

CASES 012-S-21 & 017-V-21

PRELIMINARY MEMORANDUM

JULY 6, 2021

Petitioner: **Robert R. Smith II, via agent Steve Frank**

Request:

Case 012-S-21

Authorize a Special Use Permit for multiple principal structures consisting of an existing office, two existing warehouses, an existing multi-tenant building, and a proposed multi-tenant building in the I-1 Light Industry Zoning District, subject to the variance in related Zoning Case 017-V-21.

Case 017-V-21

Authorize the following Variance for the Special Use Permit requested in related Zoning Case 012-S-21:

Authorize two principal structures with 8 feet of open space between them, in lieu of the minimum required 40 feet of open space in the I-1 Light Industry Zoning District, per Section 4.2.1 F.2.d of the Zoning Ordinance.

Location: Two tracts of land comprising 15.2 acres located in the Northeast Corner of the South Half of the Southwest Quarter of Section 29, Township 20 North, Range 8 East of the Third Principal Meridian in Hensley Township, and commonly known as the TSI/Commercial Flooring Warehouse with an address of 3611 North Staley Road, Champaign.

Site Area: 15.2 acres

Time Schedule for Development: As soon as possible

**Prepared by: Susan Burgstrom, Senior Planner
John Hall, Zoning Administrator**

BACKGROUND

The petitioner owns the subject property independent of the corporations that own the onsite business. The building on the north side of the subject property is utilized by three tenants: TSI Floor Covering, Advanced Commercial Roofing, and Paul Tatman. The petitioner owns TSI Floor Covering and Advanced Commercial Roofing.

ZUPA #296-20-01 was approved on November 2, 2020 to allow an accessory warehouse building south of the original west building for the three existing tenants to use as cold storage. After approval of ZUPA #296-20-01, the tenants decided that they would like to use the new building and construct another building to the west of it, both to lease out to other tenants. The east building constructed under ZUPA #296-20-01 is no longer an accessory building if they lease it to other tenants, because it will be leased to businesses that do not have their principal use in the existing building to the north. The same holds true for the proposed multi-tenant building to the west.

The proposed Special Use Permit will allow the petitioners to lease the newest existing building on the south side and the proposed building to the west of it to any by-right uses in the I-1 district rather than being limited to accessory uses that are dependent on the primary building occupant's use. Multiple principal structures are allowed in the I-1 district, but only with a Special Use Permit.

The petitioner built the concrete foundation for the proposed west building, but has postponed construction of the actual building pending approval of the Special Use Permit. The foundation is 8 feet away from the new east building. Once P&Z Staff began working on Case 012-S-21, they noted that a variance is required for open space between the buildings.

A Storm Water Drainage Plan and detention basin were required for the new east building under ZUPA #296-20-01. Stormwater review for that was complete when the petitioner decided to add the proposed west building. New stormwater review is underway based on the revised plan for the property.

The west tract of the 15.2 acres has a private sewage lagoon constructed under ZUPA #333-88-02 approved on November 28, 1988. The lagoon will continue to be used for the entire development.

EXISTING LAND USE AND ZONING

Table 1. Land Use and Zoning Summary

Direction	Land Use	Zoning
Onsite	Warehouses and Office	I-1 Light Industry
North	Agriculture	AG-2 Agriculture
East	Agriculture	AG-2 Agriculture
West	The Andersons	I-1 Light Industry
South	The Andersons	I-1 Light Industry

EXTRATERRITORIAL JURISDICTION

The subject property is located within the one and one-half mile extraterritorial jurisdiction of the City of Champaign, a municipality with zoning. Zoned municipalities do not have protest rights in Special Use Permit cases, but are notified of such cases.

The subject property is located within Hensley Township, which does have a Plan Commission. Townships with Planning Commissions do not have protest rights on a Special Use Permit, but do have protest rights on a variance. Notice was sent to the Hensley Township Plan Commission.

PROPOSED SPECIAL CONDITIONS

- A. **A Change of Use Permit shall be applied for within 30 days of the approval of Case 012-S-21.**

The special condition stated above is required to ensure the following:

The establishment of the proposed uses shall be properly documented as required by the Zoning Ordinance.

- B. **The Zoning Administrator shall not authorize a Zoning Compliance Certificate until the petitioner has demonstrated that any new or proposed exterior lighting on the subject property will comply with the lighting requirements of Section 6.1.2.**

The special condition stated above is required to ensure the following:

That any proposed exterior lighting is in compliance with the Zoning Ordinance.

- C. **The Zoning Administrator shall not authorize a Zoning Use Permit Application or issue a Zoning Compliance Certificate on the subject property until the Petitioner has ensured compliance with the Illinois Accessibility Code.**

The special condition stated above is required to ensure the following:

That all state accessibility requirements have been met.

- D. **No materials shall be stored outdoors in the southwest paved area of the subject property unless the petitioners install a Type D screen on the south and east sides to conceal that area.**

The special condition stated above is required to ensure the following:

That outdoor storage and operations comply with the Zoning Ordinance.

- E. **Any future sale of the subject property may be subject to the Illinois Plat Act (765 ILCS 205/0.01 et seq.) or the Champaign County Subdivision Regulations; or the subdivision regulations of a municipality that has jurisdiction within one and one-half miles of the corporate limits.**

The special condition stated above is required to ensure the following:

That the subject property complies with the Zoning Ordinance.

- F. **The owner shall submit documentation that the Champaign County Health Department has approved either the use of the sewage treatment lagoons by the proposed new building areas or has approved some other means of wastewater treatment and disposal for the proposed new building areas, as part of any Zoning Use Permit Application for the proposed new building area.**

The special condition stated above is required to ensure the following:

To ensure there is proper wastewater treatment and disposal for the proposed expansion in building area to protect public health and safety.

ATTACHMENTS

- A Case Maps (Location, Land Use, Zoning)
- B Site Plan received April 23, 2021
- C Floor Plan received May 20, 2021
- D Natural Resource Information Report created by Champaign County Soil & Water Conservation District received on May 17, 2021
- E Site images taken May 13, 2021
- F Summary of Evidence, Finding of Fact, and Final Determination for Cases 012-S-21 and 017-V-21 dated July 6, 2021

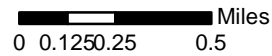
Location Map

Cases 012-S-21 & 017-V-21
July 15, 2021

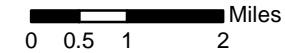
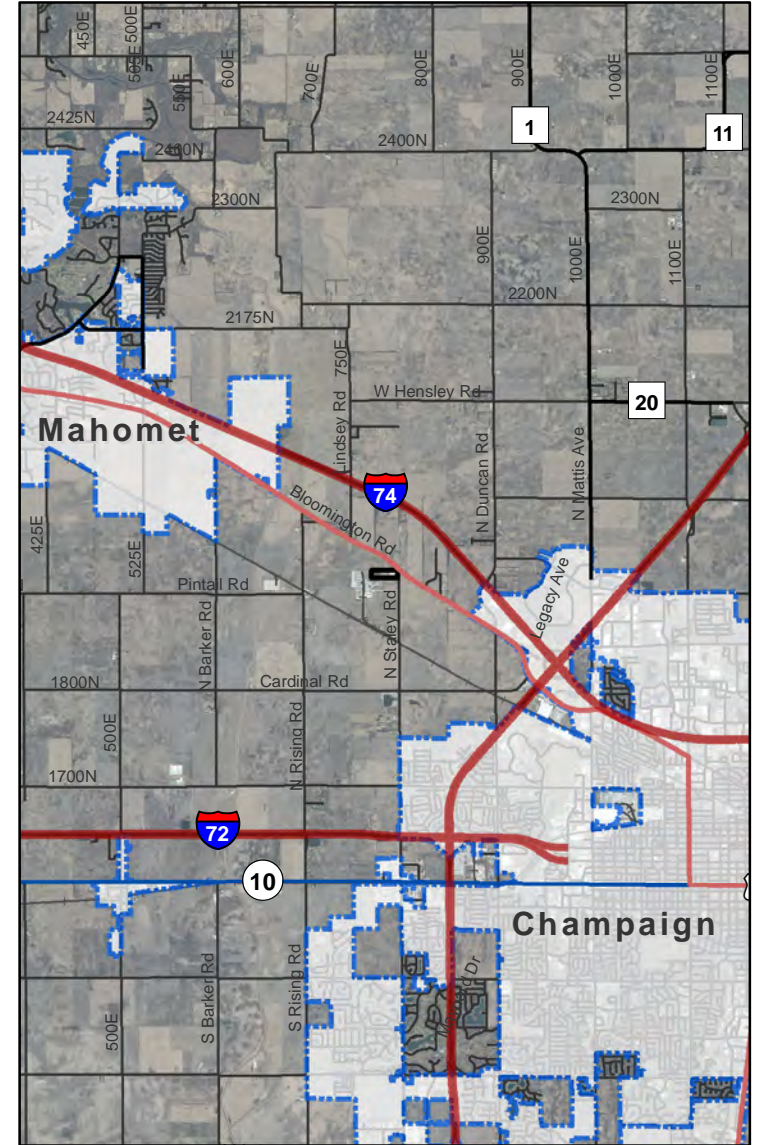
Subject Property



- Legend**
- Subject Property
 - Municipal Boundary
 - Parcels



Property location in Champaign County



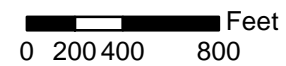
Land Use Map

Cases 012-S-21 & 017-V-21
July 15, 2021



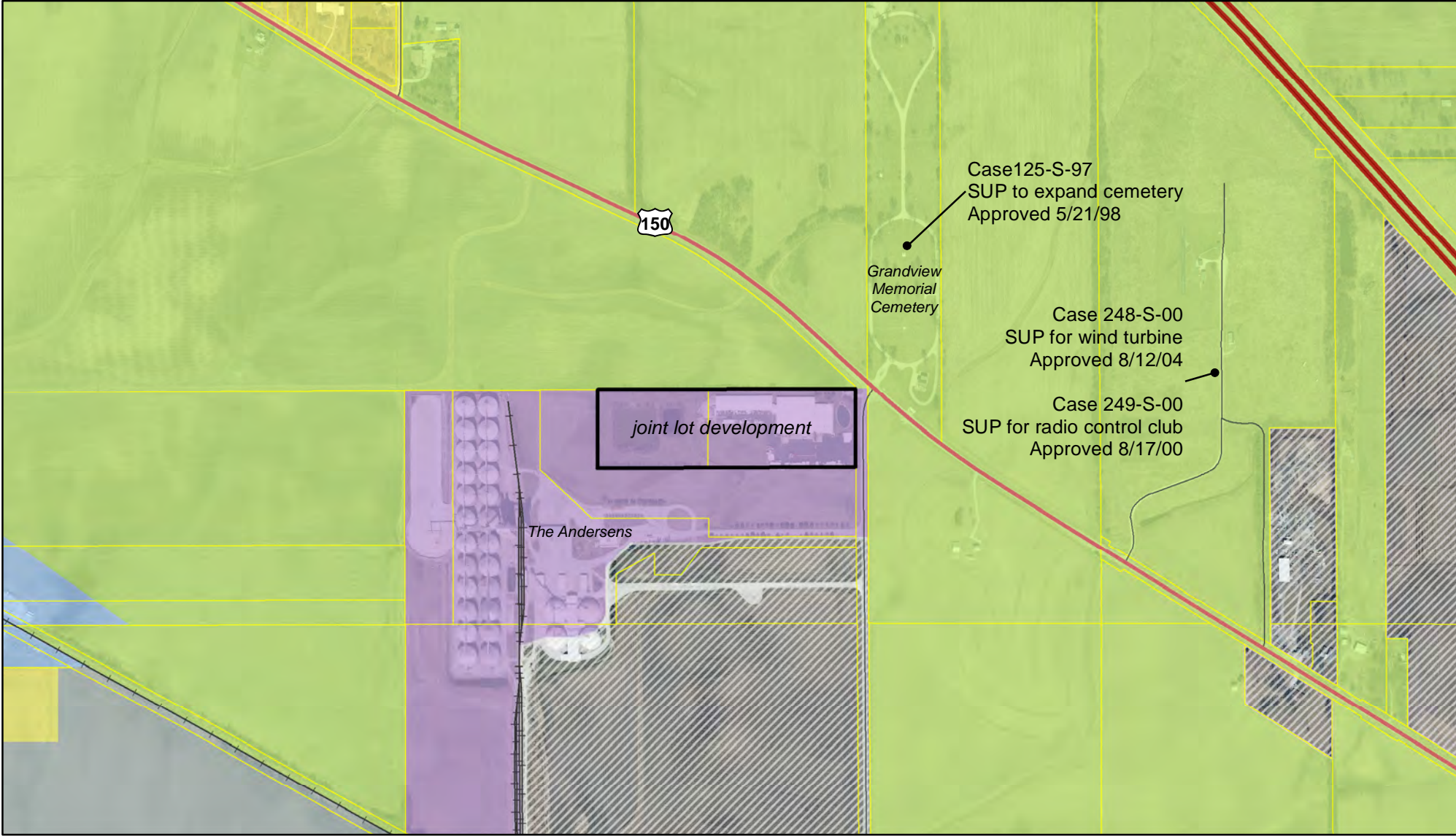
Legend

- | | | |
|------------------|----------------|------------|
| Subject Property | Agriculture | Commercial |
| Parcels | Ag/Residential | Cemetery |
| | Residential | Tax Exempt |



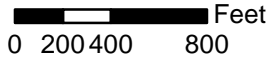
Zoning Map

Cases 012-S-21 & 017-V-21
July 15, 2021

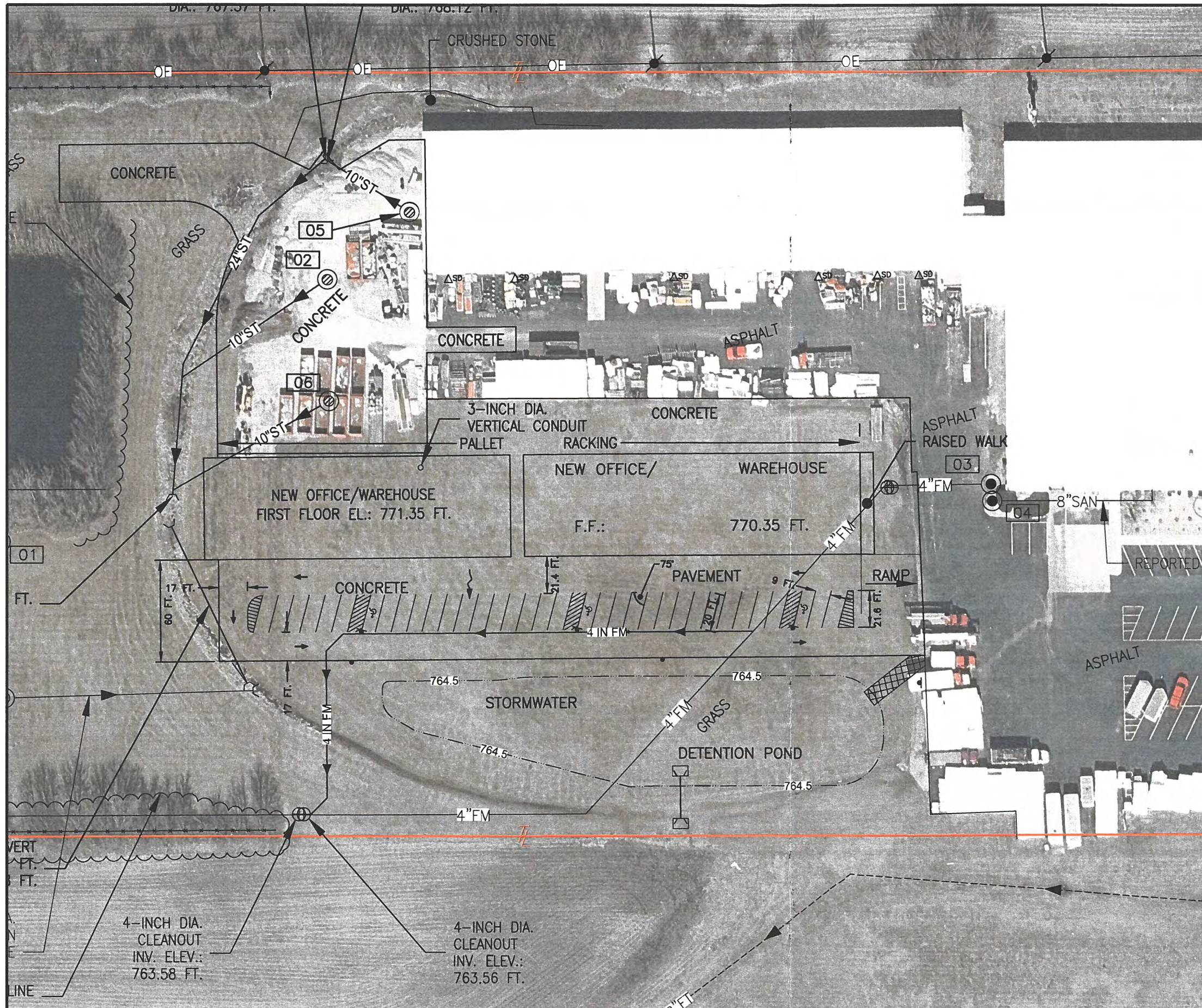


Legend

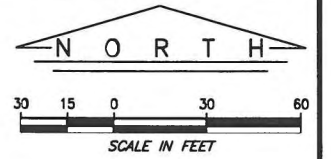
- Subject Property
- Municipal Boundary
- Parcels
- Annexation Agreement
- AG-1 Agriculture
- AG-2 Agriculture
- R-1 Single Family Residence
- B-1 Rural Trade Center
- I-1 Light Industry



Champaign County
Department of
**PLANNING &
ZONING**



-764.5- PROPOSED NORMAL WATER POOL / ELEVATION



PARKING DATA

EAST BUILDING (3 SUITES)	
GSF:	12,000 SQUARE FEET
OFFICE:	5,400 SQUARE FEET
WAREHOUSE:	6,600 SQUARE FEET
REQUIRED PARKING: 5,400 SQUARE FEET X 1 SPACE/200 SQUARE FEET=27 SPACES	
WEST BUILDING (3 SUITES)	
GSF:	10,920 SQUARE FEET
OFFICE:	4,920 SQUARE FEET
WAREHOUSE:	6,000 SQUARE FEET
REQUIRED PARKING: 4,920 SQUARE FEET X 1 SPACE/200 SQUARE FEET=25 SPACES	

TOTAL REQUIRED PARKING:	52 SPACES
REQUIRED HANDICAP PARKING:	3 SPACES
NEW PARKING SOUTH OF NEW BUILDING:	35 SPACES
PARKING PROVIDED IN EXISTING OVERSUPPLY SOUTH OF THE EXISTING BUILDING:	17 SPACES

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APR 23 2021

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NOTE: THE EXACT LOCATION OF ALL UTILITIES SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION ACTIVITIES. FOR UTILITY LOCATIONS CALL JULLIE (800) 892-0123 © 2021 ALL RIGHTS RESERVED. BERNIS, CLANCY AND ASSOCIATES, P.C.

DESIGNED:	CB	REVISIONS
DRAFTED:	PE	
CHECKED:	CB/ELC	
FILE:	7960-9.DWG	

AERIAL PHOTOGRAPHY FROM CHAMPAIGN COUNTY ORTHOPHOTOGRAPHY DATED APRIL 2020
CONTOUR DATA SHOWN FROM 2008 CHAMPAIGN COUNTY LIDAR CONTOUR DATA

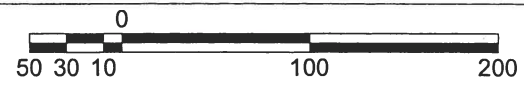
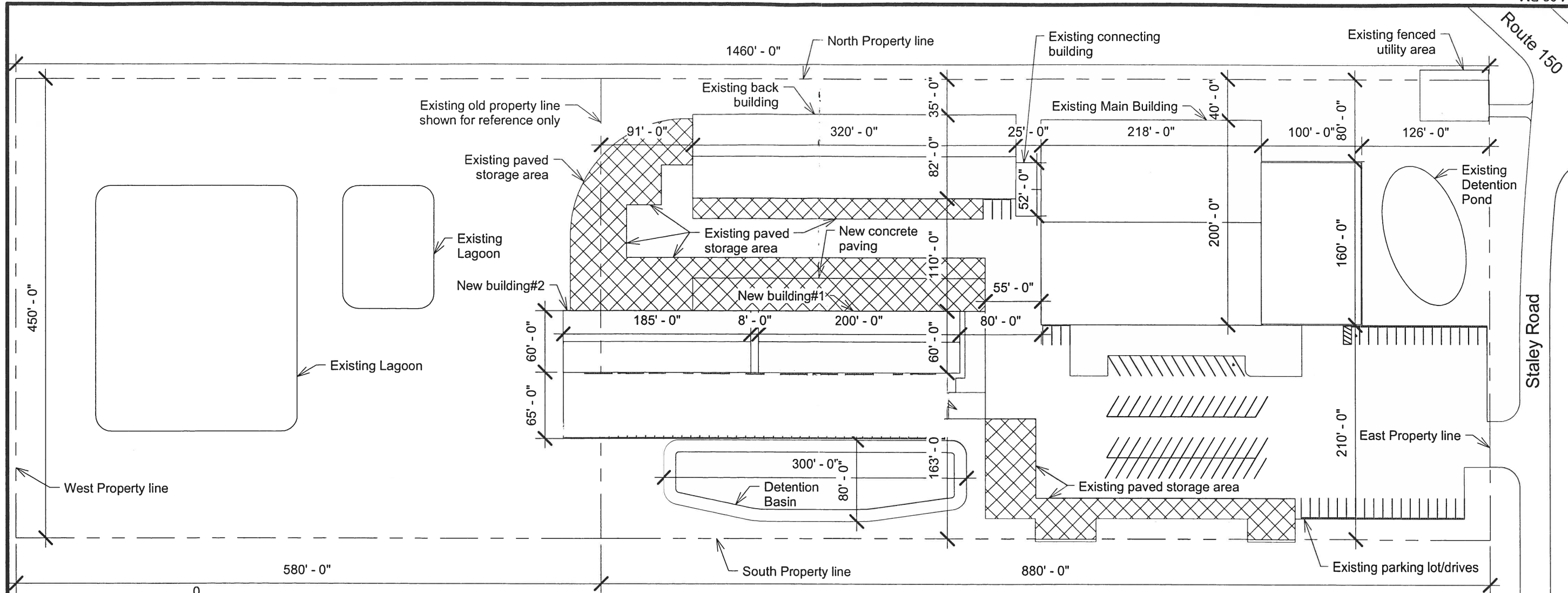
BCA BERNIS, CLANCY AND ASSOCIATES
ENGINEERS • SURVEYORS • PLANNERS
405 EAST MAIN STREET - POST OFFICE BOX 0755
URBANA, ILLINOIS 61803-0755
PHONE: (217) 384-1144 - FAX: (217) 384-3355

PART OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 20 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, HENSLEY TOWNSHIP, CHAMPAIGN COUNTY, ILLINOIS

