel.

T.J. Heavisides, Office of Public Works, said a request was received from a private citizen requesting a sidewalk connection be made from Riverstone Drive to Dubsdread Drive in Cog Hill Subdivision. He said there may be some limited access due to land ownership, but asks the developer to consider the request.

John Harris, Building and Zoning Department, said if the proposed R-2 lots are to be developed as condos to be split at a later date, a 70' lot width would be needed. He said it appears the lots are to be single family residences. Kuper said they are intended to be single family residences.

Ed Canny, Springfield Fire Department, said the fire hydrant shown at Lot 35 exceeds the 500' maximum interval between hydrants. He said the location shall be adjusted to meet the required distance.

T.J. Heavisides made a motion to approve the revised preliminary plan, subject to:

1. Identify the electric lines throughout the site,
2. Identify the width of all utility and drainage easements,
3. Provide amended drainage calculations, and
4. Adjust the spacing of the fire hydrants to meet the required intervals.

Val Yazell seconded the motion, and the vote to approve was unanimous.

**SPRINGFIELD-SANGAMON COUNTY REGIONAL PLANNING COMMISSION  
MINUTES OF THE SUBDIVISION COMMITTEE MEETING**

**FILE NO.**                    2005-10  
**CENSUS TRACT #**        36.03

**NAME OF SUBDIVISION:**    Kreston Place – Plat 7 – Final Plat

**JURISDICTION:**            City of Springfield

**DATE OF MEETING:**      August 8, 2019

**OWNER:**                    Charles Adams, Trustee – Adams Family Lifetime Trust

**ENGINEER:**                Bill Coombe – Fehr Graham Engineering & Environmental

**DESCRIPTION:**            Pt. of the E 1/2 of the NW 1/4 of Sec. 1, T15N, R6W –  
Located on the West side of Koke Mill Road and Greenbriar Drive

9.562    **Acres**    21    **Lots**

**MOTION TO RECOMMEND:** Approve, Subject To

**BY:**                            Gregg Humphrey

**2<sup>ND</sup> BY:**                    T.J. Heavisides

**VOTE:**                        Unanimous

Bill Coombe, Fehr Graham, presented the final plat. He opened the floor to comments.

Joe Zeibert, Regional Planning Commission, said the surveyor’s certificate shall be updated on the plat as the license is expired. He said a note shall be added that states “All lots shall participate in the Homeowner’s Association for maintenance and upkeep of the open space and detention areas. See Covenants.” He said a note shall be added that states “Lots 714 and 715 shall only have access to Greenbriar Drive via the frontage drive.” He said all symbols used shall be identified in the key. He said the use of Lot 1006 shall be identified. He said there is a 13’ callout in Lot 1006 below Lot 710. He asked if that is needed. He said all certificates shall be provided. He said the date of fieldwork completion shall be provided. He said the notary public date shall be corrected. He asked if the signoff for the City Engineer should be left blank. T.J. Heavisides, Office of Public Works, said Nate Bottom will still be signing off on plats.

Dan Crouse, Office of Public Works, said the date of completion shall be provided. He said a legend for all symbols shall be provided on the plat. He said a note shall be added referring to the covenants if the setbacks differ from those of the appropriate zoning district.

T.J. Heavisides, Office of Public Works, said the surveyor's license expiration date shall be updated. He said the notary public date says 2018, and shall be corrected. He said the plat shall be signed and sealed. He said the phone number for Fehr Graham shall be updated.

Brad Bixby, CWLP-Electric, said they have talked with the engineer about adding a 10' easement between Lots 714 and 715. He said this easement shall be shown on the plat.

T.J. Heavisides asked about the note regarding frontage drives. Zeibert said this is to clarify that the listed lots do not have direct access to Greenbriar Drive. Coombe said they do have a variance to allow access onto Greenbriar Drive. Zeibert said the frontage drives are public. Heavisides said it clarifies how those lots will access Greenbriar Drive because there is a note that says 'No lots shall have direct access to Greenbriar Drive.'

