



## DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

*Planning Division*

### MEMORANDUM

**TO:** The Urbana Plan Commission

**FROM:** Paul Lindahl, Planner I

**DATE:** March 4, 2005

**SUBJECT:** Plan Case No. 1918-SU-04, Request by Apcon Corporation for a Special Use Permit to allow a concrete and asphalt recycling plant located on the north side of Somer Drive west of north Lincoln Avenue in the IN, Industrial Zoning District.

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#### **Introduction**

Apcon Corporation has petitioned the Urbana Plan Commission for a Special Use Permit to allow a concrete and asphalt recycling plant on a site located on the north side of the 900 block of West Somer Drive west of Lincoln Avenue. Concrete and asphalt recycling plants are not listed within the Table of Uses in the Urbana Zoning Ordinance. Such "*Other Industrial Uses*" may be permitted in the IN Industrial zoning district under the provisions of Special Use Permit review.

#### **Background**

This parcel is part of a larger area controlled by a consortium of related companies. They include the stated petitioner, Apcon Corporation, as well as: Mid-America Recycling, Co.; Mid-America Sand & Gravel Company; Urbana Concrete Recycling Co.; University Construction; and MACC of Illinois, Inc. For the purposes of simplicity the word "Petitioners" in this memo is intended to include all of these related companies.

Urbana Concrete Recycling Co. operates on the site and wishes to continue with the use of the property. Various types of road and other construction material are stockpiled on-site that are processed for reuse in roadway and other construction projects. The service provided is important to the community because the material that is brought to the site and recycled is diverted from landfills.

According to the petitioner over the past four years the operation has recycled an average of approximately 110,000 tons of material. By contrast a recent advertisement in the News-Gazette stated that the Urbana U-Cycle Recycling program collected approximately 1,600 tons of recyclable materials in 2004. There are no government subsidies for the operation.

#### **Description of the Area**

The site is located west of Lincoln Avenue and east of the Saline Branch drainage ditch. Immediately to the east across Lincoln Avenue is an agricultural farm field, with Mack's Twin City Recycling yard and Don's Towing Service yard located further to the south.

To the south across Somer Drive is Blager Concrete’s mixing plant. To the west across the Saline Branch drainage ditch are industrial uses owned and operated by the Petitioners. These include an asphalt production plant and material handling facilities for stone and gravel aggregate for use in construction and other projects.

The Comprehensive Plan designation for the site is Heavy Industrial (1993 ETJA Plan), Industrial (1982 Comprehensive Plan), and Conservation along the western side of the Saline Branch drainage ditch (1982 Comprehensive Plan). The update to the Urbana Comprehensive Plan that is nearing completion indicates that this area should continue to be planned for industrial uses.

The following is a summary of surrounding zoning and land uses for the subject site:

**Zoning and Land Use Table\***

	<b>Zoning</b>	<b>Existing Land Use</b>	<b>Future Land Use per Comprehensive Plan</b>
<b>Site</b>	IN, Industrial	Urbana Concrete Recycling – asphalt / concrete recycling operation	Industrial
<b>North</b>	IN, Industrial	Vacant	Industrial
<b>North East</b>	IN, Industrial	Single Family House	Industrial
<b>South</b>	IN, Industrial	Cement Mixing Plant	Industrial
<b>East</b>	IN, Industrial	Undeveloped	Industrial
<b>West</b>	IN, Industrial	Rail transfer facility	Industrial / Conservation

\*(Please refer to the attached Zoning, Existing Land Use, and Future Land Use maps for further information.)

**Recent Site Case History**

In 1996 in Plan Case 1642-SU-96 a Land Trust including the Petitioners filed a request for a Special Use Permit to operate a concrete plant, asphalt plant, and petroleum storage yard and distribution center at 2906 N. Oak Street. This is the greater area located *west* of the Saline Branch adjacent to the subject site. On February 17, 1997 City Council passed Ordinance No. 9697-92 that approved the Special Use Permit. The Petitioner’s had already been operating a concrete and recycling operation on the site west of the Saline since 1988 and had understood the operation to be permitted by right in the Industrial Zoning District.

In 1998 the Petitioner’s moved the recycling operations to its current location east of the Saline Branch. Since this time the City has contended that the use is not permitted by right in the Industrial Zoning District at this location and that a Special Use Permit is required. The Petitioner’s indicate that it has always been their understanding that the use was permitted by right in the district because it was established in the district west of the Saline since 1988 and that the use was not identified as a requested use under the Special Use Permit granted in 1996.

The City holds that the requested Special Use Permit and the ordinance authorizing it specifically state activities are to take place west of the Saline Branch. Included by reference, as part of the ordinance was a site plan that also noted the position of activities west of the Saline Branch.

(Attached to this memo are copies of the Plan Commission memo for plan case 1642-SU-96, City Council Ordinance 9697-92, and the site plan approved for the previously approved Special Use Permit.)

Since 1998 the Petitioners and the City have met a numerous times to discuss the issue and work towards reaching an understanding of compliance with zoning. There have also been efforts to pursue a relocation of the operation.

The City contends that the operation has been non-compliant with the Urbana Zoning Ordinance and other city codes in various ways. These have included:

- Encroachment of piled materials into City owned Right-of-Way (ROW),
- Truck traffic across and damage to the City owned curb and ROW surface on Somer Drive,
- Cutting and removal of part of City owned curb on Somer Drive,
- Encroachment of materials into the IN –Industrial Zoning district required 25 foot front yard setbacks on Lincoln Avenue and Somer Drive,
- Installation of a water service line in the city owned right of way

At the City’s request, the Petitioner has agreed to attempt to resolve all the issues by securing a Special Use Permit for the recycling operation on the east side of the Saline Branch. The Special Use Permit would clearly state that the use is allowed at this location and would offer some mitigation measures to help the operation come into compliance with the Zoning Ordinance.

## **Discussion**

### **General Purpose and Intent of the IN- Industrial Zoning District**

According to Section IV-2 of the Zoning Ordinance, the purpose and intent of the IN Zoning District is as follows:

*"The IN Industrial District is intended to provide areas for manufacturing and industrial uses, where they will have the necessary services and facilities, and minimize obstruction on or by adjoining uses and districts. Light industrial uses, which are unlikely to cause undesirable effects, are permitted by right; more intensive industrial uses which may have wider reaching environmental effects are permitted as special uses, which provide the Urbana Plan Commission and City Council the opportunity to review the uses and impose needed conditions. In order to minimize conflict among incompatible uses, most non-industrial uses are not allowed in the IN Industrial District."*

### **Potential Impact on Adjacent Land Uses**

The concrete and asphalt recycling business has been in operation at this site for some years. The present location is complementary to other existing uses in the area. However, while it provides an important recycling service to the community at large, the impacts on adjacent land uses can be significant.

Off-site impacts are particular concerns at the “Squire property” facing Lincoln Avenue but

otherwise surrounded by the subject property. This property is zoned industrial but contains a legally non-conforming residential land use. This house is a property of local historic interest because it was once a schoolhouse. The owner has remodeled the house and while it was previously used as a flower shop, it is currently a residence. This property is impacted visually, as well as by noise and dust. The location of the concrete and asphalt recycling use adjacent to the Saline Branch drainage ditch also creates a potential for environmental impacts due to water runoff, erosion and sedimentation.