WAREHOUSE IMPROVEMENTS
TSI OF CHAMPAIGN
3611 NORTH STALEY ROAD

SPECIAL USE PERMIT
DEVELOPMENTAL SITE PLAN

DATE:	042121
SHEET:	2 OF 2
JOB:	7960-9

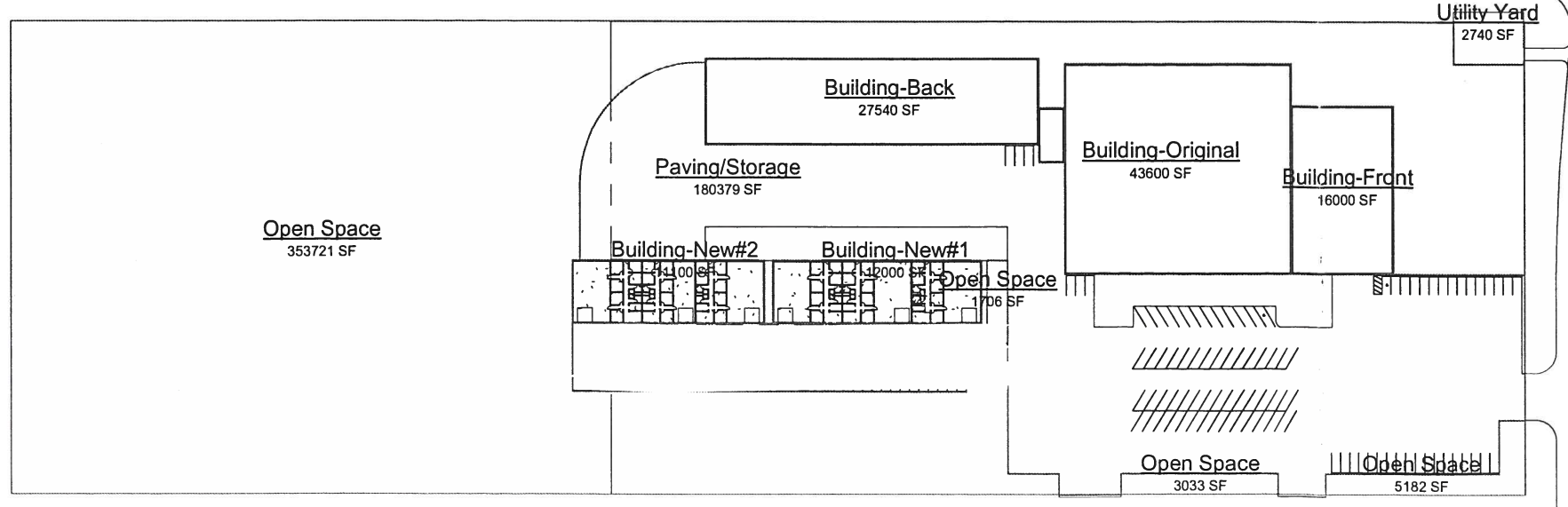


1 Site Plan 11x17
1" = 100'-0"

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CHAMPAIGN COUNTY CLERK'S OFFICE



Area Schedule Site info		
Name	Area	Comments
Building-Back	27540 SF	Hard surface
Building-Front	16000 SF	Hard surface
Building-New#1	12000 SF	Hard surface
Building-New#2	11100 SF	Hard surface
Building-Original	43600 SF	Hard surface
Open Space	353721 SF	Grass
Open Space	3033 SF	Grass
Open Space	5182 SF	Grass
Open Space	1706 SF	Grass
Paving/Storage	180379 SF	Hard surface
Utility Yard	2740 SF	Hard surface
Grand total	657000 SF	

Property Size
 Front portion of the lot = 396,000sqft
 Rear portion of the lot = 261,000sqft
 Total lot size = 657,000sqft

Area Schedule Hard vs. Grass		
Name	Area	Comments
Open Space	363641 SF	Grass
	293359 SF	Hard surface
Grand total	657000 SF	

Project # 0420-23
 A1
 Warehouse Building for TSI
 3611 N. Staley Rd., Champaign, IL
 Date Issue Date
 Site Info Plan
HAMPEL ARCHITECTS, AIA.
 314 Wheaton Ave., Champaign, Illinois, 61820
 Phone (217)621-8901 g.hampel@comcast.net

2 Site Info Plan
1" = 160'-0"

(2) NEW MULTI-TENANT BUILDINGS

3611 N. Staley Rd,
Champaign, Illinois

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MAY 20 2021

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ZONING ANALYSIS

LOT SIZE: Existing
LOT ZONING: (I1) INDUSTRIAL
BUILDING USE: CONTRACTOR OFFICES/WAREHOUSE
BUILDING: ONE STORY
FLOOR AREA: 11,100sqft West Building
11,999sqft East Building
23,099sqft New Building Area

SETBACKS: FURNISHED
FRONT YARD North: Existing no change
SIDE YARD West: 53'4"
SIDE YARD East: Existing no change
REAR YARD South: 165'

BUILDING HEIGHT: 24'0" New Building

LOT INFORMATION: Areas
Existing Building Area: 87,140sqft
New Building Area: 23,099sqft
Paved Area: 187,064sqft
Open Space Area: 359,697sqft
Total Lot Area: 657,000sqft

PARKING REQUIREMENTS:
Existing Parking: 128
New Parking: 48
Parking screening: None required

BUILDING CODE ANALYSIS

These codes only apply to the new work done on this project and the original building remains unchanged.

2015 INTERNATIONAL BUILDING CODE
2015 INTERNATIONAL MECHANICAL CODE
2014 NATIONAL ELECTRICAL CODE
2014 ILLINOIS PLUMBING CODE
2018 ILLINOIS ENERGY CODE
2018 ILLINOIS ACCESSIBILITY CODE
2010 ADA STANDARDS FOR ACCESSIBLE DESIGN

CONSTRUCTION TYPE: 5B (UNPROTECTED COMBUSTIBLE)
REQUIREMENTS: Tables 601 and 602
0 hr. RATING - EXTERIOR WALLS
2 hr. RATING - WEST EXTERIOR WALL OF BLDG#2
1 hr. RATING - TENANT SEPARATION
0 hr. RATING - INTERIOR WALLS
0 hr. RATING - ROOF STRUCTURE

AREA & HEIGHT ALLOWED: Table 503: 9,000 sqft & 2 STORIES
AREA INCREASE (460/520 - .25)9000=5,712 TOTAL:14,712
FLOOR AREA: Approx. 12,000 sqft + 11,100 sqft
BUILDING OCCUPANCY @1/250sqft = 92
BUILDING EXITS: (18)@167 ea. ALL AROUND BUILDINGS

STRUCTURAL NOTES:
ROOF DESIGN LOADS: See FBI building drawings
FLOOR DESIGN LOADS: Live Load = 100psf

GENERAL NOTES:

All new required headers over doors and windows that are not noted on plans are not load bearing and are (2)3-5/8" metal studs.

All new interior walls, interior surface of exterior walls are covered with 5/8" fire code gypsum board. All new interior walls in new office area shall be attached to ceiling grid with 'eliminator track'.

All penetrations at all new walls, soffits, chases, etc. shall be properly firestopped. All caulking used for firestopping shall be approved "fire caulk".

Install restroom identification signs with pictogram, raised letters and braille letters on the latch side of door at 5'0" to sign center. The signs shall comply with Illinois Accessibility Code section 400.310 (u).

Any changes to these drawings or the use of products that are different from those specified on the drawings shall be approved by the Architect in writing prior to installing the products and these changes will require additional fee for the change to the drawings and the verification that the product is an acceptable product for the project.

These drawings may be used for obtaining building permit and the construction noted on these drawings at the location noted on these drawings.

GENERAL DESCRIPTION OF WORK:

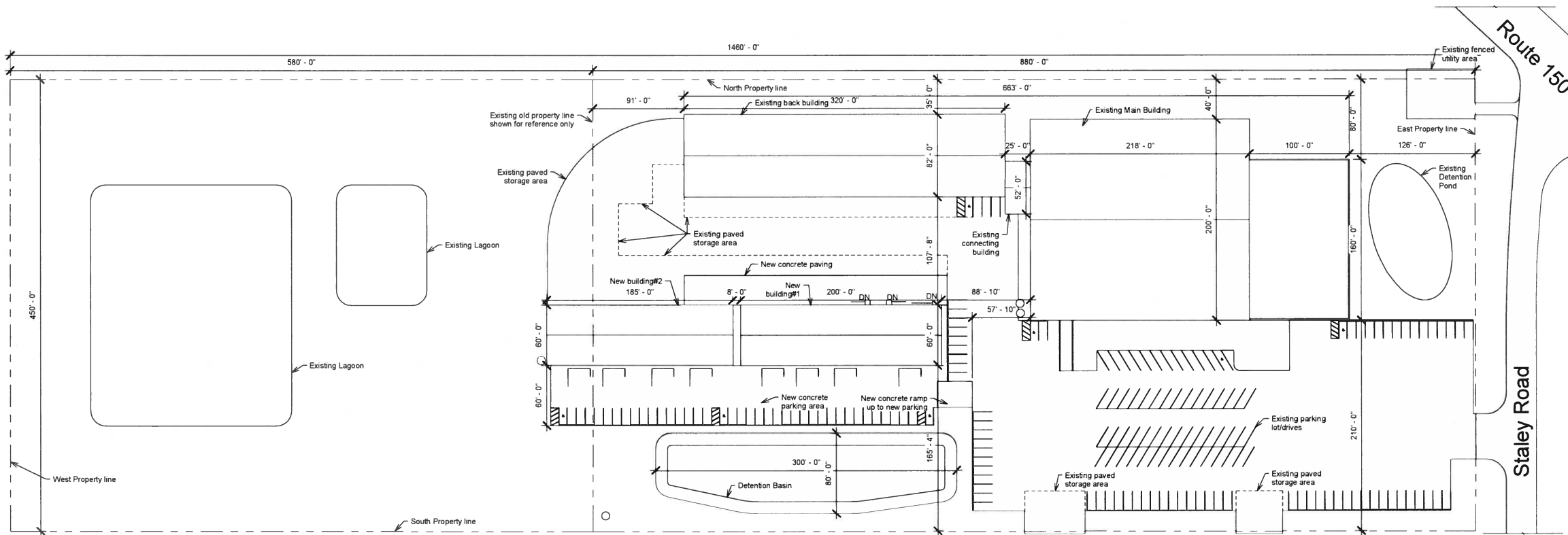
This project is two separate building for multi-tenant useage. The exterior shells and tenant separation walls for (2) new buildings are built using FBI Buildings drawings provided by others. The site work including new retention pond work is done per Civil Engineering drawings provided by others.

General Contractor Work: Build two new clearspan buildings for the (6) new tenants.

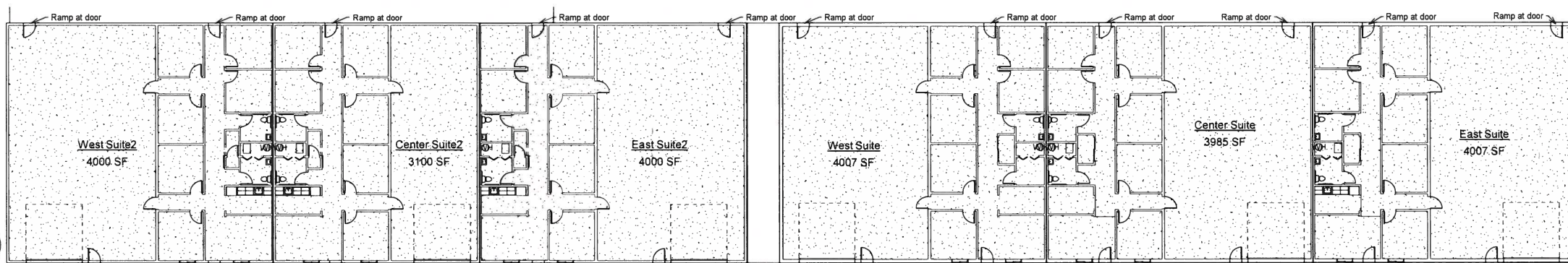
Plumbing Work: Extend water lines to new buildings. Provide hose bibbs. Install new restrooms.

HVAC Work: Install (6) gas furnaces with A/C units.

Electrical Work: Provide new 600amp 3-phase building service and (3) meter sockets and 200amp electric panels for west building and extend (3) 200amp single phase panels from existing building service. Install LED ceiling lights. Install duplex outlets and provide power for new equipment.



1 Site Plan
1" = 60'-0"

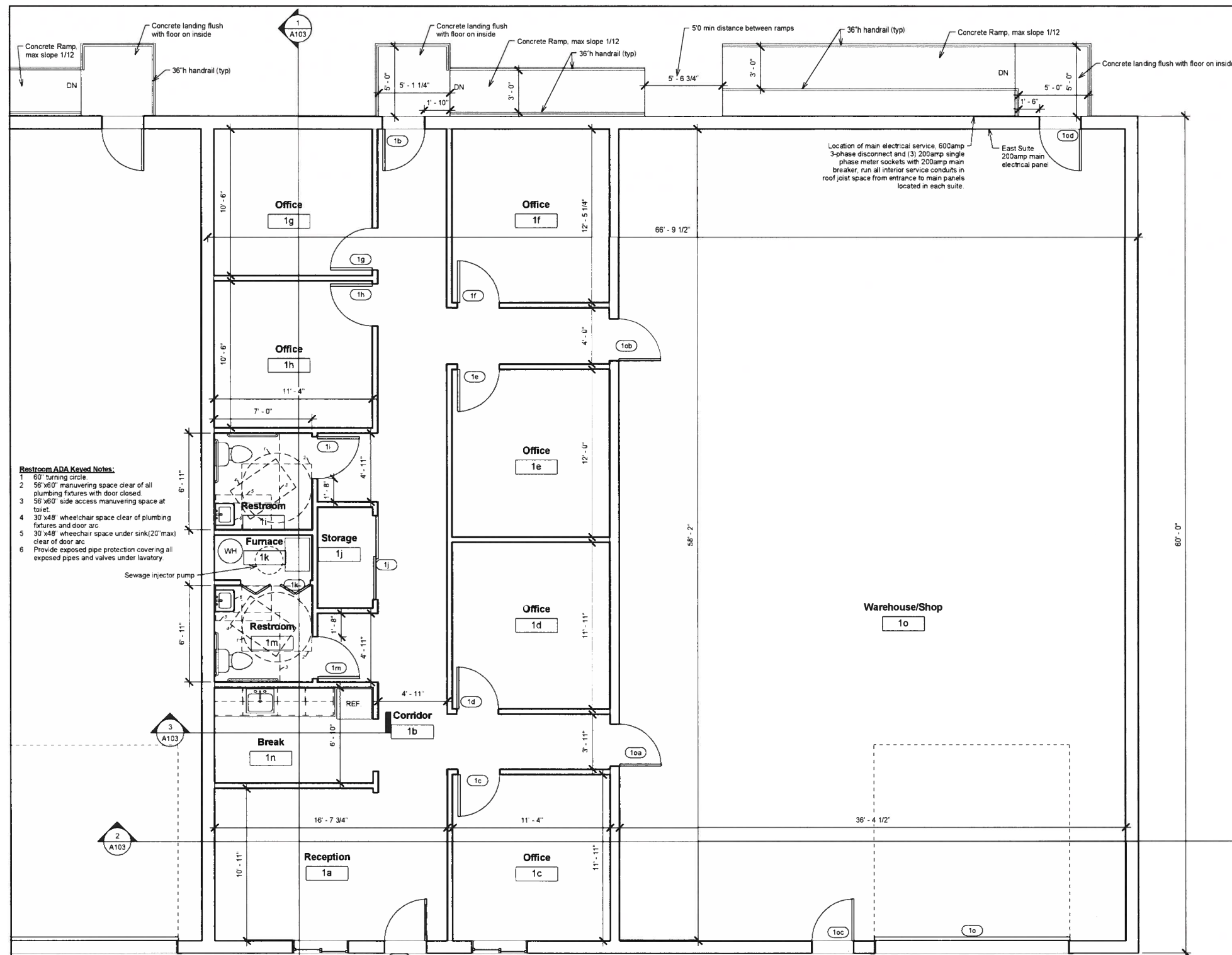


2 Area Plan - New Bldgs
1/16" = 1'-0"

Sheet List		
No.	Sheet Name	Issue Date
A101	Title Sheet	05/14/20
A102	Floor Plan Typical	05/14/20
A103	Sections	05/14/20
A104	Ceiling plan	05/14/20
A105	New Building Site Utilities	05/14/20

Area Schedule (Rentable)		
Name	Area	Perimeter
West Suite	4007 SF	253' - 7"
Center Suite	3985 SF	252' - 10"
East Suite	4007 SF	253' - 7"
West Suite2	4000 SF	253' - 4"
East Suite2	4000 SF	253' - 4"
Center Suite2	3100 SF	223' - 4"
Grand total	6	23099 SF

Multi-Tenant Buildings for TSI 3611 N. Staley Rd., Champaign, IL		Date: 05/14/20
HAMPEL ARCHITECTS, AIA. 314 Wheaton Ave., Champaign, Illinois, 61820 Phone (217)621-8901 g.hampel@comcast.net		Job#: 0420-23
		Drawing: A101



Door Schedule Typ. Suite#1								
Mark	Width	Height	Family	Finish	Frame Material	Lockset	Fire Rating	Comments
1a	3'-0"	6'-8"	Single-Glass	Insul	Clad	Entry		Self closing, Entrance
1b	3'-0"	6'-8"	Single-Flush	Insul	Clad	Entry		Self closing, Entrance
1c	3'-0"	6'-8"	Single-Flush	Wood	Wood	Passage		
1d	3'-0"	6'-8"	Single-Flush	Wood	Wood	Passage		
1e	3'-0"	6'-8"	Single-Flush	Wood	Wood	Passage		
1f	3'-0"	6'-8"	Single-Flush	Wood	Wood	Passage		
1g	3'-0"	6'-8"	Single-Flush	Wood	Wood	Passage		
1h	3'-0"	6'-8"	Single-Flush	Wood	Wood	Passage		
1i	3'-0"	6'-8"	Single-Flush	Wood	Wood	Restroom		
1j	6'-0"	6'-8"	Sliding-Closet	Wood	Wood	Closet		
1k	5'-0"	6'-8"	Bifold-4 Panel	Wood	Wood	Bifold		
1m	3'-0"	6'-8"	Single-Flush	Wood	Wood	Restroom		
1o	14'-0"	14'-0"	Overhead-Sectional-Flush	Paint	Garage	None		Opener
1oa	3'-0"	6'-8"	Single-Flush	Paint	HM	Fire	3/4	Closer
1ob	3'-0"	6'-8"	Single-Flush	Paint	HM	Fire	3/4	Closer
1oc	3'-0"	6'-8"	Single-Flush	Insul	Clad	Entry		Self closing, Entrance
1od	3'-0"	6'-8"	Single-Flush	Insul	Clad	Entry		Self closing, Entrance

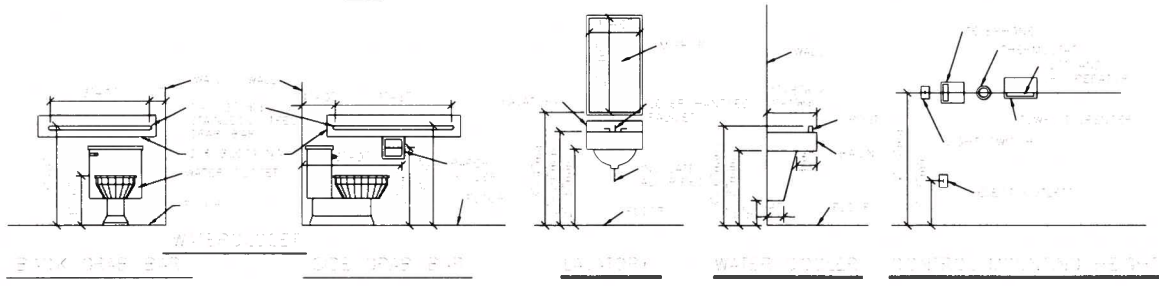
Door Schedule Abbreviations:
 Alum - Aluminum frame and door
 Garage - Insulated garage door and frame
 Glass - Insulated safety glass in Alum entrance door
 HM - Hollow Metal door frame
 Insul - Insulated hollow metal w/top cap
 Wood - Prefinished 1.75" solid core Oak Veneer wood door

Door Schedule Hardware Types:
 Alum - 1-1/2" pair Hager 4 1/2"x4" 1279 hinges
 (1) Push/pull, interior
 (1) Wall stop
 Entry - 1-1/2" pair Hager 4 1/2"x4" BB1279 hinges
 (1) Schlage AL53PD Neptune lockset
 (1) Closer
 (1) Wall stop
 LOCK - 1-1/2" pair Hager 4 1/2"x4" BB1279 hinges
 (1) Schlage AL70PD Neptune lockset
 (1) Closer
 (1) Wall stop
 None - No lock and garage door hardware
 Opener - Electric garage door opener & locks
 PASS - 1-1/2" pair Hager 4 1/2"x4" 1279 hinges
 (1) Schlage AL10S Neptune lockset
 (1) Wall stop
 REST - 1pr Spring Hinges
 1/2 pair Hager 4 1/2"x4" 1279 hinges
 (1) Schlage AL40S Neptune lockset
 (1) Wall stop

Room Schedule Suite#1							
No.	Name	Floor Finish	Wall Finish	Base Finish	Ceiling Finish	Ceiling Height	Perimeter Area
1a	Reception	Tile	PG	Tile	VAT	9'-0"	54'-10" 180 SF
1b	Corridor	Tile	PG	Tile	VAT	9'-0"	169'-7" 369 SF
1c	Office	Carpet	PG	Vinyl	VAT	9'-0"	46'-6" 135 SF
1d	Office	Carpet	PG	Vinyl	VAT	9'-0"	46'-6" 135 SF
1e	Office	Carpet	PG	Vinyl	VAT	9'-0"	46'-8" 136 SF
1f	Office	Carpet	PG	Vinyl	VAT	9'-0"	47'-7" 141 SF
1g	Office	Carpet	PG	Vinyl	VAT	9'-0"	43'-8" 119 SF
1h	Office	Carpet	PG	Vinyl	VAT	9'-0"	43'-8" 119 SF
1i	Restroom	Tile	PG	Tile	VAT	8'-4"	27'-10" 48 SF
1j	Storage	Tile	PG	Tile	PG	8'-0"	22'-4" 28 SF
1k	Furnace	Conc	PG	Vinyl	PG	8'-0"	20'-5" 22 SF
1m	Restroom	Tile	PG	Tile	VAT	8'-4"	27'-10" 48 SF
1n	Break	Tile	PG	Tile	VAT	9'-0"	36'-9" 79 SF
1o	Warehouse/Shop	Conc	PG	Vinyl	Mtl	16'-0"	189'-1" 2116 SF
Grand total 14							3677 SF

