

## **CASE NO. 805-AM-15, 806-S-15, 807-V-15**

**SUPPLEMENTAL MEMORANDUM #1**

**OCTOBER 15, 2015**

**Petitioners:** Michael Wishall, 547 CR 900 E, Tolono, IL, Jason Wishall, 482 CR 900 East, Tolono, IL, and Brian Wishall, 3514 Village Drive, Anderson, IN, d.b.a. Wishall Transport, Wishall Farms & Transportation, Inc., and Wishall Farms, Inc.

### **Case 805-AM-15**

**Request:** Amend the Zoning Map to change the zoning district designation from the AG-1 Agriculture Zoning District to the AG-2 Agriculture Zoning District in order to authorize the use of an existing unauthorized Truck Terminal as a proposed Special Use in related Zoning Case 806-S-15 and subject to the requested variance in related Zoning Case 807-V-15.

### **Case 806-S-15**

**Request:** Part A: Authorize the use of an existing unauthorized Truck Terminal as a Special Use on land that is proposed to be rezoned to the AG-2 Agriculture Zoning District from the current AG-1 Agriculture Zoning District in related zoning Case 805-AM-15 and subject to the requested variance in related zoning case 807-V-15, on the subject property below.

Part B: Authorize the following waiver to the standard conditions of the "Truck Terminal" special use as per Section 6.1.3 of the Zoning Ordinance: A separation distance of 30 feet in lieu of the required 200 feet between any Truck Terminal and any adjacent residential district or residential use.

### **Case 807-V-15**

**Request:** Authorize the following variance on land proposed to be rezoned to the AG-2 Agriculture Zoning District in related Case 805-AM-15 in order to authorize the use of an existing unauthorized Truck Terminal as a proposed Special Use in related Zoning Case 806-S-15:

Part A. A variance from Section 5.3 of the Zoning Ordinance for a lot size of 5.68 acres in lieu of the maximum area of 3 acres for lots with soils that are best prime farmland.

Part B. A variance from the Champaign County Stormwater Management and Erosion Control Ordinance which requires a Stormwater Drainage Plan and review for lots of 2 to 6.25 acres that have greater than one acre of impervious surface area.

**Location:** A tract in Pesotum Township in the Northwest Quarter of the Northwest Quarter of Section 10 of Township 17 N, Range 8 E of the Third Principal Meridian and commonly known as Wishall Transport, Wishall Farms & Transportation, Inc., and Wishall Farms, Inc. located at 482 and 486 CR 900 East, Tolono.

**Site Area:** A 5 acre parcel plus approximately 0.68 acres of the adjacent parcel

**Time Schedule for Development:** Already in use

**Prepared by:** **Susan Chavarria**, Senior Planner

**John Hall**, Zoning Administrator

## **STATUS**

On October 15, 2015, the Zoning Department received the Natural Resources Report prepared by the Champaign County Soil and Water Conservation District as well as two emails from neighbors.

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## **NATURAL RESOURCES REPORT**

The Natural Resources Report identifies a general concern for susceptibility to erosion both during and after construction for the subject property. While the Petitioners do not intend to construct additional buildings, they have most recently constructed the Farm Storage Building just east of the 5 acre subject property on land that also belongs to the Petitioners. They also constructed what is currently the Tool Shop that was originally for agricultural use. No Stormwater Management Plan has been completed that takes these two buildings into account.

The report also recommends a complete erosion and sedimentation control plan be developed and implemented prior to and during major construction activity.

## **NEIGHBOR COMMENTS**

Neighbors at 481 and 483 CR 900 East, directly west of the subject property, submitted comments via email on October 15, 2015. They both state that they have no problem with the Wishall Trucking business being operated out of its current location, but they do have concerns about safety and maintenance of CR 900 East due to the heavy truck traffic from the Wishall business.

It should be noted that both of these neighbors signed the petition distributed by the Wishalls, in which they “indicate that they welcome our company to stay in the current location.”

## **ATTACHMENTS**

- A Attachment L to the Preliminary Memorandum dated October 7, 2015: Natural Resources Report from Champaign County Soil and Water Conservation District, received October 15, 2015
- B Email from James and Marilyn Chancellor, received October 15, 2015
- C Email from Doug Bartlett, Jr. and Lori Bartlett, received October 15, 2015



# Champaign County

Soil and Water Conservation District  
2110 West Park Court Suite C Champaign, IL 61821  
(217) 352-3536 Extension 3 --- www.ccswcd.com

## NATURAL RESOURCE REPORT

**Development Name:** Jason Wishall

**Date Reviewed:** October 14, 2015

**Requested By:** Matthew J. Schweighart, Atty.

**Address:** 411 W. university Ave.  
Champaign, IL 61820

**Location of Property:** part of the NW ¼ of sec.10 in T. 17 N., R.8 E., of the 3<sup>rd</sup>. P.M.



The Resource Conservationist of the Champaign County Soil and Water Conservation District inspected this tract on October 14, 2015.

