



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: The Urbana Plan Commission

FROM: Kevin Garcia, AICP, Planner II

DATE: January 4, 2019

SUBJECT: **Plan Case 2363-SU-18:** A request by Emulsicoat, Inc. for a Special Use Permit to expand a Polymer Manufacturing and Storage Facility at 1001 Saline Court in the IN-2, Heavy Industrial Zoning District.

Introduction

In 2005, Emulsicoat, Inc. was issued a Special Use Permit¹ to build a facility at 1001 Saline Court to blend, store, and distribute liquid asphalt, tar, and emulsion materials. The Special Use Permit stated that a new Special Use Permit would be required to expand the facility. Emulsicoat would like to expand, so they have requested a new Special Use Permit. The activities and operations would be identical to those currently taking place on the site. If granted, the new Special Use Permit will replace the existing one.

The Plan Commission must review the Special Use Permit application, hold a public hearing, and make a recommendation to the Urbana City Council. The Urbana City Council must then approve, approve with certain conditions, or deny the application. If approved, the applicant would like to begin operations as soon as possible.

Background

Description of the Site and Surrounding Properties

The property consists of three parcels totaling approximately 46.5 acres (see Exhibit A). The existing Emulsicoat facility is on the southern and western parcel, collectively known as “Lot 204A”. The expansion would occur partially on Lot 204A and partially on the southwestern portion of the 22.5-acre northern parcel (“Lot 101”).

The current facility has one entrance off Saline Court, with internal access drives, a series of production and storage tanks, and four truck scales.

The surrounding area is industrial and agricultural. To the west is a series of rail spurs and sidings that serve Emulsicoat and other industrial users in the area. To the north are agricultural fields. To the east

¹ Ord. No. 2005-09-143 – See Exhibit D.

is the Henson construction materials recycling facility and agricultural uses. To the south is the Republic Services waste transfer station and other heavy industrial uses

The following chart identifies the current zoning, existing land uses, and Comprehensive Plan future land use designations of the site and surrounding properties (see Exhibits A and B).

Direction	Zoning	Existing Land Use	Future Land Use
Site	IN-2, Heavy Industrial	Industrial, Agricultural	Heavy Industrial
North	AG-2, Agricultural (County)	Agricultural	Heavy Industrial
East	AG-2, Agricultural (County)	Agricultural	Heavy Industrial
South	IN-2, Heavy Industrial	Industrial	Heavy Industrial
West	IN-2, Heavy Industrial	Rail	Heavy Industrial

Proposed Use

The proposed use is to expand Emulsicoat’s existing asphalt blending, storage, and distribution facility, which provides asphalt products used primarily in road paving. Emulsicoat produces many different blends of asphalt and polymer products, which are stored in bulk tanks, often at elevated temperatures. The operations are closely monitored by the Illinois Environmental Protection Agency (IEPA), and an operating permit is required for such facilities.

The preliminary site plan (Exhibit E) show that the expansion of the facility would include new access drives, a new building, several new truck scales, and new production and storage tanks of varying sizes. The majority of Lot 101 would remain undeveloped, and would presumably be kept in use as farmland for the immediate future. Given the industrial zoning of the parcel, the remaining land could either be sold for development or used by Emulsicoat in the future. However, any expansion by Emulsicoat beyond the current proposal would require a new Special Use Permit.

While the site plan submitted with this application is preliminary, the applicant will be required to submit final plans that conform with all of the City of Urbana’s development regulations prior to construction.

Discussion

Requirements for a Special Use Permit

According to Section VII-4.A 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 property is located off of North Lincoln Avenue, an area identified for industrial development. The surrounding area (Saline Court, Lincoln Avenue, and Somer Drive) is

developed with heavy industrial uses, including an asphalt recycling facility, construction materials recycling facility, concrete recycling facilities, and a waste transfer station. The site has convenient access to Interstate 74 and to Interstate 57 via Olympian Drive. The Urbana Comprehensive Plan designates this area of the City for Heavy Industrial uses.

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 proposed expansion of the existing asphalt facility will not be injurious to the public at this location. The area is highly suitable for heavy industrial uses and is identified for such uses in the Comprehensive Plan and in the zoning map. It is near Interstate 74 and has direct rail access. The expansion would also allow the transfer of some, if not all, of Emulsicoat's operations from its facility on University Avenue, which is near residential areas, to Saline Court, which is not.

The existing facility is surrounded by a landscaped berm that provides screening, landscaping, and containment should a spill of materials occur on the site. The site planners have indicated that a berm is planned for the proposed expansion. Staff recommends that installing such a berm be included as a condition if the Special Use Permit is granted.