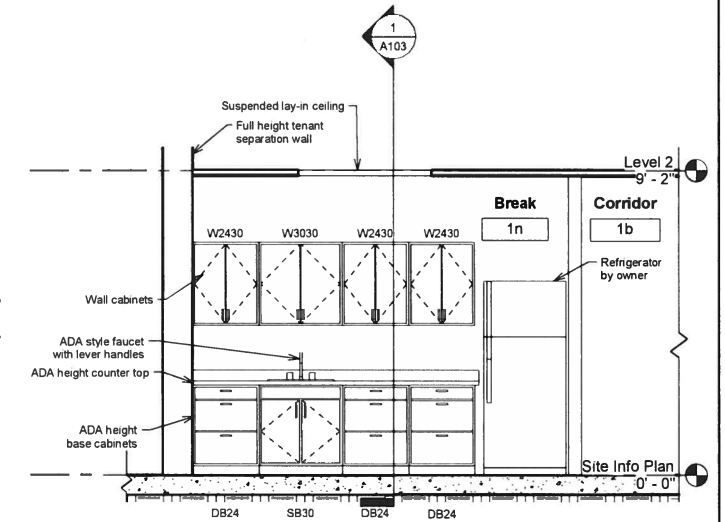
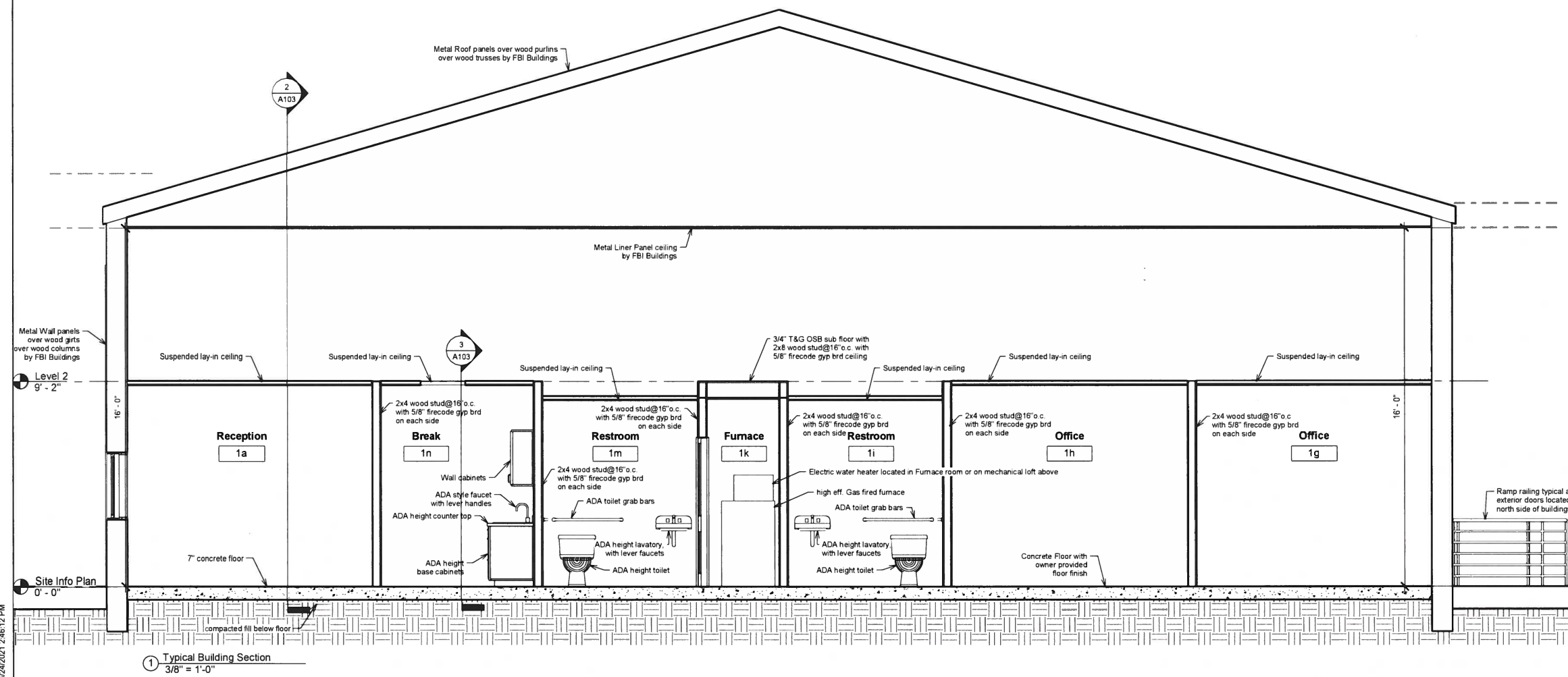
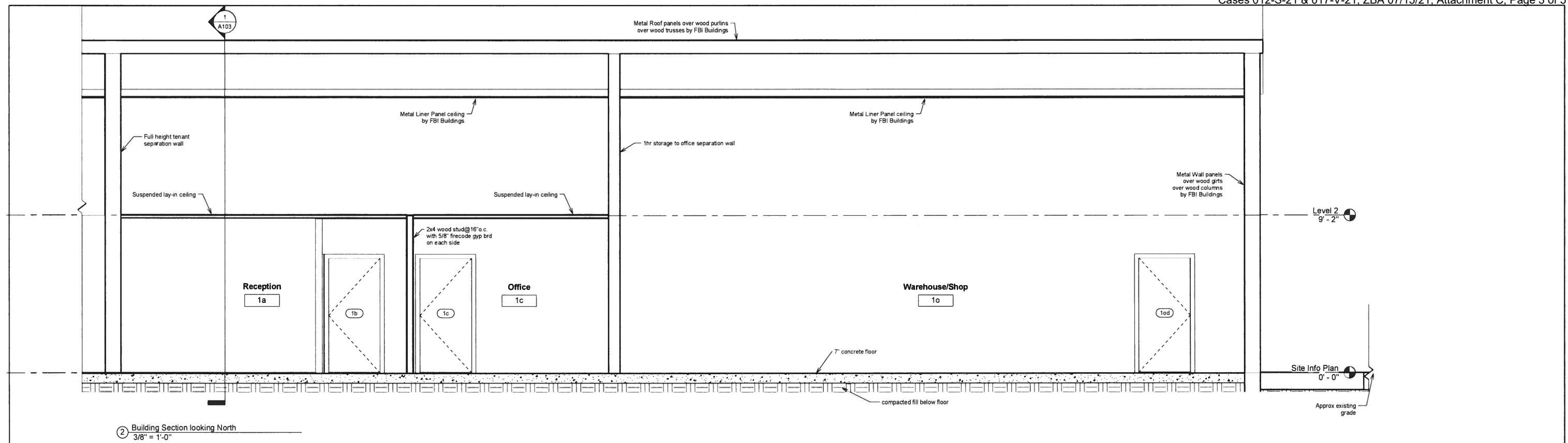
Room Schedule Abbreviations:
 Equipment - Equipment by tenant factory finish surfaces
 Existing - Existing finishes (no work)
 None - Exist bar joists and metal roof deck painted
 PG - Painted Gypsum Board
 SAT - Suspended Acoustical Tile - regular tile and 2x2 grid
 Tile - Ceramic wall and/or floor tile
 VCT - Vinyl Composition Tile
 Vinyl - Vinyl cove base

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 MAY 20 2021
 CHAMPAIGN CO. P & Z DEPARTMENT



2 ADA Information
 3/8" = 1'-0"

Multi-Tenant Buildings for TSI 3611 N. Staley Rd., Champaign, IL	Date: 05/14/20
HAMPEL ARCHITECTS, AIA. 314 Wheaton Ave., Champaign, Illinois, 61820 Phone (217)621-8901 g.hampel@comcast.net	Job#: 0420-23
	Drawing: A102



3 Breakroom north wall
3/8" = 1'-0"

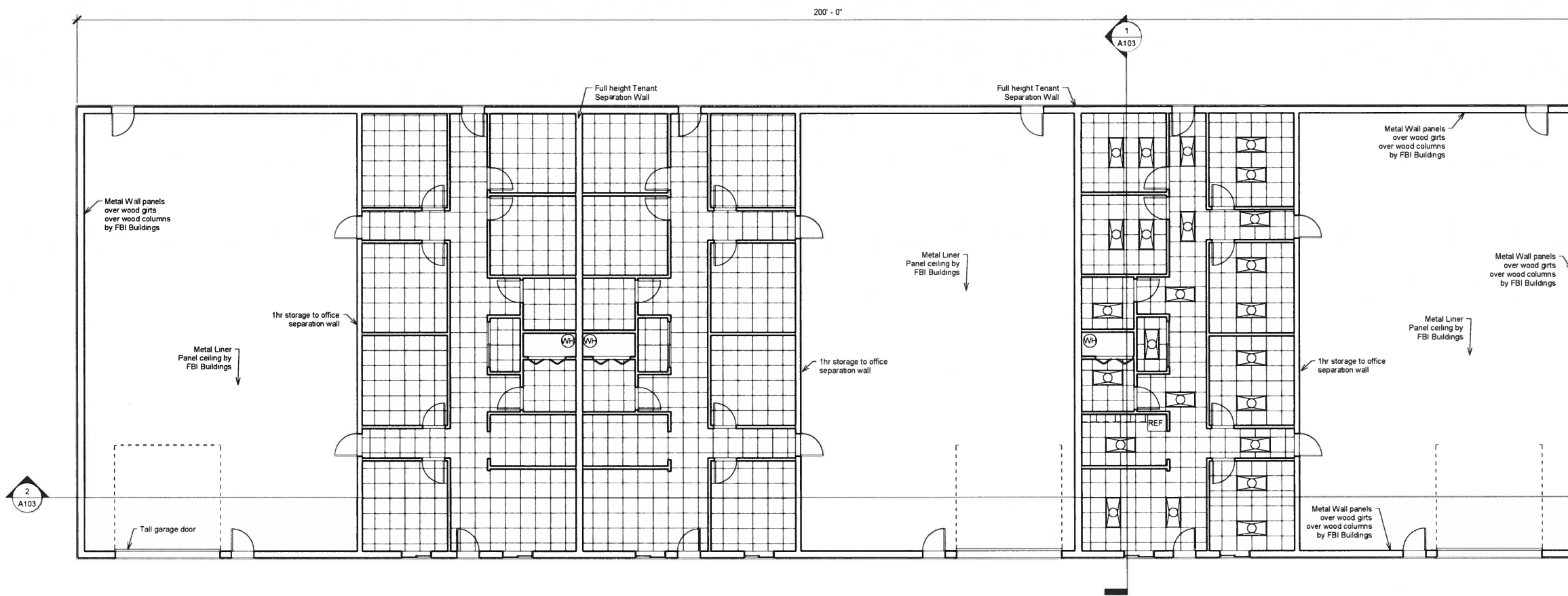
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MAY 20 2021

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Multi-Tenant Buildings for TSI 3611 N. Staley Rd., Champaign, IL	Date: 05/14/20
HAMPEL ARCHITECTS, AIA. 314 Wheaton Ave., Champaign, Illinois, 61820 Phone (217)621-8901 g.hampel@comcast.net	Job# 0420-23 Drawing: A103

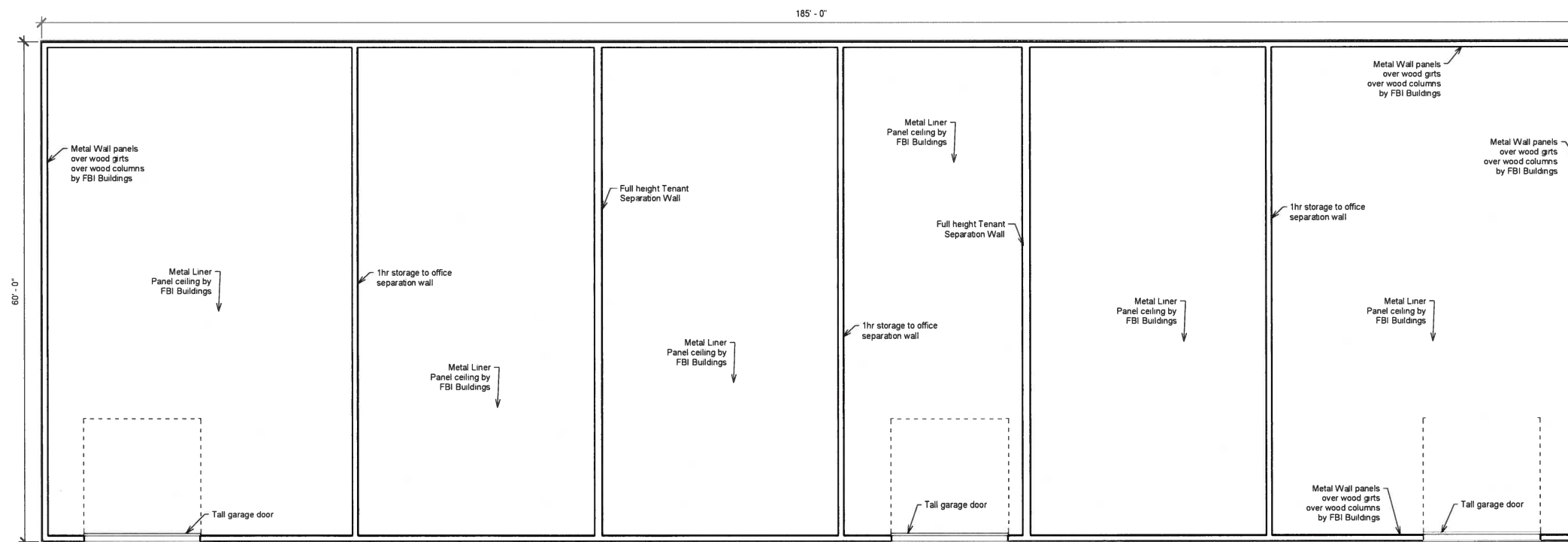
6/24/2021 2:46:12 PM



① Lower Ceiling Plan Building#1
1/8" = 1'-0"

GENERAL NOTES THIS SHEET:

Foundations, exterior walls, headers, doors, windows, tenant separation walls and roof are provided by FBI Buildings.
Interior buildout is provided using these drawings.



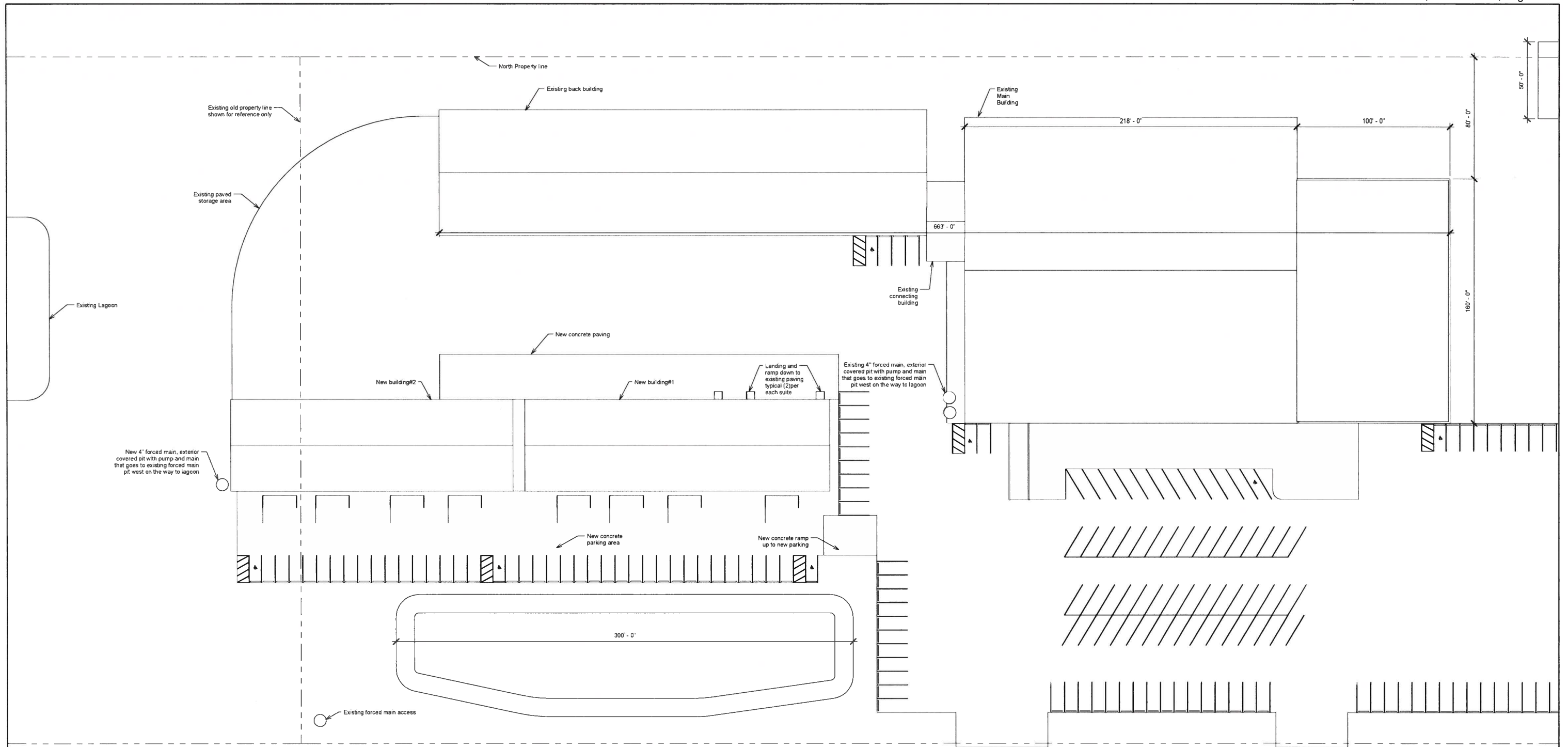
② Upper Ceiling Plan Building#2
1/8" = 1'-0"

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MAY 20 2021

CHAMPAIGN CO. P & Z DEPARTMENT

Multi-Tenant Buildings for TSI 3611 N. Staley Rd., Champaign, IL	Date: 05/14/20
	Job# 0420-23
HAMPEL ARCHITECTS, AIA. 314 Wheaton Ave., Champaign, Illinois, 61820 Phone (217)621-8901 g.hampel@comcast.net	Drawing: A104



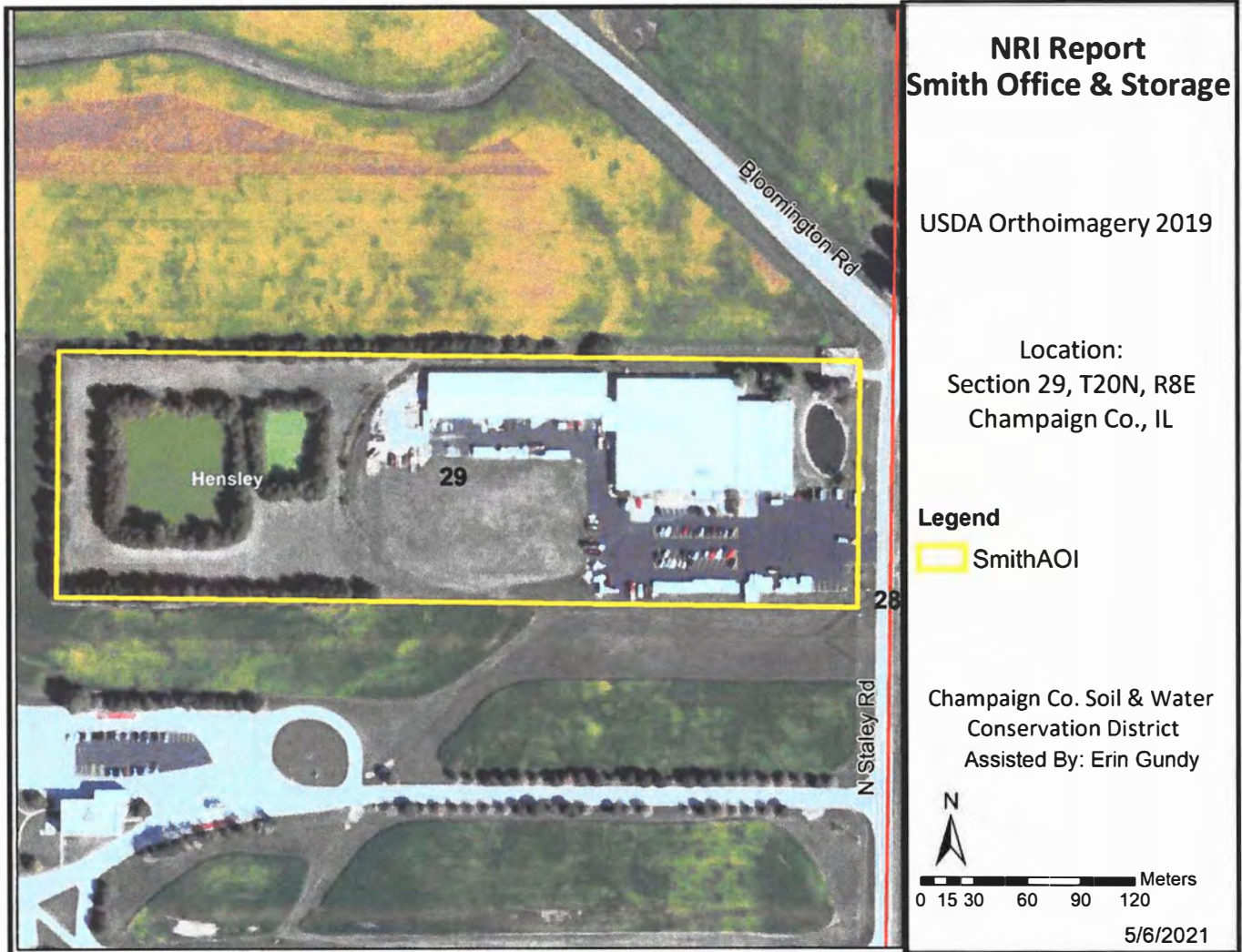
① Site-New Buildings #1 & #2 Utilities
 1" = 30'-0"



RECEIVED
 MAY 20 2021
 CHAMPAIGN CO. P & Z DEPARTMENT

Multi-Tenant Buildings for TSI 3611 N. Staley Rd., Champaign, IL	Date: 05/14/20
HAMPEL ARCHITECTS, AIA. 314 Wheaton Ave., Champaign, Illinois, 61820 Phone (217)621-8901 g.hampel@comcast.net	Job# 0420-23
	Drawing: A105

MAY 7, 2021



NATURAL RESOURCE INFORMATION (NRI) RECEIVED REPORT 22.02

MAY 17 2021

PETITIONER: ROBERT R. SMITH II

CHAMPAIGN CO. P & Z DEPARTMENT

PREPARED BY: CHAMPAIGN COUNTY SOIL & WATER CONSERVATION DISTRICT
 2110 W PARK CT, STE C, CHAMPAIGN, IL 61821
 (217) 352-3536 EXT 3 | WWW.CCSWCD.COM

Champaign County Soil and Water Conservation District Natural Resource Information Report (NRI)
--

Date District Board Reviewed Application	May 11, 2021
Applicant's Name	Robert R. Smith II
Contact Person	Stephen R. Frank
Size of Subject Property	15.2 acres
Present Zoning	Commercial
Proposed Zoning	Commercial
Present Land Use	Commercial office & storage
Proposed Land Use	Commercial office & storage

<i>Copies of this report or notification of the proposed land-use change were provided to:</i>	Yes	No
The Applicant	x	
The Contact Person	x	
The Local/Township Planning Commission	n/a	n/a
The Village/City/County Planning & Zoning Department	x	
The Champaign County Soil & Water Conservation District Files	x	

Report Prepared By: Erin Gundy, Resource Conservationist

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Forward

Soil and Water Conservation Districts are required to prepare Natural Resource Information (NRI) Reports under the Illinois Soil and Water Conservation Act of 1977, Illinois Revised Statutes, Chapter Five.

