Champaign County Department of

PLANNING & ZONING

Brookens Administrative Center 1776 E. Washington Street Urbana, Illinois 61802

(217) 384-3708 zoningdept@co.champaign.il.us www.co.champaign.il.us/zoning

CASES 869-AM-17 and 870-S-17

SUPPLEMENTAL MEMORANDUM #2 August 10, 2017

Petitioner: Stonetown Woodland Acres LLC, via agent Michael Friend

Case 869-AM-17

Request: Amend the Zoning Map to change the zoning district designation in order to operate the proposed Special Use with waivers in related Zoning Case 870-S-17 for the following portions of the subject property:

Part A: Change the zoning district designation from the R-1 Single Family Residence Zoning District to the R-5 Manufactured Home Park Zoning District for the eastern 150 feet of the subject property.

Part B: Change the zoning district designation from the B-2 Neighborhood Business Zoning District to the R-5 Manufactured Home Park Zoning District for the 1.66 acre lot on the west end of the subject property.

Case 870-S-17

Request: Authorize the expansion and use of an existing, nonconforming manufactured home park with 93 existing and an additional 21 proposed manufactured home sites, as a Special Use Permit in the R-5 Manufactured Home Park Zoning District, contingent upon the rezoning of the eastern 150 feet of the subject property in related case 869-AM-17 and also subject to waivers A through R as listed on the legal advertisement, on the subject property described below.

Location: Three tracts of land generally south and east of the Urbana spur of I-74 (University Avenue/IL Route 130), north of US Route 150 (University Avenue) and west of Smith Road, in the Southeast Quarter of the Southeast Quarter of Section 9 and the West Half of the Southwest Quarter of Section 10 of Township 19 North, Range 9 East of the Third Principal Meridian in Urbana Township and commonly known as Woodland Acres Manufactured Home Park, with an address of 2200 East University, Urbana.

Site Area: 13.37 acres

Time Schedule for Development: Already in use; for expansion, as soon as possible

Prepared by: Susan Burgstrom Senior Planner

> John Hall Zoning Administrator

STATUS

At the June 29, 2017 ZBA public hearing, the following items were requested of the petitioners in time for the August 17, 2017, continued hearing:

- 1. Photos of other MHP projects the petitioner has done
- 2. A plan for where people would be expected to go in inclement weather, especially in case of a tornado
- 3. Placement of fire hydrants
- 4. How the detention basin might be developed for recreational use development of recreation space is not required, but the ZBA needs to know if you intend to develop it with amenities.
- 5. The ZBA recommends adding any proposed buildings/structures/infrastructure/amenities to the Site Plan that the company might want to add in the next 5-10 years, so that any necessary special permits or variances can be covered as part of this case.
- 6. Identify home sites for existing homes (draw out the existing home site boundaries) Staff clarified that the petitioner needs to ensure that any replacement homes for the existing sites would conform to the Zoning Ordinance. The petitioner needs to state whether or not replacement homes will be larger.
- 7. How to ensure that the Zoning Administrator is informed about changes of ownership for the home sites on which there are encroachments into the I-74 right-of-way, keeping in mind that homes currently in the IDOT right-of-way must be replaced with homes in conformance to the Zoning Ordinance.
- 8. Provide letters the petitioner has from/to the City of Urbana regarding annexation
- 9. Is there a plan for screening along Smith Road?
- 10. How to make the existing streets more "accessible" to emergency vehicles

In an email received July 10, 2017, Mike Friend forwarded a copy of the approved IDOT permit for the expansion of the drainage system, which would outlet to the south ditch of IL 130 north of the proposed expansion site. The email is Attachment B to this memorandum.

On August 8, 2017, Mike Friend submitted a report that responds to all homework items listed above. The report is Attachment C to this memorandum. Mike listed 3 meetings that will have occurred before the August 17, 2017 public hearing:

- Mike Friend's meeting with Chief Thuney on August 9, 2017.
- A remote meeting with petitioner Dax Nolan, Mike Friend, and the Edgewood HOA on August 11, 2017, at the Edge Scott Fire station.
- There will be an in-person meeting with the same group on August 16, 2017.

P&Z Staff revised the Case 869-AM-17 Finding of Fact (Atttachment D) and Case 870-S-17 Summary of Evidence (Attachment E) to include this new information. Changes are in red underline or red strikethrough.

No comments have been received by the P&Z Department since the June 29, 2017 public hearing.

PROPOSED SPECIAL CONDITIONS - REVISED

There are no proposed special conditions for Case 869-AM-17.

