



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

memorandum

TO: The Urbana Plan Commission

FROM: Paul Lindahl, Planner I

DATE: September 1, 2005

SUBJECT: **Plan Case No. 1952-SU-05**, Request by Emulsicoat, Inc. for a Special Use Permit to allow an asphalt blending, storage and distribution plant on a 10.94 acre site to be platted north and west of the current terminus of Saline Court located in Urbana's IN Industrial Zoning District.

Introduction and Background

Emulsicoat, Inc. has petitioned the Urbana Plan Commission for a Special Use Permit to allow an asphalt blending, storage and distribution plant on a 10.94 acre site located to the north and west of the current terminus of Saline Court. The future street address will approximately be the 1000 block of Saline Court off of North Lincoln Avenue. The subject property is located in Urbana's IN Industrial Zoning District. Asphalt blending, storage and distribution 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. Pursuant to the Urbana Zoning Ordinance, the Plan Commission shall recommend approval or denial of the special use and forward it to City Council for action.

Emulsicoat, Inc. is the prospective owner for this property. The approval of this Special Use Permit and related cases will facilitate a Land Trade Agreement between MACC of Illinois, Inc., and Emulsicoat, Inc. so that Emulsicoat can operate its plant on the property fronting Saline Court and partly on a property to the west which is adjacent to a rail line.

The subject site is known as Lot 204 of North Lincoln Avenue Industrial Park #2A (NLAIP #2A). It is the only lot in the major subdivision final plat of NLAIP #2A. That subdivision case is currently being reviewed as Plan Case 1952-S-05 and will go to the City Council regular meeting for approval on Monday the 19th of September. Because that Final Plat is consistent with the previously approved Preliminary Plat of North Lincoln Avenue Industrial Park Subdivision and no additional waivers from the subdivision regulations are being requested, Plan Commission approval is not needed. At the September 8, 2005 meeting, the Plan Commission will also consider an annexation agreement, including a rezoning and granting of a Special Use Permit for the proposed operation, at an adjacent 13.843 tract of land owned by Emulsicoat to the west of the subject site (see Exhibit "A" Location Map). That property, called Tract "A", is located outside the City limits in unincorporated Champaign County. Cases that relate to that tract include: a rezoning, an annexation agreement with special use, and an annexation petition. Final action on these related requests will be considered by the Urbana City Council at their

regular meeting on September 19, 2005. At a later date there will be another subdivision case that will join the subject property Lot 204 to Tract “A” to the west. All of the plan cases and City approvals are interdependent.

Emulsicoat currently has operations at 705 E. University Avenue in Urbana. The company operations are dependent on the availability of railway transport services to supply raw materials and deliver their heated liquid asphalt products which are used in pavement surfacing and hot mixing of road asphalt aggregate. The University Avenue site is currently served by a rail spur that has only one other customer. Because the rail line has few customers and a low number of train trips per week, it may become uneconomical for the rail company to provide service. Emulsicoat is making appropriate plans by seeking this new location that has improved transportation access. In addition, Emulsicoat is interested in moving some of their operations to a location that does not have proximate residential uses. The current location is adjacent to residential neighborhoods which can result in occasional complaints and a higher level of mitigation requirements for odor reduction.

According to the petitioner, the subject property on Saline Court meets their needs for assured rail access, and potential future expansion.

Description of the Area

The site is located west of Lincoln Avenue and the Saline Branch drainage ditch. Immediately to the south is the Central Waste Transfer facility. To the east is an un-platted tract of land owned by MACC of Illinois, Inc. Immediately to the west is Tract “A” which is owned by the petitioners. Under an Annexation Agreement with the City, the petitioners propose to annex that property to the City. As part of the annexation agreement the City will consider rezoning from County AG-2 Agriculture to City IN Industrial in Plan Case 1954-M-05. Also as part of the Annexation Agreement the City will consider granting a Special Use Permit to allow the petitioners asphalt plant to occupy part of that tract. The petitioners will then file to create a subdivision combining that Tract “A” with the subject Lot 204.