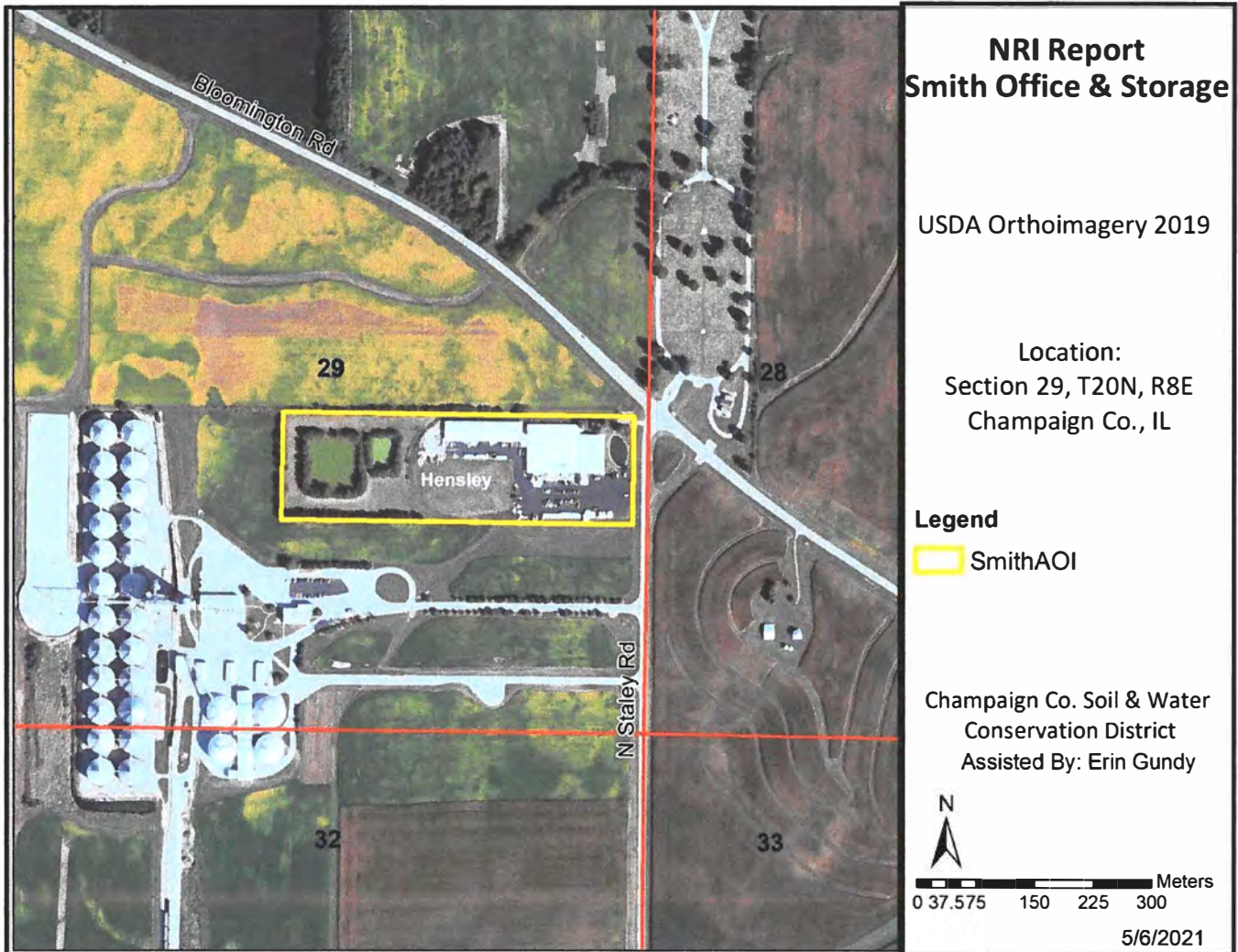
Section 22.02a The Soil and Water Conservation District shall make all natural resource information available to the appropriate county agency or municipality in the promulgation of zoning, ordinances or variances. Any person who petitions any municipality or county agency in the district for variation, amendment, or other relief from municipality's or county's zoning ordinance or who proposes to sub-divide vacant or agricultural lands therein shall furnish a copy of such petition or proposal to the Soil and Water Conservation District. The Soil and Water Conservation District shall be given not more than thirty days from the time of receipt of the petition or proposal to issue its written opinion concerning the petition or proposal and submit the same to the appropriate county agency or municipality for further action. Added by Act approved December 3, 1971.

This report provides technical data necessary to evaluate the natural resources of a specific area and the impacts or limitations associated with the proposed land use change. The report is limited to information researched by the Champaign County Soil and Water Conservation District staff. (Technical information is obtained from several different sources and may be subject to modification based on detailed site investigations or new technical information.) The information gathered in this report comes from several key reference materials and are cited throughout this report and listed in the Reference section. Any questions on the information contained in this report can be directed to:

Champaign County Soil and Water Conservation District
2110 W. Park Court, Suite C
Champaign, IL 61821
Phone 217-352-3536 ext. 3

Subject Property Location

Location Map for Natural Resources Information Report for the Smith commercial office and storage building. The property is predominately located in the southeast quarter of Section 29, Township 20N, Range 8E in Champaign County, Illinois.



Summary and Concerns of the Board

The Champaign County Soil and Water Conservation District has reviewed the proposed land use change and has the following concerns relevant to the impact on the area's natural resources.

1. All soils on the subject property are not suitable sanitary facilities or dwellings. It is advised to perform onsite investigations with a professional to determine construction strategy before moving forward. See pages 7-9.
2. A majority of the soils on the subject property are not suitable for dwellings, small commercial buildings, local roads, and streets. It is advised to consult with a professional to determine safety and quality of current and future construction projects. See pages 7-10.
3. The subject property is located in the *34. Fountain Head* drainage district. Please contact drainage district officials for questions or concerns regarding drainage management.
4. The average Land Evaluation (LE) score for this site is: 89.7. See pages 13-14.

Soil Information

The soil information comes from the United States Department of Agriculture Natural Resources Conservation Service (USDA-NRCS) Soil Survey of Champaign County. This information is important to all parties involved in determining the suitability of the proposed land use change. Each polygon is given a number with letters, which represents its soil type, slope, flooding, etc., and is then called a map unit. Each soil map unit has limitations for a variety of land uses, which are explained using interpretations.

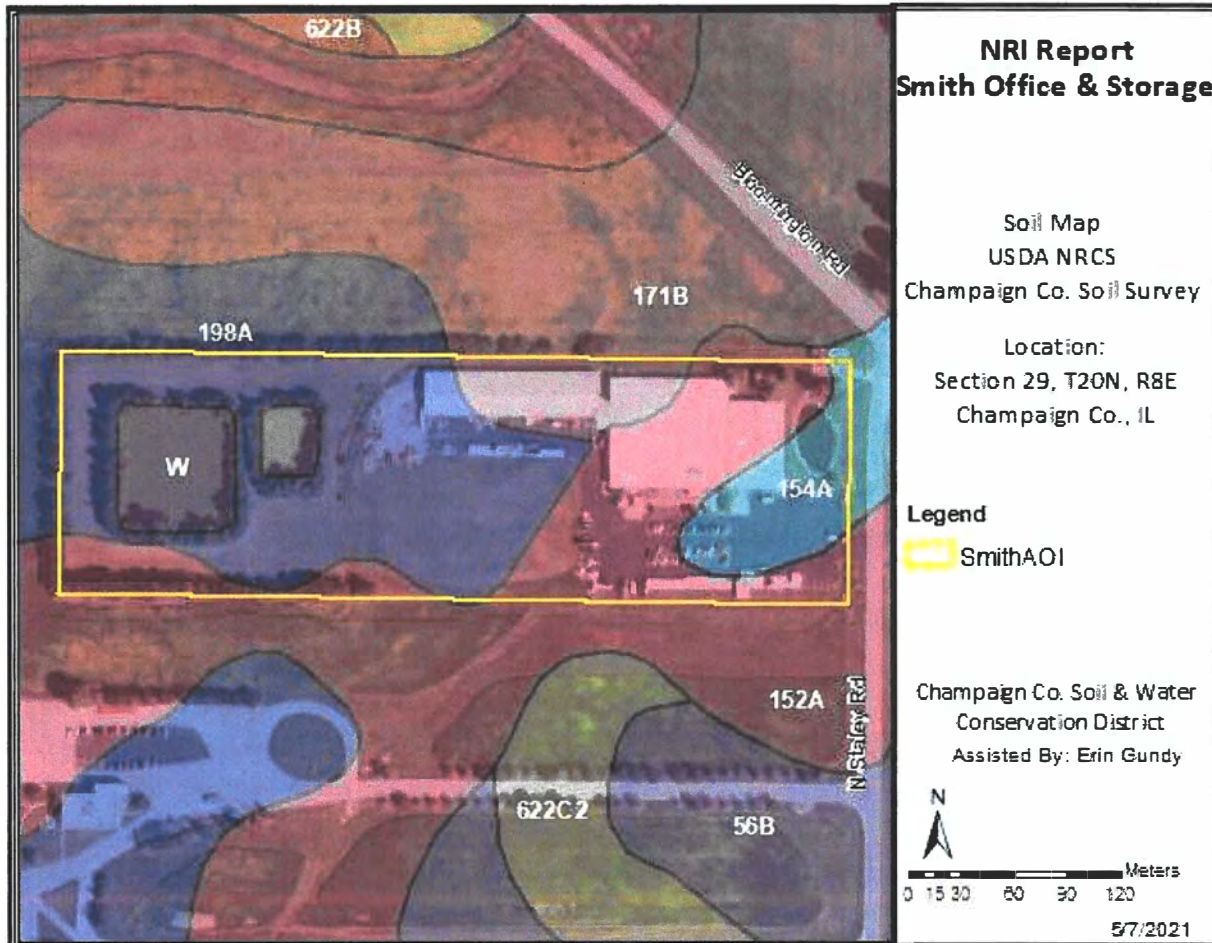


Table 1. Soil map unit descriptions.

Map Unit Symbol	Description	Acres	Percent of Area
198A	Elburn silt loam, 0-2% slopes	6.4	42.2%
152A	Drummer silty clay loam, 0-2% slopes	4.6	30.2%
154A	Flanagan silt loam, 0-2% slopes	1.5	10.0%
171B	Catlin silt loam, 2-5% slopes	1.2	7.9%
W	Water	1.5	9.7%

Introduction to Soil Interpretations

Non-agricultural soil interpretations are ratings that help engineers, planners, and others understand how soil properties influence behavior when used for nonagricultural uses such as building site development or construction materials. This report gives ratings for proposed uses in terms of limitations and restrictive features. The tables list only the most restrictive features. Other features may need treatment to overcome soil limitations for a specific purpose.

Ratings come from the soil's "natural" state, that is, no unusual modification occurs other than that which is considered normal practice for the rated use. Even though soils may have limitations, an engineer may alter soil features or adjust building plans for a structure to compensate for most degrees of limitations. However, most of these practices are costly. The final decision in selecting a site for a land use generally involves weighing the costs for site preparation and maintenance.

Soil properties influence the development of building sites, including the selection of the site, the design of the structure, construction, performance after construction, and maintenance. Soil limitation ratings of slight, moderate, and severe are given for the types of proposed improvements that are listed or inferred by the petitioner as entered on the report application and/or zoning petition. The most common type of building limitation this report gives limitations ratings for is septic systems. It is understood that engineering practices can overcome most limitations for buildings with and without basements, and small commercial buildings. Organic soils, when present on the subject property, are referenced in the hydric soils section of the report.

The area of development will be susceptible to erosion both during and after construction. Any areas left bare for more than 7 days should be temporarily seeded or mulched and permanent vegetation needs to be established as soon as possible.

Limitation Ratings

1. *Not limited*- This soil has favorable properties for the intended use. The degree of limitation is minor and easy to overcome. Those involved can expect good performance and low maintenance.
2. *Somewhat limited*- This soil has moderately favorable properties for the intended use. Special planning, design, or maintenance can overcome this degree of limitation. During some part of the year, the expected performance is less desirable than for soils rated "*not limited*."
3. *Very limited*- This soil has one or more properties that are unfavorable for the rated use. These may include the following: steep slopes, bedrock near the surface, flooding, high shrink-swell potential, a seasonally high water table, or low strength. This degree of limitation generally requires major soil reclamation, special design, or intensive maintenance, which in most situations is difficult and costly.

Soil Interpretations

Sanitary Facilities

The table below shows the degree and kind of soil limitations that affect septic tank absorption fields and sewage lagoons.

Septic Tank Absorption Fields: Areas in which effluent from a septic tank is distributed into the soil through subsurface tiles or perforated pipe. The ratings are based on soil properties, site features, and observed performance of the soils. Permeability, high water table, depth to bedrock or a cemented pan, and flooding affect absorption of the effluent. Large stones and bedrock or a cemented pan interfere with installation. Unsatisfactory performance of septic tank absorption fields, including excessively slow absorption of effluent, surfacing of effluent, and hillside seepage can affect public health. There must be unsaturated soil material beneath the absorption field to filter the effluent effectively.

Table 2. Septic tank absorption fields limitations.

Map Unit Symbol	Degree of Limitation	Acres	Percent of Area
198A	Very limited: depth to saturated zone, seepage (bottom layer), slow water movement	6.4	42.2%
152A	Very limited: ponding, depth to saturated zone, slow water movement	4.6	30.2%
154A	Very limited: depth to saturated zone, slow water movement	1.5	10.0%
171B	Very limited: depth to saturated zone, slow water movement	1.2	7.9%

For the subject property: 100% of the soils on the property are very limited for the use of septic tank absorption fields and special design is required for any septic tank absorption field.

Building Site Development

The table below shows the degree and the kind of soil limitations that affect dwellings with or without basements and small commercial buildings.

Dwellings and Small Commercial Buildings: Structures built on a shallow foundation on undisturbed soil that are three stories or less. The ratings are based on soil properties, site features, and observed performance of the soils. High water table, depth to bedrock or to a cemented pan, large stones, slope, and flooding effect the ease of excavation, construction, and maintenance.

Table 3. Dwellings and small commercial buildings limitations.

Map Unit Symbol	Dwellings with Basements	Dwellings without Basements	Small Commercial Buildings	Acres	Percent of Area
198A	Somewhat limited: depth to saturated zone, shrink-swell	Somewhat limited: depth to saturated zone, shrink-swell	Somewhat limited: depth to saturated zone, shrink-swell	6.4	42.2%
152A	Very limited: ponding, depth to saturated zone, shrink-swell	Very limited: ponding, depth to saturated zone, shrink-swell	Very limited: ponding, depth to saturated zone, shrink-swell	4.6	30.2%
154A	Very limited: depth to saturated zone, shrink-swell	Somewhat limited: depth to saturated zone, shrink-swell	Somewhat limited: depth to saturated zone, shrink-swell	1.5	10.0%
171B	Somewhat limited: depth to saturated zone, shrink-swell	Somewhat limited: shrink-swell	Somewhat limited: shrink-swell	1.2	7.9%

Surface Water Management System

The table below shows the degree and the kind of soil limitations that affect surface water management systems.

Surface Water Management Systems: impoundments or excavated basins for the short-term detention of stormwater runoff from a completed development area followed by a controlled release from the structure at downstream, pre-development flow rates. The ratings are based on the soil properties that affect the capacity of the soil to convey surface water across the landscape. Factors affecting the system installation and performance are considered. Water conveyances include graded ditches, grassed waterways, terraces, and diversions. The properties that affect the surface system performance include depth to bedrock, saturated hydraulic conductivity, depth to cemented pan, slope, flooding, ponding, large stone content, sodicity, surface water erosion, and gypsum content.

Table 4. Surface Water Management Systems limitations.

Map Unit Symbol	Degree of Limitation	Acres	Percent of Area
198A	Not limited	6.4	42.2%
152A	Somewhat limited: ponding	4.6	30.2%
154A	Not limited	1.5	10.0%
171B	Not limited	1.2	7.9%

Soil Water (Wetness) Features

This section gives estimates of various soil water (wetness) features that should be taken into consideration when reviewing engineering for a land use project.

Hydrologic Soil Groups (HSGs): The groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

- Group A: Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.
- Group B: Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.
- Group C: Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.
- Group D: Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

Note: if a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D) the first letter is for drained areas and the second is for undrained areas.

Surface Runoff: Refers to the loss of water from an area by flow over the land surface. Surface runoff classes are based upon slope, climate, and vegetative cover and indicates relative runoff for very specific conditions (it is assumed that the surface of the soil is bare and that the retention of surface water resulting from the irregularities in the ground surface is minimal). The classes are negligible, very low, low, medium, high, and very high.

Water Table: Refers to a saturated zone in the soil and the data indicates, by month, depth to the top (upper limit) and base (lower limit) of the saturated zone in most years. These estimates are based upon observations of the water table at selected sites and on evidence of a saturated zone (grayish colors or mottles, called redoximorphic features) in the soil. Note: a saturated zone that lasts for less than a month is not considered a water table.

Ponding: Refers to standing water in a closed depression and the data indicates duration and frequency of ponding.

- Duration: expressed as *very brief* if less than 2 days, *brief* if 2 to 7 days, *long* if 7 to 30 days and *very long* if more than 30 days.

- Frequency: expressed as *none* (ponding is not possible), *rare* (unlikely but possible under unusual weather conditions), *occasional* (occurs, on average, once or less in 2 years), *frequent* (occurs, on average, more than once in 2 years).

Flooding: The temporary inundation of an area caused by overflowing streams, by runoff from adjacent slopes, or by tides. Water standing for short periods after rainfall or snowmelt is not considered flooding, and water standing in swamps and marshes is considered ponding rather than flooding.

- Duration: Expressed as *extremely brief* if 0.1 hour to 4 hours; *very brief* if 4 hours to 2 days; *brief* if 2 to 7 days; *long* if 7 to 30 days; and *very long* if more than 30 days.
- Frequency: Expressed as *none* (flooding is not probable), *very rare* (very unlikely but possible under extremely unusual weather conditions (chance of flooding is less than 1% in any year)), *rare* (unlikely but possible under unusual weather conditions (chance of flooding is 1 to 5% in any year)), *occasional* (occurs infrequently under normal weather conditions (chance of flooding is 5 to 50% in any year but is less than 50% in all months in any year)), and *very frequent* (likely to occur very often under normal weather conditions (chance of flooding is more than 50% in all months of any year)).

Note: The information is based on evidence in the soil profile. In addition, consideration is also given to local information about the extent and levels of flooding and the relation of each soil on the landscape to historic floods. Information on the extent of flooding based on soil data is less specific than that provided by detailed engineering surveys that delineate flood-prone areas at specific flood frequency levels.

Table 5. Soil water (wetness) features.

Map Unit Symbol	HSG	Surface Runoff	Depth to Water Table (ft)			Ponding		Flooding	
			Upper Limit	Lower Limit	Kind	Duration	Frequency	Duration	Frequency
198A	B/D	Low	1.0-2.0	6.0	Apparent	-	-	-	None
152A	B/D	Neg.	0.0-1.0	6.0	Apparent	Brief	Frequent	-	None
154A	C/D	Low	1.0-2.0	3.7-5.9	Perched	-	None	-	None
171B	C	Low	2.0-3.5	3.7-5.4	Apparent	-	None	-	None

Hydric Soils

Hydric soils by definition have seasonal high water at or near the soil surface and/or have potential flooding or ponding problems. All hydric soils range from poorly suited to unsuitable for building. Soil maps may not be small enough to show inclusions of hydric soils, so it is important to consult a soil scientist if building residential areas on hydric soils or soils with hydric inclusions.

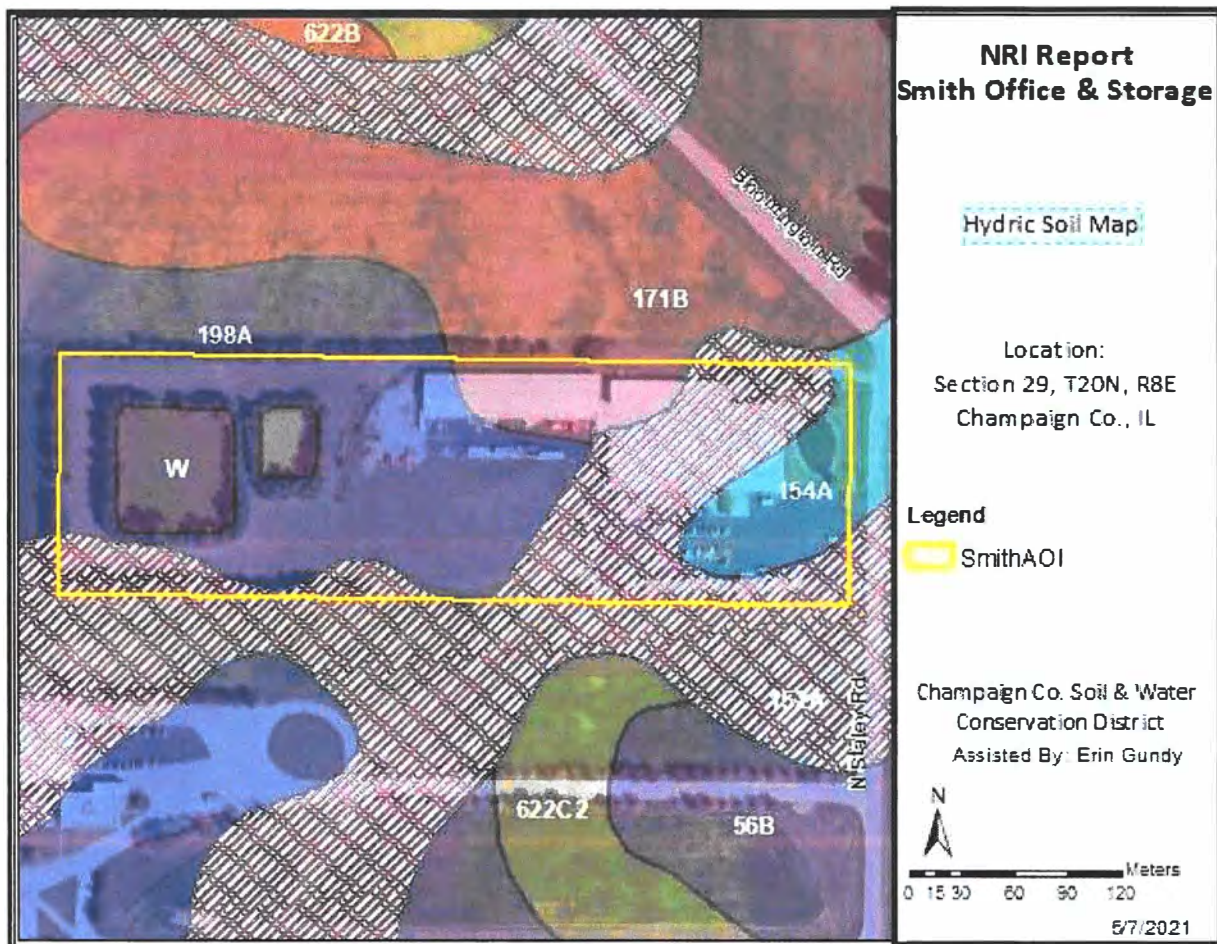
On most agricultural soils in the county that are poorly or somewhat poorly drained, subsurface agriculture drainage tile occurs. This expedites drainage but must be maintained and undisturbed so the soil does not return to its original hydrologic condition.

The Champaign County SWCD recommends the following for an intense land use, such as a subdivision:

1. A topographical survey with 1-foot contour intervals to define the flood area.
2. An intensive soil survey to define locations of hydric inclusions.
3. A drainage tile survey to locate tiles that must be preserved.

Table 6. Hydric soils.

Map Unit Symbol	Drainage Class	Hydric Designation	Acres	Percent of Area
198A	Somewhat poorly drained	Non hydric	6.4	42.2%
152A	Poorly drained	Hydric	4.6	30.2%
154A	Somewhat poorly drained	Non hydric	1.5	10.0%
171B	Moderately well drained	Non hydric	1.2	7.9%
			Percent Hydric	30.2%



Soil Erosion and Sediment Control

Erosion is the wearing away of the soil by water, wind, and other forces and a soil's erodibility is mainly determined by the following properties: soil texture, slope, soil structure, soil organic matter content. Soil erosion threatens the nation's soil productivity and contributes to pollutants in waterways. Sediment entering creeks, rivers, and lakes degrade water quality and reduce capacity, which increases the risk of flooding and disrupts ecosystems. Sediment also carries other possible pollutants, such as chemicals and metals, by adhering to the sediment's surface.