The special use permit process creates an opportunity to address any potential issues of zoning ordinance compliance as well as impacts to neighboring uses. Issues such as setbacks, screening, fencing, vehicular access, dust prevention, erosion, and water runoff on the site can all be addressed. With changes the site can continue to be used for the concrete and asphalt recycling business while minimizing off-site impacts.

### **Existing Conditions and Recommended Measures to Mitigate Impacts**

Staff feels that with the imposition of proper conditions and oversight mechanisms the proposed use can be appropriate for this location. These conditions and oversight mechanisms would be used to:

- Maintain control of activities on the subject site,
- Minimize impacts on the Saline Branch,
- Minimize impacts on the neighboring legally non-conforming residential land use,
- Control water runoff and sedimentation,
- Control truck access, and
- Otherwise ensure the use of the site adheres to all provisions of the Urbana Zoning Ordinance.

Exhibit “F” Site Photos show the current conditions on the site. It should also be noted that Exhibit “G” Site Diagram uses a 2002 aerial photograph as a background that does not reflect the current location of all objects on the site.

### **Setbacks**

There is currently a problem with storage of piles of materials encroaching into setback areas that are required by the Zoning Ordinance to be free of obstructions. Facing Lincoln Avenue there is a large berm of material encroaching into the required front yard setback. Facing Somer Drive in some areas materials encroach into the required front yard setback and in some areas materials encroach even further into the City owned public right of way.

To the north and east the subject site has material storage piles in close proximity to neighboring properties that create the potential for runoff of material onto those properties. The height of some piles also creates a significant negative visual effect. On the west property line facing the Saline Branch drainage ditch the location of some piles of material also cause runoff and erosion problems. To remedy these problems Staff recommends the following setbacks be stated as conditions of approval.

- The first two conditions are simply reiterations of what is already required in the IN Industrial Zoning District:
  - 25-foot setback from the east property line facing Lincoln Avenue.

- 25-foot setback from the south property line facing Somer Drive.
- The second two conditions are added controls to buffer sensitive adjacent areas:
  - Minimum 25-foot setback from the top of the east embankment of the Saline Branch drainage ditch (with a jersey barrier marking the setback line.)
  - 5-foot setback on the west and south sides of the residential land use to the north east of the site.

Staff feels that sufficient setback along Lincoln Avenue along with some screening and landscaping are necessary in order to create an attractive corridor through this area. The Petitioners have agreed that a landscape plan shall be developed to address the existing berm on the east property line along Lincoln Avenue. The plan will be developed in consultation with the City Arborist and the staff of Community Development Services. Staff recommends the following conditions:

- The plan be developed within 90 days of approval of the Special Use Permit and implemented within 180 days;
- There shall be screening on the east property line along Lincoln Avenue with either a six-foot high opaque fence or a berm. If the petitioner chooses to use the existing berm for screening, it shall be cleared of any existing concrete or asphalt debris and shall be planted and maintained with either grass or ground cover material.
- There shall be a minimum of 20 living evergreen shrubs planted and maintained in a living condition east of the berm or fence along Lincoln Avenue.

### **Fencing**

The current facility has no fencing. Fencing can help work towards an overall goal of creating a more contained appearance for the area. Staff recommends that installation of an opaque type of fencing on the south side of the property be stated as conditions of approval:

- That an opaque fence at least six-feet high be installed at the south property line facing Somer Drive with openings only at the three access drives within 180 days of approval of the Special Use Permit. Gates at the access points are not required.

### **Vehicular Access**

The Urbana Zoning Ordinance Section VIII. E. states that no zoning lot shall have more than two driveways per frontage and that the City Engineer can determine the location of access drives and approve additional driveways if necessary. No access plan was ever submitted and a third access drive was created in the past year when the Petitioners removed the curb without prior approval. Despite the three access areas, trucks entering the site still drive over the public parkway damaging the curb and eroding the soil. The City Engineer in consultation with the Petitioners and planning staff, has and agreed that three access drives are reasonable given the size of the site.

Staff recommends the following conditions to the special use permit to address access:

- That the Petitioners obtain an access permit from the Urbana Public Works Department and the location of the access drives shall be approved by the City Engineer;
- That the access drives shall be constructed to the standards required by the Urbana Subdivision and Land Development Code within 180 days of approval of the Special Use Permit;
- That the two eastern most access drive shall be no wider than 35 feet at the property line and shall generally align with the existing drives to Blager Concrete on the south side of Somer Drive;
- That the western access drive shall be no wider than 24 feet at the property line and shall generally align with the existing drive to Temple Trucking on the south side of Somer Drive;
- That the curb along the north side of Somer Drive that the petitioners have removed or damaged, and where access drives are closed shall be reconstructed to the standards required by the Urbana Subdivision and Land Development Code and to the satisfaction of the City Engineer within 180 days of approval of the Special Use Permit;
- That all areas of public right of way along Somer Drive that the petitioners have encroached into and damaged be graded and seeded with grass, to the satisfaction of the City Engineer within 180 days of approval of the Special Use Permit, and shall be maintained by the petitioner.

### **Site Drainage**

The site has a number of problems with drainage and erosion due to water runoff from piles of stored materials and a lack of vegetation. Runoff of water, mud, and concrete sediment travels into Somer Drive and the Saline Branch drainage ditch. Overall stormwater detention is handled off-site but within the subdivision. Nevertheless, there is a need to prevent mud, sedimentation, and erosion.

Urbana Subdivision and Land Development Code Section 21-42.B Storm Water Management states: “No development shall be approved unless the City Engineer approves a Storm Water Management Plan which attenuates the acceleration of runoff due to development.” Urbana Subdivision and Land Development Code Section 21-45 Erosion and Sedimentation Control states: “...the city may require an erosion control plan to be submitted with Engineering Plans.”

Staff recommends the following conditions to the special use permit to remedy stormwater runoff and erosion issues:

- That an engineered Stormwater Management Plan and a erosion and sedimentation control plan be prepared to the requirements of the Urbana Subdivision and Land Development Code;
- That the plans shall be prepared and revised as necessary to meet the approval of the City Engineer;
- That the site be graded and redeveloped to be in substantial conformity with the Stormwater

Management Plan and erosion and sedimentation control plan as approved by the City Engineer.

### **Dust Control**

The Environmental Protection Agency (EPA) regulates and monitors the operation of a concrete recycling yard for compliance with particulate emission levels, and an operating permit is required from the Agency. The petitioners state that as part of their operations they clean and sweep Somer Drive at least once every two weeks from April to November and as needed the balance of the year to mitigate dust.

### **Water Service Line**

One of the activities on the site is washing out concrete trucks after they have dumped excess unused concrete and washing of the trucks and site to control dust. To enable this the Petitioners installed, without City permits or approvals, a water service line and valve in the City owned public right of way on Somer drive. Staff recommends the following conditions to the special use permit to address this issue:

- That the Petitioners apply for a construction permit from the City of Urbana Building Safety Division to extend the water service line to a point inside the fencing required above;
- That the water service line extension be constructed only after applying for and receiving the City of Urbana construction permit but within 180 days of approval of the Special Use Permit.