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

Zoning and Land Use Table*

	Zoning	Existing Land Use	Future Land Use per 2005 Comprehensive Plan
Site	IN, Industrial	Vacant	Industrial
North	County AG-2, Agriculture	Agriculture	Industrial
South	IN, Industrial	Waste Transfer Facility	Industrial
East	IN, Industrial	Vacant	Industrial
West	County AG-2, Agriculture	Vacant (former Rail Right of Way)	Industrial

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

Discussion

Proposed Use

A special use permit for an asphalt blending, storage and distribution facility is requested to facilitate the blending, storage and distribution of asphalt products used primarily in the construction of pavements. A variety of products would be stored in bulk tanks for distribution to road construction projects and portable hot mix asphalt plants. The productions would include more than 20 blends of asphalt product. A list of products is attached as part of the Special Use application. Most products will be stored at elevated temperatures. The Illinois Environmental Protection Agency (IEPA) closely monitors operation of asphalt blending and storage facilities for compliance with emission levels, and an operating permit from the EPA is required.

The asphalt materials can be transported to the storage yard by truck or rail. Most products are shipped out by truck. The storage yard would be operated 24 hours per day during high production months from April to November. Rail tanks are unloaded into the storage tanks as shipments arrive, and departing trucks are loaded from storage tanks as needed throughout the day. The facility will be substantially similar in operation to that of the Emulsicoat facility located at 705 E. University Avenue.

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."

The proposed asphalt plant facility will be compatible with the intent of the IN Industrial district.

Site Details

Setbacks

The only required setback in the Industrial zoning district is a 25 foot front yard. The site plans (attached) indicate there will be no structures within 150 to 200 feet of the front lot line.

Parking

The plans call for the construction of a 30 by 50 foot (1,500 sq. ft.) office building, and a boiler and shop building of approximately 40 by 60 feet (2,400 sq. ft.) Adjacent to the office building will be a 15-space parking lot. The Zoning Ordinance Table VIII-6 requires one parking space per 1,000 square feet of floor area for industrial uses. The parking lot and access drive circle will be paved with asphalt. Adjacent to the access drive will be a truck unloading lane that will be paved with gravel so that spills may be cleaned by waiting for the asphalt to cool and then simply

shoveling up the gravel. The parking provided on the site by the proposed lot and the access drive for truck queuing when necessary will provide ample parking. Most of the users of the site will be the truck drivers.

Vehicular Access

Road access to the site will be from a cul-de-sac extension of Saline Court. A looping access drive will permit trucks to queue for loading. Upon completion of the subdivision combining the subject Lot 204 with Tract "A" to the west, the entire area will be legally subdivided and have road frontage as required by the subdivision code.

Site Drainage

The creation of the subject subdivision of Lot 204 is currently being reviewed as Plan Case 1952-S-05. In accordance with the Urbana Subdivision and Land Development Code, the subdivision and the site development plans will be reviewed for compliance with all applicable regulations. The City Engineering Division and Community Development Building Safety Divisions have reviewed preliminary plans and found no deficiencies. Final plans including provisions for stormwater, erosion, and site drainage must be approved by the City Engineer.

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 and from the property. Public streets, private driveways, and parking lots can be served conveniently from the property. The proximity of a major railroad yard makes the location conducive to the public convenience since material can be shipped to and from the property by rail instead of road.

- 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 subject site is part of a larger North Lincoln Avenue area that the 2005 Comprehensive Plan anticipates and recommends for industrial development. Industrial users in the surrounding area include 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. The subdivision and site development plans will be reviewed by the City Engineering Division. In addition the Environmental Protection Agency (EPA) closely monitors operation of asphalt blending and storage facilities for compliance with emission levels, and an operating permit from the EPA is required.

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 current zoning of the site is IN, Industrial. The proposed use is consistent with other uses allowed in the City of Urbana's IN Industrial zoning district. The Industrial zoning district is intended to provide areas for manufacturing and industrial uses, where they will have the necessary services and facilities, and minimize impacts on adjoining uses and districts. Development of the site will meet all the applicable standards and requirements of the Urbana Zoning Ordinance and other relevant city codes, including the Subdivision and Land Development Code. The use will preserve the essential character of the area that is planned for industrial uses.

