



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: The Urbana Plan Commission

FROM: Jeff Engstrom, Planner I

DATE: November 22, 2006

SUBJECT: Case No. 2021-SU-06, Request by Cross Construction for a Special Use Permit to allow a concrete recycling operation in the IN, Industrial Zoning District on a 3.36-acre site located at 3201 North Lincoln Avenue.

Introduction

The petitioner, Cross Construction, has submitted an application for a Special Use Permit to allow a concrete recycling operation on the west side of Lincoln Avenue, north of Somer Drive and south of the Saline Branch. The 3.36-acre site also contains storage of construction equipment and the Lincoln Wood Warehouse mini-warehouses. This warehouse use was established many years ago before the property was annexed to the City of Urbana in 2001. Permission must also be granted as a part of this Special Use Permit in order to legally establish two uses on one parcel. The site is located in close proximity to another concrete and asphalt recycling plant as well as to other industrial uses contained within the North Lincoln Avenue Industrial Park Subdivision. Residential and agricultural uses also exist in the area, including the former Squire school house/residence which is located directly south of the property.

The petitioner has used the site in the past for concrete recycling and the storage of construction materials associated with the various construction projects of Cross Construction. These uses have recently resulted in zoning complaints from nearby neighbors. The City has required Special Use Permits or other approvals for the Apcon Corporation concrete and asphalt recycling plant to the south, for the Blager cement mixing operation on the south side of Somer Drive, and for the waste transfer facility to the north of the site. It is important that the operation be subject to similar review and regulations as have other similar operations in the vicinity in order to allow their continued legal operation within the City of Urbana.

The petitioner has indicated their long-term intention to move the operations to a fully enclosed facility to be located on a tract of land they own on the east side of North Lincoln Avenue across from SuperValu. This site is outside of the City limits and relocation of the operation to this site would

require zoning approval from Champaign County. Annexation of this property to the City of Urbana would be necessary should any sanitary sewer service be desired or necessary.

The Urbana Zoning Ordinance does not specifically list the proposed use in Table V-1 Table of Uses. However, it does specify that “*All Other Industrial Uses*” besides those listed in the table be permitted in the Industrial Zoning District with the issuance of a Special Use Permit. In evaluating the proposed use, the Zoning Administrator has determined that the operation should be classified as an industrial use and should be reviewed for a Special Use Permit since it is not currently a use listed in the table. This determination is consistent with that employed for the Special Use Permits issued for the Apcon Corporation operation to the south.

Background

Description of the Area

The site is located in a largely industrial area along North Lincoln Avenue north of Interstate 74. The 3.36-acre site is surrounded on the north, west and south by the North Lincoln Avenue Industrial Park Subdivision which contains approximately 87 acres, as shown in Exhibit K. Current businesses located in the subdivision include University Construction, Central Waste Transfer Facility, and Blager Concrete. Agricultural and residential properties are located to the east of the site and to the north of the subdivision. A former school house is located directly south of the property. This property is zoned industrial but has been used for residential and commercial uses. The Dunn property to the east of the site is zoned industrial but remains in agricultural use.

North Lincoln Avenue has long been planned for improvements and a new alignment to the north. Improvements to Lincoln Avenue adjacent to the site and extending south towards the Interstate were completed in 2000 as a result of the waste transfer facility. The improvements to the road are designed to handle expected industrial traffic. The new alignment will eventually straighten Lincoln Avenue from the vicinity of the site to Olympian Drive, as depicted in the location study completed for the roadway and illustrated schematically in the Comprehensive Plan Map for the area shown in Exhibit D.

The following chart identifies the Comprehensive Plan designation, current zoning, and current land use of the site and surrounding properties.

Survey of Comprehensive Plan Designation, Zoning, and Land Use

	Comprehensive Plan	Zoning	Land Use
Site	Heavy Industrial	IN, Industrial	Materials Storage / Staging
South	Heavy Industrial	IN, Industrial	University Construction – asphalt / concrete recycling operation/ Single Family Residence
East	Heavy Industrial	IN, Industrial	Undeveloped

West	Heavy Industrial	IN, Industrial	Central Waste Transfer Facility
North	Heavy Industrial	IN, Industrial	Central Waste Transfer Facility

Please refer to the attached Future Land Use, Zoning, and Existing Land Use maps and photo exhibits for further information.