Erosion Control at Construction Sites

Construction sites can experience 20 to 200 tons/acre/year of soil loss, which is greater than other land uses, like agriculture, averaging 4-5 tons/acre/year. It is extremely important that the developer employ Best Management Practices, like the ones listed below, to help reduce soil erosion and protect water quality during and after construction.

- **Silt Fencing:** A woven geotextile fabric stretched across and attached to supporting posts used to intercept sediment-laden runoff from small drainage areas of disturbed soil. The purpose is to filter out sediment from runoff before it enters a water body.
- **Construction Road Stabilization:** The stabilization of temporary construction access routes, subdivision roads, on-site vehicle transportation routes, and construction parking areas with stone immediately after grading the area to reduce erosion.
- **Vegetative Cover:** One of the most important means to control runoff is to plant temporary vegetation around the perimeter of the construction site. This provides a natural buffer to filter sediment and chemicals. The CCSWCD recommends that temporary grass be planted (i.e. smooth brome grass, oats, cereal rye) to help protect soil from erosion during construction.

EPA Stormwater Pollution Prevention Plan (SWPPP) Reference Tool

EPA requires a plan to control storm water 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 to obtain NPDES permit coverage for their storm water discharges. More information at the following website:

<http://www.epa.gov/npdes/stormwater-discharges-construction-activities#resources>.

Table 7. Soil erosion potential.

Map Unit Symbol	Slope	Rating	Acres	Percent of Area
198A	1.0%	Slight	6.4	42.2%
152A	0.5%	Slight	4.6	30.2%
154A	0.9%	Slight	1.5	10.0%
171B	3.0%	Moderate	1.2	7.9%

Prime Farmland Soils

Prime farmland soils are an important resource to Champaign County. Some of the most productive soils in the world occur locally. Each soil map unit in the United States is assigned a prime or non-prime rating. Urban or built-up land on prime farmland soils is not prime farmland.

Table 8. Prime farmland designation.

Map Unit Symbol	Prime Designation	Acres	Percent of Area
198A	All areas are prime farmland	6.4	42.2%
152A	Prime farmland if drained	4.6	30.2%
154A	All areas are prime farmland	1.5	10.0%
171B	All areas are prime farmland	1.2	7.9%
Percent Prime Farmland			100%

The Land Evaluation and Site Assessment System

Decision-makers in Champaign County use the Land Evaluation and Site Assessment (LESA) system to determine the suitability of a land use change and/or a zoning request as it relates to agricultural land. The LESA system was developed by the USDA-NRCS and takes into consideration local conditions, such as physical characteristics of the land, compatibility of surrounding land uses, and urban growth factors. The LESA system is a two-step procedure:

- Land Evaluation (LE) – the soils of a given area are rated and placed in groups ranging from the best to worst suited for a stated agricultural use. The best group is assigned a value of 100 and is based on data from the Champaign County Soil Survey. The Champaign County LE designates soils with a score of 91 to 100 as best prime farmland, as reported in Bulletin 811 Optimum Crop Productivity Ratings for Illinois Soils. Best Prime Farmland consists of:

- a) Soils identified as agricultural value groups 1, 2, 3, and/or 4
- b) Soils that, in combination on a subject site, have an average LE of 91 or higher
- c) Any site that includes a significant amount (10% or more of the area proposed to be developed) of agriculture value groups 1, 2, 3, and/or 4
- Site Assessment (SA) – the site is numerically evaluated according to important factors that contribute to the quality of the site. Each factor selected is assigned values in accordance with the local needs and objectives.

The Champaign County LESA system is designed to provide officials with a systematic objective means to numerically rate a site in terms of its agricultural importance.

- To assist officials in evaluating the proposed conversion of farmland on a parcel or site in zoning cases that include farmland conversion to a non-agricultural land use.
- To assist in the review of state and federal projects for compliance with the Illinois Farmland Preservation Act and the Federal Farmland Protection Policy Act in terms of their impact on important farmland.

Note: A land evaluation (LE) score will be compiled for every project property, but a site assessment score is not applicable in most cases, making the full LESA score unavailable.

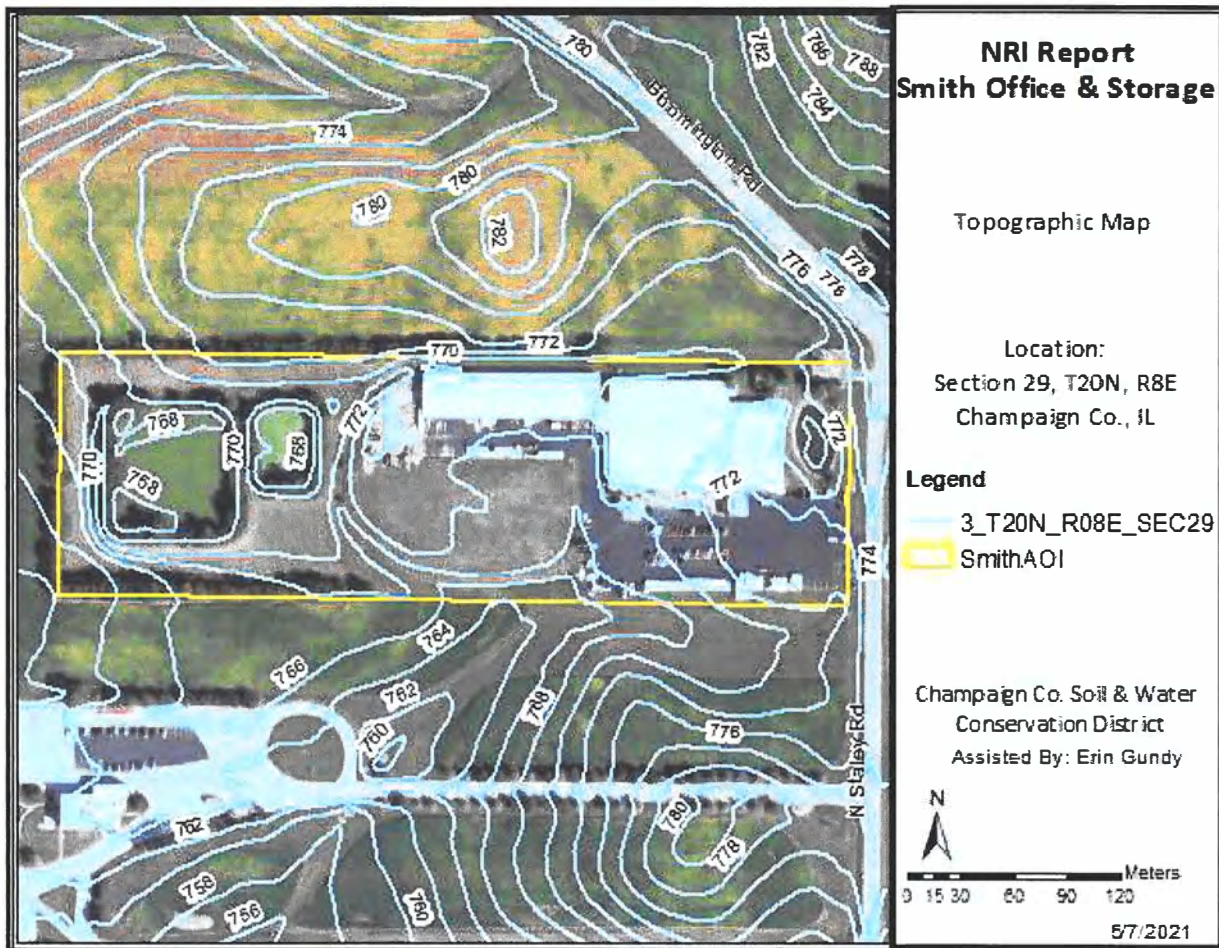
Table 9. Land Evaluation and Site Assessment System score.

Map Unit Symbol	Value Group	Relative Value	Acres	Product (Relative Value*Acres)
198A	1	100	6.4	640
152A	2	100	4.6	460
154A	1	100	1.5	150
171B	3	94	1.2	112.8
Totals			13.7	1,362.8
LE Score		LE=1,362.8/13.7		LE = 99.5

For the subject property: the overall Land Evaluation (LE) score is 99.5.

Topographic Information

United States Geologic Survey (USGA) topographic maps give information on elevation, which are important mostly to determine slope, drainage direction, and watershed information. Elevation determines the area of impact of floods. Slope information determines steepness and erosion potential. Drainage directions determine where water leaves the subject property, possibly impacting surrounding natural resources.



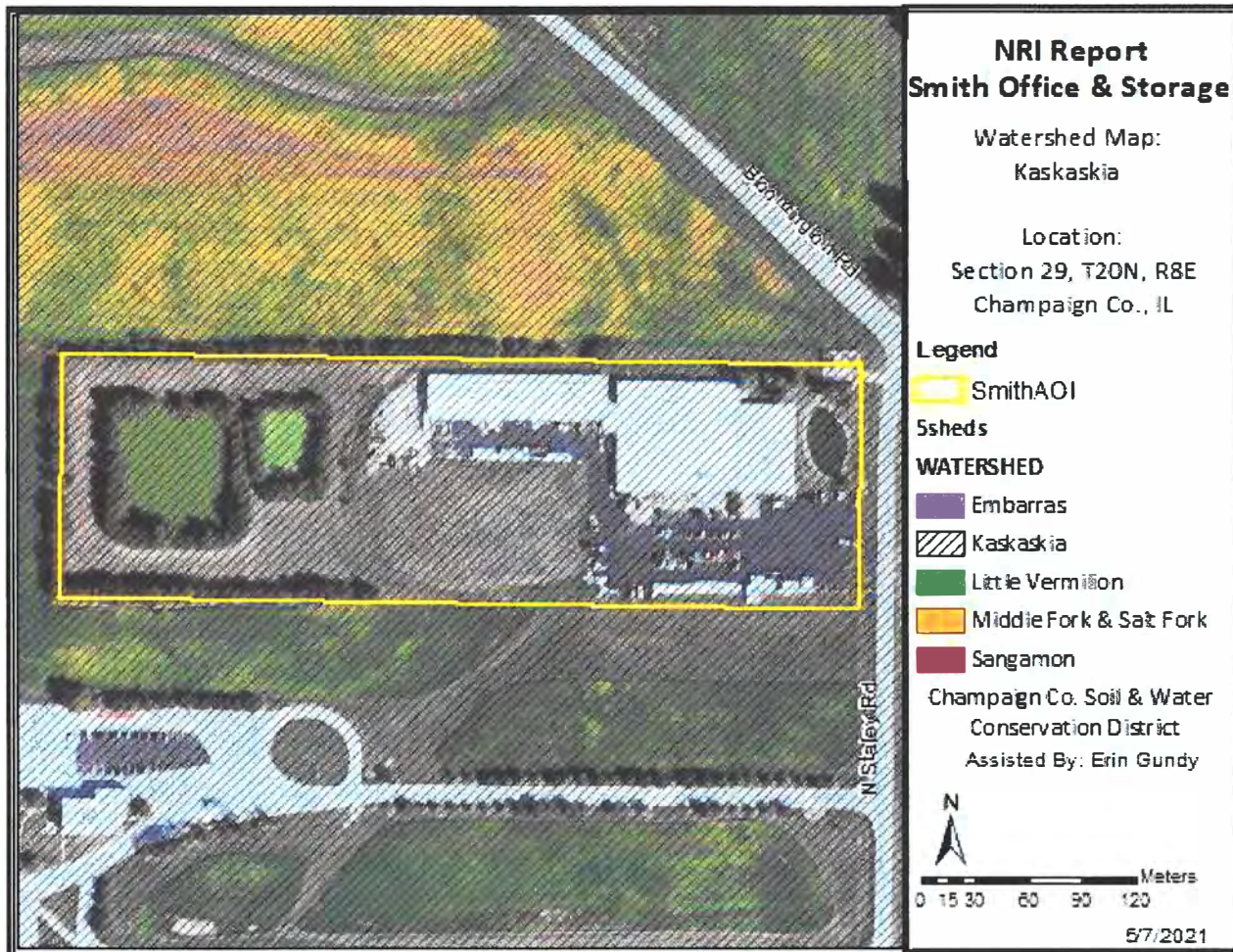
Watershed Information

Watershed information is given when land use is changed to a subdivision type of development on parcels greater than 10 acres. A watershed is an area of land that drains to an associated water resource, such as a wetland, river, or lake. Rainwater carries pollutants through watersheds, impacting natural resources and people living downstream. Residents can minimize this impact by being aware of their environment and implications of their activities.

The following are recommendations to developers for protection of watersheds:

- Preserve open space
- Maintain wetlands as part of development
- Use natural water management
- Prevent soil from leaving construction sites
- Protect subsurface drainage
- Use native vegetation
- Retain natural features
- Mix housing and style types
- Decrease impervious surfaces
- Reduce area disturbed by mass grading
- Treat water where it falls

For the subject property: the property is located in the Kaskaskia River Watershed.



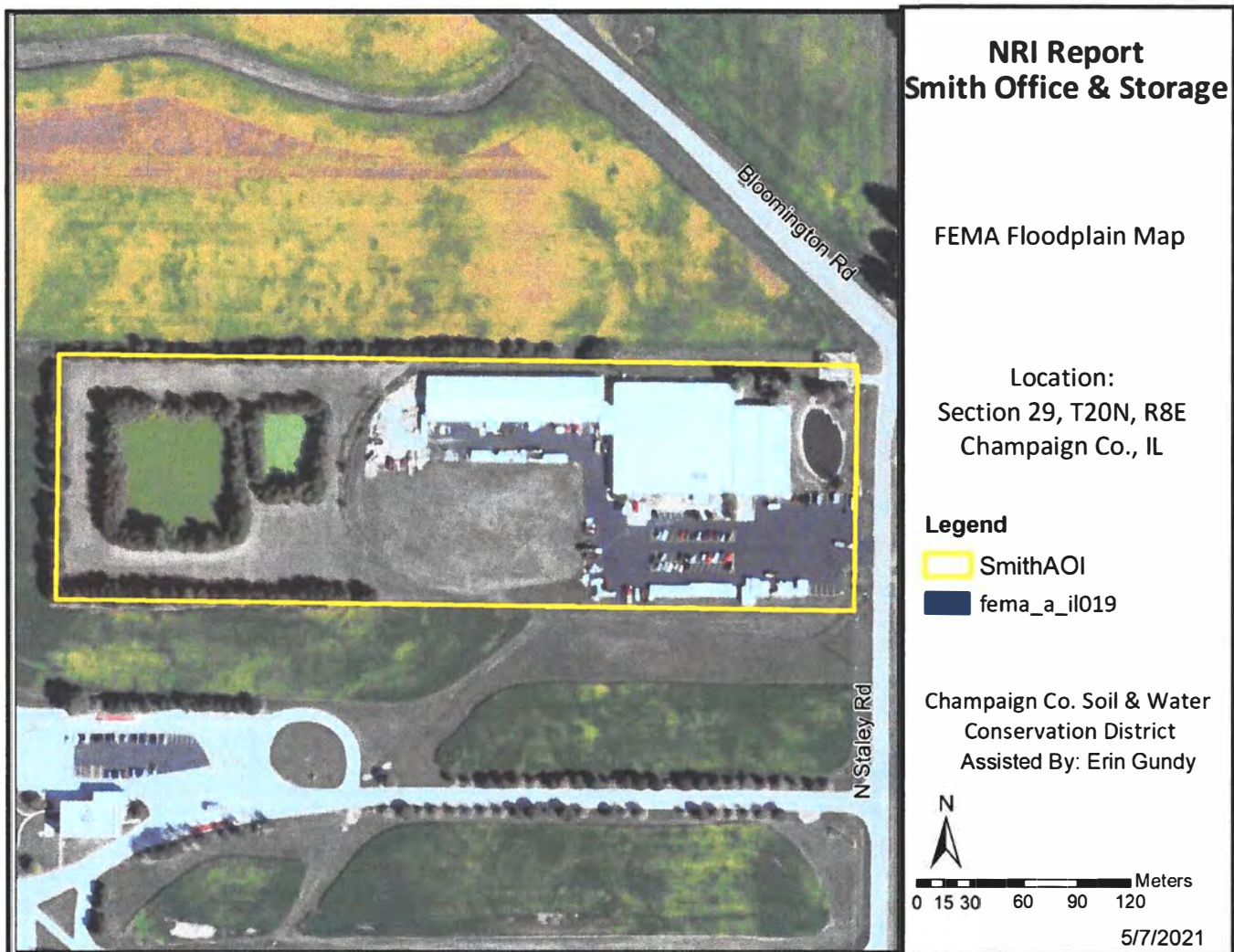
Floodplain and Wetland Information

Floodplain Information

A floodplain is defined as land adjoining a watercourse (riverine) or an inland depression (non-riverine) that is subject to periodic inundation by high water. Floodplains are important areas that demand protection since they have water storage and conveyance functions that affect upstream and downstream flows, water quality and quantity, and suitability of the land for human activity. Since floodplains play distinct and vital roles in the hydrologic cycle, development that interferes with their hydrologic and biologic functions should be carefully considered.

Flooding is dangerous to people and destructive to their properties. The following map can help developers and future homeowners to “sidestep” potential flooding or ponding problems. The Flood Insurance Rate Map (FIRM) was produced by the Federal Emergency Management Agency (FEMA) to define flood elevation adjacent to tributaries and major bodies of water that are superimposed onto a simplified USGS topographic map.

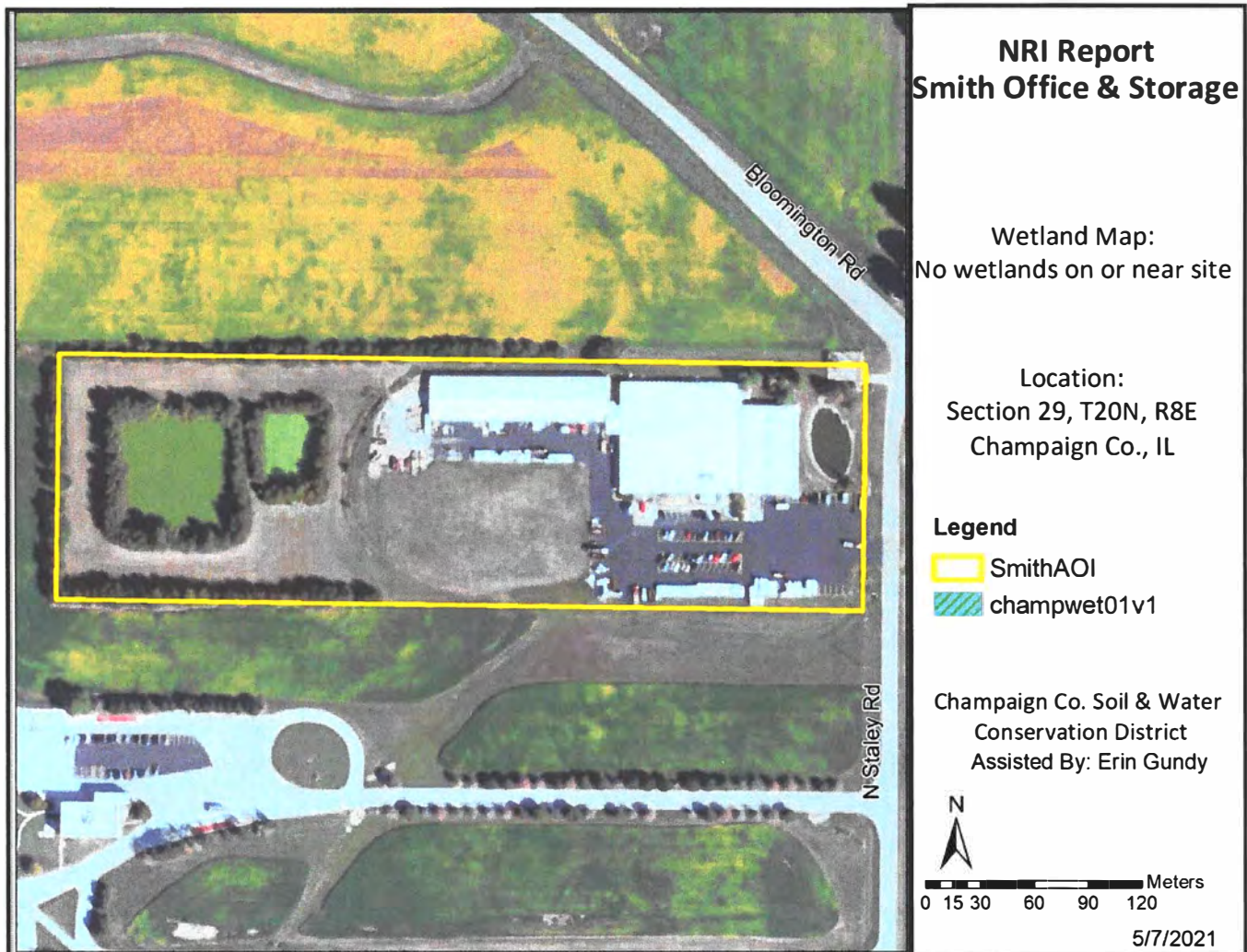
For the subject property: no portion of the property is in the floodplain.



Wetland Information

Wetlands function in many ways to provide numerous benefits to society and the environment, including flood control, cleanse water, recharge groundwater, and provide a wildlife habitat. However, approximately 95% of the wetlands that were historically present in Illinois have been destroyed. It is crucial that we take steps to conserve current wetlands and reestablish new wetlands where once destroyed. Wetland determinations are made by a certified NRCS staff.

For the subject property: a wetland is not present on the subject property.



Wetland and Floodplain Regulations

Please read the following if you are planning to do any work near a stream, lake, wetland, or floodway, including: dredge, fill, rip rap, or otherwise alter the banks or beds of, or construct, operate, or maintain any dock, pier, wharf, sluice, dam, piling, wall, fence, utility, flood plain, or floodway subject to State or Federal regulatory jurisdiction.

The laws of the United States and the State of Illinois assign certain agencies specific and different regulatory roles to protect the waters within the State's boundaries. These roles, when considered together, include protection of navigation channels and harbors, protection against flood way encroachments, maintenance and enhancement of water quality, protection of fish and wildlife habitat and recreational resources, and, in general, the protection of total public interest. Unregulated used of the waters within the State of Illinois could permanently destroy and adversely impact the public. Therefore, please contact the proper authorities when planning any work associated with Illinois waters so that proper consideration and approval can be obtained.

Regulatory Agencies:

- Wetlands or U.S. Waters: U.S. Army Corps of Engineers
- Floodplains: Illinois Department of Natural Resources/Office of Water Resources, Natural Resources Way, Springfield, IL
- Water Quality/Erosion Control: Illinois Environmental Protection Agency

Coordination: we recommend early coordination with the agencies BEFORE finalizing work plans. This allows the agencies to recommend measures to mitigate or compensate for adverse impacts. This could reduce time required to process necessary approvals and reduce expense.