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 effect the purposes of the Zoning 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 access to adjacent rail service, and proposed site's location nearby Lincoln Avenue north of Interstate 74, which is 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 proposed use requires review and permitting by the Illinois Environmental Protection Agency to ensure the operation poses no threat to air quality.

Options

The Plan Commission has the following options for recommendations to the City Council regarding Plan Case No. 1953-SU-05:

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. 1952-SU-05** as presented to the Urbana City Council, for the reasons articulated above, with the following **CONDITIONS**:

1. The Special Use will be in effect only upon the City's approval and recording of a Major Subdivision Final Plat, which will legally create Lot 204 in substantial conformity with the attached Exhibit "H": Draft Final Plat of North Lincoln Avenue Industrial Park #2A.
2. This Special Use Permit shall be applicable only to the confines of Lot 204 as depicted in attached Exhibit "E" Site Diagram, and legally described in Exhibit "G".
3. The Special Use Permit is applicable only to the asphalt blending, storage, and distribution plant proposed in the application and depicted in the attached Exhibit "E" Site Diagram.
4. The layout of the site shall be in substantial conformity with Exhibit "E" Site Diagram. 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. The activity allowed by the Special Use Permit on the site shall be limited to the blending, storage, and distribution of liquid asphalt, tar, and emulsion materials as described in the attached Exhibit "F" Special Use Application / Petition.

6. The Owner agrees that all operations, development, construction, or additions to its asphalt blending, storage and distribution plant on Lot 204 as depicted in the attached Exhibit "E" Site Diagram, and legally described in Exhibit "G" shall be in conformity with all applicable State and Federal regulations including Environmental Protection regulations pertaining to chemical emissions, particulate emissions, dust, noise, odor, and ground water protection.
7. The Owner agrees that any new development, construction, or additions on said Lot 204 shall be in conformance with all City of Urbana building, electrical, fire, and plumbing codes, orders or regulations in effect at the time of such construction. The Owner agrees to submit all building construction plans to the City of Urbana for review and further agrees to pay the required permit fees. The Owner further agrees to correct any deficiencies identified in said plan review.

Attachments:

- Exhibit A: Location Map
- Exhibit B: Zoning Map
- Exhibit C: Current Land Use Map w/ Aerial Photo
- Exhibit D: Future Land Use Map
- Exhibit E: Site Diagram
- Exhibit F: Special Use Application / Petition
- Exhibit G: Legal Description of Lot 204
- Exhibit H: Draft Final Plat of North Lincoln Avenue Industrial Park Subdivision #2A
- Exhibit I: 2002 Revised Preliminary Plat of North Lincoln Avenue Industrial Park Subdivision
- Exhibit J: IN, Industrial Zoning Description Sheet

Cc:

Emulsicoat, Inc. Attn: Rick Beyers, 705 E. University Ave. Urbana, IL 61802	Apcon Corp. Attn: John Peisker 2906 N. Oak Street P.O. Box 848 Urbana, IL 61803
Daily & Associates, Engineers, Inc. Attn: Thomas Jordan 1610 Broadmoor Drive Champaign, IL 61821	Thomas, Mamer & Haughey, LLP Attn: James Green P.O. Box 560 Champaign, IL 61824-0560
Shirley Squires 3913 N. Lincoln Avenue Urbana, IL 61803	Blake Weaver 130 W. Main Urbana, IL 61801
Ken Mathis Somerset Township Supervisor 2808 N. Lincoln Avenue Urbana, IL 61803	Rick Wolken Somerset Township Road District Commissioner 2294 County Road, 1600 East Urbana, IL 61802

Location Map

EXHIBIT "A"



Plan Case 1952-SUP-05:


A request for Special Use Permit to establish an asphalt blending, storage and distribution plant as an "Other Industrial Use" in the IN, Industrial Zoning District