Description of the Site

The site is triangular-shaped and has approximately 504 feet of frontage on Lincoln Avenue and is bordered by the Saline Branch to the north and west. The portion of the site fronting onto the Saline Branch is currently buffered with vegetation. There is a curb cut on the south end of the frontage on Lincoln Avenue, which is the primary access point for concrete recycling operations. A portion on the north side of the site contains the Lincolnwood Warehouse (storage units) and an additional curb cut. This portion is fenced off from the rest of the site. The interior area of the site is unpaved and has no vegetation, as it has been used for concrete recycling operations as shown in Exhibit J.

Discussion

Proposal

The applicant proposes to conduct concrete recycling at the site involving the stockpiling of broken concrete at the rear of the site and the periodic deployment of a mobile crushing machine to process and stockpile the material towards the front of the site. The recycled material would then be loaded out on trucks to be used on construction sites throughout the Champaign-Urbana area. In addition, the site would continue to be used for the storage of construction materials and as the long-time location of the Lincolnwood Warehouse. The primary business location of Cross Construction is at 3615 N. Countryview Road, north of Urbana off of North Cunningham Avenue. The company houses its offices and its equipment at this location. The subject site is ancillary to the main operations of Cross Construction in rural Urbana. As discussed above, the applicant hopes to eventually relocate the recycling operation to an enclosed facility to be located on a 71.09-acre site that they own on the east side of Lincoln Avenue to the south of the subject site.

To the immediate south is the Apcon Corporation/University Construction property, which contains a similar asphalt and concrete recycling operation. The site has proximate access to Interstate 74, which allows construction vehicles to reduce the amount of time spent driving through urban areas. The Urbana Comprehensive Plan Future Land Use Map designates this area as heavy industrial (Exhibit D).

Issues to be addressed in considering the application include location and containment of access points, proper screening from the roadway and adjacent residential uses, establishment of appropriate setbacks, drainage impacts, and protection against noise, dust, and water and air pollution. Many of these issues can be controlled via conditions placed on the petitioner as a part of the Special Use Permit, while others are under the permitting jurisdiction of the Illinois Environmental Protection Agency. In addition,

because the petitioner proposes to utilize the site for more than one distinct use type (i.e., concrete recycling, construction yard, and mini-warehouse), a permit to allow multiple uses on a single lot should be granted as a part of the Special Use Permit. Ordinarily, a conditional use permit is required to allow the establishment of more than one use on a single lot. However, because a Special Use Permit is required for the concrete recycling operation, it is legally permissible and appropriate to incorporate the Conditional Use permission as a part of the Special Use Permit.

Requirements for a Special Use Permit

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.*

There are existing similar uses in the vicinity of the site, and it is convenient for the location of a concrete recycling plant. The close proximity to existing transportation facilities including the Lincoln Avenue interchange with Interstate 74 allows for a concrete recycling plant to minimize truck traffic for loading and unloading materials and for delivering the end product. Establishing the business at this location will help to minimize existing truck traffic through existing neighborhoods.

- 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 home to a number of industrial developments, including University Construction Asphalt Recycling and the Central Waste Transfer Facility. Roadway facilities planned and constructed in the area are designed to handle industrial traffic, including the level of truck traffic that would be generated by the proposed use. There are relatively few nearby residential uses in the area that could potentially be affected by the facility. The proposed site plan includes a fence to screen the adjacent uses from industrial operations. This is consistent with other industrial properties in the area, which have provided necessary landscaping and screening as the area develops. As was the case with similar properties in the area, adherence to a site plan showing fence and setback locations will be a condition of approval for the Special Use Permit.

- 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 proposed use will preserve the essential character of the area which is heavy industrial usage. The operation will be required to substantially conform to the layout shown on the attached plan and to meet all the applicable standards and requirements of the Urbana Zoning Ordinance and other relevant City codes including the Subdivision and Land Development Code.

Requirements for a Conditional Use Permit

In order to approve the multiple uses of concrete recycling, construction yard, and mini-warehouse on this single property, a Conditional Use Permit may be granted as part of this Special Use Permit. Since a Special Use Permit is higher level of review, City legal staff have suggested that we incorporate the conditional permission of multiple uses on one site into this Special Use Permit. The following requirements apply to allowing the multiple uses of concrete recycling and a construction yard on a property which has an existing self-storage facility. The criteria are similar to that for a Special Use Permit.