Cultural and Animal Resources

Cultural Resources

The most common cultural resources found during changes in land use are historical properties or non-structural archaeological sites. These sites often extend below the soil surface and must be protected against disruption by development or other earth moving activity if possible. Cultural resources are non-renewable because there is no way to grow a site to replace a disrupted site. Landowners with historical properties on their land have ownership of that historical property. However, the State of Illinois owns all of the following: human remains, grave markers, burial mounds, and artifacts associated with graves and human remains. Non-grave artifacts from archaeological sites and historical buildings are the property of the landowner. The landowner may choose to disturb a historical property but may not receive federal or state assistance to do so. If an earth-moving activity disturbs human remains, the landowner must contact the county coroner within 48 hours.

The Illinois Historic Preservation Agency may require a Phase 1 Archaeological review to identify any cultural resources that may be on the site. The IHPA has not been contacted by the Champaign County SWCD. The applicant may need to contact the IHPA according to current Illinois law.

Animal Resources

According to the Illinois Endangered Species Protection Act & Illinois Natural Areas Preservation Act, state agencies or local units of government must consult Illinois Department of Natural Resources (IDNR) 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 and animals or for adversely modifying a Nature Preserve or a Land and Water Preserve. Home rule governments may delegate this responsibility through duly enacted ordinances to the parties seeking authorization or funding of the action.

Ecologically Sensitive Areas

Biodiversity is the sum of total of all the plants, animals, fungi, and microorganisms in the world, or in a particular area that make up the fabric of the Earth and allow it to function. Biodiversity must be protected, as it is diminishing, which weakens entire natural systems. It is intrinsically valuable for an ecosystem to be biologically diverse to sustain ecosystem health and support life.

As part of the Natural Resources Information Report, staff checks if any nature preserves are in the general vicinity of the subject property. If there is a nature preserve in the area, then that resource will be identified as part of the report. The SWCD recommends that every effort be made to protect that resource. Such efforts should include but are not limited to erosion control, sediment control, stormwater management, and groundwater monitoring.

For the subject property: as shown on the below EcoCAT, there no record of sensitive areas in the vicinity of the property.



Applicant: NRCS Champaign County Field Office
Contact: Taylor Shedd
Address: 2110 W. Park court suite C
 Champaign, IL 61821

IDNR Project Number: 2113389
Date: 05/04/2021

Project: Champaign
Address: Champaign, Champaign

Description: Champaign

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:
 20N, 8E, 28
 20N, 8E, 29
 20N, 8E, 32
 20N, 8E, 33

IL Department of Natural Resources
Contact
 Impact Assessment Section
 217-785-5500
 Division of Ecosystems & Environment

Government Jurisdiction
 U.S. Department of Agriculture

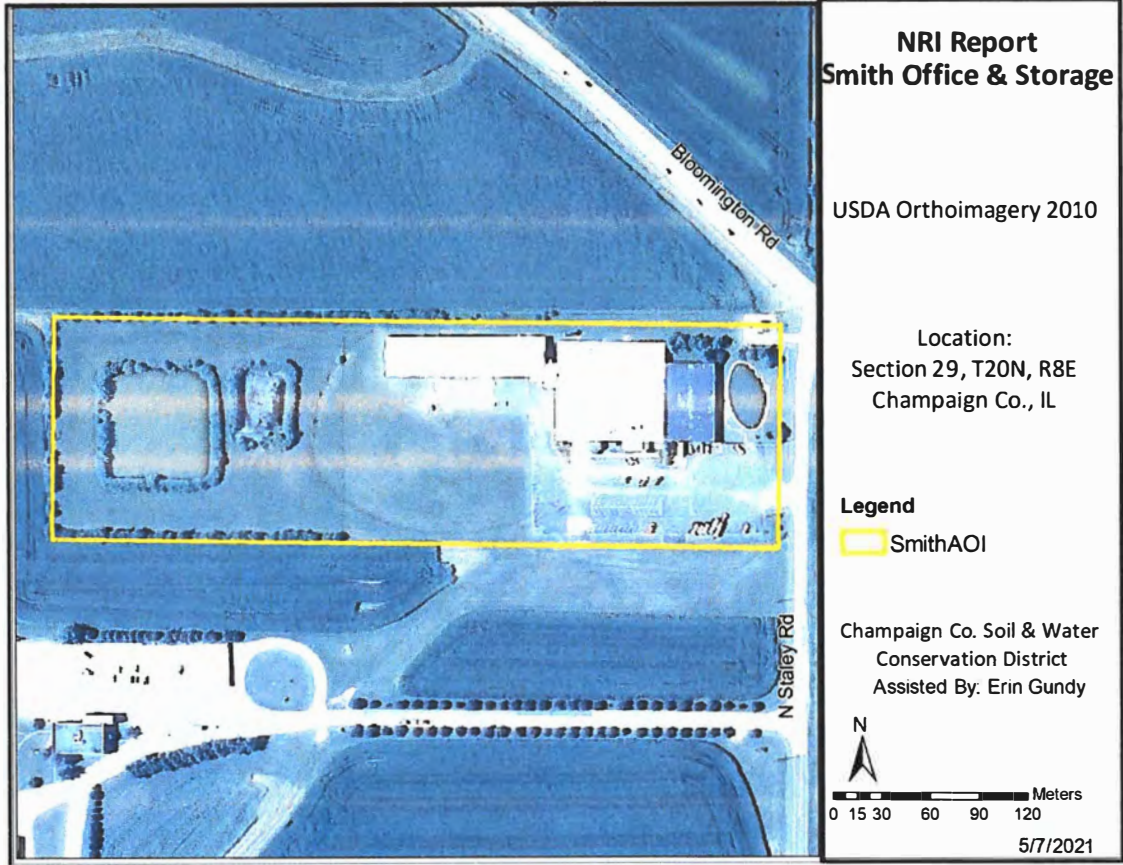
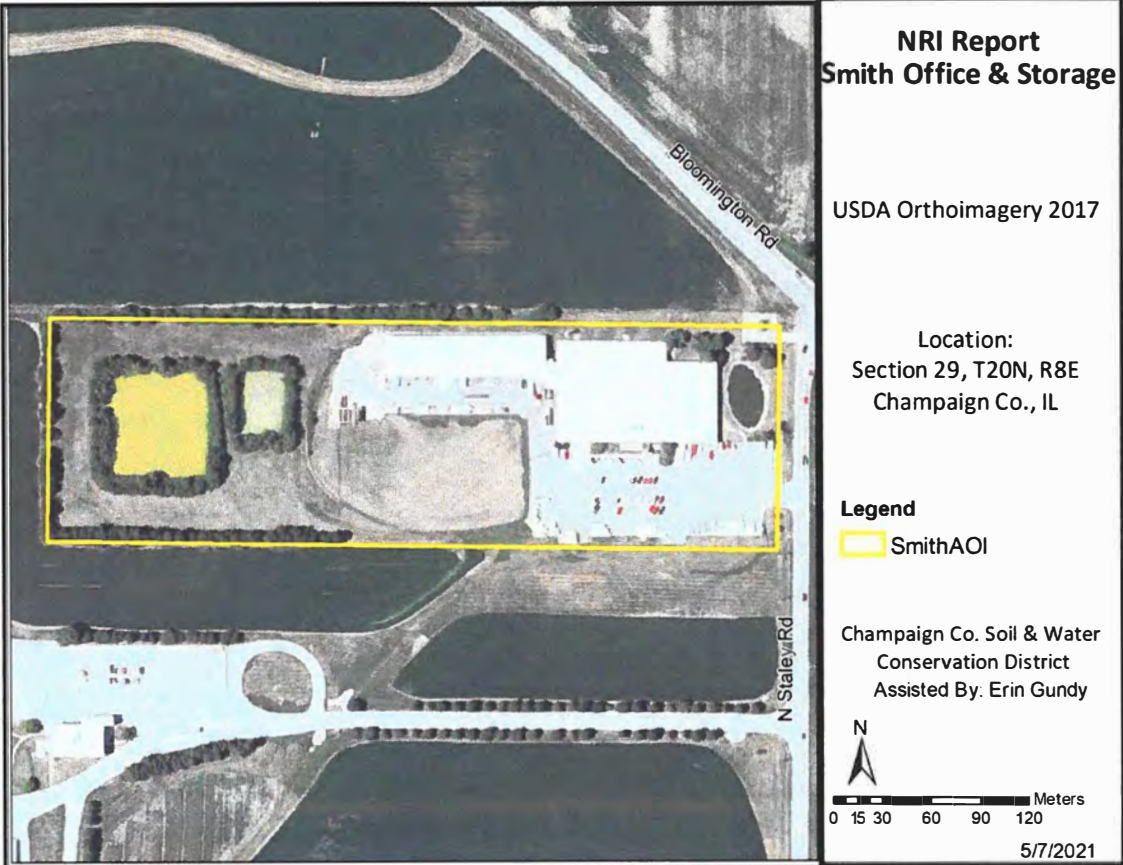
Disclaimer

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

By using this website, you acknowledge that you have read and agree to these terms. These terms may be revised by IDNR as necessary. If you continue to use the EcoCAT application after we post changes to these terms it will mean that you accept such changes. If at any time you do not accept the Terms of Use, you may not continue to use the website.

Historic Aerial Photos



Glossary and Acronyms

Agriculture – The growing, harvesting, and storing of crops, including legumes, hay, grain, fruit; and truck or vegetables, including dairy, poultry, swine, sheep, beef cattle, pony and horse, fur, and fish and wildlife; farm buildings used for growing, harvesting, and preparing crop products for market, or for use on the farm; roadside stands, farm buildings for storing and protecting farm machinery and equipment from the elements, or for housing livestock or poultry and for preparing livestock or poultry products for market; farm dwellings occupied by farm owners, operators, tenants, or seasonal or year around hired farm workers.

ADT – average daily traffic that a local road normally receives, based upon records by the County Superintendent of Highways.

B.G. – below grade. Under the surface of the Earth.

Bedrock – indicates depth at which bedrock occurs. Also lists hardness as rippable or hard.

Flooding – indicates frequency, duration, and period during year when floods are likely to occur.

High Level Management – the application of effective practices adapted to different crops, soils, and climatic conditions. Such practices include providing for adequate soil drainage, protection from flooding, erosion and runoff control, near optimum tillage, and planting the correct kind and amount of high-quality seed. Weeds, diseases, and harmful insects are controlled. Favorable soil reaction and near-optimum levels of available nitrogen, phosphorus, and potassium for individual crops are maintained. Efficient use is made of available crop residues, barnyard manure, and/or green manure crops. All operations, when combined efficiently and timely, can create favorable growing conditions and reduce harvesting losses (within limits imposed by weather).

High Water Table – a seasonal highwater table is a zone of saturation at the highest average depth during the wettest part of the year. May be apparent, perched, or artesian.

Water Table, Apparent – a thick zone of free water in the soil indicated by the level at which water stands in an uncased borehole after adequate time is allowed for adjustment in the surrounding soil.

Water Table, Artesian – a water table under hydrostatic head, generally beneath an impermeable layer. When layer is penetrated, the water level rises in the uncased borehole.

Water Table, Perched – a water table standing above an unsaturated zone, often separated from a lower wet zone by a dry zone.

Delineation – (for wetlands) a series of orange flags placed on the ground by a certified professional that outlines the wetland boundary on a parcel.

Determination – (for wetlands) a polygon drawn on a map using map information that gives an outline of a wetland.

Hydric Soil – soil that is saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions in the upper part (USDA Natural Resources Conservation Service, 1987).

Intensive Soil Mapping – mapping done on a small, intensive scale than a modern soil survey to determine soil properties of a specific site, i.e. mapping for septic suitability.

Land Evaluation Site Assessment (L.E.S.A.) – LESA is a systematic approach for evaluating a parcel of land and to determine a numerical value for the parcel for farmland preservation purposes.

Modern Soil Survey – a soil survey is a field investigation of the soils of a specific area, supported by information from other sources. The kinds of soil in the survey area are identified and their extent is shown on a map. An accompanying report describes, defines, classifies, and interprets the soils. Interpretations predict the behavior of soils under different uses and the soils' response to management. Predictions are made for areas of soil at specific places. Soil information collected in a soil survey are useful in developing land use plans and alternatives.

Palustrine – name given to inland fresh water wetlands.

Permeability – values listed estimate the range of time it takes for downward movement of water in the major soil layers when saturated but allowed to drain freely. The estimates are based on soil texture,

soil structure, available data on permeability and infiltration tests, and observation of water movement through soils or other geologic materials.

PIQ – parcel in question

Potential Frost Action – damage that may occur to structures and roads due to ice lens formation, causing upward and lateral soil movement. Based primarily on soil texture and wetness.

Prime Farmland – lands that are best suited for food, feed, forage, fiber, and oilseed crops. It may be cropland, pasture, woodland, or other land, but it is not urban, built up land, or water areas. When well-managed, the soil qualities and moisture supply provide a sustained high yield of crops with minimum inputs of energy and economic resources in the least damage to the environment. Prime farmland has an adequate and dependable supply of moisture from precipitation or irrigation. The temperature and growing season are favorable. The level of acidity or alkalinity is acceptable. Prime farmland has few or no rocks and is permeable to water and air. It is not excessively erodible or saturated with water for long periods and is not frequently flooding during the growing season. The slope ranges from 0 to 5 percent. (USDA Natural Resources Conservation Service)

Productivity Indexes – express the estimated yields of the major grain crops in Illinois as a single percentage of the average yields obtained under basic management from several of the more productive soils in the state (Muscatine, Ipava, Sable, Lisbon, Drummer, Flanagan, Littleton, Elburn, Joy soil series). See Circular 1156 from the Illinois Cooperative Extension Service.

Seasonal – when used in reference to wetlands, indicates the area flooded only during a portion of the year.

Shrink-Swell Potential – indicates volume changes to be expected for the specific soil material with changes in moisture content.

Soil Mapping Unit – collection of soil and miscellaneous areas delineated in mapping. Generally, an aggregate of the delineations of many different bodies of a kind of soil or miscellaneous area but may consist of only one delineated body.

Taxonomic class names and accompanying terms are used to name soil map units. They are described in terms of ranges of soil properties within the limits defined for tax and in terms of ranges of tax adjuncts and inclusions.

Soil Series – a group of soils formed from a type of parent material, having horizons that, except for texture of the surface horizon, are similar in all profile characteristics and in arrangement in the soil profile. Among these characteristics are color, texture, structure, reaction, consistence, mineralogy, and chemical composition.

Subsidence – applies mainly to organic soils after drainage. Soil material subsides due to shrinkage and oxidation.

Terrain – the area or surface over which a particular rock or group of rocks is prevalent.

Topsoil – portion of the soil profile where higher concentrations of organic material, fertility, bacterial activity, and plant growth take place. Depths of topsoil vary between soil types.

Watershed – an area of land that drains to an associated water resource, such as a wetland, river, or lake. Depending on the size and topography, watersheds can contain numerous tributaries, such as streams, ditches, and ponding areas, such as detention structures, natural ponds, or wetlands.

Wetland – an area that has a predominance of hydric soils that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support a prevalence of hydrophilic vegetation typically adapted for life in saturated soil conditions.

References

Field Office Technical Guide. USDA Natural Resources Conservation Service.

Flood Insurance Rate Map. National Flood Insurance Program, Federal Emergency Management Agency.

Illinois Urban Manual. 2016. Association of Illinois Soil & Water Conservation Districts.

Soil Survey of Champaign County. USDA Natural Resources Conservation Service.

Wetlands Inventory Maps. Department of the Interior.

Potential for Contamination of Shallow Aquifers in Illinois. Illinois Department of Energy and Natural Resources, State Geological Survey Division.

Land Evaluation and Site Assessment System. The Kendall County Department of Planning, Building, and Zoning, and the Champaign County Soil and Water Conservation District. In cooperation with USDA Natural Resources Conservation Service.

012-S-21 & 017-V-21 Site Images



From the Anderson's driveway facing NW to subject property



From entrance facing west to easternmost building

012-S-21 & 017-V-21 Site Images



Middle building addition to easternmost building



Receiving dock connecting middle addition and original westernmost building

012-S-21 & 017-V-21 Site Images



Westernmost original building on north side of subject property



Newest existing building (proposed building would be to left of this one)

012-S-21 & 017-V-21 Site Images



Proposed building foundation to left of newest existing building



Proposed building foundation

012-S-21 & 017-V-21 Site Images



Storm water detention basin south of newest building and proposed building



Storm water detention basin from parking lot facing west (the Anderson's at rear)

PRELIMINARY DRAFT

012-S-21 & 017-V-21

**SUMMARY OF EVIDENCE, FINDING OF FACT
AND FINAL DETERMINATION**

of

Champaign County Zoning Board of Appeals

Final Determination: *{GRANTED/ GRANTED WITH SPECIAL CONDITIONS/ DENIED}*

Date: *{July 15, 2021}*

Petitioners: **Robert R. Smith II, via agent Steve Frank**

Request: **Case 012-S-21**

Authorize a Special Use Permit for multiple principal structures consisting of an existing office, two existing warehouses, an existing multi-tenant building, and a proposed multi-tenant building in the I-1 Light Industry Zoning District, subject to the variance in related Zoning Case 017-V-21.

Case 017-V-21

Authorize the following Variance for the Special Use Permit requested in related Zoning Case 012-S-21:

Authorize two principal structures with 8 feet of open space between them, in lieu of the minimum required 40 feet of open space in the I-1 Light Industry Zoning District, per Section 4.2.1 F.2.d of the Zoning Ordinance.

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SUMMARY OF EVIDENCE

From the documents of record and the testimony and exhibits received at the public hearing conducted on **July 15, 2021**, the Zoning Board of Appeals of Champaign County finds that:

1. Petitioner Robert R. Smith II owns the subject property. Attorney Steve Frank is his agent for this zoning case.
2. The subject property is two tracts of land comprising 15.2 acres located in the Northeast Corner of the South Half of the Southwest Quarter of Section 29, Township 20 North, Range 8 East of the Third Principal Meridian in Hensley Township, and commonly known as the TSI/Commercial Flooring Warehouse with an address of 3611 North Staley Road, Champaign.
3. Regarding municipal extraterritorial jurisdiction and township planning jurisdiction:
 - A. The subject property is located within the one and one-half mile extraterritorial jurisdiction of the City of Champaign, a municipality with zoning. Zoned municipalities do not have protest rights in Special Use Permit cases, but are notified of such cases.
 - B. The subject property is located within Hensley Township, which does have a Plan Commission. Townships with Planning Commissions do not have protest rights on a Special Use Permit, but do have protest rights on a variance. Notice was sent to the Hensley Township Plan Commission.

GENERALLY REGARDING LAND USE AND ZONING IN THE IMMEDIATE VICINITY

4. Land use and zoning on the subject property and in the vicinity are as follows:
 - A. The 15.2-acre subject property is a two-lot joint lot development that is zoned I-1 Light Industry. Land uses include warehouses and an office. The west lot has a sewage lagoon that serves the east lot.
 - B. Land to the north of the subject property is zoned AG-2 Agriculture, and is in agricultural production.
 - C. Land to the west of the subject property is zoned I-1 Light Industry, and is the Andersons grain elevator.
 - D. Land to the east of the subject property is zoned AG-2 Agriculture, and is in agricultural production.
 - E. Land to the south of the subject property is zoned I-1 Light Industry, and is the Andersons grain elevator.

GENERALLY REGARDING THE PROPOSED SPECIAL USE

5. Regarding the site plan and operations of the proposed Special Use:
 - A. The Site Plan received April 23, 2021 indicates the following existing features:
 - (1) One 100 feet by 160 feet (16,000 square feet) office/warehouse on the east side of the property, constructed prior to adoption of the Zoning Ordinance on October 10, 1973;

PRELIMINARY DRAFT**Case 012-S-21 & 017-V-21**

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- (2) One 80 feet by 320 feet (25,600 square feet) warehouse to the west of that building, also constructed prior to adoption of the Zoning Ordinance on October 10, 1973;
 - (3) One 200 feet by 218 feet (43,600 square feet) warehouse addition to the west building, constructed under ZUPA #93-85-02 approved April 3, 1985;
 - (4) One 52 feet by 25 feet (1,300 square feet) vestibule connecting the west building and the 1985 addition;
 - (5) One 200 feet by 60 feet (12,000 square feet) multi-tenant office/warehouse building south of the existing western building, constructed under ZUPA #296-20-01 approved November 2, 2020; and
 - (6) One sewage treatment lagoon on the west side of the property constructed under ZUPA #333-88-02 approved on November 28, 1988.
- B. The petitioner proposes the following features:
- (1) One 185 feet by 60 feet (11,100 square feet) multi-tenant office/warehouse building west of the newest building;
 - (2) One storm water detention basin located south of the proposed building.
- C. Regarding the proposed Special Use Permit:
- (1) The building on the north side of the subject property is utilized by three tenants: TSI Floor Covering, Advanced Commercial Roofing, and Paul Tatman.
 - (2) ZUPA #296-20-01 was approved on November 2, 2020 to allow an accessory warehouse building south of the original west building for the three existing tenants to use as cold storage.
 - (3) After approval of ZUPA #296-20-01, the tenants decided that they would like to use the new building and construct another building to the west of it, both to lease out to other tenants.
 - (4) The new building being constructed under ZUPA #296-20-01 is no longer an accessory building if they lease it to other tenants, because it will be leased to businesses that do not have their principal use in the existing building to the north. The same holds true for the proposed multi-tenant building to the west.
 - (5) The proposed Special Use Permit will allow the petitioners to lease the newest existing building on the south side and the proposed building to the west of it to any by-right uses in the I-1 district rather than being limited to accessory uses that are dependent on the primary building occupant's use. Multiple principal structures are allowed in the I-1 district, but only with a Special Use Permit.
- D. Previous Zoning Use Permits on the subject property are as follows:
- (1) The northeast building and the northwest buildings on the subject property were constructed prior to adoption of the Zoning Ordinance on October 10, 1973.

- (2) ZUPA #93-85-02 was approved on April 3, 1985, to construct one 200 feet by 218 feet (43,600 square feet) warehouse addition to the east building.
- (3) At some point after the 43,600 square feet addition, a 52 feet by 25 feet (1,300 square feet) vestibule connecting the west building and the 1985 addition was made; no permit was found on file.
- (4) ZUPA #333-88-02 was approved on November 28, 1988, to construct one sewage treatment lagoon on the west side of the property.
- (5) ZUPA #296-20-01 was approved on November 2, 2020 to allow an accessory warehouse building south of the original west building for the three existing tenants to use as cold storage.

E. There are no previous Zoning Cases on the subject property.

GENERALLY REGARDING SPECIFIC ORDINANCE REQUIREMENTS

6. Regarding authorization for warehouses and a rail siding and rail terminal on the same lot in the I-1 Light Industry Zoning DISTRICT in the *Zoning Ordinance*:
 - A. The following definitions from the *Zoning Ordinance* are especially relevant to the requested Special Use Permit (capitalized words are defined in the Ordinance):
 - (1) “ACCESSORY BUILDING” is a BUILDING on the same LOT with the MAIN or PRINCIPAL STRUCTURE, or the main or principal USE, either detached from or attached to the MAIN or PRINCIPAL STRUCTURE, and subordinate to and used for purposes customarily incidental to the MAIN or PRINCIPAL STRUCTURE, or the main or principal USE.
 - (2) “ACCESSORY USE” is a USE on the same LOT customarily incidental and subordinate to the main or principal USE or MAIN or PRINCIPAL STRUCTURE.
 - (3) “BERTH, LOADING” is a stall of dimensions herein specified, adjacent to a LOADING DOCK for the maneuvering and parking of a vehicle for loading and unloading purposes.
 - (4) “BUILDING” is an enclosed STRUCTURE having a roof supported by columns, walls, arches, or other devices and used for the housing, shelter, or enclosure of persons, animal, and chattels.
 - (5) “BUILDING, DETACHED” is a BUILDING having no walls in common with other BUILDINGS.
 - (6) “BUILDING, MAIN or PRINCIPAL” is the BUILDING in which is conducted the main or principal USE of the LOT on which it is located.
 - (7) “LOT” is a designated parcel, tract or area of land established by PLAT, SUBDIVISION or as otherwise permitted by law, to be used, developed or built upon as a unit.

