

Resolution No. 2004-002

A RESOLUTION PERTAINING TO DRAINAGE ISSUES RAISED BY THE PROPOSED WAL-MART SUPERCENTER AT WABASH AVENUE AND MEADOWBROOK ROAD IN SPRINGFIELD, ILLINOIS

WHEREAS, Wal-Mart Stores is attempting to develop a Supercenter in the 32 acre site bounded by Wabash Avenue, Meadowbrook Road, Westgate Drive and Archer Elevator Road in Springfield, Illinois;

WHEREAS, the proposed development will consist of approximately 32 acres of concrete, asphalt and roofs which will generate huge quantities of runoff (over 5 acre-feet in a two-inch rain) which will flow to the east and the north;

WHEREAS, Wal-Mart has not provided a drainage study with respect to this proposed Supercenter, and has provided no information about the likely effects of the runoff from this development on downstream detention and retention ponds and other drainage works, including the detention and retention ponds and drainage works in Cobblestone Estates Subdivision;

WHEREAS, the detention and retention ponds and other drainage works in Cobblestone Estates Subdivision are owned or operated, or both, by the Cobblestone Estates Homeowners Association at the cost of the residents in the subdivision;

WHEREAS, the runoff threatens further to overcharge the detention and retention ponds and other drainage works, which are already operating at capacity, and Wal-Mart's failure to consult with the Cobblestone Estates Homeowners Association regarding its plans is inexplicable;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE COBBLESTONE ESTATES HOMEOWNERS ASSOCIATION, AS FOLLOWS:

1. Cobblestone Estates Homeowners Association hereby demands, prior to any further action by Wal-Mart Store in furtherance of this proposed development, including any further action with respect to its proposed subdivision variances and zoning changes, that Wal-Mart Stores:

a. fund a comprehensive drainage study by an independent and reputable engineering firm showing all downstream impacts of the proposed Supercenter;

b. provide a copy of the drainage study to Cobblestone Estates Homeowners Association and the boards of all other homeowner associations located of subdivisions downstream from the Wal-mart Supercenter; and

c. make its engineers accessible to the Cobblestone Estates Homeowners Association and all other homeowner associations of subdivisions located downstream from the Wal-Mart Supercenter to answer questions regarding the drainage study.

2. Cobblestone Estates Homeowners Association hereby places Wal-Mart Stores and the City of Springfield on notice that it will do whatever is required to protect its drainage works from overcharging by runoff caused by the proposed Wal-Mart Supercenter.

PASSED THIS 24th DAY OF MAY, 2004.

COBBLESTONE ESTATES
HOMEOWNERS ASSOCIATION

BY: 

President

ATTEST: 

Secretary

5/24-04

Date

(SEAL)

A RESOLUTION OF THE BOARD OF DIRECTORS OF COBBLESTONE ESTATES HOMEOWNERS ASSOCIATION PERTAINING TO THE PROPOSED WAL-MART SUPERCENTER TO BE LOCATED ALONG WABASH AVENUE IN SPRINGFIELD, ILLINOIS

WHEREAS, Wal-Mart Stores is attempting to develop a Supercenter in the 32 acre site bounded by Wabash Avenue, Meadowbrook Road, Westgate Drive and Archer Elevator Road in Springfield, Illinois;

WHEREAS, the proposed development will disrupt traffic patterns in Cobblestone Estates Subdivision, forcing up to 15,000 cars each day to use Meadowbrook Road and Archer Elevator Road to enter and leave the Supercenter; many of those cars will use Meadowbrook Road and Archer Elevator Road as thoroughfares north as far as Old Jacksonville Road, right through or adjacent to Cobblestone Estates Subdivision;

WHEREAS, Meadowbrook Road and Archer Elevator Road were never intended as thoroughfares for the level of traffic which will be generated by the Wal-Mart Supercenter;

WHEREAS, such a dramatic increase in traffic and its attendant problems threatens the quality of life in Cobblestone Estates Subdivision;

WHEREAS, the proposed Supercenter has other substantial off-site impacts, including noise and stormwater, which further threaten the quality of life in Cobblestone Estates Subdivision;

WHEREAS, Wal-Mart cannot place the Supercenter in the desired location without affirmative acts by the City Council of the City of Springfield, namely, the approval of variances of the Subdivision Ordinance which specifically prohibit access to the Supercenter Site directly from Meadowbrook and Archer Elevator Roads, and changes to the zoning classification of the north 175 feet of the site;

WHEREAS, unlike the zoning ordinances of scores of municipalities throughout the country, the Zoning Ordinance of the City of Springfield was not drafted with the special problems of large retailers adjacent to residential areas in mind;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF COBBLESTONE ESTATES HOMEOWNERS ASSOCIATION, AS FOLLOWS:

1. Cobblestone Estates Homeowners Association is opposed to any affirmative acts by the City Council of the City of Springfield which would enable or assist the development of a Wal-Mart Supercenter, or any other large retail store, at the site bounded by Wabash Avenue, Meadowbrook Road, Westgate Drive and Archer Elevator Road.
2. Cobblestone Estates Homeowners Association requests that the City Council deny any application for variances of the Subdivision Ordinance or reclassification of the property under the Zoning Ordinance which might be requested by Wal-Mart in connection with the proposed development of the site.
3. Cobblestone Estates Homeowners Association urges the City Council of the City of Springfield to adopt amendments to the Zoning Ordinance designed specifically to deal with the special problems caused by large retail developments adjacent to residential areas.

PASSED THIS 24th DAY OF May, 2004.

COBBLESTONE ESTATES HOMEOWNERS ASSOCIATION

BY: [Signature]
President

ATTEST [Signature]
Secretary

5/24/04
Date

(SEAL)