Petitioner: Emulsicoat, Inc
Location: Approximately 100 block of Saline Court

Prepared 9/01/05 by Community Development Services - pal

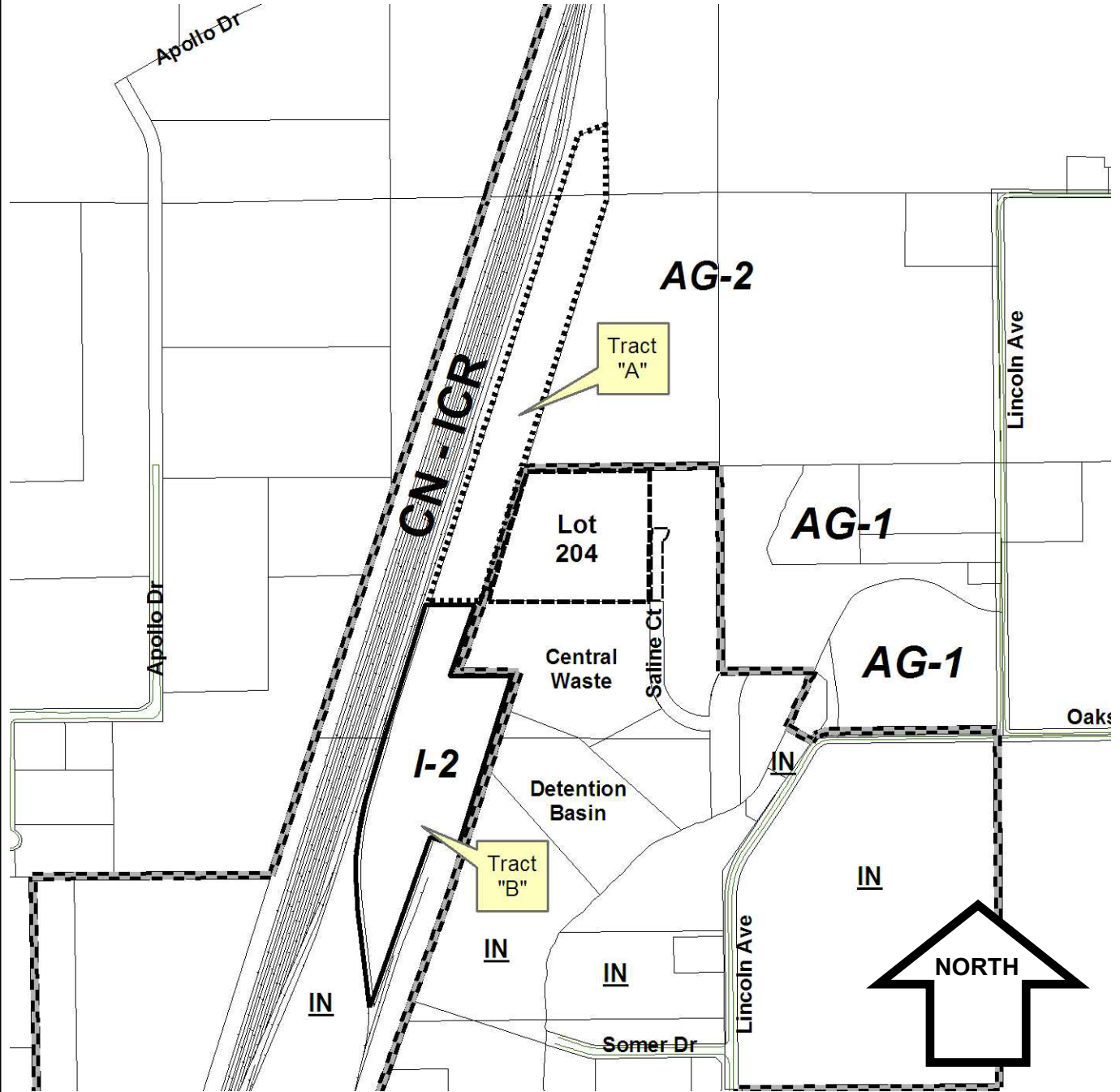
Subject Site = Lot 204

Related Site = Tract "A"