According to Section VII-2 of the Urbana Zoning Ordinance, an application for a Conditional Use Permit shall demonstrate the following:

- 1. That the proposed use is conducive to the public convenience at that location.*
- 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.*
- 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-3.*

These criteria are essentially the same as those for the Special Use Permit, and have been addressed in the previous section.

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 conditions that:

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 the Zoning Ordinance.

Summary of Findings

1. The proposed use is generally consistent with the Comprehensive Plan designation zoning categorie, and land uses of the subject site and the surrounding area.
2. The proposed use of concrete recycling is not specifically listed in the Table of Uses of the Zoning Ordinance and therefore is allowable with a Special Use Permit as part of “all other industrial uses”.
3. Since the site has been annexed into the City of Urbana, a Special Use Permit is necessary to allow for previously unpermitted concrete recycling uses to continue at the site.
4. The Special Use Permit may be used to also grant conditional use permit approval to allow more than one use on a single lot in order to accommodate the proposed uses of concrete recycling, contractor yard/storage, and mini-warehouse at this location.
5. The area is zoned IN, Industrial, and there are other similar uses, including concrete recycling and cement mixing, nearby to the site which have been approved with Special Use Permits.
4. The proposed use is conducive to the public convenience at this location. It would allow for the convenient location of an industrial use in close proximity to similar uses.
5. 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.
6. The proposed use will meet all applicable standards and requirements of the district in which it is located, including setbacks, parking and other development regulations.

Options

The Plan Commission has the following options for recommendations to the City Council regarding Plan Case No. 1877-SU-03:

1. Recommend approval of the Special Use Permit and Conditional Use Permit request as presented without any conditions.
2. Recommend approval of the Special Use Permit and Conditional Use Permit request with any additional 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 and Conditional 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 proposed Special Use and Conditional Use in Plan Case No. 2021-SU-06 as presented to the Urbana City Council, for the reasons articulated above and with the following **conditions**:

1. 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), transport, loading and unloading of concrete material; the continued use for contractor storage; and the continued use as mini-warehouses.
2. The layout and operation of the facility shall follow the general layout shown on the attached Site Development Plan (Exhibit G).
3. An engineered Stormwater Management Plan and an Erosion and Sedimentation Control Plan shall be prepared and implemented consistent with 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.
4. The site shall establish and maintain the following setbacks as depicted in Exhibit “G”. There shall be no storage of materials or other operational activities conducted within the setbacks:
 - a) 25-foot setback on the east property line along Lincoln Avenue;
 - b) A minimum 35-foot setback along the top of the east embankment of the Saline Branch Ditch.
5. An opaque fence at least 6 feet in height shall be installed along the east property line along Lincoln Avenue and extending along the south property line to a match point with the existing privacy fence on the Squire properties. The required fence shall provide any openings or gates at the permitted access drives and shall be erected within 180 days of approval of the Special Use Permit, in accordance with Exhibit “G”. Should the existing fence on the residentially used parcel to the south of the site be removed, the petitioner agrees to erect a privacy fence along the southern edge of his site for the length of the residentially used parcel.
6. A landscape plan to provide for improved screening along the east side of the property 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 and shall be established within 180 days of approval of the Special Use Permit. The landscape plan shall indicate that the property will be screened from view from Lincoln Avenue and from the adjacent residence.
7. There shall be no more than two access drives permitted from Lincoln Avenue. A 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, in accordance with Exhibit “G” Site Diagram. 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 northern access drive shall be no wider than 35 feet at the property line. The existing concrete surface at this location is deemed acceptable;
- b. The southern access drive shall be widened to a maximum of 35 feet at the property line, and shall be paved with concrete and elevated to be higher than the rest of the site to preclude runoff from the site down the access drive.
- c. The southern entrance to the site shall be improved onto the site such that materials from the site are not tracked onto Lincoln Avenue by vehicles entering and leaving the site.