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- (8) “OPEN SPACE” is the unoccupied space open to the sky on the same LOT with a STRUCTURE.
- (9) “PARKING SPACE” is a space ACCESSORY to a USE or STRUCTURE for the parking of one vehicle.
- (10) “SPECIAL CONDITION” is a condition for the establishment of a SPECIAL USE.
- (11) “SPECIAL USE” is a USE which may be permitted in a DISTRICT pursuant to, and in compliance with, procedures specified herein.
- (12) “STORAGE” is the presence of equipment, or raw materials or finished goods (packaged or bulk) including goods to be salvaged and items awaiting maintenance or repair and excluding the parking of operable vehicles.
- (13) “STREET” is a thoroughfare dedicated to the public within a RIGHT-OF-WAY which affords the principal means of ACCESS to abutting PROPERTY. A STREET may be designated as an avenue, a boulevard, a drive, a highway, a lane, a parkway, a place, a road, a thoroughfare, or by other appropriate names. STREETS are identified on the Official Zoning Map according to type of USE, and generally as follows:
 - (a) MAJOR STREET: Federal or State highways.
 - (b) COLLECTOR STREET: COUNTY highways and urban arterial STREETS.
 - (c) MINOR STREET: Township roads and other local roads.
- (14) “SUITED OVERALL” is a discretionary review performance standard to describe the site on which a development is proposed. A site may be found to be SUITED OVERALL if the site meets these criteria:
 - a. The site features or site location will not detract from the proposed use;
 - b. The site will not create a risk to health, safety or property of the occupants, the neighbors or the general public;
 - c. The site is not clearly inadequate in one respect even if it is acceptable in other respects;
 - d. Necessary infrastructure is in place or provided by the proposed development; and
 - e. Available public services are adequate to support the proposed development effectively and safely.
- (15) “USE” is the specific purpose for which land, a STRUCTURE or PREMISES, is designed, arranged, intended, or for which it is or may be occupied or maintained. The term “permitted USE” or its equivalent shall not be deemed to include any NONCONFORMING USE.
- (16) “WAREHOUSE” is a BUILDING within which raw materials, goods, or equipment including vehicles, are kept and wherein no manufacturing, assembly, construction, repair, sales or other activity is performed except for the packaging of goods and materials for shipment.

- B. Section 4.2.1.F. states that more than one main or principal structure or building per lot is authorized by Special Use Permit in the R-4 Multiple Family Residence, B-1 Rural Trade Center, B-2 Neighborhood Business, B-3 Highway Business, B-4 General Business, B-5 Central Business, I-1 Light Industry, and I-2 Heavy Industry Zoning Districts.
1. Subsection 4.2.1.F.2 identifies the criteria that must be met:
 - a. The requirements of Section 9.1.11, SPECIAL USES, shall be met.
 - b. The USES are permitted either by right or as a SPECIAL USE in the DISTRICT in which the LOT or parcel of land is located.
 - c. The regulations and standards for the DISTRICT in which the LOT is located shall be met.
 - d. A LOT may be occupied by two or more MAIN or PRINCIPAL STRUCTURES or BUILDINGS as authorized by a SPECIAL USE under this section, when adequate OPEN SPACE is provided between all STRUCTURES and BUILDINGS in accordance with the following standards:
 - (a) For STRUCTURES in the Business or Industrial DISTRICTS the required minimum depth of such OPEN SPACE shall be determined by doubling the required SIDE YARD in the DISTRICT in which the LOT or parcel is located.
 - (b) The minimum depth of such OPEN SPACE, for the purpose of these standards, shall be measured at the closest point between BUILDINGS including any projecting eave, balcony, canopy, awning, or other similar projection.
 - (c) Single Family, Two-Family, Multiple Family or institutional BUILDINGS shall be located on the LOT in conformance to the provisions of Section 4.2.2C.
- C. Section 6.1 contains standard conditions that apply to all SPECIAL USES, standard conditions that may apply to all SPECIAL USES, and standard conditions for specific types of SPECIAL USES. Relevant requirements from Subsection 6.1 are as follows:
- (1) Paragraph 6.1.2 A. indicates that all Special Use Permits with exterior lighting shall be required to minimize glare on adjacent properties and roadways by the following means:
 - a. All exterior light fixtures shall be full-cutoff type lighting fixtures and shall be located and installed so as to minimize glare and light trespass. Full cutoff means that the lighting fixture emits no light above the horizontal plane.
 - b. No lamp shall be greater than 250 watts and the Board may require smaller lamps when necessary.
 - c. Locations and numbers of fixtures shall be indicated on the site plan (including floor plans and building elevations) approved by the Board.

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- d. The Board may also require conditions regarding the hours of operation and other conditions for outdoor recreational uses and other large outdoor lighting installations.
 - e. The Zoning Administrator shall not approve a Zoning Use Permit without the manufacturer's documentation of the full-cutoff feature for all exterior light fixtures.
- D. Section 7.4 establishes requirements for off-street PARKING SPACES and LOADING BERTHS:
- (1) Section 7.4.1 A. establishes general provisions for off-street parking.
 - a. Section 7.4.1 A.1. states, "All off-street PARKING SPACES shall be located on the same LOT or tract of land as the USE served."
 - b. Section 7.4.1 A.2. states, "All spaces for the accommodation of an AUTOMOBILE shall total at least 300 square feet including both parking and maneuvering area."
 - c. Section 7.4.1 A.3.a. states, "No such space shall be located less than 10 feet from any FRONT LOT LINE."
 - d. Section 7.4.1 A.3.b. states, "No such space shall be located less than five feet from any side or REAR LOT LINE."
 - (2) Section 7.4.1 B. establishes the minimum size of off-street PARKING SPACES shall be at least nine feet wide by 20 feet long.
 - (3) Section 7.4.1 C.2. states, "The number of such PARKING SPACES shall be the sum of the individual requirements of the various individual ESTABLISHMENTS computed separately in accordance with this section. Such PARKING SPACES for one such ESTABLISHMENT shall not be considered as providing the number of such PARKING SPACES for any other ESTABLISHMENT."
 - (4) Section 7.4.1 D. states, "Off-street PARKING SPACES for Industrial USES shall be provided as follows:
 - a. One space shall be provided for each three employees based upon the maximum number of persons employed during one work period during the day or night, plus one space for each VEHICLE used in the conduct of such USE. A minimum of one additional space shall be designated as a visitor PARKING SPACE.
 - b. All such spaces shall be surfaced with an all-weather dustless material.
 - c. Required parking SCREENS for industrial USES shall be provided as required in paragraph 7.4.1 C.4, which states, "Required parking SCREENS for commercial ESTABLISHMENTS shall be provided as follows:
 - (a) Parking areas for more than four vehicles of no more than 8,000 pounds gross vehicle weight each, excluding any vehicles used for

PRELIMINARY DRAFT

hauling solid waste except those used for hauling construction debris and other inert materials, located within any YARD abutting any residential DISTRICT or visible from and located within 100 feet from the BUILDING RESTRICTION LINE of a lot containing a DWELLING conforming as to USE shall be screened with a Type A SCREEN except that a TYPE B SCREEN may be erected along the rear LOT LINE of the business PROPERTY.

- (b) Parking areas for any number of vehicles exceeding 8,000 pounds in gross vehicle weight each or any number of vehicles used for hauling solid waste except those used for hauling construction debris and other inert materials located within any YARD abutting any residential DISTRICT or visible from and located within 100 feet from the BUILDING RESTRICTION LINE of a lot containing a DWELLING conforming as to USE shall be screened with a Type D SCREEN.”
- (5) Section 7.4.2 refers to off-street LOADING BERTHS:
- a. All LOADING BERTHS shall have vertical clearance of at least 14 feet.
 - b. All LOADING BERTHS shall be designed with appropriate means of vehicular access to a STREET or ALLEY in a manner which will least interfere with traffic movement.
 - c. No VEHICLE repair or service work shall be performed on any LOADING BERTH.
 - d. No LOADING BERTH shall be located less than 10 feet from any FRONT LOT LINE and less than five feet from any side or REAR LOT LINE.
 - e. Section 7.4.2 D. states, “Off-street LOADING BERTHS for Industrial USES shall be provided as follows:
 - (a) All LOADING BERTHS shall be located on the same LOT or tract of land as the Industrial USE served.
 - (b) No such BERTH shall be located within any YARD abutting a residential DISTRICT or located less than 100 feet from the BUILDING RESTRICTION LINE of any LOT in an R DISTRICT or any lot containing a DWELLING conforming as to USE unless such BERTH is screened from public view by a Type D SCREEN.
 - (c) No LOADING BERTH shall be located within 50 feet from the nearest point of intersection of two STREETS.
 - (d) All LOADING BERTHS shall be improved with a compacted base at least seven inches thick and shall be surfaced with at least two inches of some all-weather dustless material.

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Case 012-S-21 & 017-V-21

- (e) The schedule of off-street **LOADING BERTHS** for commercial **ESTABLISHMENTS** shall also apply to **Industrial USES**.

Floor Area of ESTABLISHMENT in Square Feet (Thousands)	Minimum Required Number and Size of LOADING BERTHS
1 – 9.999	1 (12 x 40 feet)
10 – 24.999	2 (10 x 40 feet)
25 – 39.999	2 (10 x 70 feet)
40 – 99.999	3 (10 x 70 feet)
100 – 249.999	4 (10 x 70 feet)

E. Section 7.6 establishes the following conditions for **Outdoor Storage** and/or **Outdoor Operations**:

- (1) Part 7.6.1 states that “**Outdoor STORAGE** and/or **OPERATIONS** shall be allowed in all **DISTRICTS** only as **ACCESSORY USES** unless permitted as a principal **USE** in Section 5.2 and shall be allowed in any **YARD** in all **DISTRICTS** subject to the provisions of Section 7.2 without a permit provided that outdoor **STORAGE** and/or outdoor **OPERATIONS** shall not be located in any required off-street **PARKING SPACES** or **LOADING BERTHS**.
- (2) Part 7.6.2 states that “a **Type D SCREEN** shall be located so as to obscure or conceal any part of any **YARD** used for outdoor **STORAGE** and/or outdoor **OPERATIONS** which is visible within 1,000 feet from any of the following circumstances:
 - a. Any point within the **BUILDING RESTRICTION LINE** of any **LOT** located in any **R DISTRICT** or any **LOT** occupied by a **DWELLING** conforming as to **USE** or occupied by a **SCHOOL**; church or temple; public park or recreational facility; public library, museum, or gallery; public fairgrounds; nursing home or **HOSPITAL**; recreational business **USE** with outdoor facilities; or
 - b. Any designated urban arterial street or **MAJOR STREET**.”
- (3) Part 7.6.3 A. states that “The screen shall meet the requirements of Sections 4.3.3 E, F and G.”

F. Section 9.1.11 requires that a **Special Use Permit** shall not be granted by the **Zoning Board of Appeals** unless the public hearing record and written application demonstrate the following:

- (1) That the **Special Use** is necessary for the public convenience at that location;
- (2) That the **Special Use** is so designed, located, and proposed as to be operated so that it will not be injurious to the **DISTRICT** in which it shall be located or otherwise detrimental to the public welfare except that in the **CR, AG-1, and AG-2 DISTRICTS** the following additional criteria shall apply:
 - a. The property is either **BEST PRIME FARMLAND** and the property with proposed improvements in **WELL SUITED OVERALL** or the property is

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not BEST PRIME FARMLAND and the property with proposed improvements is SUITED OVERALL.

- b. The existing public services are available to support the proposed SPECIAL USE effectively and safely without undue public expense.
 - c. The existing public infrastructure together with proposed improvements is adequate to support the proposed development effectively and safely without undue public expense.
- (3) That the Special Use conforms to the applicable regulations and standards of and preserves the essential character of the DISTRICT in which it shall be located, except where such regulations and standards are modified by Section 6.
 - (4) That the Special Use is in harmony with the general purpose and intent of this ordinance.
 - (5) That in the case of an existing NONCONFORMING USE, it will make such USE more compatible with its surroundings.
- G. Paragraph 9.1.11 D.2. states that in granting any SPECIAL USE permit, the BOARD may prescribe SPECIAL CONDITIONS as to appropriate conditions and safeguards in conformity with the Ordinance. Violation of such SPECIAL CONDITIONS when made a party of the terms under which the SPECIAL USE permit is granted, shall be deemed a violation of this Ordinance and punishable under this Ordinance.
 - H. Regarding the proposed variance: the requirement for open space between buildings is established in Section 4.2.1.F. as twice the required side yard. In the I-1 Light Industry Zoning District, the required side yard is 20 feet, so the minimum requirement for open space between buildings is 40 feet.

GENERALLY REGARDING WHETHER THE SPECIAL USE IS NECESSARY FOR THE PUBLIC CONVENIENCE AT THIS LOCATION

- 7. Generally regarding the *Zoning Ordinance* requirement that the proposed Special Use is necessary for the public convenience at this location:
 - A. The Petitioners testified on the application, **“Need for commercial rental space which has room for office and storage for businesses and their equipment.**
 - B. The TSI Commercial Floor Covering and Advanced Commercial Roofing business have been located on the subject property for 5 years.
 - C. The subject property is located at the intersection of US 150 (Bloomington Rd) and Staley Road, 1.5 road miles from the Village of Mahomet and 0.9 road miles from the City of Champaign. It is about 2.2 miles west of the I-74/I-57 interchange, 3.4 road miles east of the I-74 interchange at Prairieview Rd in Mahomet, and 4.3 road miles from the entrance to I-72 off Country Fair Drive.

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GENERALLY REGARDING WHETHER THE SPECIAL USE WILL BE INJURIOUS TO THE DISTRICT OR OTHERWISE INJURIOUS TO THE PUBLIC WELFARE

8. Generally regarding the *Zoning Ordinance* requirement that the proposed Special Use be designed, located, and operated so that it will not be injurious to the District in which it shall be located, or otherwise detrimental to the public welfare:
- A. The Petitioners have testified on the application, **“Current zoning is I-1 which allows for use as office and warehouse storage space for business. Site plans and plans for building are attached.”**
- B. Regarding surface drainage:
- (1) The petitioners contracted with Berns, Clancy & Associates for storm water engineering. The P&Z Department contracted with MSA Engineering to compete the storm water review, which is still underway. A special condition has been added to ensure compliance as part of the permitting process.
- C. Regarding traffic in the subject property area:
- (1) The subject property access is off the west side of Staley Road, just south of its intersection with US 150 (Bloomington Road). The intersection has a stop sign on Staley Road and is uncontrolled on US 150.
- (2) Regarding roadway characteristics:
- a. US 150 (Bloomington Road) at this location is a Minor Arterial, which is the equivalent of a MAJOR STREET in the Zoning Ordinance. It is paved and marked and has four-foot wide paved shoulders. There is one lane in each direction and a left turn lane for westbound vehicles turning south onto Staley Road.
- b. Staley Road is also a Minor Arterial. It is paved and marked and has four-foot wide paved shoulders. There is one lane in each direction and a left turn lane for northbound vehicles turning west onto US150.
- (3) The Illinois Department of Transportation measures traffic on various roads throughout the County and determines the annual average 24-hour traffic volume for those roads and reports it as Average Daily Traffic (ADT).
- a. The most recent ADT data is from 2019 for US 150 and 2016 for Staley Road:
- (1) US150 west of Staley Road had an ADT of 6,700.
- (2) US150 east of Staley Road had an ADT of 5,850.
- (3) Staley Road south of US150 had an ADT of 4,400.
- b. The Illinois Department of Transportation’s *Manual of Administrative Policies of the Bureau of Local Roads and Streets* general design guidelines recommends that urban two-way arterials with two lanes have a Design Volume (DHV) of less than 1,400 vehicles. The design volume is basically the peak hour of traffic volume, roughly equivalent to 8-12% of the ADT.

- (1) For US 150, multiplying 6,700 by the higher end 12% gives a rough DHV of 804, which is significantly less than the 1,400 design volume. This simplistic calculation suggests that US 150 has more than enough capacity to handle an increase in traffic from this site.
 - (2) Staley Road traffic volume is less than US 150, but has the same design and functional classification of Minor Arterial. Staley Road also has more than enough capacity to handle an increase in traffic from this site.
- D. Regarding fire protection on the subject property, the subject property is located approximately 5.6 road miles from the Cornbelt Fire Protection District station in Mahomet. Notice of this zoning case was sent to the Cornbelt Fire Protection District, and no comments have been received.
- E. Regarding special flood hazard areas, no part of the subject property is within a flood hazard area, per FEMA FIRM panel 17019C0290D, effective October 2, 2013.
- F. The soil on the subject property is considered best prime farmland. Soil consists of 198A Elburn silt loam, 152A Drummer silty clay loam, 154A Flanagan silt loam, and 171B Catlin silt loam, and has an average Land Evaluation (LE) of 99.
- a. The subject property has not been in agricultural production for many years.
- G. Regarding outdoor lighting on the subject property:
- (1) No outdoor lighting was indicated on the Site Plan received April 23, 2021. A special condition has been added to ensure that any future outdoor lighting complies with Section 6.1.2 of the *Zoning Ordinance*.
- H. Regarding wastewater treatment and disposal on the subject property:
- (1) The facility is connected to the existing sewage lagoon on the west side of the subject property. A special condition has been added to ensure that the sewage lagoon can accommodate the new construction.
- I. Other than as reviewed elsewhere in this Summary of Evidence, there is no evidence to suggest that the proposed Special Use will generate either nuisance conditions such as odor, noise, vibration, glare, heat, dust, electromagnetic fields or public safety hazards such as fire, explosion, or toxic materials release, that are in excess of those lawfully permitted and customarily associated with other uses permitted in the zoning district.

GENERALLY REGARDING WHETHER THE SPECIAL USE CONFORMS TO APPLICABLE REGULATIONS AND STANDARDS AND PRESERVES THE ESSENTIAL CHARACTER OF THE DISTRICT

9. Generally regarding the *Zoning Ordinance* requirement that the proposed Special Use conform to all applicable regulations and standards and preserve the essential character of the District in which it shall be located, except where such regulations and standards are modified by Section 6 of the Ordinance:
 - A. The Petitioner has testified on the application: **“Yes.”**

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- B. Regarding compliance with the *Zoning Ordinance*:
- (1) All existing uses on the subject property are authorized by-right in the I-1 Light Industry Zoning District.
 - (2) More than one MAIN or PRINCIPAL STRUCTURE or BUILDING per LOT is authorized by Special Use Permit in the I-1 Light Industry Zoning District.
 - (3) Regarding parking on the subject property:
 - a. For purposes of calculating parking requirements, the buildings on the subject property are considered to have Industrial uses occupying them.
 - b. Industrial uses require 1 space for each 3 employees, 1 space for each vehicle used in the conduct of such use, and 1 visitor space. Industrial uses require parking spaces to be surfaced with an all-weather dustless material.
 - (a) Given that the types of businesses have and will continue to flux over time, it is difficult to calculate the number of employees for each tenant. In addition, some tenants might have employer vehicles that are used by employees who use them to get to and from work.
 - c. Office space requires one parking space per 200 square feet of floor area or portion thereof.
 - (a) There is approximately 13,100 square feet of existing and proposed office space, which requires 22 parking spaces.
 - d. Regarding available parking spaces:
 - (a) There are 105 existing paved parking spaces including 2 accessible spaces. 36 of these spaces are covered with materials, leaving 69 usable existing parking spaces.
 - (b) There are 49 proposed parking spaces including 5 accessible spaces.
 - (c) Overall, there are 154 existing and proposed parking spaces, including 7 accessible parking spaces.
 - (d) With 22 spaces required for office area, there are 132 remaining existing and proposed parking spaces for warehouse and leased areas.
 - (e) There is a large paved area on the east end that has no marked parking spaces. An additional 50 or more parking spaces could be accommodated there.
 - (f) Based on available information, P&Z Staff believe that there are sufficient parking spaces for the entire facility.
 - (4) Regarding loading berths:
 - a. Loading berth requirements are based on building square footage. All loading berths must be surfaced with an all-weather dustless material.

- b. With a total existing and proposed floor area of 110,239 square feet, the subject property would require four loading berths.
 - c. There are 5 existing loading berths on site, all of which are paved.
 - (5) No screening is required for parking, per paragraph 7.4.1 C.4 of the Zoning Ordinance.
- C. Regarding screening requirements for outdoor storage and operations:
 - (1) There are outdoor storage areas on the subject property in the northwestern area, but they are not visible from the road.
 - a. A special condition has been added to ensure that no materials are stored in the southeast paved area unless the petitioners install a Type D screen to conceal that area.
- D. Regarding compliance with the *Storm Water Management and Erosion Control Ordinance*, the subject property is not exempt from SWMEC and must have a Storm Water Drainage Plan with detention.
 - (1) The petitioners contracted with Berns, Clancy & Associates for storm water engineering. The P&Z Department contracted with MSA Engineering to compete the storm water review, which is still underway. A special condition has been added to ensure compliance as part of the permitting process.
- E. Regarding the *Special Flood Hazard Areas Ordinance*, no part of the subject property is within the flood hazard area, per FEMA FIRM panel 17019C0290D, effective October 2, 2013.
- F. Regarding the Subdivision Regulations, the subject property is located in the City of Champaign subdivision jurisdiction and the subject property is in compliance.
- G. Regarding the requirement that the Special Use preserve the essential character of the I-1 Light Industry Zoning District:
 - (1) The existing land uses on the subject property are authorized by-right in the I-1 Light Industry Zoning District.
 - (2) A Special Use Permit is required because there is more than one main or principal structure or building.

GENERALLY REGARDING WHETHER THE SPECIAL USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ORDINANCE

- 10. Regarding the *Zoning Ordinance* requirement that the proposed Special Use be in harmony with the general intent and purpose of the Ordinance:
 - A. Regarding the proposed Special Use:
 - (1) Existing land uses are authorized by-right in the I-1 Light Industry Zoning District.
 - (2) A Special Use Permit is required because there is more than one main or principal structure or building.

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- B. Regarding whether the proposed Special Use Permit is in harmony with the general intent of the Zoning Ordinance:
- (1) Subsection 5.1.14 of the Ordinance states the general intent of the I-1 Light Industry Zoning District and states as follows (capitalized words are defined in the Ordinance):

The I-1 Light Industry DISTRICT is established to provide for storage and manufacturing USES not normally creating a nuisance discernible beyond its PROPERTY lines.
 - (2) The types of uses authorized in the I-1 District are in fact the types of uses that have been determined to be acceptable in the I-1 District. Uses authorized by Special Use Permit are acceptable uses in the district provided that they are determined by the ZBA to meet the criteria for Special Use Permits established in paragraph 9.1.11 B. of the Ordinance.
- C. Regarding whether the proposed Special Use Permit is in harmony with the general purpose of the Zoning Ordinance:
- (1) Paragraph 2.0 (a) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to secure adequate light, pure air, and safety from fire and other dangers.

This purpose is directly related to the limits on building coverage and the minimum yard requirements in the Ordinance, and the proposed site plan appears to be in compliance with those requirements, subject to the variance requested in Case 017-V-21.
 - (2) Paragraph 2.0 (b) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to conserve the value of land, BUILDINGS, and STRUCTURES throughout the COUNTY.