October 14, 2015

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OCT 15 2015  
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## SITE SPECIFIC CONCERNS

1. The area that is to be developed has 2 soil types (Elburn silt loam 198A, Drummer Silty Clay Loam 152A) that are Severe wetness to severe ponding for dwellings without a basement.

## SOIL RESOURCE

### a) Prime Farmland:

This tract is considered best prime farmland for Champaign County by the LE calculation.

This tract has an L.E. Factor of 100; see the attached worksheet for this calculation.

### b) Soil Characteristics:

There are two (2) soil types on this site; see the attached soil map. The soil present has severe limitations for development in its natural, unimproved state. The possible limitations include severe wetness to severe ponding in shallow excavations. A development plan will have to take the soil characteristics into consideration.

Map Symbol	Name	Shallow				Septic Fields	Steel Corrosior	Concrete Corrosion
		Slope	Excavations	Basements	Roads			
198A	Elburn Silt Loam	0-2%	Severe: wetness	Severe: wetness	Severe: low strength	Severe: wetness	high	moderate
152A	Drummer Silty Clay Loam	0-2%	Severe: ponding	Severe: ponding	Severe: ponding	Severe: ponding	high	moderate

### c) Erosion:

This area will be susceptible to erosion both during and after construction. Extra care should be taken to protect the down slope on the back and sides of the property. Any areas left bare for more than 7 days, should be temporarily seeded or mulched and permanent vegetation established as soon as possible. The area has slope which could allow erosion during construction and heavy rainfall events. The area has ground cover at the time of inspection, erosion control measures must be installed before construction starts.



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## **d) Sedimentation:**

A complete erosion and sedimentation control plan should be developed and implemented on this site prior to and during major construction activity. This plan should also have information for the land owner to continue Sedimentation control after.

Example: When will inlets for storm drains need to be cleaned out or how often? All sediment-laden runoff should be routed through sediment basins before discharge. Silt fences should be used in flow areas with drainage areas that do not exceeding 0.5 acres. Plans should be in conformance with the Illinois Urban Manual for erosion and sedimentation control. The website is: <http://www.aiswcd.org/IUM/>

## **WATER RESOURCE**

### **a) Surface Drainage:**

The site is on flat ground, water now travels off the site in all directions. The west has a good road ditch to help with drainage.

Best Management Practices that minimize the volume of stormwater flowing offsite and attempt to filter it as much of possible should be considered.

Rain Gardens could be incorporated into the development plan. They can be used to increase infiltration of runoff water for minimal cost. A rain garden can also be incorporated into roadway ditches to help control stormwater.

### **b) Subsurface Drainage:**

It is likely that this site contains agricultural tile, if any tile is found care should be taken to maintain the tile in working order.

Severe ponding, along with wetness may be a limitation associated with the soil types on the site. Installing a properly designed subsurface drainage system will minimize adverse effects. Reinforcing foundations helps to prevent the structural damage caused by shrinking and swelling of naturally wet soils.



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## c) Water Quality:

As long as adequate erosion and sedimentation control systems are installed as described above, the quality of water should not be significantly impacted.

*EPA Stormwater Pollution Prevention Plan Reference Tool:*

**EPA requires a plan to control stormwater pollution for all construction sites over 1 acre in size.** *A Guide for Construction Sites* is a reference tool for construction site operators who must prepare a SWPPP in order to obtain NPDES permit coverage for their stormwater discharges. The guide describes the SWPPP development process and provides helpful guidance and tips for developing and implementing an effective plan.

Two model plans, based on hypothetical sites, are now available as a supplement to the guide. The first example plan is for a medium-sized residential subdivision and the second is for a small commercial site. Both examples utilize the SWPPP template that is included in the guide. To view the guide, models and template, visit <http://www.epa.gov/npdes/swpppguide>.