The following special conditions are proposed for Case 870-S-17:

A. Within 30 days of approval of Case 869-AM-17 by the Champaign County Board, the petitioner shall file a miscellaneous document with the Champaign County Recorder of Deeds stating the Stonetown Woodland Acres Manufactured Home Park was authorized subject to special conditions in Case 870-S-17, and the document shall contain all of the special conditions of approval for Case 870-S-17. A copy of the recorded document shall be given to the Zoning Administrator after filing with the Recorder of Deeds.

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

That any prospective purchaser of the subject property is aware of all of the special conditions of approval.

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

The special condition stated above is required to ensure the following: **That any proposed exterior lighting is in compliance with the Zoning Ordinance.**

C. That the petitioners develop the recreation areas within two years and in accordance with the most recent version of the *Illinois Mobile Home Park Act (210 ILCS 115)* and the Illinois Department of Public Health *Manufactured Home Community Code (860 ILCS 220)*.

The special condition stated above is required to ensure the following: That Stonetown Woodland Acres conforms to State of Illinois requirements.

D. On-street parking shall be allowed only when there is at least 24 feet in unobstructed pavement width for travel, and shall be clearly marked with signs at each entrance to the development or sufficiently throughout the park and these signs shall be in place before any replacement of homes occurs and shall be verified in all inspections by the Zoning Administrator.

The special condition stated above is required to ensure the following: That there is always adequate emergency vehicle access.

E. Replacement homes shall conform to setback and yard requirements established in Zoning Ordinance Section 6.2.2, unless larger replacement homes occupy more than one of the existing home sites.

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

That replacement homes do not make the manufactured home park more nonconforming with Zoning Ordinance requirements.

- F. Any proposed new construction and/ or proposed new use shall be authorized and established as follows:
 - (1) A Change of Use Permit shall be required for any replacement of existing nonconforming structures. The replacement structure shall be inspected by the Zoning Administrator prior to occupancy and if the replacement structure is in

compliance with the approval in Case 870-S-17, then the Zoning Administrator shall authorize occupancy in a Zoning Compliance Certificate. The total fee for a Change of Use Permit for replacement of existing nonconforming structures, including the Zoning Compliance Certificate, shall be \$66 per home site.

- (2) As existing homes that are encroaching on the IDOT right-of way change ownership, those home must either be relocated or replaced with new homes that do not encroach into the IDOT right-of-way, and the as-built location of each replacement home shall be documented in an as-built site plan prepared by an Illinois Professional Engineer or Illinois Licensed Land Surveyor. The existing home sites are numbered 4, 5, 7, 8, 9 and 10 on the Overall Site Plan received June 16, 2017.
- (3) Each new home on proposed sites 94 through 114 shall be established pursuant to a Zoning Use Permit that may include all homes on one combined permit or individual homes on individual permits at a fee of \$33 per each site plus a Zoning Compliance Certificate fee of \$33 per each site.
- (4) Development of the proposed recreation areas shall be authorized either under a Change of Use Permit for a fee of \$65 or may be combined for no fee with any other required Change of Use Permit or Zoning Use Permit.

The special condition stated above is required to ensure the following: To clarify the permits that are required to ensure conformance with the Zoning Ordinance.

G. The Overall Layout Plan by Farnsworth Group, received June 16, 2017; the Revised Expansion Permit Drawings for proposed new home sites received June 16, 2017; and Sheets A1, A2, B1, and C1 by Farnsworth Group, received August 8, 2017, comprise the official site plan for approval in Case 870-S-17.

The above special condition is necessary to ensure the following: That it is clear which version of the Site Plan submitted by the petitioners is

- the approved Site Plan.
- H.The Zoning Administrator shall not authorize a Zoning Compliance Certificate until
the petitioner has provided the Zoning Administrator a copy of the written approval
by the Edge-Scott Fire Protection District Chief for the location, purchase, and
installation of the 4 proposed fire hydrants shown on Exhibit B: Sheet B1 received
June 29, 2017, and the as-built drawings of the siren actuated gate.

 The above special condition is necessary to ensure the following:

 That public safety in the existing and proposed areas of Woodland Acres meet local fire protection standards.

I.The petitioner shall provide the Zoning Administrator a copy of the written approval
by the City of Urbana Plumbing Inspector of the inspection of any sanitary sewer
laterals installed for the properties per an intergovernmental agreement between the
City and UCSD (Ordinance 9192-110).

- <u>The above special condition is necessary to ensure the following:</u> <u>That new sewer connections are compliant with local regulations and</u> <u>agreements.</u>
- J.The Zoning Administrator shall not authorize a Zoning Compliance Certificate on
the subject property until the petitioners submit as-built drawings of the streets, fire
hydrants, siren-actuated gate, and detention basins.