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 character of the IN-2, Heavy Industrial District would be preserved with the proposed special use. Setbacks, screening, drainage, and all other applicable development requirements must be met prior to construction and operation of the facility. The proposed development would conform to applicable regulations for the IN-2, Heavy Industrial District.

The Plan Commission shall determine whether the reasons set forth in the applications, and the evidence adduced during the public hearing, justify the granting of the Special Use Permits, and whether the proposed uses 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 uses, and may also recommend such additional conditions and requirements on the operation of the proposed uses 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 uses;
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. Emulsicoat, Inc. requests a Special Use Permit to expand their polymer manufacturing and storage facility in the IN-2, Heavy Industrial Zoning District.
2. The proposed use is conducive to the public convenience at this location, as it is located in an area which already contains heavy industrial uses.
3. The proposed use would not be unreasonably injurious or detrimental to the district in which it shall be located, as it would expand an existing industrial use in an area that is highly suited for industrial use.
4. The proposed use meets the regulations and standards of, and preserves the essential character of the IN-2 district in which it shall be located, as it will meet setbacks, screening, drainage, and other requirements of the district.
5. The proposed use is consistent with the Heavy Industrial designation, as identified in the 2005 Urbana Comprehensive Plan Future Land Use Map.

Options

The Plan Commission has the following options for recommendations to the City Council in Case No. 2363-SU-18:

1. Recommend approval of the special use permit without any additional conditions.
2. Recommend approval of the special use permit with any 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 special use permit.

Recommendation

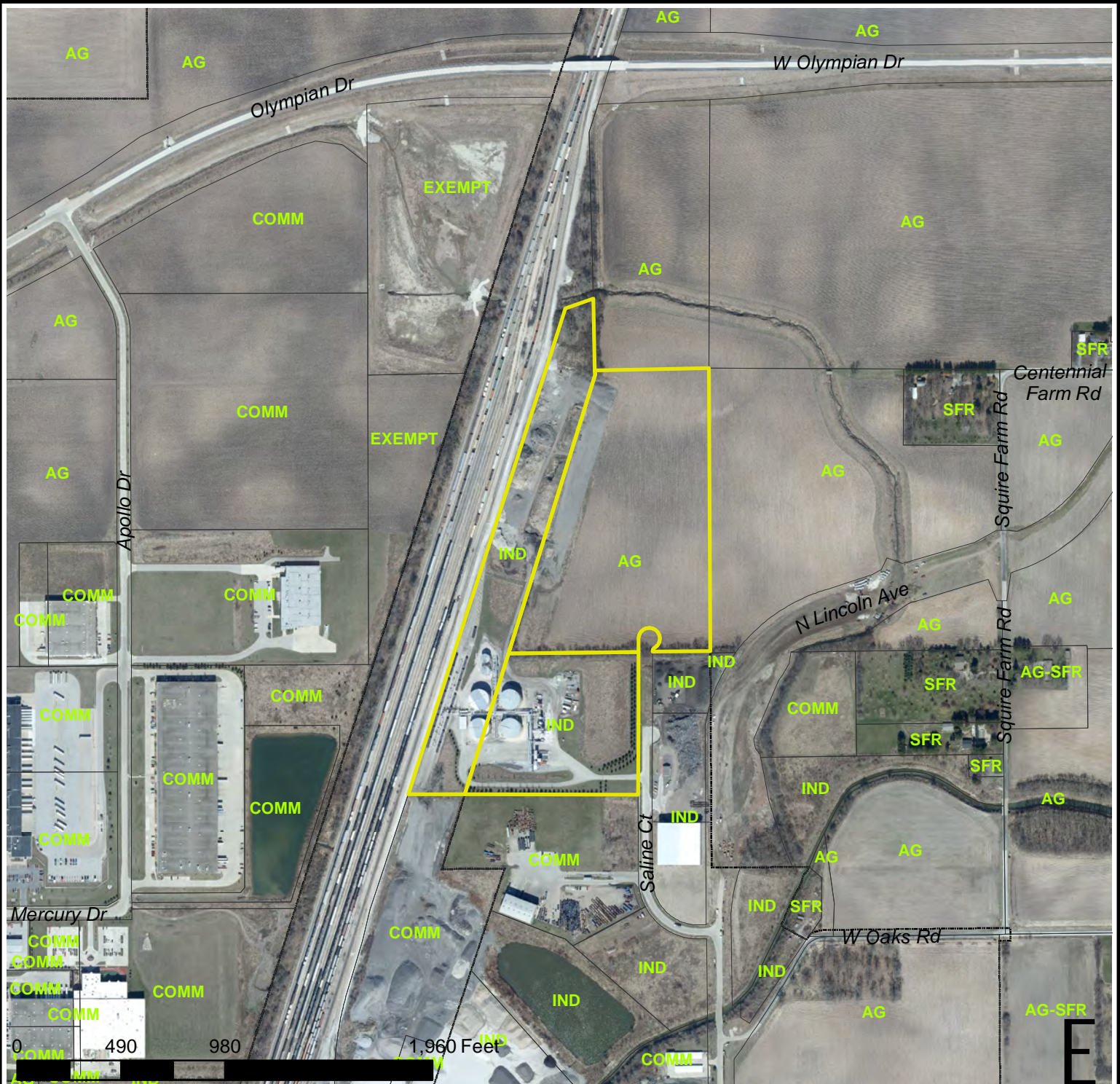
Based on the evidence presented in the discussion above, and without the benefit of considering additional evidence that may be presented at the public hearing, staff recommends that the Plan Commission forward Plan Case No. 2363-SU-18 to the Urbana City Council with a recommendation for APPROVAL with the following CONDITIONS:

1. The development shall be constructed in general conformance with the attached “Proposed Site Plan for Special Use Permit”.
2. A landscaped berm shall be installed around the expanded site.
3. The activities allowed by the Special Use Permit are limited to the blending, storage, and distribution of liquid asphalt, tar, polymer, and emulsion materials.
4. All required Illinois EPA permits must be obtained prior the development of the site.

Attachments: Exhibit A: Location and Existing Land Use Map
Exhibit B: Zoning Map
Exhibit C: Application for Special Use Permit
Exhibit D: Original Special Use Permit (2005-09-143)
Exhibit E: Preliminary Site Plan

CC: Mike Friend, Farnsworth Group

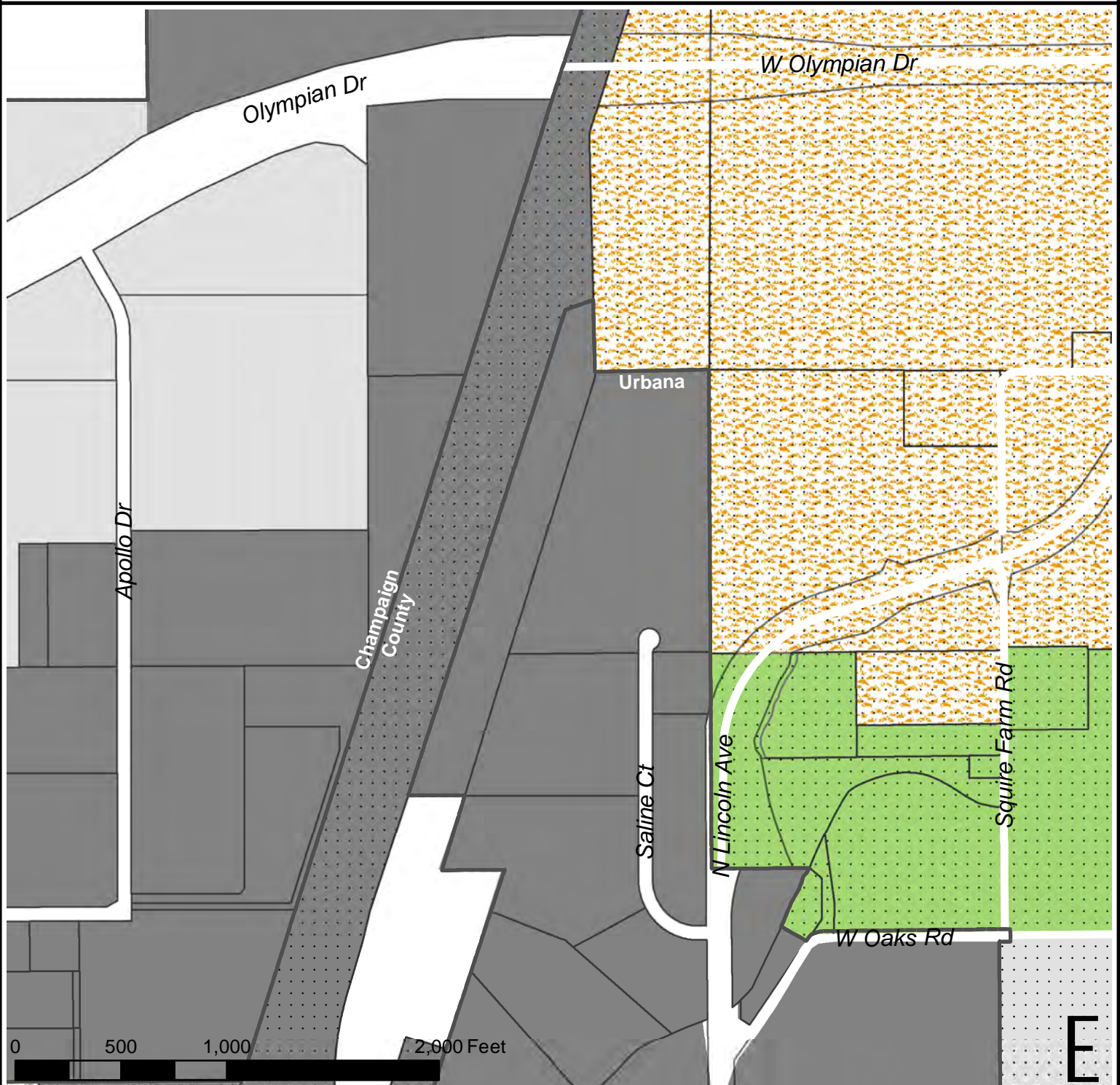
Exhibit A: Location & Existing Land Use Map