### **Special Use Permit Decision Criteria**

According to Section VII-6 of the Urbana Zoning Ordinance, an application for a Special Use Permit shall demonstrate the following:

- 1. That the proposed use is conducive to the public convenience at that location.*

The location of the property is convenient to excellent transportation facilities, both by road and rail. Lincoln Avenue is a major arterial street that provides access to the street network of the City of Urbana and to the Interstate highway system via I-74. Existing roadway access makes good use of pavements designed to accommodate truck traffic, for both deliveries to the property and deliveries of materials produced on the property. Building projects, streets, driveways, homes and parking lots can be served conveniently from the property.

The proposed use offers a high-demand service not currently available elsewhere in the City of Urbana. The alternatives for disposal of broken concrete are to send it to a landfill in Danville or Decatur. Having an available local site will allow Urbana residents and those in the surrounding area to minimize transportation costs for reconstruction projects, and will better promote the use of another recycled product.

- 2. That the proposed use is designed, located, and proposed to be operated so that it will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious to the public welfare.*

The North Lincoln Avenue area is planned for industrial development and currently contains heavy industrial users, including University Construction Asphalt Recycling, Blager Concrete, Urbana Concrete Recycling, and the Central Waste Transfer Facility. The roadway facilities planned and constructed in the area are designed to handle industrial traffic including the amount of truck traffic that is generated by the existing use. The operation is required to receive permits from the Illinois Environmental Protection Agency to ensure that negative impacts to air quality and stormwater runoff are mitigated. There are a few residential uses in the area that could potentially be affected by the facility. A single home exists as a legally non-conforming use on industrially zoned property to the east of the site. The Comprehensive Plan anticipates and recommends the eventual industrial development of this site.

3. *That the proposed 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 VII-7.*

The use will preserve the essential character of the area that is for industrial uses. The current zoning is Industrial. The proposed site is adjacent to the Vulcan Materials aggregate rail yard, Apcon's asphalt plant and to the Blager Concrete plant. The concrete recycling yard would be a compatible use with these existing, nearby uses. The use is consistent with other uses allowed in the City of Urbana's IN Industrial zoning district. Redevelopment of the site will be required to substantially conform to the attached plan and meet all the applicable standards and requirements of the Urbana Zoning Ordinance and other relevant city codes including the Subdivision and Land Development Code.

### **Consideration**

The Plan Commission shall determine whether the reasons set forth in the application, and the evidence adduced during the public hearing, justify the granting of the special use permit, and whether the proposed use will be in harmony with the general purpose and intent of the Zoning Ordinance, and will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious or detrimental to the public welfare.

In addition, the Plan Commission shall make a recommendation to the City Council for or against the proposed special use, and may also recommend such additional conditions and requirements on the operation of the proposed use as are appropriate or necessary for the public health, safety, and welfare, and to carry out the purposes of this Ordinance, including but not limited to the following:

1. Regulate the location, extent, and intensity of such use;
2. Require adherence to an approved site plan;
3. Require landscaping and the screening of such use by means of fences, walls, or vegetation;
4. Stipulate a required minimum lot size, minimum yards, and maximum height of buildings and structures;
5. Regulate vehicular access and volume, and the design and location of parking and loading areas and structures;
6. Require conformance to health, safety, and sanitation requirements as necessary;
7. Regulate signs and outdoor lighting;
8. Any other conditions deemed necessary to affect the purposes of this Ordinance.



## Summary of Findings

1. The proposed use is generally consistent with the Comprehensive Plan, zoning and land uses of both the subject site and the surrounding area.
2. The proposed use is conducive to the public convenience because of the location on Lincoln Avenue north of Interstate 74, which used primarily for industrial traffic.
3. The proposed use would not pose a detriment to the district in which it is proposed to be located since the district is intended to allow for industrial uses.
4. The use will be redeveloped to be in substantial conformity with the accompanying site plan within 180 days of approval of the Special Use Permit.
5. The special use permit will be subject to the petitioner's continuing compliance with all City, State, and Federal regulations applicable to their operation, including those regulations enforced by the Environmental Protection Agency.
6. The proposed use requires review and permitting by the Illinois Environmental Protection Agency to ensure the operation poses no threat to air or water runoff quality.

## Options

The Plan Commission has the following options for recommendations to the City Council regarding Plan Case No. 1918-SU-04:

1. Recommend approval of the Special Use Permit request, as presented on the attached application, along with the staff suggested conditions.
2. Recommend approval of the Special Use Permit request along with any additional or revised conditions deemed appropriate or necessary for the public health, safety, and welfare, and to carry out the purposes of the Zoning Ordinance.
3. Recommend denial of the request for a Special Use Permit.

## Staff Recommendation

Based on the evidence presented in the discussion above, and without the benefit of considering additional evidence that may be presented at the public hearing, staff recommends that the Plan Commission recommend **APPROVAL** of the Special Use Permit in **PLAN CASE NO. 1918-SU-04** as presented to the Urbana City Council, for the reasons articulated above, with the following **CONDITIONS**:

1. The conditions of the Special Use Permit shall be binding on Apcon Corporation, its subsidiaries, affiliates, and assigns including but not limited to, Apcon Corporation; Mid-America Recycling, Co.; Mid-America Sand and Gravel Company; Urbana Concrete and Recycling Co.; University Construction; and MACC of Illinois, Inc., and that the term

“Petitioner” used in the Special Use Permit and conditions shall apply to all these companies, their subsidiaries, affiliates, and assigns.

2. The activity on the site shall be limited to the storage, stacking, piling, sorting, and recycling (including but not limited to crushing, grinding and sifting) of asphalt and concrete material.
3. There shall be no asphalt or concrete batching, or tar storage or processing permitted on the site.
4. The layout of the site shall be reconfigured to resemble Exhibit “G” Site Diagram, which illustrates setbacks, fencing, landscaping/buffers and access, within 180 days of approval of the Special Use Permit. Any significant deviation from this Site Diagram shall require an amendment to the Special Use Permit and shall include review by the Urbana Plan Commission and approval by the Urbana City Council.
5. An engineered Stormwater Management Plan and an Erosion and Sedimentation Control Plan shall be prepared to the requirements of the Urbana Subdivision and Land Development Code. The plans shall be prepared and revised as necessary to meet the approval of the City Engineer within 90 days of approval of the Special Use Permit. The site shall be graded and reconfigured in substantial conformity with the plans as approved within 180 days of approval of the Special Use Permit.
6. In accordance with Exhibit “G” Site Diagram, the site shall be reconfigured and the following setbacks shall be established and maintained. There shall be no storage of materials within the setbacks.
  - a) 25-foot setback on the east property line along Lincoln Avenue;
  - b) 25-foot setback on the south property line along Somer Drive;
  - c) 5-foot setback along the north and east property lines that abut the legally non-conforming residential land use (Squire Property);
  - d) A minimum 25-foot setback along the top of the east embankment of the Saline Branch Ditch. A continuous line of jersey barriers shall be placed to delineate a minimum 25-foot setback line along the embankment.
7. In accordance with Exhibit “G” Site Diagram, an opaque fence at least 6 feet in height shall be installed along the south property line along Somer Drive with openings at the three permitted access drives within 180 days of approval of the Special Use Permit.
8. A landscape plan shall be developed in consultation with the City Arborist and the staff of Community Development Services within 90 days of approval of the Special Use Permit. The approved elements of the landscape plan shall be established within 180 days and at a minimum shall include the following provisions:
  - a. The east property line along Lincoln Avenue shall be screened with either a six-foot high opaque fence or a berm. If the Petitioner utilizes the existing berm for screening, it shall be cleared of any existing concrete or asphalt debris and shall be planted and maintained with either grass or ground cover material.