The special condition stated above is required to ensure the following:That proposed construction reflects what was included in the Approved SitePlan for Case 870-S-17.

ATTACHMENTS

- A Full legal advertisement from June 14, 2017 *News Gazette*
- B Email received July 10, 2017 from Mike Friend, with attachment:
 - approved IDOT permit for the expansion of the drainage system
- C Report from Mike Friend received August 8, 2017, with attachments
 - 1. Stonetown Capital Group Other Community Examples
 - 2. Xi2 Foundation System specifications
 - 3. Email string between Edge-Scott Fire Protection District Chief Steve Thuney and Mike Friend dated August 2 through August 8, 2017 with Exhibits A and B
 - Exhibit A: Sheet A1 showing proposed siren actuated gate at North Smith Road, and Sheet A2 showing conceptual design of a siren actuated gate
 - Exhibit B: Sheet B1 showing proposed location of an additional fire hydrant
 - 4. Sheet C4.1 showing revised existing lots
 - 5. Letter from City of Urbana to Dax Nolen dated September 22, 2016, regarding annexation and sanitary sewer connectivity
 - 6. Exhibit C:
 - Sheet C1 showing proposed location of siren actuated gate and a full height privacy screening fence along North Smith Road
 - Sheet C2 showing conceptual design of a siren actuated gate and side detail
 - 7. Email string between Joe Pisula, Edgewood Sub resident, Dax Nolen, and Mike Friend dated August 3 through August 7, 2017
- D Revised Finding of Fact for Case 869-AM-17 dated August 17, 2017
- E Revised Summary of Evidence for Case 870-V-17 dated August 17, 2017

LEGAL PUBLICATION: WEDNESDAY, JUNE 14, 2017

CASES 869-AM-17, 870-S-17, AND 871-V-17

NOTICE OF A PUBLIC HEARING IN REGARD TO A REZONING ON PROPERTY IN UNINCORPORATED CHAMPAIGN COUNTY, A SPECIAL USE PERMIT WITH WAIVERS, AND A VARIANCE UNDER THE PROVISIONS OF THE CHAMPAIGN COUNTY ZONING ORDINANCE.

Stonetown Woodland Acres LLC, 720 S Colorado Blvd, Suite 1150-N, Glendale, CO 80246, includes Principals Dax Nolen, Vice President, 720 S Colorado Blvd, Suite 1150-N, Glendale, CO 80246; Roy Lapidus, Manager, 1 Alexander Lane, Greenwood Village, CO 80121; and Adam Minnick, Manager, 452 Leyden St, Denver, CO 80220. Michael Friend, Engineering Manager for Farnsworth Group, 2211 W Bradley Ave, Champaign, is the agent working on behalf of Stonetown Woodland Acres LLC for these zoning cases, and has filed petitions for a Zoning Map Amendment, a Special Use Permit with Waivers, and a Variance under the provisions of the Champaign County Zoning Ordinance on property in unincorporated Champaign County. The petitions are on file in the office of the Champaign County Department of Planning and Zoning, 1776 East Washington Street, Urbana, Illinois.

A public hearing will be held **Thursday**, **June 29**, **2017**, **at 7:00 p.m.** prevailing time in the John Dimit Meeting Room, Brookens Administrative Center, 1776 East Washington Street, Urbana, at which time and place the Champaign County Zoning Board of Appeals will consider petitions for the following:

CASE 869-AM-17

Amend the Zoning Map to change the zoning district designation to accommodate the proposed Special Use with waivers in related Zoning Case 870-S-17 and subject to the variance requested in related Case 871-V-17 for the following portions of the subject property described below:

Part A: Change the zoning district designation from the R-1 Single Family Residence Zoning District to the R-5 Manufactured Home Park Zoning District for the eastern 150 feet of the subject property described below.

Part B: Change the zoning district designation from the B-2 Neighborhood Business Zoning District to the R-5 Manufactured Home Park Zoning District for the 1.66 acre lot on the west end of the subject property described below.

CASE 870-S-17

Authorize the expansion and use of an existing, nonconforming manufactured home park with 93 existing and an additional 21 proposed manufactured home sites in the R-5 Manufactured Home Park Zoning District, contingent upon rezoning two parts of the subject property in related case 869-AM-17 and subject to the variance requested in related Case 871-V-17 and also subject to the following required waivers on the subject property described below:

Part A: Authorize a waiver from Section 6.2.1 C.2., for a Site Plan that does not include the number, location, and size of all Manufactured Home Sites.