## d) Low impact development:

The EPA's new report, "Reducing Stormwater Costs through Low Impact Development (LID) Strategies and Practices." Provides ideas to improve water quality through unique designs. The report contains 17 case studies from across North America that show using LID practices in construction projects can lower costs while improving environmental results. LID practices are innovative stormwater management practices used to manage urban stormwater runoff at its source. The goal of LID practices is to mimic the way water moves through an area before development occurs, which is achieved using design techniques that infiltrate, evapotranspiration and reuse runoff close to its source. Some common LID practices include rain gardens, grassed swales, cisterns, rain barrels, permeable pavements and green roofs. LID practices increasingly are used by communities across the country to help protect and restore water quality. For a copy of the report, go to [www.epa.gov/owow/nps/lid/costs07](http://www.epa.gov/owow/nps/lid/costs07).



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## CULTURAL, PLANT, AND ANIMAL RESOURCE

### a) Cultural:

The Illinois Historic Preservation Agency may require a Phase 1 Archeological Review to identify any cultural resources that may be on the site.

### b) Illinois Endangered Species Protection Act & Illinois Natural Areas Preservation Act:

State agencies or units of local government must consult the Department about proposed actions that they will authorize, fund or perform. Private parties do not have to consult, but they are liable for prohibited taking of state-listed plants or animals or for adversely modifying a Nature Preserve or a Land and Water Reserve.

Home rule governments may delegate this responsibility, through duly enacted ordinances, to the parties seeking authorization or funding of the action.

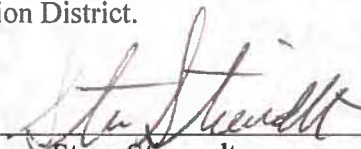
**The Illinois Natural Heritage Database Contains no record of state-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity.**

### c) Plant:

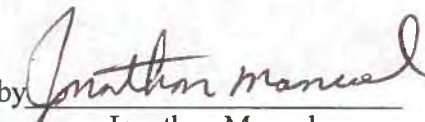
For eventual landscaping of the site, the use of native species is recommended whenever possible. The three soil types will support trees such as Bur Oak, Norway Spruce, Black Oak, and Silky Dogwood. For areas to be restored to a more natural area several groups in the area may be able to help with seed.

If you have further questions, please contact the Champaign County Soil and Water Conservation District.

Signed by

  
Steve Stierwalt  
Board Chairman

Prepared by

  
Jonathon Manuel  
Resource Conservationist

# Jason Wishall, Soils Map

## NW 1/4 Section, Section 10, T.17N R.8E



### Legend

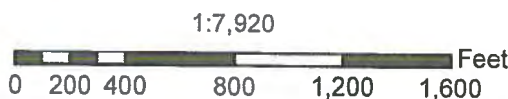
- fe\_2007\_17019\_edges
- Wishall Soils
- Jason Wishall

ortho\_1-1\_1n\_s\_il019\_2012\_1.sid

### RGB

- Red: Band\_1
- Green: Band\_2
- Blue: Band\_3

October 14, 2015





# Jason Wishall, Soils Map

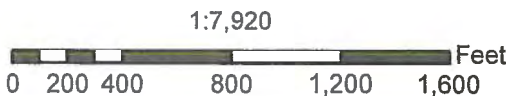
## NW 1/4 Section, Section 10, T.17N R.8E



**Legend**

- fe\_2007\_17019\_edges
- MUSYM**
  - 152A
  - 198A
  - Wishall Soils
  - Jason Wishall
- ortho\_1-1\_1n\_s\_il019\_2012\_1.sid
- RGB**
  - Red: Band\_1
  - Green: Band\_2
  - Blue: Band\_3

October 14, 2015



### LAND EVALUATION WORKSHEET

Soil Type	Soil Name	Ag Group	Relative Value	Acres	Land Evaluation Score
198A	Elburn	1	100	3.21	321.0
152A	Drummer	2	100	2.95	295.0
					0.0
					0.0
					0.0
					0.0
					0.0

acreage for calculation slightly larger than tract acreage due to rounding of soils program

**Total LE Weighted Factor= 616**

**Acreage= 6.16**

**Land Evaluation Factor For Site= 100**

Note: A Soil Classifier could be hired for additional accuracy if desired

Data Source: Champaign County Digital Soil Survey



Jason Wishall

Date: 10/14/2015

District: CHAMPAIGN COUNTY SOIL & WATER CONSERVATION DISTRICT

Approximate Acres: 6

Legal Description: 1/4 Section NW, Section 10, T. 17 N., R. 8 E.