Gregg Humphrey made a motion to approve the final plat, subject to:

1. Update the surveyor's license expiration date,
2. Add a note that states "All lots shall participate in the Homeowner's Association for maintenance and upkeep of the open space and detention areas. See Covenants."
3. Add a note that states "Lots 714 and 715 shall only have access to Greenbriar Drive via the frontage drive."
4. Key in all symbols being used
5. Identify the use of Lot 1006
6. Provide all certificates
7. Add the date of the fieldwork completion
8. Fix notary public date
9. Sign and Seal,
10. Correct the engineering firm's phone number on the plat,
11. Provide a 10' utility easement between Lots 714 and 715, and
12. Resolve the issue of the 13' callout in Lot 1006

T.J. Heavisides seconded the motion, and the vote to approve was unanimous.

**SPRINGFIELD-SANGAMON COUNTY REGIONAL PLANNING COMMISSION  
MINUTES OF THE SUBDIVISION COMMITTEE MEETING**

**FILE NO.**                    1994-17  
**CENSUS TRACT #**        36.04

**NAME OF SUBDIVISION:** Mill Creek Estates – Phase 2 – Plat 8 – Final Plat  
**JURISDICTION:** City of Springfield  
**DATE OF MEETING:** August 8, 2019  
  
**OWNER:** Mill Creek Estates, LLC  
**ENGINEER:** Bill Coombe – Fehr Graham Engineering & Environmental  
**DESCRIPTION:** Pt. of the NW 1/4 of the SW 1/4 of Sec. 1, T15N, R6W – Located on the North side of Greenbriar Road, East of West Road Drive and West of Strawberry Lane  
  
4.88    **Acres**    12    **Lots**

**MOTION TO RECOMMEND:** Approve, Subject To:  
**BY:** Ken Springs  
**2<sup>ND</sup> BY:** Dan Crouse  
**VOTE:** Unanimous

Fred Coombe, Fehr Graham, presented the final plat. He opened the floor for comments.

Joe Zeibert, Regional Planning Commission, said the date on the certificates shall be corrected. He said the notary public date shall be corrected. He said the surveyor’s license date shall be corrected as it is expired. He said a note shall be added that states “Lots 809, 810, and 811 shall only have access to Greenbriar Road via the frontage drive.” He said a note shall be added that states “All lots shall participate in the Homeowner’s Association for maintenance and upkeep of the open space and detention areas. See Covenants.” He said the use of Lot 1010 shall be identified. He asked what the 35’ callout in the SE corner of Lot 808 is. Bill Coombe, Fehr Graham, said it is a bend in the easement. Zeibert said the street name shall be added for the north-south road. Fred Coombe said the street name is Wilderness Trail.

Dan Crouse, Office of Public Works, said the plat shall be signed and sealed.

Brad Bixby, CWLP-Electric, said the 10' easement on the east side of Lot 805 shall be extended to the cul-de-sac.

Ken Springs made a motion to approve the final plat, subject to:

1. Correct date on certificates,
2. Correct notary public date,
3. Correct surveyor's license date,
4. Provide all certificates,
5. Add a note that states "Lots 809, 810, and 811 shall only have access to Greenbriar Road via the frontage drive."
6. Add a note that states "All lots shall participate in the Homeowner's Association for maintenance and upkeep of the open space and detention areas. See Covenants."
7. Identify the use of Lot 1010,
8. Add the street name to the N-S road,
9. Sign and Seal, and
10. Extend a 10' easement on the east side of Lot 805 to the cul-de-sac.

Dan Crouse seconded the motion, and the vote to approve was unanimous.

**SPRINGFIELD-SANGAMON COUNTY REGIONAL PLANNING COMMISSION  
MINUTES OF THE SUBDIVISION COMMITTEE MEETING**

**FILE NO.**            2019-01  
**CENSUS TRACT #**    36.01

**NAME OF SUBDIVISION:** Powell County Minor Subdivision – Final Plat

**JURISDICTION:** Sangamon County

**DATE OF MEETING:** August 8, 2019

**OWNER:** John and Doris Powell C/O Dave Powell

**ENGINEER:** John Raynolds – Raynolds, Higginbotham & Associates

**DESCRIPTION:** Pt. of the SW1/4 of the NE1/4 of Sec. 34, T17N, R6W – Located on the West side of Stagecoach Road

10.18    **Acres**    2    **Lots**

**MOTION TO RECOMMEND:** Approve, Subject To

**BY:** Trustin Harrison

**2<sup>ND</sup> BY:** Ken Springs

**VOTE:** 10-1 to Approve

John Raynolds, Raynolds, Higginbotham, and Associates, presented the final plat. He said they would like to divide the homestead off from the farm ground.