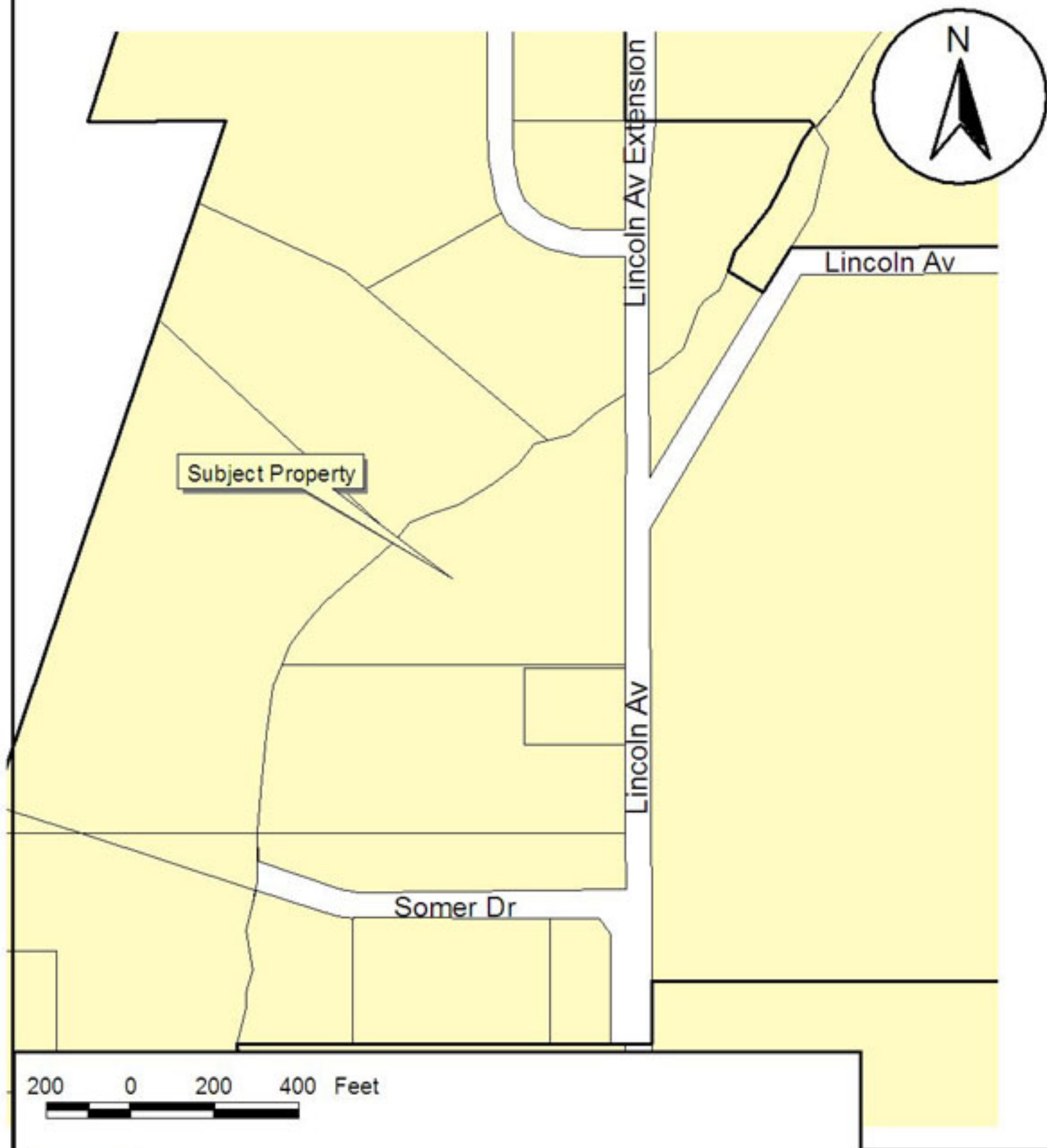
8. The Special Use and Conditional Use Permits shall expire upon such time as Cross Construction permanently establishes its concrete recycling operation at another site.

9. The petitioner shall obtain any necessary permits from the Illinois Environmental Protection Agency that may be required to address noise, dust, air and water quality concerns.