- b. There shall be a minimum of 20 living evergreen shrubs planted and maintained in a living condition east of the fence or berm along Lincoln Avenue.
9. In accordance with Exhibit “G” Site Diagram, there shall be three access drives permitted from Somer Drive. Driveway access permit shall be obtained from the Urbana Public Works Department and the location of the access drives shall be approved by the City Engineer. The access drives shall be constructed to the standards of the Urbana Subdivision and Land Development Code and the following provisions within 180 days of approval of the Special Use Permit:
  - a. The eastern most access drive shall be no wider than 35 feet at the property line and shall generally align with the existing eastern drive to Blager Concrete on the south side of Somer Drive;
  - b. The central access drive shall be no wider than 35 feet at the property line and shall generally align with the existing western drive to Blager Concrete on the south side of Somer Drive;
  - c. The western access drive shall be no wider than 24 feet at the property line and shall generally align with the existing drive to Temple Trucking on the south side of Somer Drive.
10. The curb along the north side of Somer Drive that the petitioners have removed or damaged, and where access drives are closed shall be reconstructed to the standards required by the Urbana Subdivision and Land Development Code and to the satisfaction of the City Engineer within 180 days of approval of the Special Use Permit.
11. That all areas of public right-of-way along Somer Drive that the petitioners have encroached into and damaged be graded and seeded with grass, to the satisfaction of the City Engineer within 180 days of approval of the Special Use Permit, and shall be maintained by the Petitioner.
12. That the Petitioners apply for and obtain a construction permit from the City of Urbana Building Safety Division to extend a water service line installed by the Petitioners and terminating in the public right-of-way on Somer Drive. The water line shall be extended to a point inside the fencing required above, and the extension shall be constructed within 180 days of approval of the Special Use Permit.

Attachments:

- Exhibit A: Location Map
- Exhibit B: Zoning Map
- Exhibit C: Current Land Use Map
- Exhibit D: Future Land Use Map
- Exhibit E: Aerial Photo
- Exhibit F: Site Photos
- Exhibit G: Site Diagram
- Exhibit H: Special Use Application / Petition
- Exhibit I: Legal Notice
- Exhibit J: Mailing List
- Exhibit K: IN, Industrial Zoning Description Sheet
- Exhibit L: Plan Commission Memo for Special Use Permit Case 1642-SU-96
- Exhibit M: Ordinance 9697-92
- Exhibit N: Site Diagram for Ordinance 9697-92

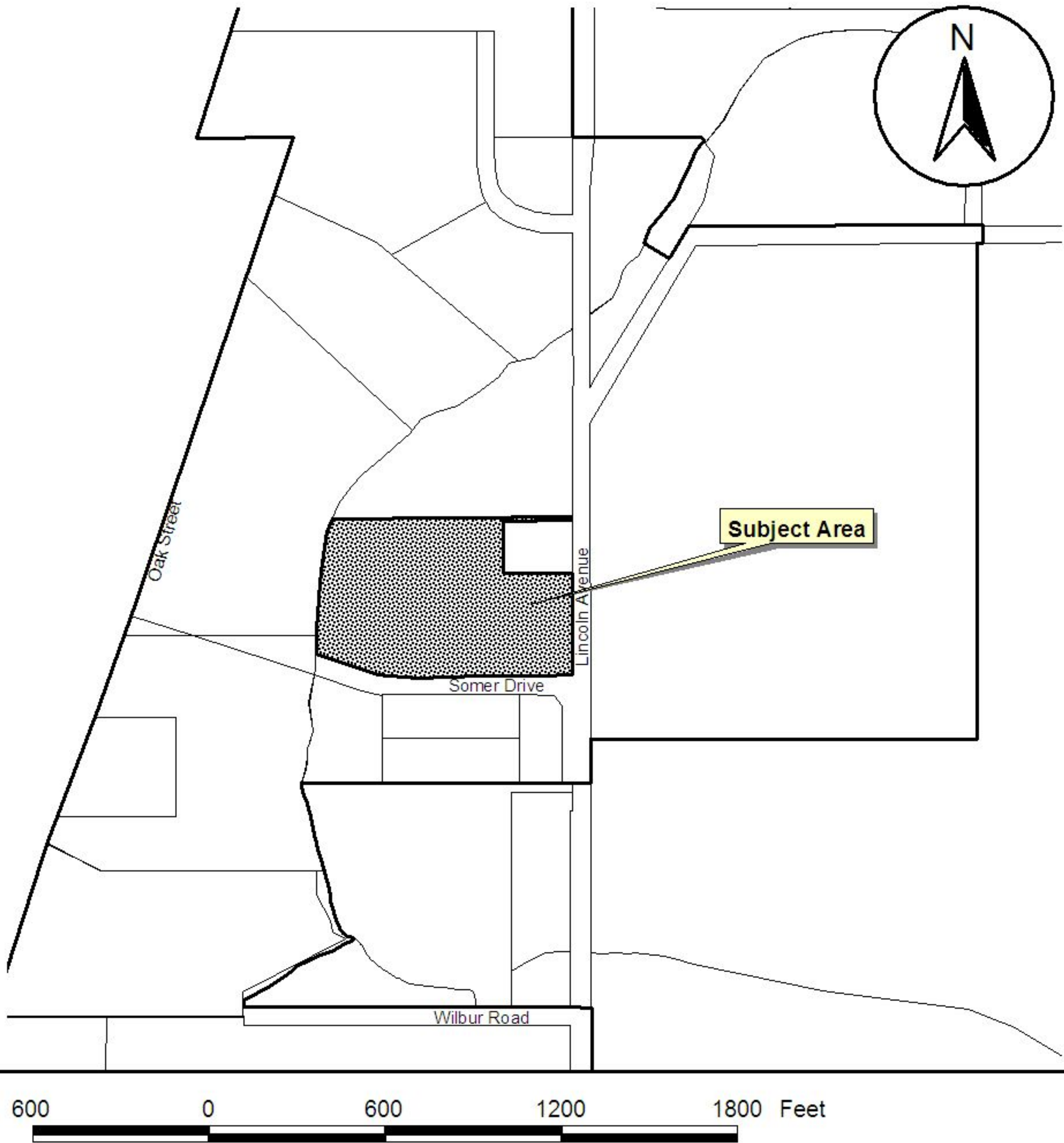
Cc:

Apcon Corp., 2906 N. Oak Street, PO Box 848 Urbana, IL 61803

Blake Weaver, Novak Weaver & Solberg, 130 W. Main Street Urbana, IL 61801

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# Exhibit "A": Location Map

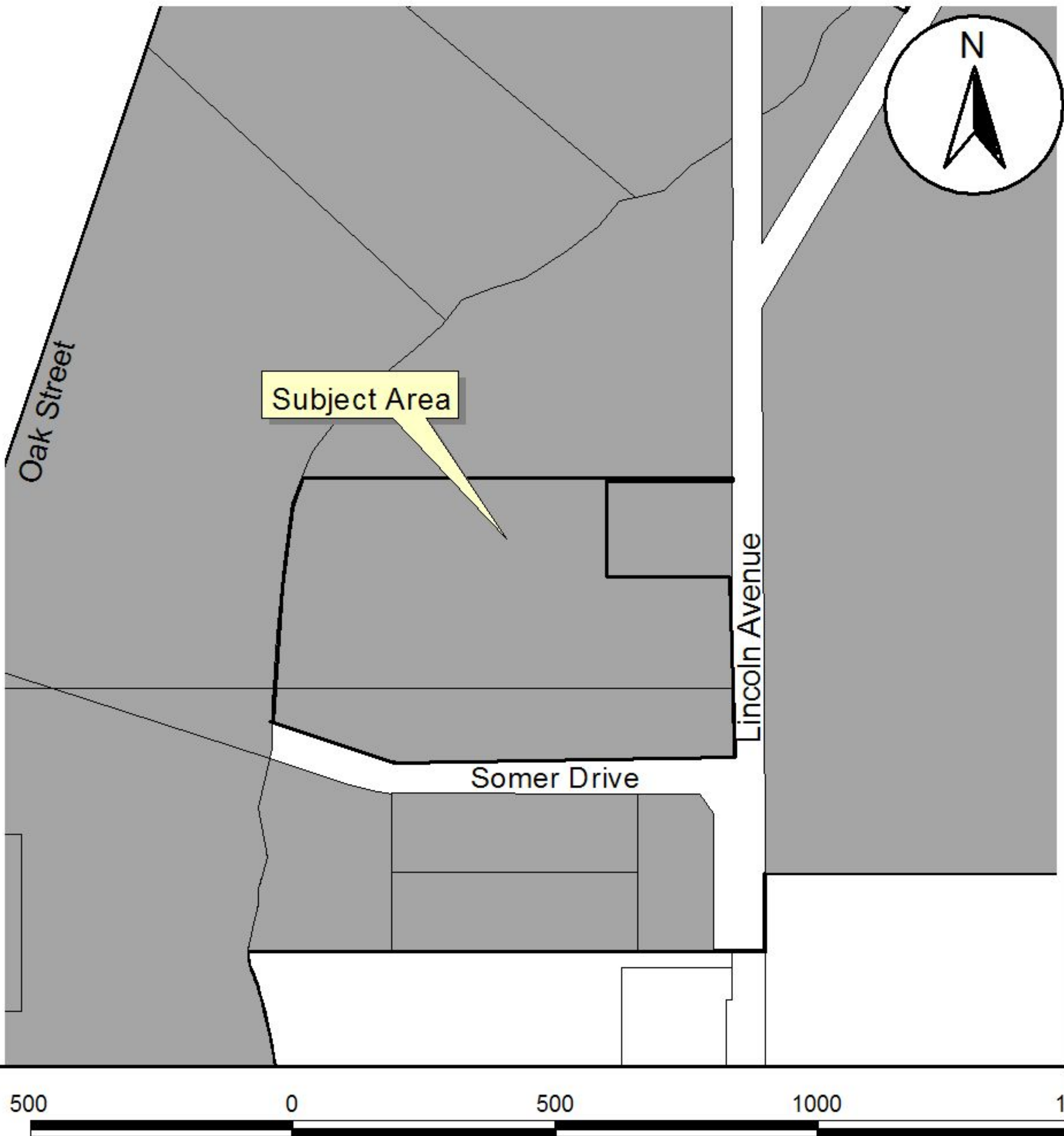


Plan Case: 1918-SU-04  
Special Use Permit to Allow a Concrete and Asphalt Recycling  
Plant as an "Other Industrial Use" in the IN-Industrial Zoning District  
Petitioner: Apcon Corporation