Case: 2363-SU-18
 Subject: Special Use Permit
 Location: 1001 Saline Court
 Petitioner: Emulsicoat, Inc.

 Subject Property

Exhibit B: Zoning Map



Case: 2363-SU-18
 Subject: Special Use Permit
 Location: 1001 Saline Court
 Petitioner: Emulsicoat, Inc.

 IN-1	 CR (County)
 IN-2	 I-1 (County)
 AG-1 (County)	 I-2 (County)
 AG-2 (County)	 Subject Property



Application for Special Use Permit

PLAN COMMISSION

The application fee must accompany the application when submitted for processing. Please refer to the City's website at <http://www.urbanaininois.us/fees> for the current fee associated with this application. **The Applicant is also responsible for paying the cost of legal publication fees.** Estimated costs for these fees usually run between \$75.00 and \$225.00. The applicant will be billed separately by the News-Gazette.

DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY

Date Request Filed 12-07-2018 Plan Case No. 2363-SU-18
 Fee Paid - Check No. 1392 Amount \$200.00 Date 12-07-2018

PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION

A SPECIAL USE PERMIT is requested in conformity with the powers vested in the Plan Commission to recommend to the City Council under Section VII-4 of the Urbana Zoning Ordinance to allow (*Insert proposed use*) A Polymer Storage Expansion on the property described below.

1. APPLICANT CONTACT INFORMATION

Name of Applicant(s): Rick Beyers, Executive Vice President, Emulsicoat Inc. Phone: 217-344-7775
 Address (*street/city/state/zip code*): 705 East University Avenue, Urbana IL, 61802
 Email Address: Rick.beyers@asphalt-materials.com

2. PROPERTY INFORMATION

Address/Location of Subject Site: 1001, 1001 1/2, and 1102 Saline Court
 PIN # of Location: 91-15-31-280-007, 91-15-31-280-006, 91-15-31-226-001
 Lot Size: 47.5 Acres
 Current Zoning Designation: IN-2
 Current Land Use (*vacant, residence, grocery, factory, etc*): Industrial and vacant
 Proposed Land Use: IN-2
 Legal Description (*If additional space is needed, please submit on separate sheet of paper*):
See Attached

3. CONSULTANT INFORMATION

Name of Architect(s): N/A

Phone:

Address (*street/city/state/zip code*):

Email Address:

Name of Engineers(s): Farnsworth Group, Inc

Phone: 217.352.7408

Address (*street/city/state/zip code*): 2211 W Bradley Ave, Champaign, IL 61821

Email Address: pmoone@f-w.com

Name of Surveyor(s): Farnsworth Group, Inc

Phone: 217.352.7408

Address (*street/city/state/zip code*): 2211 W Bradley Ave, Champaign, IL 61821

Email Address: wmeyers@f-w.com

Name of Professional Site Planner(s): N/A

Phone:

Address (*street/city/state/zip code*):

Email Address:

Name of Attorney(s): Debi Dobbins, Corporate Counsel

Phone: 317-228-8321(O) 317-654-2395(C)

Address (*street/city/state/zip code*): Heritage Environmental Services , 6510 Telecom Drive Suite 400, Indianapolis, IN. 46278

Email Address: dcd@thgrp.com

4. REASONS FOR SPECIAL USE PERMIT

Explain how the proposed use is conducive to the public convenience at the location of the property..