City Limits 

Zoning Map

EXHIBIT "B"



Plan Case 1952-SUP-05:

A request for Special Use Permit to establish an asphalt blending, storage and distribution plant as an "Other Industrial Use" in the IN, Industrial Zoning District

Petitioner: Emulsicoat, Inc
Location: Approximately 100 block of Saline Court

Prepared 9/01/05 by Community Development Services - pal

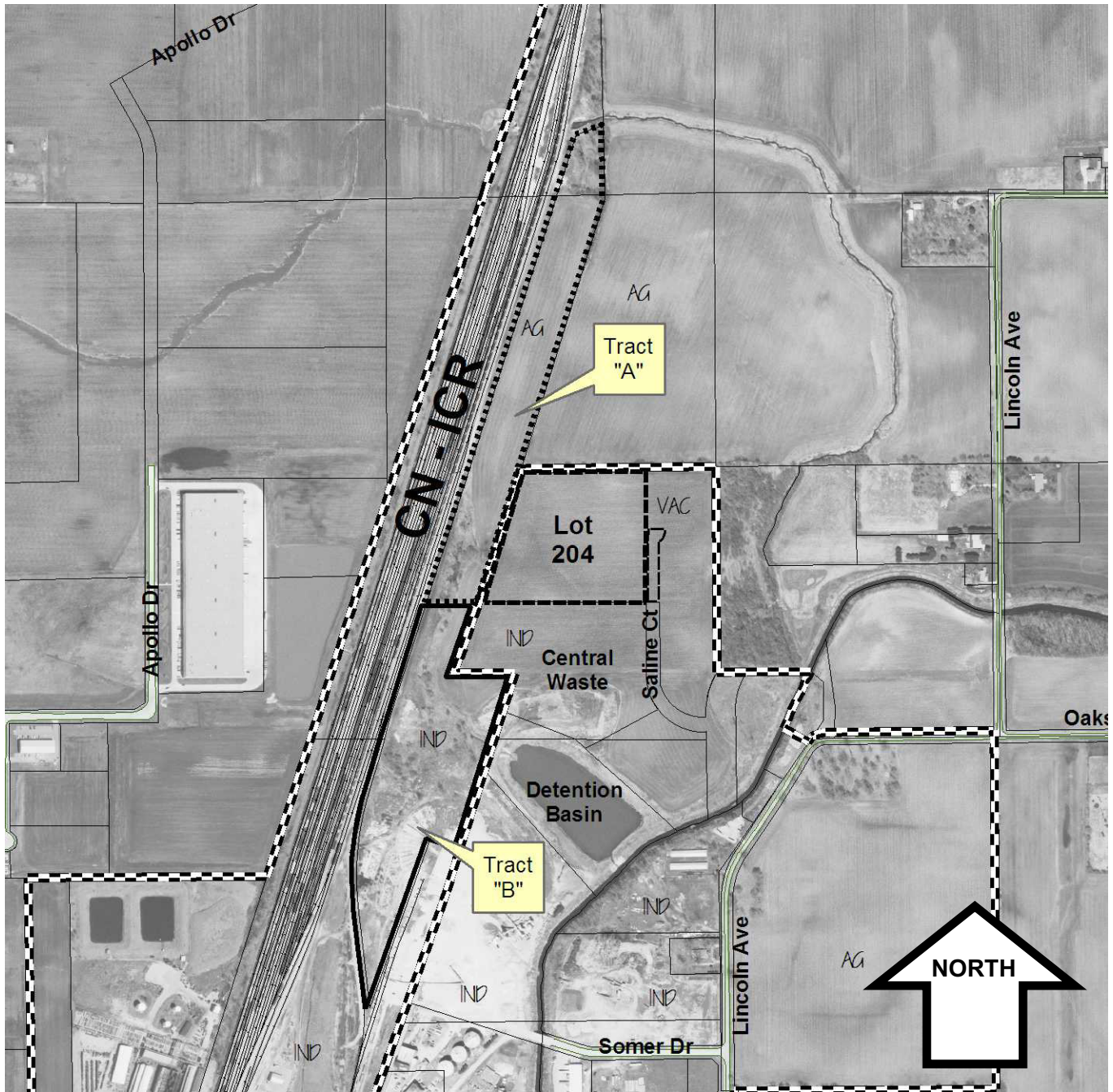
Subject Site = Lot 204
 Related Site = Tract "A"