Prepared January 24, 2005 by Community Development Services - pal



- City Boundary
- Subject Property

# Exhibit "B": Zoning Map

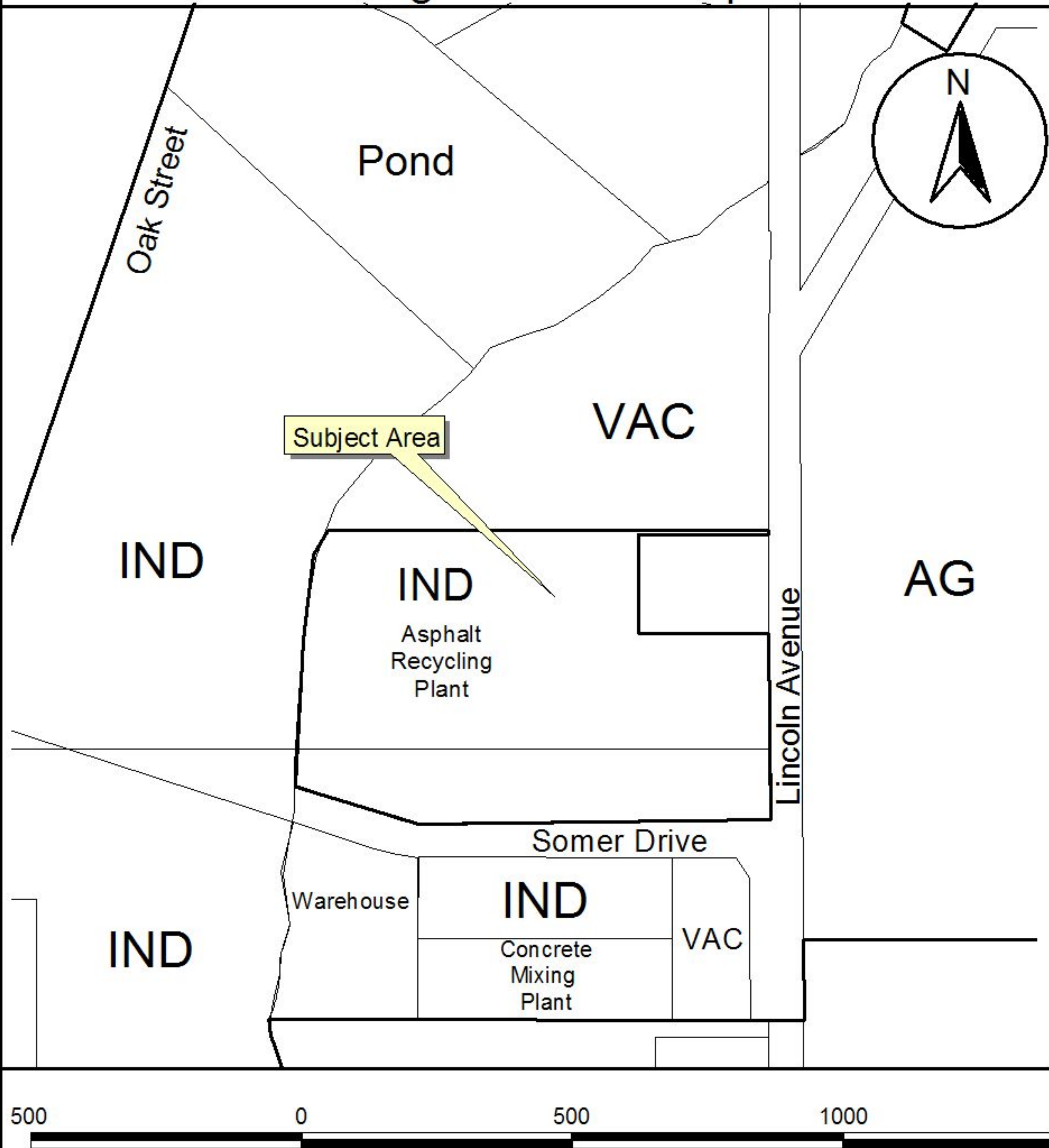


Plan Case: 1918-SU-04  
Special Use Permit to Allow a Concrete and Asphalt Recycling  
Plant as an "Other Industrial Use" in the IN-Industrial Zoning District  
Petitioner: Apcon Corporation

Prepared February 4, 2005 by Community Development Services - rkg

 City Boundary  
 IN - Industrial

# Exhibit "C": Existing Land Use Map



Plan Case: 1918-SU-04  
Special Use Permit to Allow a Concrete and Asphalt Recycling Plant as an "Other Industrial Use" in the IN-Industrial Zoning District  
Petitioner: Apcon Corporation

Prepared February 4, 2005 by Community Development Services - rkg

- City Boundary
- AG - Agriculture
- IND - Industrial
- VAC - Vacant

# Exhibit "D": Future Land Use Map



500 0 500 Feet



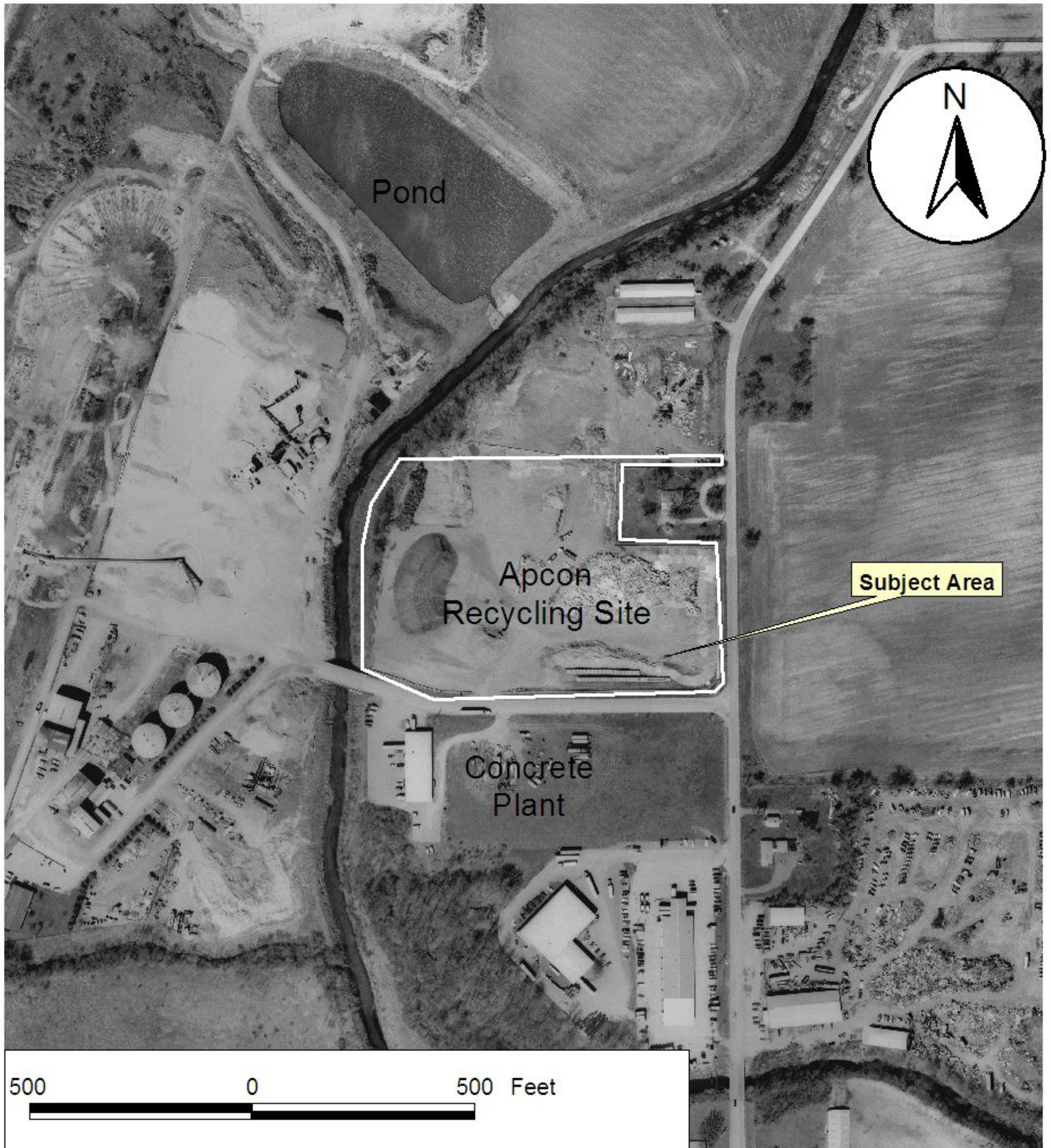
Plan Case: 1918-SU-04  
Special Use Permit to Allow a Concrete and Asphalt Recycling  
Plant as an "Other Industrial Use" in the IN-Industrial Zoning District  
Petitioner: Apcon Corporation