Expansion of the existing facility allows the further development of the industrial zoned property. This development will help keep commercial traffic (large trucks) out of the business and residentially zoned areas as this traffic will generally exit I74 and turn north onto Lincoln Avenue. In addition, the northern portion of this proposed project will replace part of or all of the operation at University Ave. depending on market conditions.

Explain how 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 or detrimental to the public welfare.

The site will be designed in accordance with all of the City's current zoning and subdivision regulations. By meeting these requirements, which are in place to protect the City of Urbana residents, this project will not be injurious to the public welfare. As part of the current zoning and development standards, the site shall be buffered from adjoining properties and the roadway surfaces shall be dust free to minimize adverse impacts to the adjacent properties.

Explain how 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.

As outlined above, the development will meet the current zoning and development regulations. Landscape buffering/screening will be provided, storm water detention will be provided as required, and the roadway surfaces will be dust free. This expansion is consistent with the existing Emulsicoat facility operations. It is also in character with the adjoining heavy industrial land uses, which include businesses which support heavy/ highway construction, as well as solid waste management. At this time no design or code variances are anticipated for the project.

NOTE: If additional space is needed to accurately answer any question, please attach extra pages to the application.

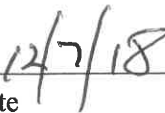
By submitting this application, you are granting permission for City staff to post on the property a temporary yard sign announcing the public hearing to be held for your request.

CERTIFICATION BY THE APPLICANT

I certify all the information contained in this application form or any attachment(s), document(s) or plan(s) submitted herewith are true to the best of my knowledge and belief, and that I am either the property owner or authorized to make this application on the owner's behalf.



Applicant's Signature



Date

PLEASE RETURN THIS FORM ONCE COMPLETED TO:

City of Urbana
Community Development Department Services
Planning Division
400 South Vine Street, Urbana, IL 61801
Phone: (217) 384-2440
Fax: (217) 384-2367

ORDINANCE NO. 2005-09-143

AN ORDINANCE APPROVING A SPECIAL USE PERMIT

**(To Allow an Asphalt Blending, Storage, and Distribution Plant
Located at 1001 West Saline Court in the IN, Industrial
Zoning District / Plan Case No. 1952-SU-05, Emulsicoat, Inc.)**

WHEREAS, Emulsicoat, Inc. has submitted an application in Plan Case No. 1952-SU-05 to request a Special Use Permit to allow an asphalt blending, storage, and distribution plant located on a lot to be platted north and west of the current terminus of Saline Court, and to be addressed as 1001 West Saline Court in the IN, Industrial Zoning District; and

WHEREAS, all applicable development regulations are intended to be met by the petitioner, including those involving setbacks, drainage, and vehicular access considerations; and

WHEREAS, after due publication, a public hearing was held by the Urbana Plan Commission on September 8, 2005 concerning the petition filed by the petitioner in Plan Case No. 1952-SU-05; and

WHEREAS, on September 8, 2005, the Urbana Plan Commission voted 7 ayes and 1 nays to forward the case to the Urbana City Council with a recommendation to approve the request for a Special Use Permit; and

WHEREAS, in order to minimize the impact of the proposed development on surrounding properties specific conditions of approval are hereby imposed as permitted under the requirements of the Urbana Zoning Ordinance and identified in Section 1 below; and

WHEREAS, the approval of the Special Use Permit, with the conditions set forth below, is consistent with the requirements of Section VII-6 of the Urbana Zoning Ordinance, Special Use Permit Procedures, and with the general intent of that Section of the Ordinance; and

WHEREAS, the findings of the Plan Commission indicate that approval of the special use permit would promote the general health, safety, morals, and general welfare of the public.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. A Special Use Permit is hereby approved allow an asphalt blending, storage, and distribution plant located on a lot to be platted north and west of the current terminus of Saline Court, and to be addressed as 1001 West Saline Court in the IN, Industrial Zoning District, as described in the legal description and attached map exhibit and with the following conditions upon approval:

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 the described Lot 204 in substantial conformity with the attached 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 the attached Site Diagram, and legally described herein.
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 Site Diagram.
4. The layout of the site shall be in substantial conformity with the attached 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 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 Site

Diagram, and legally described herein shall be in conformity with all applicable State and Federal regulations including Illinois Environmental Protection Agency 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.