- Attachments:
- Exhibit A: Location Map
 - Exhibit B: Zoning map
 - Exhibit C: Existing Land Use map
 - Exhibit D: Future Land Use map
 - Exhibit E: Aerial Photo
 - Exhibit F: Special Use Application w/Site Plan
 - Exhibit G: Site Development Plan
 - Exhibit H: Summary Sheet for the IN, Industrial Zoning District
 - Exhibit I: Notice to Adjacent Property Owners
 - Exhibit J: Site Photos
 - Exhibit K: North Lincoln Avenue Industrial Park Preliminary Plat

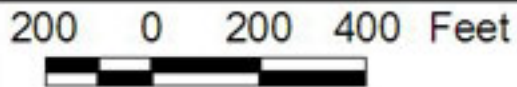
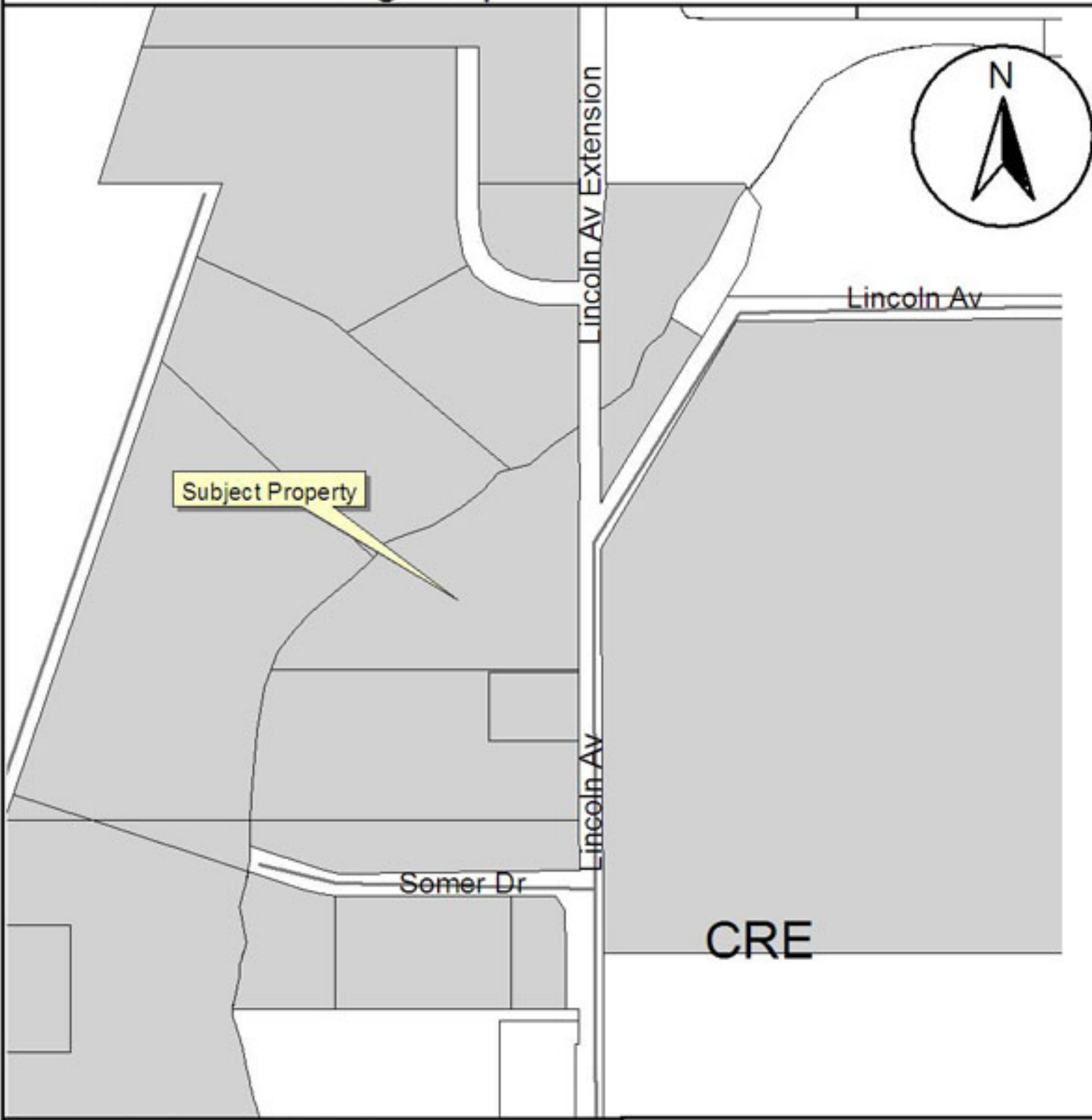
cc: Kurt Salmon, Cross Construction, Inc. 3615 N Countryview Rd, Urbana