Joe Zeibert, Regional Planning Commission, said the specific setback distance callout in the notes shall be removed. He said there are typos in the SSCRPC approval block (“Regional” and “By”). He said these shall be corrected. He said note 1 shall be corrected as it does not match the scale at the bottom of the plat. He said all utilities shall be shown, specifically the electric to the site, and the existing well. He asked if the Right-of-Way conveyance shall be handled on the plat or with a certificate. Casey Pratt, Sangamon County Highway Department, said it is usually handled with a note on the plat. Zeibert said the Right-of-Way conveyance shall be notarized by the owner. He said the septic fields shall be at least 5’ off the property lines. He said all certificates shall be provided.

Gregg Humphrey, Sangamon County Water Reclamation District, said the District objects to development without all utilities in place.

Trustin Harrison made a motion to approve the final plat, subject to:

1. Remove the specific setback distance callout in the notes,
2. Correct the typos of "Regional" and "By" in the SSCRPC approval block,
3. Correct note 1,
4. Show all utilities (electric, well),
5. Verify the septic is 5' off the property lines,
6. Provide all certificates, and
7. Resolution of Right-of-Way conveyance.

Ken Springs seconded the motion, and the motion to approve carried with a 10-1 vote.

**SPRINGFIELD-SANGAMON COUNTY REGIONAL PLANNING COMMISSION  
MINUTES OF THE SUBDIVISION COMMITTEE MEETING**

**FILE NO.**                    1994-09  
**CENSUS TRACT #**        36.03

**NAME OF SUBDIVISION:** Panther Creek West – Plat 1 – Partial Plat of Vacation  
**JURISDICTION:** City of Springfield  
**DATE OF MEETING:** August 8, 2019  
**OWNER:** Brent Bordenkircher  
**ENGINEER:** Hans Distlehorst – Kuhn & Trello Consulting Engineers  
**DESCRIPTION:** Pt. of Lot 5 of Panther Creek West 1st Addition – Located on the East side of Foxhall Lane between Panther Creek Drive and Deer Run Drive  
0.4    **Acres**    1    **Lots**

**MOTION TO RECOMMEND:** Approve, Subject To  
**BY:** T.J. Heavisides  
**2<sup>ND</sup> BY:** Brad Bixby  
**VOTE:** Unanimous

Hans Distlehorst, Kuhn & Trello, presented the partial plat of vacation. He said there is a structure that was built within the existing platted easement. He said they are looking to vacate the portion of the easement that the structure is within.

Joe Zeibert, Regional Planning Commission, asked if a building permit was obtained for the structure. Brent Bordenkircher, homeowner, said the building permit was rejected when it was discovered the structure was in the easement. T.J. Heavisides, Office of Public Works, asked if the permit was pending or rejected. Bordenkircher said the permit was rejected because of the easement. Heavisides said construction began without a permit, and then applied for a permit, which was then rejected because of the easement. Zeibert said the entire lot shall be shown identifying the easement to be vacated. He said the acceptance certificate shall be changed to say “The partial plat of vacation...”. He said the text underneath the title shall be corrected to say Panther Creek West Plat 1. It currently says Panther Creek Plat 1. He said the acceptance certificate shall also be corrected to reflect the Springfield-Sangamon

County Regional Planning Commission. He said a caret is currently being used in place of a degree symbol. He asked if this was intentional. Distlehorst said that can be edited. Zeibert said the linetype for the edge of concrete shall be changed as it matched the linetype of the easement. He said the area to be vacated shall be shaded.

Dan Crouse, Office of Public Works, said the owner should be advised that by building within a designated drainage easement, the structure is vulnerable to storm water flows adjacent to the structure in which, during certain rain events, storm water may inundate the structure.