It is not clear whether the proposed Special Use will have any impact on the value of nearby properties without a formal real estate appraisal, which has not been requested nor provided, and so any discussion of values is necessarily general.
 - (3) Paragraph 2.0 (c) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to lessen and avoid congestion in the public streets.

Adjacent roadways have sufficient capacity to handle the increased traffic induced by the proposed Special Use.
 - (4) Paragraph 2.0 (d) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to lessen and avoid hazards to persons and damage to property resulting from the accumulation of runoff of storm or flood waters.

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- a. The proposed special use is subject to the *Storm Water Management and Erosion Control Ordinance*. The petitioners contracted with Berns, Clancy & Associates for storm water engineering. The P&Z Department contracted with MSA Engineering to complete the storm water review, which is still underway. A special condition has been added to ensure compliance as part of the permitting process.
 - b. No part of the subject property is in a Special Flood Hazard Area.
- (5) Paragraph 2.0 (e) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to promote the public health, safety, comfort, morals, and general welfare.
- a. Regarding public safety, this purpose is similar to the purpose established in paragraph 2.0 (a) and is in harmony to the same degree.
 - b. Regarding public comfort and general welfare, this purpose is similar to the purpose of conserving property values established in paragraph 2.0 (b) and is in harmony to the same degree.
 - c. No comments have been received regarding the proposed Special Use.
- (6) Paragraph 2.0 (f) states that one purpose of the Ordinance is regulating and limiting the height and bulk of BUILDINGS and STRUCTURES hereafter to be erected; and paragraph 2.0 (g) states that one purpose is establishing, regulating, and limiting the BUILDING or SETBACK lines on or along any STREET, trafficway, drive or parkway; and paragraph 2.0 (h) states that one purpose is regulating and limiting the intensity of the USE of LOT AREAS, and regulating and determining the area of OPEN SPACES within and surrounding BUILDINGS and STRUCTURES. These three purposes are directly related to the limits on building height, building coverage, and the minimum setback and yard requirements in the Ordinance, and the proposed site plan appears to be in compliance, subject to the variance requested in Case 017-V-21.
- (7) Paragraph 2.0 (i) of the Ordinance states that one purpose of the Ordinance is classifying, regulating, and restricting the location of trades and industries and the location of BUILDINGS, STRUCTURES, and land designed for specified industrial, residential, and other land USES; and paragraph 2.0 (j.) states that one purpose is dividing the entire COUNTY into DISTRICTS of such number, shape, area, and such different classes according to the USE of land, BUILDINGS, and STRUCTURES, intensity of the USE of LOT AREA, area of OPEN SPACES, and other classification as may be deemed best suited to carry out the purpose of the ordinance; and paragraph 2.0 (k) states that one purpose is fixing regulations and standards to which BUILDINGS, STRUCTURES, or USES therein shall conform; and paragraph 2.0 (l) states that one purpose is prohibiting USES, BUILDINGS, OR STRUCTURES incompatible with the character of such DISTRICT.

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Harmony with these four purposes requires that the special conditions of approval sufficiently mitigate or minimize any incompatibilities between the proposed Special Use Permit and adjacent uses, and that the special conditions adequately mitigate any problematic conditions.

- (8) Paragraph 2.0 (m) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to prevent additions to and alteration or remodeling of existing buildings, structures, or uses in such a way as to avoid the restrictions and limitations lawfully imposed under this ordinance.

This purpose is directly related to maintaining compliance with the Zoning Ordinance requirements for the District and the specific types of uses and the proposed Special Use will have to be conducted in compliance with those requirements.

- (9) Paragraph 2.0 (n) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to protect the most productive agricultural lands from haphazard and unplanned intrusions of urban uses.
- a. The subject property is not connected to public sanitary sewer service, and therefore is not considered an urban use.
 - b. The subject property has not been in agricultural production for many years.

- (10) Paragraph 2.0 (o) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to protect natural features such as forested areas and watercourses.

The subject property does not contain any natural features.

- (11) Paragraph 2.0 (p) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to encourage the compact development of urban areas to minimize the cost of development of public utilities and public transportation facilities.
- a. The subject property is not connected to public sanitary sewer service, and therefore is not considered an urban use.
 - b. The subject property has not been in agricultural production for many years.

- (12) Paragraph 2.0 (q) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to encourage the preservation of agricultural belts surrounding urban areas, to retain the agricultural nature of the County, and the individual character of existing communities.

The proposed Special Use will not take any land out of production.

- (13) Paragraph 2.0 (r) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to provide for the safe and

efficient development of renewable energy sources in those parts of the COUNTY that are most suited to their development.

The proposed Special Use will not hinder the development of renewable energy sources.

GENERALLY REGARDING WHETHER THE SPECIAL USE IS AN EXISTING NONCONFORMING USE

11. Regarding the *Zoning Ordinance* requirement that in the case of an existing NONCONFORMING USE the granting of the Special Use Permit will make the use more compatible with its surroundings:
 - A. The Petitioners testified on the application: **“N/A”**
 - B. The existing uses on the subject property are not nonconforming uses.

RELATED TO THE VARIANCE, GENERALLY REGARDING SPECIAL CONDITIONS THAT MAY BE PRESENT

12. Generally regarding the *Zoning Ordinance* requirement of a finding that special conditions and circumstances exist which are peculiar to the land or structure involved that are not applicable to other similarly situated land or structures elsewhere in the same district:
 - A. The Petitioner has testified on the application, **“There is an existing culvert less than 10 feet from the west side of the proposed building.”**

RELATED TO THE VARIANCE, GENERALLY REGARDING ANY PRACTICAL DIFFICULTIES OR HARDSHIPS RELATED TO CARRYING OUT THE STRICT LETTER OF THE ORDINANCE

13. Generally regarding the *Zoning Ordinance* requirement of a finding that practical difficulties or hardships related to carrying out the strict letter of the regulations sought to be varied prevent reasonable and otherwise permitted use of the land or structures or construction on the lot:
 - A. The Petitioner has testified on the application, **“Without the variance, we would have to reduce the width of the proposed building by 32 feet.”**
 - B. Without the proposed variance, the petitioners would have to reduce the size of the proposed building.

RELATED TO THE VARIANCE, GENERALLY PERTAINING TO WHETHER OR NOT THE PRACTICAL DIFFICULTIES OR HARDSHIPS RESULT FROM THE ACTIONS OF THE APPLICANT

14. Generally regarding the *Zoning Ordinance* requirement for a finding that the special conditions, circumstances, hardships, or practical difficulties do not result from the actions of the Applicant:
 - A. The Petitioner has testified on the application, **“No, we were unaware of this requirement.”**
 - B. P&Z Staff did not recognize the need for the variance until it started working on the case in June, and then notified the petitioner.
 - C. The petitioners have constructed the concrete building foundation, but otherwise have been waiting for approval of the Special Use Permit before they construct the building.

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GENERALLY PERTAINING TO WHETHER OR NOT THE VARIANCE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ORDINANCE

15. Generally regarding the Zoning Ordinance requirement for a finding that the granting of the variance is in harmony with the general purpose and intent of the Ordinance:
- A. The Petitioner has testified on the application, **“The proposed building location does not disturb the existing culvert. It minimizes the amount of pavement needed for the development.”**
 - B. Regarding the proposed variance for two principal structures with 8 feet of open space between them in lieu of the minimum required 40 feet of open space: the requested variance is 20% of the minimum required, for a variance of 80%.
 - (1) The Zoning Ordinance does not clearly state the considerations that underlie the open space requirement. In general, open space is presumably intended to ensure the following:
 - a. Adequate light and air: The subject property is commercial/industrial in use. The surrounding properties are in agricultural production.
 - b. Separation of structures to prevent conflagration: The subject property is approximately 5.6 road miles from the Cornbelt Fire Protection District station in Mahomet. Notice of this zoning case was sent to the Cornbelt Fire Protection District, and no comments have been received. The nearest structure on adjacent property is a building at the Andersons, approximately 650 feet to the southwest.
 - c. Aesthetics: Aesthetic benefit may be a consideration for any given yard and can be very subjective.
 - C. The requested variance is not prohibited by the *Zoning Ordinance*.

GENERALLY PERTAINING TO THE EFFECTS OF THE REQUESTED VARIANCE ON THE NEIGHBORHOOD AND THE PUBLIC HEALTH, SAFETY, AND WELFARE

16. Generally regarding the Zoning Ordinance requirement for a finding that the granting of the variance will not be injurious to the neighborhood, or otherwise detrimental to the public health, safety, or welfare:
- A. The Petitioner has testified on the application: **“There will be no impact on surrounding properties.”**
 - B. The Hensley Township Road Commissioner has been notified of this variance and no comments have been received.
 - C. The Cornbelt Fire Protection District has been notified of this variance and no comments have been received.
 - D. No comments have been received for the proposed variance.

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GENERALLY REGARDING ANY OTHER JUSTIFICATION FOR THE VARIANCE

17. Generally regarding any other circumstances that justify the Variance:
A. The Petitioner did not provide a response to this question.

GENERALLY REGARDING PROPOSED SPECIAL CONDITIONS OF APPROVAL

18. Regarding proposed special conditions of approval:
A. **A Change of Use Permit shall be applied for within 30 days of the approval of Case 012-S-21.**

The special condition stated above is required to ensure the following:

The establishment of the proposed uses shall be properly documented as required by the Zoning Ordinance.

- B. **The Zoning Administrator shall not authorize a Zoning Compliance Certificate until the petitioner has demonstrated that any new or proposed exterior lighting on the subject property will comply with the lighting requirements of Section 6.1.2.**

The special condition stated above is required to ensure the following:

That any proposed exterior lighting is in compliance with the Zoning Ordinance.

- C. **The Zoning Administrator shall not authorize a Zoning Use Permit Application or issue a Zoning Compliance Certificate on the subject property until the Petitioner has ensured compliance with the Illinois Accessibility Code.**

The special condition stated above is required to ensure the following:

That all state accessibility requirements have been met.

- D. **No materials shall be stored outdoors in the southwest paved area of the subject property unless the petitioners install a Type D screen on the south and east sides to conceal that area.**

The special condition stated above is required to ensure the following:

That outdoor storage and operations comply with the Zoning Ordinance.

- E. **Any future sale of the subject property may be subject to the Illinois Plat Act (765 ILCS 205/0.01 et seq.) or the Champaign County Subdivision Regulations; or the subdivision regulations of a municipality that has jurisdiction within one and one-half miles of the corporate limits.**

The special condition stated above is required to ensure the following:

That the subject property complies with the Zoning Ordinance.

- F. **The owner shall submit documentation that the Champaign County Health Department has approved either the use of the sewage treatment lagoons by the proposed new building areas or has approved some other means of wastewater**

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treatment and disposal for the proposed new building areas, as part of any Zoning Use Permit Application for the proposed new building area.

The special condition stated above is required to ensure the following:

To ensure there is proper wastewater treatment and disposal for the proposed expansion in building area to protect public health and safety.

DOCUMENTS OF RECORD

1. Application for Special Use Permit received on April 23, 2021
2. Application for Variance received on June 14, 2021
2. Natural Resources Information Report by the Champaign County Soil and Water Conservation District received May 17, 2021
3. Storm Water Drainage Plan by Chris Billing, Berns Clancy & Associates, received May 20, 2021
4. Preliminary Memorandum dated July 6, 2021, with attachments:
 - A Case Maps (Location, Land Use, Zoning)
 - B Site Plan received April 23, 2021
 - C Floor Plan received May 20, 2021
 - D Natural Resource Information Report created by Champaign County Soil & Water Conservation District received on May 17, 2021
 - E Site images taken May 13, 2021
 - F Summary of Evidence, Finding of Fact, and Final Determination for Cases 012-S-21 and 017-V-21 dated July 6, 2021

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SUMMARY DRAFT FINDINGS OF FACT

From the documents of record and the testimony and exhibits received at the public hearing for zoning cases **012-S-21 and 017-V-21** held on **July 15, 2021**, the Zoning Board of Appeals of Champaign County finds that:

1. The requested Special Use Permit **{IS / IS NOT}** necessary for the public convenience at this location because:
 - a. *The TSI Commercial Floor Covering and Advanced Commercial Roofing business has been located on the subject property for 5 years.*
 - b. *The subject property is located at the intersection of US 150 (Bloomington Rd) and Staley Road, 1.5 road miles from the Village of Mahomet and 0.9 road miles from the City of Champaign. It is about 2.2 miles west of the I-74/I-57 interchange, 3.4 road miles east of the I-74 interchange at Prairieview Rd in Mahomet, and 4.3 road miles from the entrance to I-72 off Country Fair Drive.*
2. The requested Special Use Permit **{SUBJECT TO THE SPECIAL CONDITIONS IMPOSED HEREIN}** is so designed, located, and proposed to be operated so that it **{WILL NOT / WILL}** be injurious to the district in which it shall be located or otherwise detrimental to the public health, safety, and welfare because:
 - a. The street has **{ADEQUATE / INADEQUATE}** traffic capacity and the entrance location has **{ADEQUATE / INADEQUATE}** visibility because: *traffic volumes along US 150/Bloomington Road and Staley Road are below capacity, and the entrance location has been in place for many years.*
 - b. Emergency services availability is **{ADEQUATE / INADEQUATE}** because: *the subject property is located approximately 5.6 road miles from the Cornbelt Fire Protection District station in Mahomet, and no comments have been received from the Fire Protection District.*
 - c. The Special Use **{WILL / WILL NOT}** be compatible with adjacent uses because: *the property has been in commercial/industrial use for years. It is surrounded by land in agricultural production and the Andersons facility to the southwest, which have also existed for many years.*
 - d. Surface and subsurface drainage will be **{ADEQUATE / INADEQUATE}** because: *the facility will require a detention plan and basin that has been reviewed by an independent engineering firm.*
 - e. Public safety will be **{ADEQUATE / INADEQUATE}** because: *there are no residential properties adjacent to the subject property. The Township Highway Commissioner, IDOT, and Cornbelt Fire Protection District have been notified of this case, and no comments have been received.*
 - f. The provisions for parking will be **{ADEQUATE / INADEQUATE}** **{because*}**: *there are 154 existing and proposed parking spaces, including 7 accessible parking spaces. The number of loading berths meets the minimum required. No screening is required for parking.*

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**The Board may include other relevant considerations as necessary or desirable in each case.*

**The Board may include additional justification if desired, but it is not required.*

- 3a. The requested Special Use Permit ***{SUBJECT TO THE SPECIAL CONDITIONS IMPOSED HEREIN} {DOES / DOES NOT}*** conform to the applicable regulations and standards of the DISTRICT in which it is located.
- 3b. The requested Special Use Permit ***{SUBJECT TO THE SPECIAL CONDITIONS IMPOSED HEREIN} {DOES / DOES NOT}*** preserve the essential character of the DISTRICT in which it is located because:
 - a. The Special Use will be designed to ***{CONFORM / NOT CONFORM}*** to all relevant County ordinances and codes.
 - b. The Special Use ***{WILL / WILL NOT}*** be compatible with adjacent uses.
 - c. Public safety will be ***{ADEQUATE / INADEQUATE}***.
4. The requested Special Use Permit ***{SUBJECT TO THE SPECIAL CONDITIONS IMPOSED HEREIN} {IS / IS NOT}*** in harmony with the general purpose and intent of the Ordinance because:
 - a. The Special Use is authorized in the District.
 - b. The requested Special Use Permit ***{IS / IS NOT}*** necessary for the public convenience at this location.
 - c. The requested Special Use Permit ***{SUBJECT TO THE SPECIAL CONDITIONS IMPOSED HEREIN}*** is so designed, located, and proposed to be operated so that it ***{WILL / WILL NOT}*** be injurious to the district in which it shall be located or otherwise detrimental to the public health, safety, and welfare.
 - d. The requested Special Use Permit ***{SUBJECT TO THE SPECIAL CONDITIONS IMPOSED HEREIN} {DOES / DOES NOT}*** preserve the essential character of the DISTRICT in which it is located.
5. The requested Special Use **IS NOT** an existing nonconforming use.
6. Regarding the variance:
 - a. Special conditions and circumstances ***{DO / DO NOT}*** exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district because: ***there is an existing culvert less than 10 feet from the west side of the proposed building.***
 - b. Practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied ***{WILL / WILL NOT}*** prevent reasonable or otherwise permitted use of the land or structure or construction because: ***without the proposed variance, the petitioners would have to reduce the size of the proposed building.***
 - c. The special conditions, circumstances, hardships, or practical difficulties ***{DO / DO NOT}*** result from actions of the applicant because:
 - (a) ***P&Z Staff did not recognize the need for the variance until it started working on the case in June, and then notified the petitioner.***

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(b) *The petitioners have constructed the concrete building foundation, but otherwise have been waiting for approval of the Special Use Permit before they construct the building.*

d. The requested variance ~~{SUBJECT TO THE PROPOSED CONDITION}~~ {IS / IS NOT} in harmony with the general purpose and intent of the Ordinance because:

(a) *The proposed building location does not disturb the existing culvert. It minimizes the amount of pavement needed for the development.”*

(b) *The subject property is approximately 5.6 road miles from the Cornbelt Fire Protection District station in Mahomet. Notice of this zoning case was sent to the Cornbelt Fire Protection District, and no comments have been received.*

(c) *The nearest structure on adjacent property is a building at the Andersons, approximately 650 feet to the southwest.*

e. The requested variance ~~{SUBJECT TO THE PROPOSED CONDITION}~~ {WILL / WILL NOT} be injurious to the neighborhood or otherwise detrimental to the public health, safety, or welfare because: *notice of the proposed variance was sent to relevant jurisdictions, and no comments have been received.*

f. The requested variance ~~{SUBJECT TO THE PROPOSED CONDITION}~~ {IS / IS NOT} the minimum variation that will make possible the reasonable use of the land/structure because:

7. **{NO SPECIAL CONDITIONS ARE HEREBY IMPOSED / THE SPECIAL CONDITIONS IMPOSED HEREIN ARE REQUIRED FOR THE PARTICULAR PURPOSES DESCRIBED BELOW:}**

A. **A Change of Use Permit shall be applied for within 30 days of the approval of Case 012-S-21.**

The special condition stated above is required to ensure the following:

The establishment of the proposed uses shall be properly documented as required by the Zoning Ordinance.

B. **The Zoning Administrator shall not authorize a Zoning Compliance Certificate until the petitioner has demonstrated that any new or proposed exterior lighting on the subject property will comply with the lighting requirements of Section 6.1.2.**

The special condition stated above is required to ensure the following:

That any proposed exterior lighting is in compliance with the Zoning Ordinance.

C. **The Zoning Administrator shall not authorize a Zoning Use Permit Application or issue a Zoning Compliance Certificate on the subject property until the Petitioner has ensured compliance with the Illinois Accessibility Code.**

The special condition stated above is required to ensure the following:

That all state accessibility requirements have been met.

- D. **No materials shall be stored outdoors in the southwest paved area of the subject property unless the petitioners install a Type D screen on the south and east sides to conceal that area.**

The special condition stated above is required to ensure the following:

That outdoor storage and operations comply with the Zoning Ordinance.

- E. **Any future sale of the subject property may be subject to the Illinois Plat Act (765 ILCS 205/0.01 et seq.) or the Champaign County Subdivision Regulations; or the subdivision regulations of a municipality that has jurisdiction within one and one-half miles of the corporate limits.**

The special condition stated above is required to ensure the following:

That the subject property complies with the Zoning Ordinance.

- F. **The owner shall submit documentation that the Champaign County Health Department has approved either the use of the sewage treatment lagoons by the proposed new building areas or has approved some other means of wastewater treatment and disposal for the proposed new building areas, as part of any Zoning Use Permit Application for the proposed new building area.**

The special condition stated above is required to ensure the following:

To ensure there is proper wastewater treatment and disposal for the proposed expansion in building area to protect public health and safety.

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FINAL DETERMINATION FOR CASE 012-S-21

The Champaign County Zoning Board of Appeals finds that, based upon the application, testimony, and other evidence received in this case, the requirements of Section 9.1.11B. for approval *{HAVE/ HAVE NOT}* been met, and pursuant to the authority granted by Section 9.1.6 B. of the Champaign County Zoning Ordinance, determines that:

The Special Use requested in Case **012-S-21** is hereby *{GRANTED/ GRANTED WITH SPECIAL CONDITIONS / DENIED}* to the applicant, **Robert Smith II**, to authorize the following as a Special Use on land in the I-1 Light Industry Zoning District:

Authorize a Special Use Permit for multiple principal structures consisting of an existing office, two existing warehouses, an existing multi-tenant building, and a proposed multi-tenant building in the I-1 Light Industry Zoning District, subject to the variance in related Zoning Case 017-V-21.

{ SUBJECT TO THE FOLLOWING SPECIAL CONDITIONS: }

- A. **A Change of Use Permit shall be applied for within 30 days of the approval of Case 012-S-21.**
- B. **The Zoning Administrator shall not authorize a Zoning Compliance Certificate until the petitioner has demonstrated that any new or proposed exterior lighting on the subject property will comply with the lighting requirements of Section 6.1.2.**
- C. **The Zoning Administrator shall not authorize a Zoning Use Permit Application or issue a Zoning Compliance Certificate on the subject property until the Petitioner has ensured compliance with the Illinois Accessibility Code.**
- D. **No materials shall be stored outdoors in the southwest paved area of the subject property unless the petitioners install a Type D screen on the south and east sides to conceal that area.**
- E. **Any future sale of the subject property may be subject to the Illinois Plat Act (765 ILCS 205/0.01 et seq.) or the Champaign County Subdivision Regulations; or the subdivision regulations of a municipality that has jurisdiction within one and one-half miles of the corporate limits.**
- F. **The owner shall submit documentation that the Champaign County Health Department has approved either the use of the sewage treatment lagoons by the proposed new building areas or has approved some other means of wastewater treatment and disposal for the proposed new building areas, as part of any Zoning Use Permit Application for the proposed new building area.**

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Final Determination for Case 012-S-21 (continued)

The foregoing is an accurate and complete record of the Findings and Determination of the Zoning Board of Appeals of Champaign County.

SIGNED:

ATTEST:

Ryan Elwell, Chair
Champaign County Zoning Board of Appeals

Secretary to the Zoning Board of Appeals

Date

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FINAL DETERMINATION FOR CASE 017-V-21

The Champaign County Zoning Board of Appeals finds that, based upon the application, testimony, and other evidence received in this case, that the requirements for approval in Section 9.1.9.C *{HAVE/ HAVE NOT}* been met, and pursuant to the authority granted by Section 9.1.6.B of the Champaign County Zoning Ordinance, the Zoning Board of Appeals of Champaign County determines that:

The Variance requested in Case **017-V-21** is hereby *{GRANTED/GRANTED WITH SPECIAL CONDITIONS / DENIED}* to the applicant, **Robert Smith II**, to authorize the following variance in the I-1 Light Industry Zoning District:

Authorize the following Variance for the Special Use Permit requested in related Zoning Case 012-S-21:

Authorize two principal structures with 8 feet of open space between them, in lieu of the minimum required 40 feet of open space in the I-1 Light Industry Zoning District, per Section 4.2.1 F.2.d of the Zoning Ordinance.

{ SUBJECT TO THE FOLLOWING SPECIAL CONDITIONS: }

The foregoing is an accurate and complete record of the Findings and Determination of the Zoning Board of Appeals of Champaign County.

SIGNED:

ATTEST:

Ryan Elwell, Chair
Champaign County Zoning Board of Appeals

Secretary to the Zoning Board of Appeals

Date