Exhibit A: Location Map



Plan Case: 2021-SU-06
Petitioner: Cross Construction
Location: 3201 N. Lincoln Av
Description: A request for a SUP for a concrete recycling operation

Exhibit B: Zoning Map

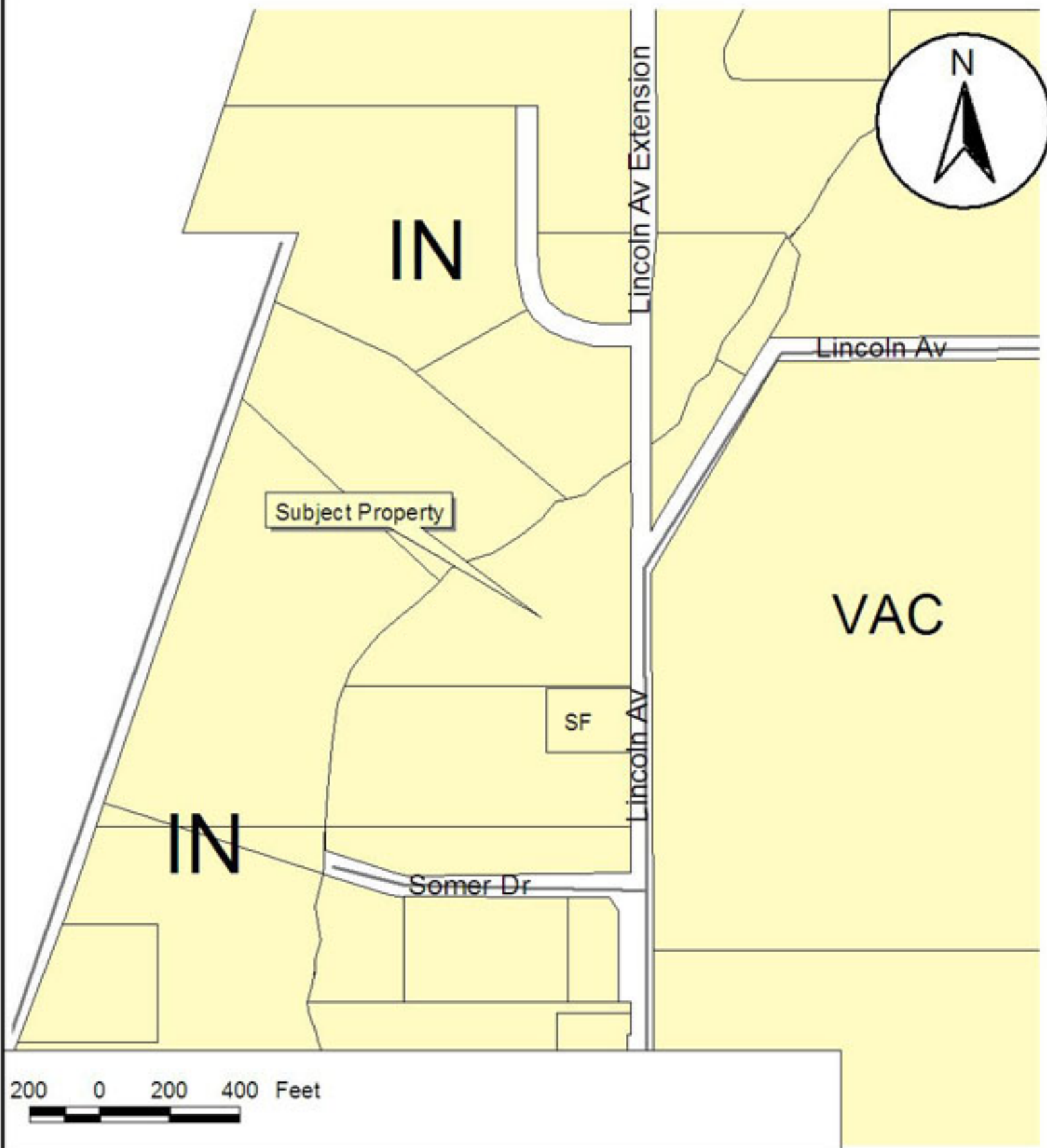


- AG - Agriculture
- IN - Industrial



Plan Case: 2021-SU-06
Petitioner: Cross Construction
Location: 3201 N. Lincoln Av
Description: A request for a SUP for a concrete recycling operation