- AG-1 - County Agriculture
- AG-2 - County Agriculture
- I-2 - County Industrial
- IN - City Industrial

City Limits

Existing Land Use Map

EXHIBIT "C"



Plan Case 1952-SUP-05:

A request for Special Use Permit to establish an asphalt blending, storage and distribution plant as an "Other Industrial Use" in the IN, Industrial Zoning District

Petitioner: Emulsicoat, Inc
Location: Approximately 100 block of Saline Court

Prepared 9/01/05 by Community Development Services - pal

Subject Site = Lot 204
 Related Site = Tract "A"

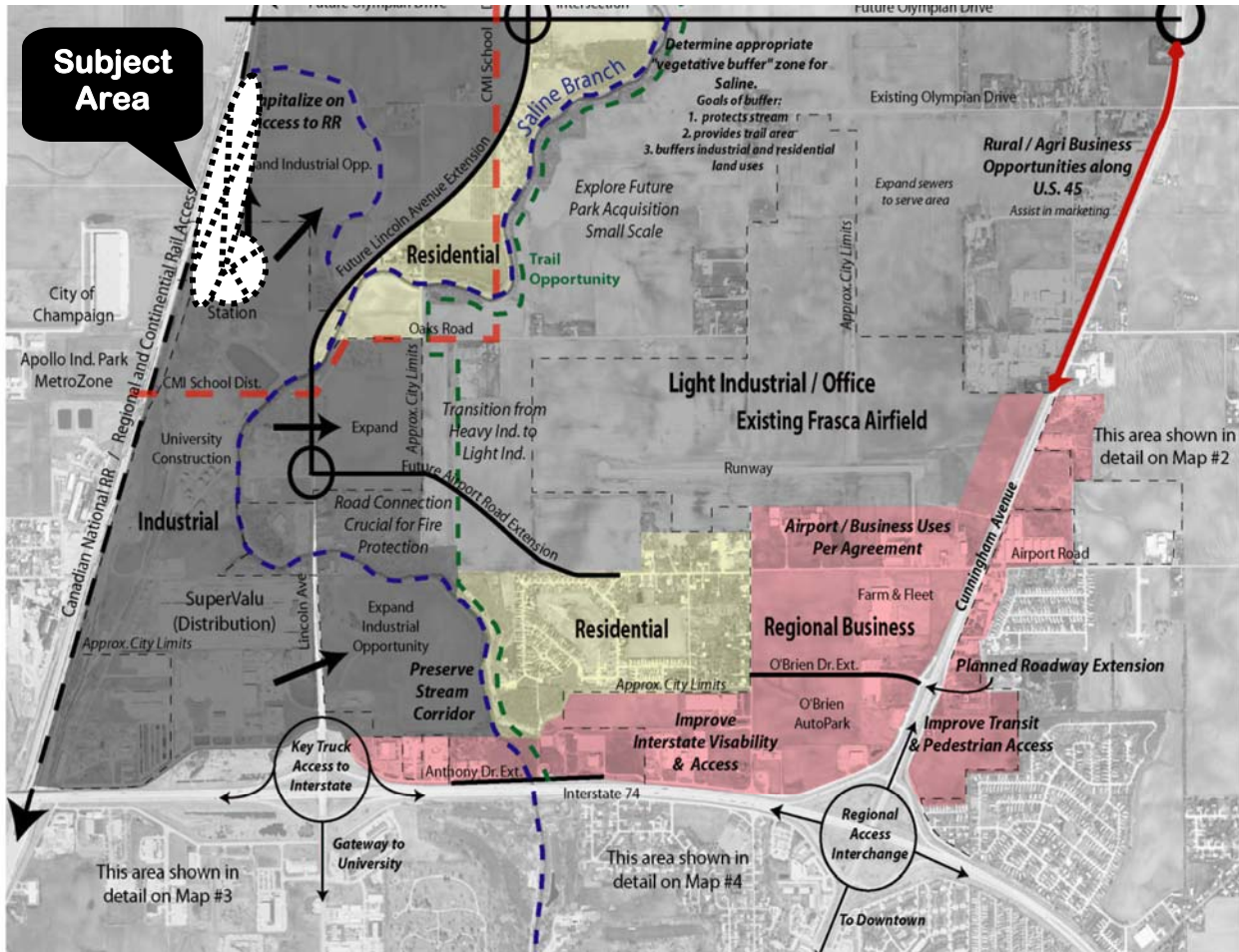
- AG - Agriculture
- VAC - Vacant
- IND - Industrial