T.J. Heavisides, Office of Public Works, asked if the area requested to be vacated is based on the overhang of the roof. Distlehorst said the area to be vacated is within inches of the overhang of the roof. He said drainage easements within subdivision are to be maintained for private use, and to give rights to adjacent properties to provide adequate drainage. Without the easement in place in the rear yards or without the properties being adequately maintained, certain properties will not have a means to drain their rear yard property. He said in reviewing the construction plans for Panther Creek West Plat 1, Lots 2, 3, and 4 are upstream of Lot 5, and as constructed with the original subdivision, their rear yards drain north through Lot 5 until reaching a drainage structure between Lots 7 and 9. He said since the easement is in place for Lot 5 to accept the drainage from these lots, and to ensure that the area is maintained with a minimum area to accept unobstructed flow, in order to proceed with this partial plat of vacation, approval will be required from each of the upstream parcels, and also from the subdivision association in order to proceed. He said sign-off shall also be provided from all utility companies.

Brad Bixby, CWLP-Electric, said CWLP has electric lines on the Panther Creek side of the lot line. He said they do not have any issue with vacating a portion of the easement.

Brent Bordenkircher, homeowner, said there is a common sump that runs through his yard. He said he has agreed to maintain that sump. He said if anything makes that sump unusable, they would relocate it. He said he has signature from the neighbors to the south regarding the sump. T.J. Heavisides said he can follow-up with the Regional Planning Commission with the signatures.

Ed Harris, 4909 Bears Paw, said he is the neighbor to the immediate east of Brent's property. He said Bordenkircher had told him about his intentions to build an enclosure for his

hot tub and grill. He said at the time, he told him of his need to cut and block a drainage tile that ran through his back yard, which also provides drainage for sump pumps of other residences to the south of his property. He said after considering the potential negative drainage consequences, he discussed this further and Bordenkircher agreed to leave the line undisturbed, or re-route it around his project if necessary. He said he believes he was able to complete the foundation without moving or disturbing the line, but the plat of the structure clearly shows it lies within the drainage easement. He said in hindsight, he should have asked for more details about the structure. He said he was under the impression it would have a flat, pergola style roof. He said he soon realized it was considerably taller than what he anticipated. He said his concerns are that the height, size, and location of the structure may violate the spirit, if not the letter, of the local homeowner association covenants. He said he is not enthusiastic about the project, but Bordenkircher was agreeable and supportive of a taller privacy fence that was installed on his property, with the prior approval of the Panther Creek Homeowners Association. He said Bordenkircher has agreed to plant several tall, columnar type arborvitaes or similar evergreens on the east side of his structure to soften the view, and he appreciate his willingness to do so.

Jeff Bell, 4908 Foxhall Lane, said he lives just to the north of Bordenkircher. He said he was not notified by Bordenkircher before the structure was built. He said some of his points may not be in the purview of this committee, but he feels he needs to say them because he believes every point in the process of the construction of this structure was intentionally bypassed. He said it did not go through the Homeowner's Association. He said plans were not submitted to the Architectural Committee. He said it's a very large structure that is oversized for the small lots. He said it can be seen from the street. He said he is not happy about the structure. He said it bypassed the processes, and now plans are drawn up and are ready to be signed off on. He said he just learned today that the permit was rejected and the structure was built anyway.

Gary Warnick, President of the Panther Creek West Homeowner's Association, said Bordenkircher did contact him as the president of the Homeowner's Association and as a member of the Architectural Control Committee prior to building the structure. He said the covenants do not govern a pergola. He said the bylaws state you cannot build a detached garage or shed. He said once construction began, there was some controversy within the neighborhood. He said he and two other board members met with Bordenkircher to make recommendations to make modifications with the structure. He said since construction had

already began, they allowed construction to continue due to previous legal history with trying to stop construction.

T.J. Heavisides said a sign-off will be needed from the Homeowner's Association. He said since the intention of the vacation is to approve a building permit, he said they must make sure all building setbacks, zoning regulations and every aspect of the building permit can be approved prior to proceeding with the vacation.

T.J. Heavisides made a motion to approve the partial plat of vacation, subject to:

1. Show the entire lot,
2. In the acceptance certificate, change the beginning to say "The partial plat of vacation..."
3. Correct description underneath the title to say Panther Creek West Plat 1,
4. In the acceptance certificate, it should say "Springfield-Sangamon County Regional Planning Commission"
5. Change the linetype used for the edge of concrete,
6. Provide sign-off from the Homeowner's Association, the utility companies, and all affected lots,
7. Shade the area to be vacated, and
8. Verification that all zoning regulations, building setbacks, and every aspect of the building permit can be approved.

Brad Bixby seconded the motion, and the vote to approve was unanimous.