Exhibit C: Existing Land Use Map

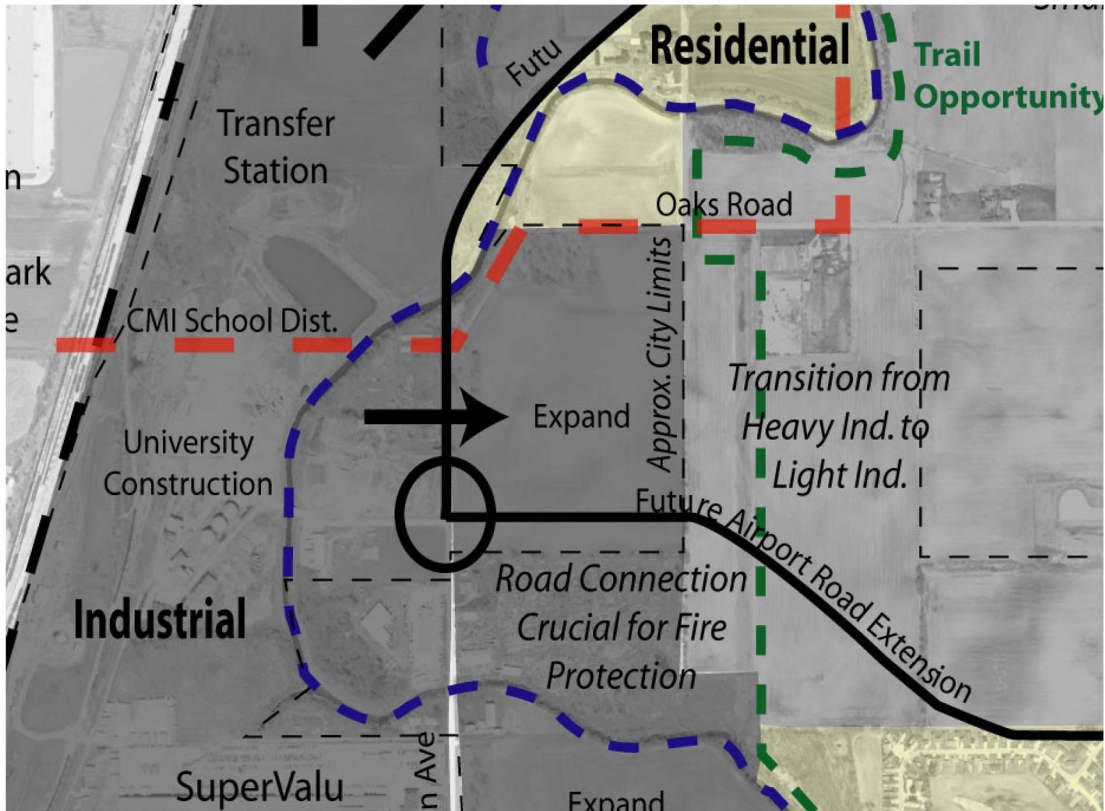


Plan Case: 2021-SU-06
Petitioner: Cross Construction
Location: 3201 N. Lincoln Av
Description: A request for a SUP for a concrete recycling operation

SF - Single Family
IN - Industrial
VAC - Vacant Land



Exhibit D: Future Land Use Map



Plan Case: 2021-SU-06
Petitioner: Cross Construction
Location: 3201 N. Lincoln Av
Description: A request for a SUP for a concrete recycling operation

Exhibit E: Aerial Map



Plan Case: 2021-SU-06
Petitioner: Cross Construction
Location: 3201 N. Lincoln Av
Description: A request for a SUP for a concrete recycling operation