Assisted By: JONATHON MANUEL

State and County: IL, Champaign County, Illinois



Legend

- 3\_T17N\_R08E\_SEC09
- 3\_T17N\_R08E\_SEC10
- Jason Wishall
- champsections01v1
- fe\_2007\_17019\_edges





**Applicant:** Champaign County Soil & Water Conservation District    **IDNR Project Number:** 1604169  
**Contact:** Jonathon Manuel    **Date:** 10/14/2015  
**Address:** 2110 West Park Court  
 Suite C  
 Champaign, IL 61821  
  
**Project:** Jason Wise  
**Address:** 2110 West Park Court, Suite C, Champaign

**Description:** Truck depot

### Natural Resource Review Results

*This project was submitted for information only. It is not a consultation under Part 1075.*

The Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location.

#### Location

The applicant is responsible for the accuracy of the location submitted for the project.

**County:** Champaign

**Township, Range, Section:**

17N, 8E, 9

17N, 8E, 10



#### **IL Department of Natural Resources**

##### **Contact**

Impact Assessment Section

217-785-5500

Division of Ecosystems & Environment

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#### **Disclaimer**

The Illinois Natural Heritage Database cannot provide a conclusive statement on the presence, absence, or condition of natural resources in Illinois. This review reflects the information existing in the Database at the time of this inquiry, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, compliance with applicable statutes and regulations is required.

#### **Terms of Use**

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IDNR Project Number: 1604169

1. The IDNR EcoCAT website was developed so that units of local government, state agencies and the public could request information or begin natural resource consultations on-line for the Illinois Endangered Species Protection Act, Illinois Natural Areas Preservation Act, and Illinois Interagency Wetland Policy Act. EcoCAT uses databases, Geographic Information System mapping, and a set of programmed decision rules to determine if proposed actions are in the vicinity of protected natural resources. By indicating your agreement to the Terms of Use for this application, you warrant that you will not use this web site for any other purpose.
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3. IDNR reserves the right to enhance, modify, alter, or suspend the website at any time without notice, or to terminate or restrict access.

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Unauthorized use, tampering with or modification of this system, including supporting hardware or software, may subject the violator to criminal and civil penalties. In the event of unauthorized intrusion, all relevant information regarding possible violation of law may be provided to law enforcement officials.

### **Privacy**

EcoCAT generates a public record subject to disclosure under the Freedom of Information Act. Otherwise, IDNR uses the information submitted to EcoCAT solely for internal tracking purposes.

# Jason Wishall, Soils Map

## NW 1/4 Section, Section 10, T.17N R.8E



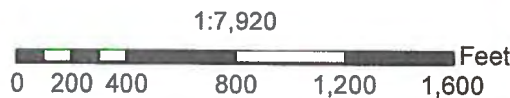
### Legend

- fe\_2007\_17019\_edges
- Jason Wishall
- naip\_1-1\_2c\_s\_il019\_2004\_1.sid

### RGB

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- Green: Band\_2
- Blue: Band\_3