City Limits

Future Land Use

EXHIBIT "D"

Source: Detail from Comprehensive Plan Future Land Use Map # 1, p.72



NC
NC



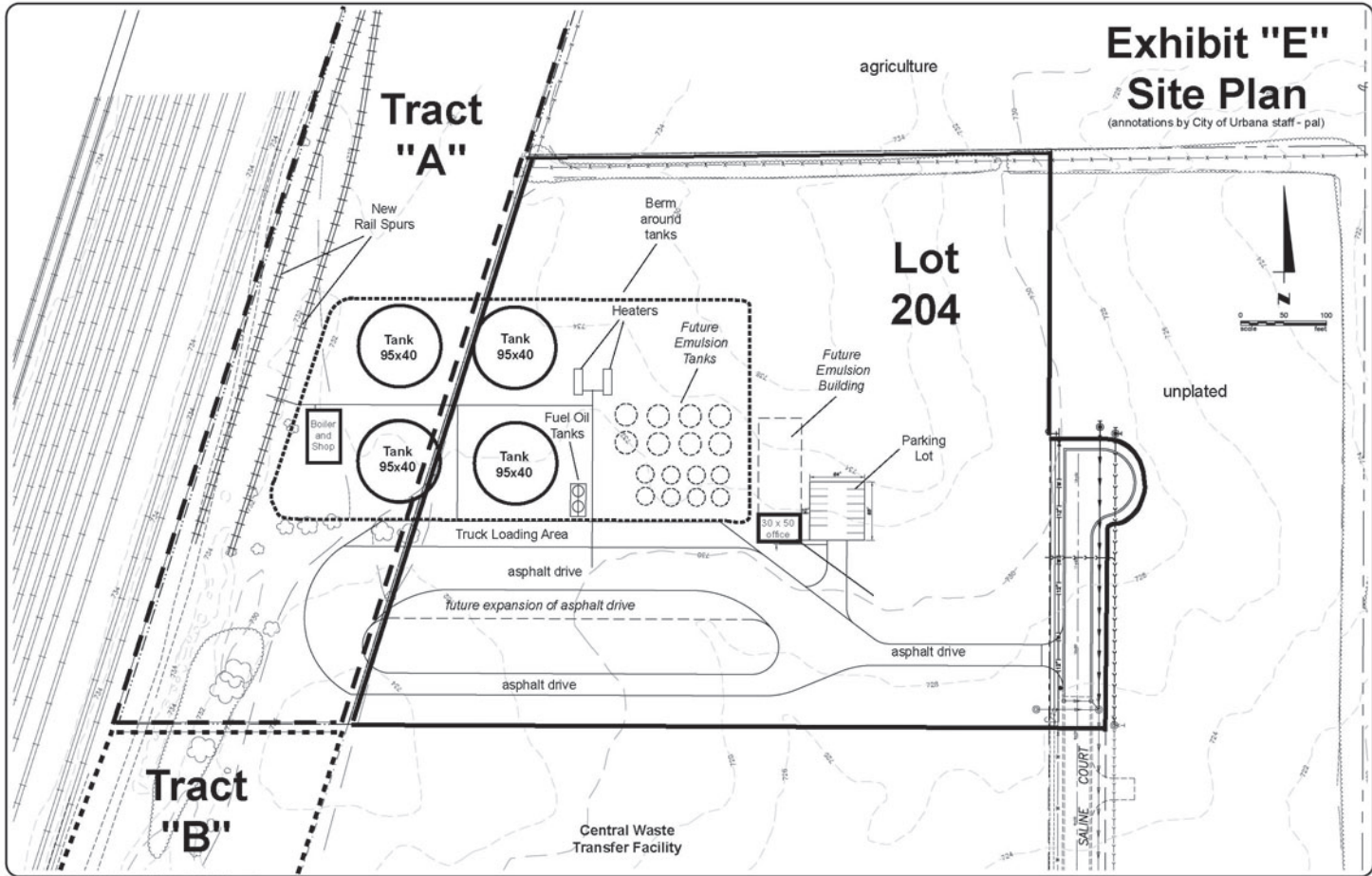
Plan Cases:
 2005-A-12a Annexation Agreement
 1954-M-05 Rezoning from County AG-2, Agriculture to City IN, Industrial
 1953-SU-05 Special Use Permit for Asphalt Blending Plant