8. The owner agrees to the use of directional lighting design so that site lighting does not extend beyond the property described herein, particularly with respect to residential directions, and that additional screening such as large trees and other plantings be used to minimize light pollution beyond the property.

9. The owner agrees to submit a landscape plan to the zoning administrator for review by the zoning administrator and the city arborist.

10. The owner agrees to apply substantially similar or better odor control measures as at their current operation.

LEGAL DESCRIPTION:

PART OF THE EAST ½ OF SECTION 31, T. 20 N., R. 9 E.
OF THE 3RD P.M., CHAMPAIGN COUNTY, ILLINOIS, MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 201 OF NORTH
LINCOLN AVENUE INDUSTRIAL PARK SUBDIVISION NO. 2,
RECORDED MAY 30, 2002 AS DOCUMENT NUMBER 2002R17213
IN THE OFFICE OF THE RECORDER, CHAMPAIGN COUNTY,
ILLINOIS, SAID CORNER LYING 500.00 FEET NORMAL

DISTANCE EASTERLY OF THE CENTERLINE SOUTHBOUND MAIN TRACK OF THE CN-IC RAILROAD, SAID POINT ALSO LYING ON THE FORMER EASTERLY RIGHT-OF WAY LINE OF SAID RAILROAD; THENCE N. 17°39'30" E., (URBANA HORIZONTAL CONTROL BEARING), ALONG THE EXTENDED WEST LINE OF SAID LOT 201, PARALLEL TO SAID CENTERLINE, 696.40 FEET TO THE SOUTH LINE OF THE NORTH 1311.10 FEET OF THE NE ¼ OF THE NE ¼ OF SECTION 31, T. 20 N., R. 9 E. OF THE 3RD P.M; THENCE N. 89°22'19" E., ALONG SAID SOUTH LINE, 609.12 FEET; THENCE S. 00°13'21" W., 673.45 FEET TO THE NORTHEAST CORNER OF SAID LOT 201; THENCE N. 89°46'39" W., ALONG THE NORTH LINE OF SAID LOT 204, 817.72 FEET TO THE POINT OF BEGINNING, CONTAINING 476,730 SQUARE FEET OR (10.944 ACRES), MORE OR LESS, ALL SITUATED IN CHAMPAIGN COUNTY, ILLINOIS.

PERMANENT PARCEL #s: A part of 91-15-31-200-004

LOCATED AT: 1001 West Saline Court, Urbana, Illinois

Section 2. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities. This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Chapter 65, Section 1-2-4 of the Illinois Compiled Statutes (65 ILCS 5/1-2-4).

PASSED by the City Council this 26th day of September*, 2005.

AYES: Barnes, Bowersox, Chynoweth, Lewis, Roberts, Smyth, Stevenson

NAYS:

ABSTAINS:



Phyllis D. Clark
Phyllis D. Clark, City Clerk

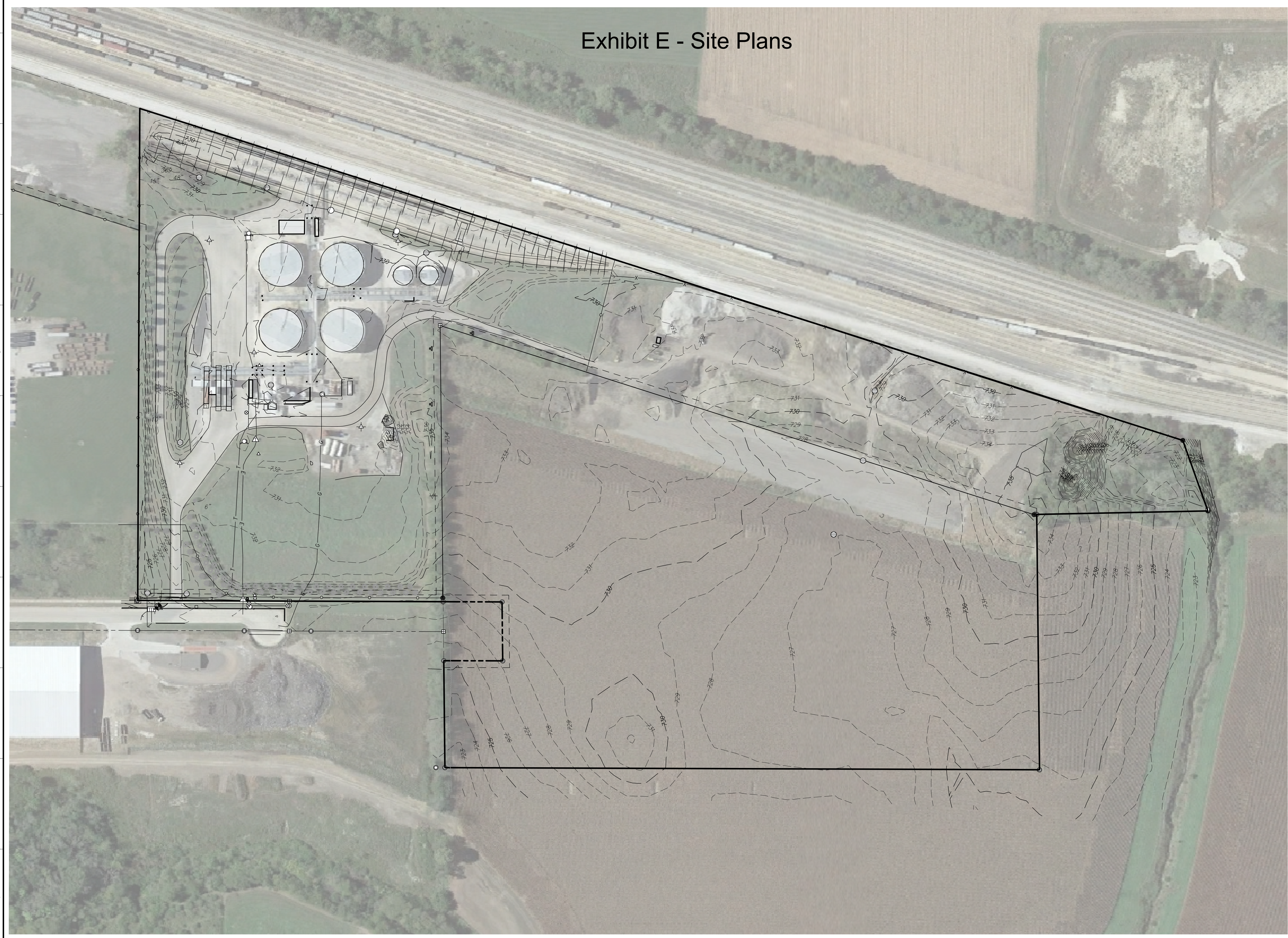
D. Roberts
Deputy Clerk

APPROVED by the Mayor this 30th day of September, 2005.

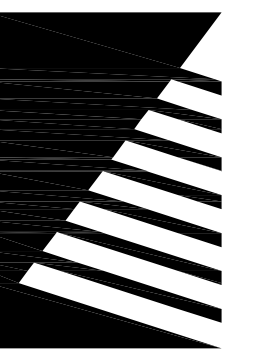
Laurel Lunt Prussing
Laurel Lunt Prussing, Mayor

*Special meeting

Exhibit E - Site Plans



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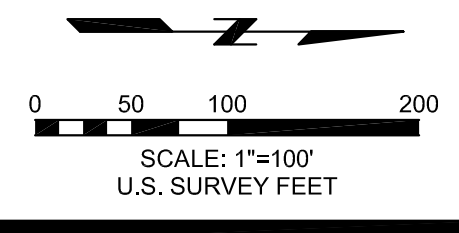


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(217) 352-7408 / info@f-w.com

www.f-w.com
Engineers | Architects | Surveyors | Scientists

ISSUE:
DATE: DESCRIPTION:



PROJECT:
EMULSICOAT INC.
POLYMER STORAGE
ADDITION

URBANA, ILLINOIS

DATE: 12/07/18

DESIGNED:

DRAWN: SDS

REVIEWED: PJM

FIELD BOOK NO.:

SHEET TITLE:

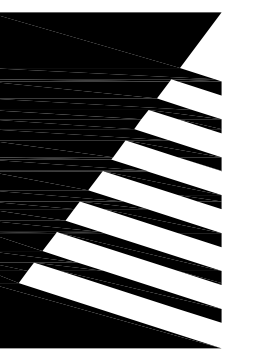
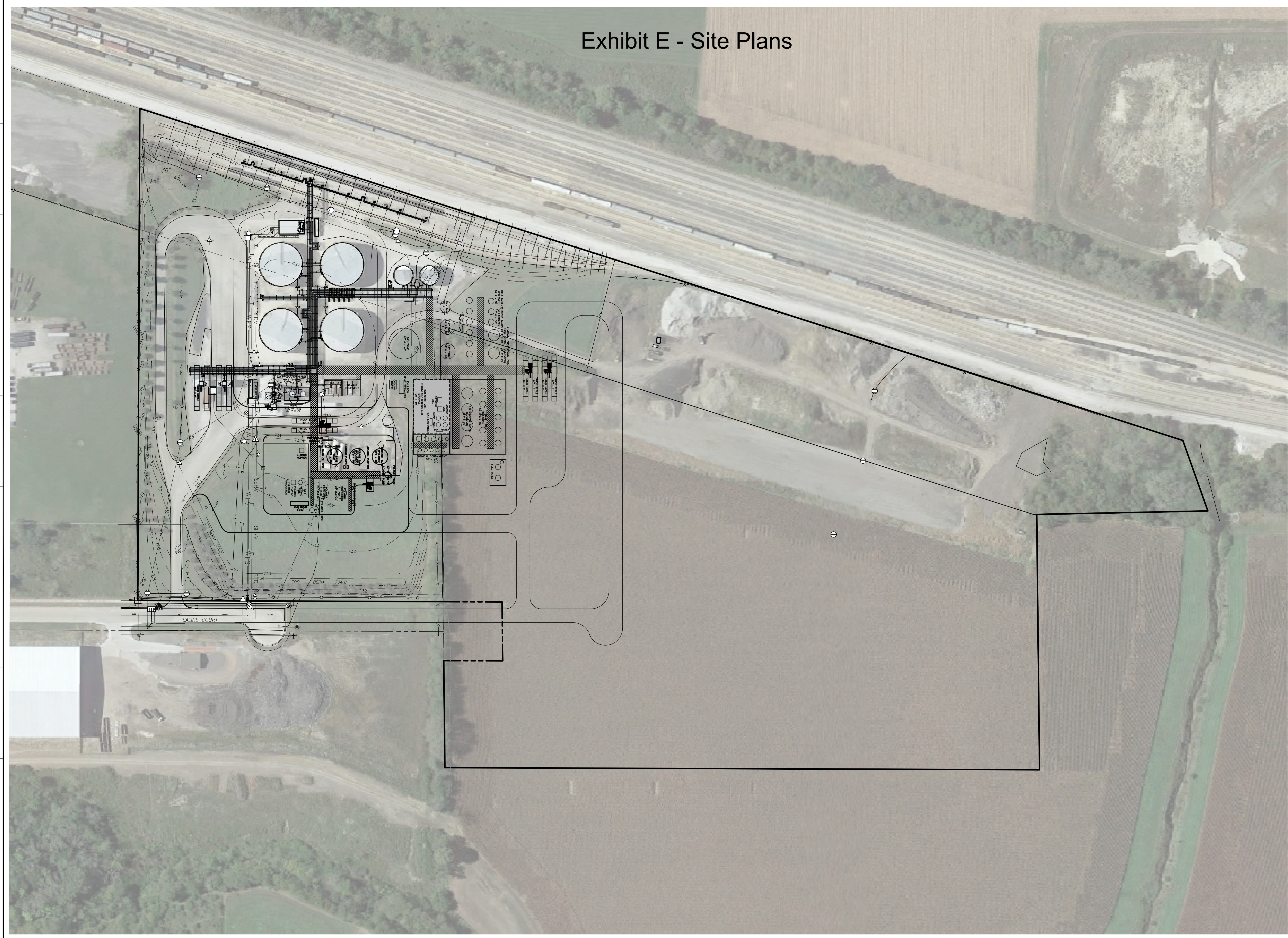
**EXISTING SITE PLAN
FOR SPECIAL USE
PERMIT**

SHEET NUMBER:

EXHIBIT 2

PROJECT NO.: 0181484.00

Exhibit E - Site Plans

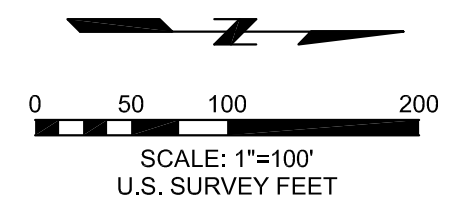


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Engineers | Architects | Surveyors | Scientists

ISSUE:
DATE: DESCRIPTION:



PROJECT:
EMULSICOAT INC.
POLYMER STORAGE
ADDITION

URBANA, ILLINOIS

DATE: 12/07/18

DESIGNED:

DRAWN: SDS

REVIEWED: PJM

FIELD BOOK NO.:

SHEET TITLE:

**PROPOSED SITE
PLAN FOR SPECIAL
USE PERMIT**

SHEET NUMBER:

EXHIBIT 1

PROJECT NO.: 0181484.00

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