Prepared February 4, 2005 by Community Development Services - rkg

- City Boundary
- Light Industrial
- Heavy Industrial
- Conservation



# Exhibit "E": Aerial Map

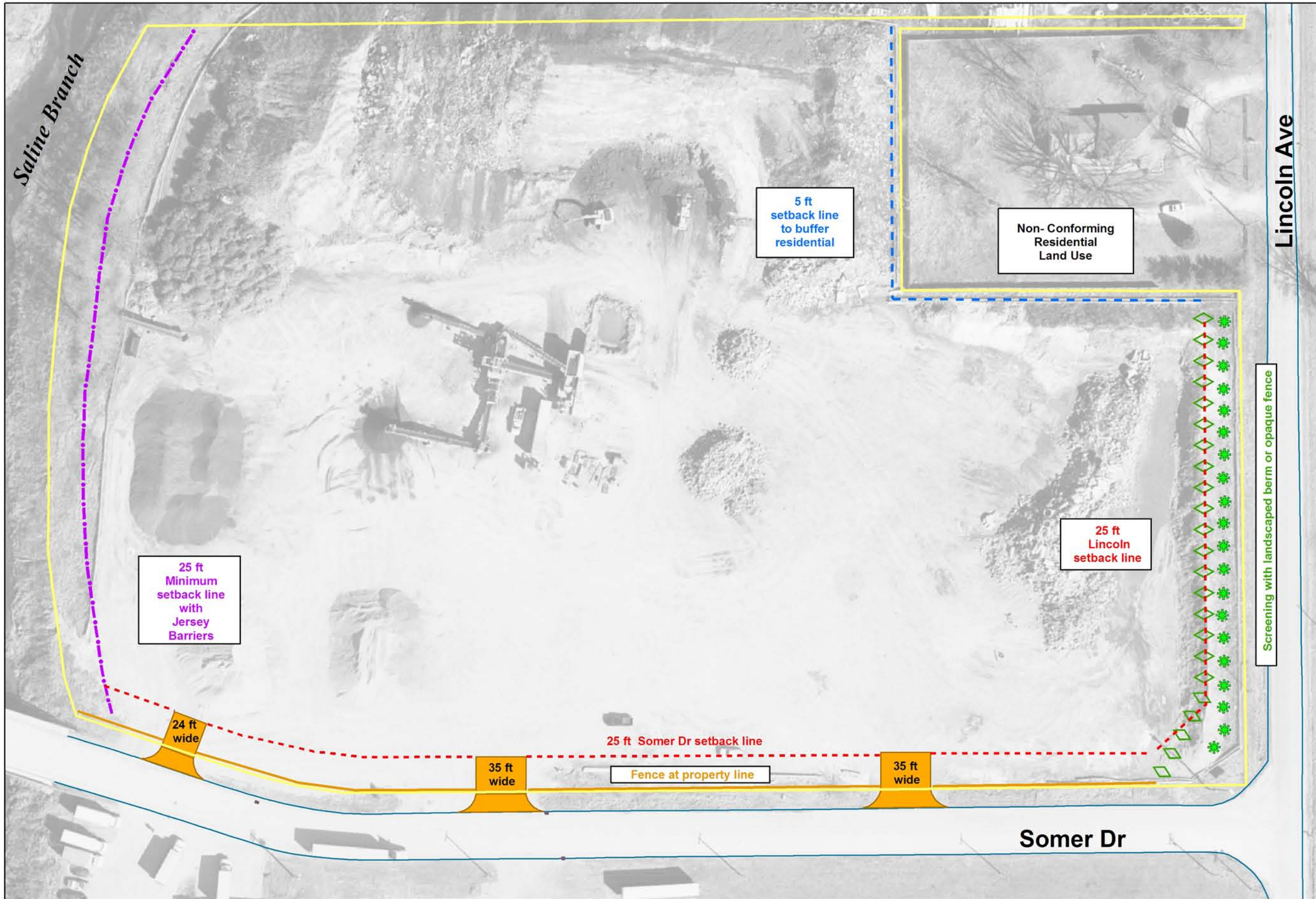


Plan Case: 1918-SU-04  
Special Use Permit to Allow a Concrete and Asphalt Recycling  
Plant as an "Other Industrial Use" in the IN-Industrial Zoning District  
Petitioner: Apcon Corporation

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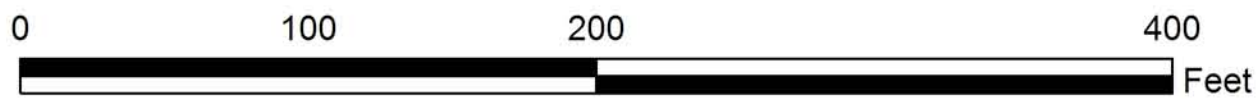
# Exhibit "G"

## Site Diagram



- Property Line
- 25 ft. Setback
- 25 ft. Min. Setback w/ Jersey Barrier
- 5 ft. Setback
- Screening area with Landscaped Berm or 6-foot Opaque Fence
- 6 ft. Fence at Property Line
- Evergreen shrub line
- Permitted Access Drives

Note:  
2002 Aerial Photograph  
in background does not  
represent exact current  
location of objects.



Prepared 3/05/2005 by Community Development Services - pal

Plan Case: 1918-SU-04  
Special Use Permit to Allow a Concrete and Asphalt Recycling Facility in the IN - Industrial Zoning District  
Petitioner: Apcon Corporation  
Location: Somer Drive west of Lincoln Avenue



# IN INDUSTRIAL ZONING DISTRICT

## ZONING DESCRIPTION SHEET

According to Section IV-2 of the Zoning Ordinance, the purpose and intent of the IN Zoning District is as follows:

"The IN Industrial District is intended to provide areas for manufacturing and industrial uses, where they will have the necessary services and facilities, and minimize obstruction on or by adjoining uses and districts. Light industrial uses, which are unlikely to cause undesirable effects, are permitted by right; more intensive industrial uses which may have wider reaching environmental effects are permitted as special uses, which provide the Urbana Plan Commission and City Council the opportunity to review the uses and impose needed conditions. In order to minimize conflict among incompatible uses, most non-industrial uses are not allowed in the IN Industrial District."

Following is a list of the Permitted Uses, Special Uses and Conditional Uses in the IN District. Permitted Uses are allowed by right. Special Uses must be approved by the City Council. Conditional Uses must be approved by the Board of Zoning Appeals.

### PERMITTED USES:

#### **Public and Quasi-Public Facilities -**

Electrical Substation

Municipal or Government Building

Parking Garage or Lot

Police or Fire Station

Public Park

Telephone Exchange

Utility Provider

#### **Commercial Transportation Uses -**

Railroad Yards and Railroad Freight Terminal

Truck Terminal /Truck Wash

#### **Residential Uses-**

Multiple-Unit, Common-Lot-Line Dwelling

#### **Resource Production and Agricultural Uses –**

Agriculture, Cropping

#### **Business Uses - Personal Services**

Ambulance Service

Medical Carrier Service

#### **Agricultural**

Farm Chemicals and Fertilizer Sales Including Incidental Storage and Mixing of Blended Fertilizer

#### **Business Uses - Business, Private Educational and Financial Services**

Professional and Business Office

Check Cashing Service

Bank or Savings and Loan Association

Express Package Delivery Distribution Center

#### **Business Uses - Food Sales and Services**

Wholesale Produce Terminal

#### **Business Uses - Vehicular Sales and Services**

Auto/ Truck repair, major and minor

Gasoline and Service Station

Public Maintenance and Storage Garage

Towing Service

Truck Stop

## IN Zoning District Summary cont.

### **Business Uses - Retail Trade**

Fuel Oil, Ice, Coal, Wood (Sales Only)

Photographic Studio and Equipment Sales and Service

### **Business Uses - Miscellaneous**

Aviation Sales, Service or Storage  
Building Materials Sales (All Indoor Excluding Concrete or Asphalt Mixing)  
Construction Yard  
Contractor Shop and Show Room  
Heat, Ventilating, and Air Conditioning Sales and Services

Kennel  
Lawn Care and Landscaping Service  
Mail Order Businesses  
Radio or TV Studio  
Warehouse  
Wholesale Business