Exhibit G: Site Development Plan

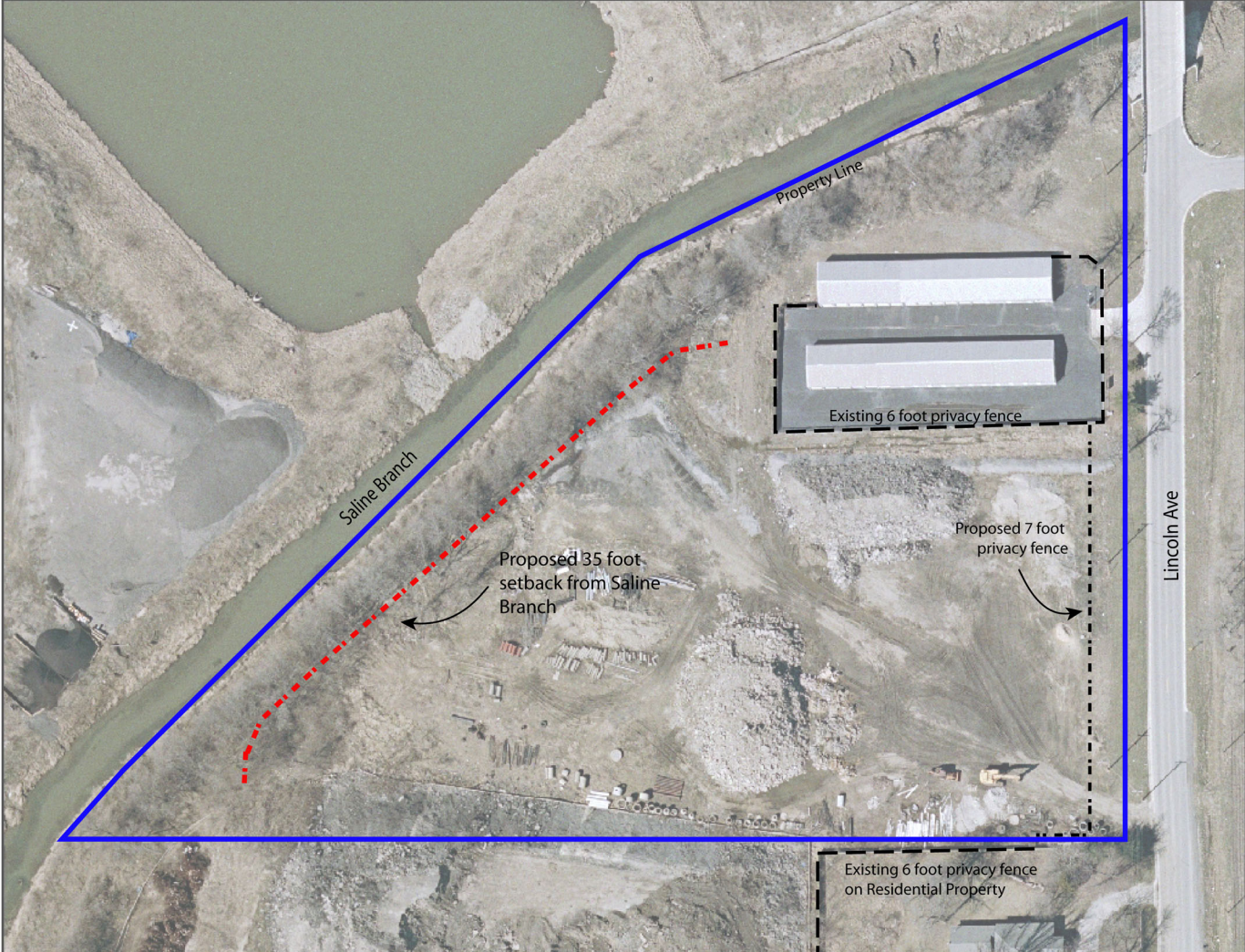


Exhibit J: Site Photos



Figure 1: The site as seen from the southeast corner.



Figure 2: Piles of the finished product.



Figure 3: Looking down the center of the parcel. There is a buffer between the concrete recycling operation and the self-storage portion of the site.



Figure 4: From the eastern edge, the rear of the site contains some materials from the Apcon operation to the south.