Petitioner: Emulsicoat, Inc.

Prepared 8/31/05 by Community Development Services - pal

Exhibit "E" Site Plan

(annotations by City of Urbana staff - pal)





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 obtrusion 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
Principle Use 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

Dwelling, Multiple-Unit, Common-Lot-Line

Resource Production and Agricultural Uses

Agriculture, Cropping

Business Uses - Personal Services

Ambulance Service
Medical Carrier Service

Business Uses - 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, Savings and Loan Association
Express Package Delivery Distribution Center

Business Uses - Food Sales and Services

Wholesale Produce Terminal

IN Zoning District Summary cont.

Business Uses - Vehicular Sales and Services

Automobile, Truck, Trailer or Boat Sales
Auto/Truck Repair, Major
Gasoline Station

Public Maintenance and Storage Garage
Towing Service
Truck Stop

Business Uses - Retail Trade

Building Materials Sales (All Indoor Excluding
Concrete or Asphalt Mixing)
Fuel Oil, Ice, Coal, Wood (Sales Only)

Heat, Ventilating, and Air Conditioning Sales and
Services
Photographic Studio/Equipment Sales and Service

Business Uses - Miscellaneous

Aviation Sales, Service or Storage
Construction Yard
Contractor Shop and Show Room (Carpentry,
Electrical, Exterminating, Upholstery, Sign
Painting, and Other Home Improvement Shops)
Kennel

Lawn Care and Landscaping Service
Mail Order Business (if less than 10,000 sq. ft.)
Mail Order Business (if greater than 10,000 sq. ft.)
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
(If less than 50,000 gross sq. ft.)
Light Assembly and Manufacturing
(if greater than 50,000 gross sq. ft.)

SPECIAL USES:

Public and Quasi-Public Facilities

Penal or Correctional Institution

Commercial Transportation Uses

Heliport

IN Zoning District Summary cont.

Business Uses – Agricultural

Slaughterhouses

Business Uses - Miscellaneous

Shopping Center/Commercial PUD - Convenience
Shopping Center/Commercial PUD – General

Industrial Uses

All Other Industrial Uses Not Contained Herein
Industrial PUD

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

Business Uses - Agricultural

Farm Equipment Sales and Service
Grain Storage Elevator and Bins
Livestock Sales Facility and Stockyards

Business Uses - Business, Private Educational and Financial Services

Day Care Facility
Vocational, Trade or Business School

Business Uses - Vehicular Sales and Services

Automobile Washing Facility
Automobile Salvage Yard (Junkyard)

Business Uses - Miscellaneous

Commercial Breeding Facility
Veterinary Hospital - Small Animal
Veterinary Hospital - Large Animal
Warehouse, Self-Storage Facility

IN Zoning District Summary cont.

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 sq. ft.	90'	none	1.00	none	25'	none	none

FAR= FLOOR AREA RATIO
OSR= OPEN SPACE RATIO

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

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