

**SSCRPC**

**Springfield  
Sangamon County Regional  
Planning Commission**

December 14, 2006

TO: Regional Planning Commission Members & Representatives  
Robert Cohen  
Steve Schroll  
Joe Albers  
John Myers  
Roger Kanerva

FROM: Susan L. Poludniak  
Interim Director



RE: Cobblestone Estates – Preliminary Plan and Variance

As you are all aware, the Regional Planning Commission action regarding Cobblestone Estates on September 20, 2006 was believed to be an affirmative vote in favor of accepting the Land Subdivision Committee's recommendation to approve the preliminary plan and variance. The Chairman stated that the motion passed. However, this was incorrect and the motion failed. Because of this situation, the Regional Planning Commission did not follow the proper statutory procedure for disapproval of a preliminary plan as required in Sec. 153.123(B) of the City of Springfield Land Subdivision Ordinance. This section requires: "If the Planning Commission finds that the preliminary plan does not comply with the requirements of this chapter, it shall specify its disapproval in writing and state the non-compliance found."

On December 6, 2006, the Springfield City Council referred the Cobblestone Estates plans back to the Regional Planning Commission because this requirement was not met. Chairman Larry Hamlin and I have discussed the proper action to take at the December 20, 2006 Regional Planning Commission meeting with the Sangamon County States Attorney. The advice to the Regional Planning Commission from the States Attorney is:

- (1) The matter under consideration by the Commission is to correct the administrative error and to provide the information, as it is possible, to satisfy the requirements of Sec 153.123(B).
- (2) The matter will be brought up under "Unfinished Business."

- (3) Susan Poludniak will present a statement that best describes the concerns of commissioners voting "no" and relate those items to relevant portions of the subdivision ordinance.
- (4) The Commission shall vote on that statement or amend it to reflect what were concerns of commissioners voting "no" at the September 20, meeting.
- (5) There is no provision for a "re-vote" on the issue.
- (6) There will be no discussion by the Commission or members of the public of the issues pertaining to the preliminary plan and variance since that is not the issue under consideration.

Please feel free to call me if you have any questions.

SLP/mjn

cc: Tim Sheehan  
Jennifer Johnson