### **Industrial Uses -**

Bookbinding

Building Paper, Paper Containers and Similar Products Manufacturing

Confectionery Products Manufacturing and Packaging

Electrical and Electronic Machinery, Equipment and Supplies Manufacturing

Engineering, Laboratory, Scientific and Research Instruments Manufacturing

Grain Mill Products Manufacturing and Packaging

Household and Office Furniture Manufacturing

Jewelry, Costume Jewelry, Novelties, Silverware and Plated Ware Manufacturing and Processing

Manufacturing and Processing of Athletic Equipment and Related Products

Manufacturing and Processing Wearing Apparel and Related Finished Products Manufacturing

Mechanical Measuring and Controlling Instruments Manufacturing

Miscellaneous Finished Products Manufacturing Including Home Products, Canvas Products, Decorative

Textiles, Luggage, Umbrellas and Similar Products

Motion Picture Production Studio

Musical Instruments and Allied Products Manufacturing

Non-Profit or Governmental, Educational and Research Agencies

Office and Artists Materials Manufacturing (Except Paints, Inks, Dyes and Similar Products)

Optical Instruments and Lenses Manufacturing

Photographic Equipment and Supplies Manufacturing

Printing and Publishing Plants for Newspapers, Periodicals, Books, Stationery, and Commercial Printing

Signs and Advertising Display Manufacturing

Surgical, Medical, Dental and Mortuary Instruments and Supplies Manufacturing

Theoretical and Applied Research, Development and Prototype Light Manufacturing of the following:

Drugs, Chemicals, Food Products, Rubber and Petroleum Products, Light Fabricated Metal Products, Electrical Products, Physical and Aerospace Sciences, Wood and Wood Products, Non-electrical Machinery, Textiles, Glass Ceramic Products

Watches, Clocks and Clockwork Operated Devices Manufacturing

Wool, Cotton, Silk and Man-Made Fiber Manufacturing

Electronics and Related Accessories-Applied Research and Limited Manufacturing, Light Assembly

Manufacturing (50,000 gross sq. ft. or less) Light Assembly and Manufacturing (More than 50,000 sq. ft.)

## **SPECIAL USES:**

### **Public and Quasi-Public Facilities –**

Penal or Correctional Institution

### **Commercial Transportation Uses –**

Heliport

### **Business Uses -**

All Other Industrial Uses not specified herein  
Convenience Shopping Center/Commercial PUD  
General Shopping Center/Commercial PUD

Industrial PUD  
Slaughterhouses

## IN Zoning District Summary cont.

### CONDITIONAL USES:

**Public and Quasi-Public Facilities -**

Public or Commercial Sanitary Landfill  
Sewage Treatment Plant or Lagoon

Radio or Television Tower and Station  
Water Treatment Plant

**Commercial Transportation Uses -**

Air Freight Terminal

Motor Bus Station

**Resource Production and Agricultural Uses -**

Artificial Lake of one (1) or more acres  
Mineral Extraction, Quarrying, Topsoil Removal  
and Allied Activities

**Business Uses - Personal Services**

Dry Cleaning or Laundry Establishment

**Agricultural -**

Farm Equipment Sales and Service  
Grain Storage Elevator and Bins

Livestock Sales Facility and Stockyards

**Business Uses - Business, Private Educational and Financial Services**

Private Kindergarten or Day Care Facility

Vocational, Trade or Business School

**Business Uses - Vehicular Sales and Services**

Automobile, Truck, Trailer or Boat Sales  
Automobile Washing Facility

Automobile Salvage Yard (Junkyard)

**Business Uses - Miscellaneous**

Commercial Breeding Facility  
Veterinary Hospital-Large Animal

Warehouse, Self-Storage Facility  
Veterinary Hospital-Small Animal.

### DEVELOPMENT REGULATIONS IN THE IN DISTRICT

ZONE	MIN LOT SIZE	MIN OR AVERAGE WIDTH	MAX HEIGHT	MAX FAR	MIN OSR	MIN FRONT YARD	MIN SIDE YARD	MIN REAR YARD
IN	10,000	90'	none	1.00	none	25'	none	none

FAR= FLOOR AREA RATIO

OSR= OPEN SPACE RATIO

## **IN Zoning District Summary cont.**

For more information on zoning in the City of Urbana call or visit:

**City of Urbana**  
**Community Development Services Department**  
400 South Vine Street  
Urbana, IL 61801  
(217) 384-2440  
(217) 384-2367 fax  
[www.city.urbana.il.us](http://www.city.urbana.il.us)

Revised 4/12/02



#1: North along Lincoln



#2: North along Lincoln berm in setback



#3: Pile at corner encroachment in setback



#4: West down public ROW mud runoff



#5: Un-approved curb cut



#6: East down Somer Dr. tracks over curb on City ROW



**Exhibit "F-3": Site Photos Apcon Concrete and Asphalt Recycling**



#7: West along Somer pile encroaching into City ROW



#8: View south east pile encroaching into City ROW



#9: View west tracks over curb and on City ROW

**Exhibit "F-4": Site Photos**

**Apcon Concrete and Asphalt Recycling**



#10: Saline Branch bank by bridge



#11: North down Saline Branch bank. Without barriers in front of rocks erosion begins.



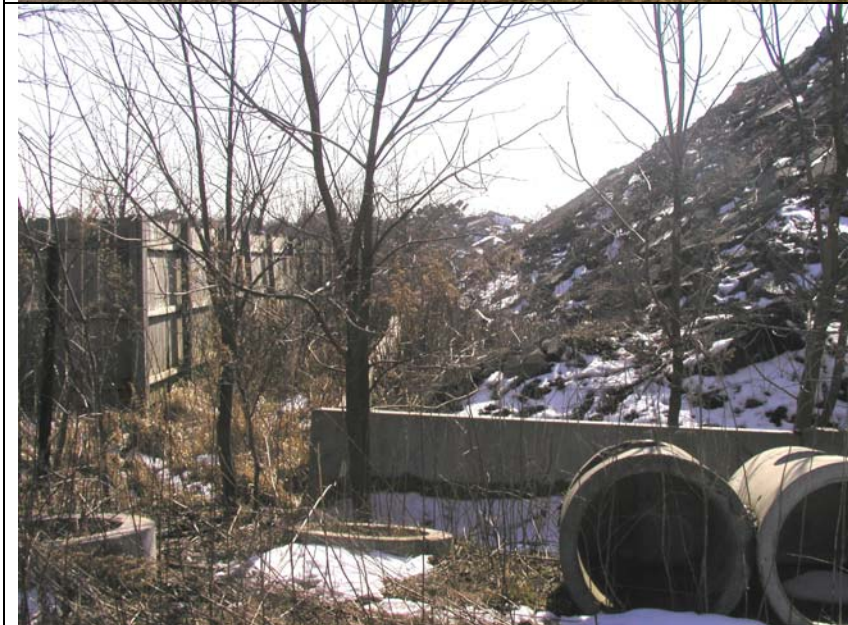
#12: Deep erosion cut of Saline Branch bank without barriers. Rocks at left.



#13: Squire house residential land use with pile behind



#14: West at piles behind Squire house



#15: South along material pile behind Squire back fence