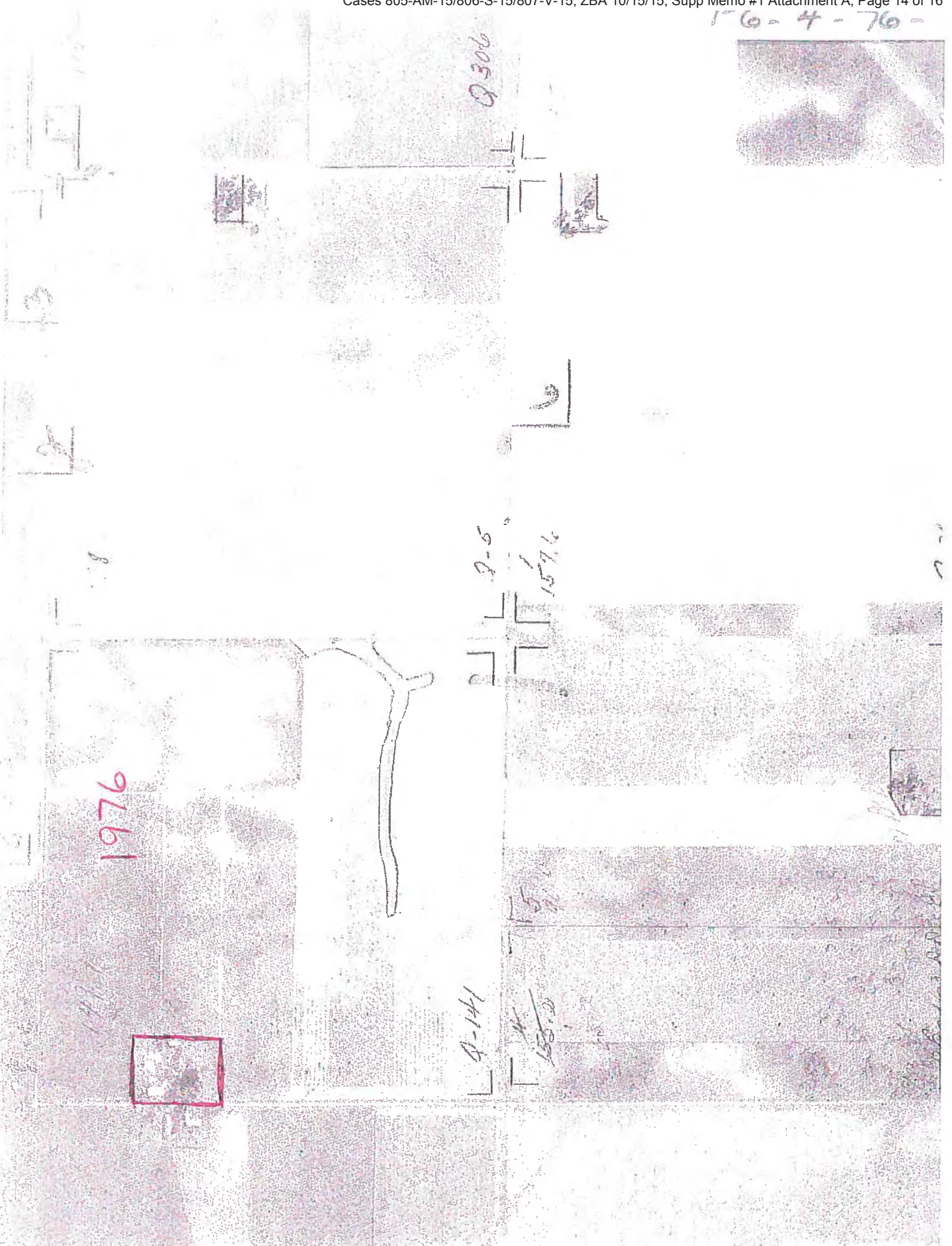
October 14, 2015





16-4-76-

Q306



1976

Q-5

1576

Q-141

155.0







**Connie Berry**

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**From:** Doug Bartlett Jr <dougbartlettjr@gmail.com>  
**Sent:** Thursday, October 15, 2015 9:05 AM  
**To:** Connie Berry  
**Subject:** Cases 805-AM-15, 806-S-15, and 807-V-15

To Whom It May Concern:

My name is Doug Bartlett and I am the home owner at 481 CR 900 E. I am writing in response to the public notice I received regarding cases 805-AM-15, 806-S-15, and 807-V-15. I would like to express that while I have no problem with the Wishall Trucking Business being operated out of it's current location, I and my family have a major problem with both the current condition of CR900E and the continued wear and tear the road continues to endure as a result of the truck traffic on this road. The width of the road as well as it's unevenness causes major safety issues to those that use the road. I would respectfully request that if the business is allowed to continue to operate out of the current location, that strong consideration be given to both current and long term upkeep and maintenance of CR 900E.

Respectfully,

Doug Bartlett, Jr. and Lori Bartlett

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CHAMPAIGN CO. P & Z DEPARTMENT

## Susan Chavarria

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**From:** Connie Berry  
**Sent:** Thursday, October 15, 2015 12:23 PM  
**To:** Susan Chavarria  
**Cc:** John Hall  
**Subject:** FW: Cases 805-AM-15, 806-S-15, 807-V-15

**From:** Marilyn Chancellor [<mailto:chancellormarilyn@gmail.com>]  
**Sent:** Thursday, October 15, 2015 12:08 PM  
**To:** Connie Berry  
**Subject:** Cases 805-AM-15, 806-S-15, 807-V-15

To Whom It May Concern:

My name is James Chancellor and I am the home owner at 483 CR 900 E. I am writing in response to the public notice I received regarding cases 805-AM-15, 806-S-15 and 807-V-15. I would like to express that while I have no problem with the Wishall Trucking Business being operated out of it's current location, I and my family have a major problem with both the current condition of CR 900E and the continued wear and tear the road continues to endure as a result of the truck traffic on this road. The width of the road as well as it's unevenness causes major safety issues to those that use the road. I would respectfully request that if the business is allowed to continue to operate out of the current location, that strong consideration be given to both current and long term upkeep and maintenance of CR 900E.

Respectfully,

James Chancellor and Marilyn Chancellor

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OCT 15 2015

CHAMPAIGN CO. P & Z DEPARTMENT