Part B: Authorize a waiver for a setback of 0 feet between a manufactured home stand and a manufactured home park exterior boundary that faces a state or US highway or a major street in lieu of the minimum required 45 feet, per Section 6.2.2 C.1.a. for certain existing and proposed manufactured home sites.

Part C: Authorize a waiver for 9 Manufactured Home Sites for each gross acre of land in lieu of the maximum allowed 8 Manufactured Home Sites for each gross acre of land, per Section 6.2.2 B.

Part D: Authorize a waiver for a setback of 0 feet between a manufactured home stand and a manufactured home park exterior boundary that faces a township road or minor street in lieu of the minimum required 25 feet, per Section 6.2.2 C.1.c. for certain existing manufactured home sites.

Part E: Authorize a minimum rear yard of 0 feet in lieu of the minimum required 15 feet, per Section 6.2.2 C.2. for certain existing manufactured home sites.

Part F: Authorize a Manufactured Home Park with recreation space totaling 3 percent of the gross site area in lieu of the minimum required 8 percent of gross site area in recreation space and parcels (individual areas) of recreation space that are at least 3,985 square feet in area in lieu of the minimum required 6,000 square feet, per Section 6.2.2 D.

Part G: Authorize a waiver from Section 6.2.2 E.1., for a Site Plan that does not include the limits of each Manufactured Home Site.

Part H: Authorize a minimum setback (yard) of 2 feet in lieu of 15 feet between the manufactured home and the manufactured home site boundary adjacent to private accessways, per Section 6.2.2 E.2.a. for certain existing and proposed manufactured home sites.

Part I: Authorize a minimum setback (yard) of 8 feet in lieu of 20 feet between the entrance side of the manufactured home and the manufactured home site boundary, per Section 6.2.2 E.2.b. for certain existing manufactured home sites.

Part J: Authorize a minimum setback (rear and side yards) of 0 feet in lieu of the minimum required 10 feet, per Section 6.2.2 E.2.c. for certain existing manufactured home sites.

Part K: Authorize a minimum manufactured home site of 1,600 square feet in area in lieu of the minimum required 3,200 square feet, per Section 6.2.2 E.3. for certain existing manufactured home sites.

Part L: Authorize no outdoor paved living space in lieu of an outdoor living space of at least 160 square feet with a minimum dimension of 8 feet, per Section 6.2.2 E.5. for all existing manufactured home sites.

Part M: Authorize no improved off-street parking spaces for each existing manufactured home site in lieu of the minimum required two improved off-street parking spaces, per Section 6.2.2 E.7. for certain existing manufactured home sites.

Part N: Authorize a minimum pavement width of 18 feet for existing private accessways in lieu of the minimum required 24 feet for minor streets, per Section 6.2.2 F.5.

Part O: Authorize a waiver from Section 6.2.2 F.6., with respect to paving materials, curbs and gutters, grading, intersections, offsets, and radii of curvature, that the provisions of the Subdivision Ordinance shall apply to existing private accessways.

Part P: Authorize electrical service to the existing street lighting system to be located above ground in lieu of underground, per Section 6.2.2 G.2.

Part Q: Authorize a waiver for the electrical system for all existing homes and any used homes that will replace existing homes, and for the electrical distribution system to existing homes, to comply with the latest edition of the National Electric Code, per Section 6.2.3 D.1.

Part R: Authorize a waiver for a Manufactured Home Park that provides an off-site Management Office in lieu of an on-site Management Office, per Section 6.2.4 A.

CASE 871-V-17

Authorize the use and expansion of an existing, nonconforming Manufactured Home Park in the R-5 Manufactured Home Park Zoning District, contingent upon rezoning two parts of the subject property in related case 869-AM-17 and subject to the request for Special Use Permit approval with waivers in related Case 870-S-17 and also subject to the following required variance on the subject property described below:

Part A: Authorize a rear yard of 0 feet in lieu of the minimum required 15 feet, per Section 6.2.2 C.2. for certain existing manufactured home sites.

SUBJECT PROPERTY

Three tracts of land totaling 13.37 acres, generally south and east of the Urbana spur of I-74 (University Avenue/IL Route 130), north of US Route 150 (University Avenue) and west of Smith Road, in the Southeast Quarter of the Southeast Quarter of Section 9 and the West Half of the Southwest Quarter of Section 10 of Township 19 North, Range 9 East of the Third Principal Meridian in Urbana Township and commonly known as Woodland Acres Manufactured Home Park, with an address of 2200 East University, Urbana.

All persons interested are invited to attend said hearing and be heard. The hearing may be continued and reconvened at a later time.

Eric Thorsland, Chair Champaign County Zoning Board of Appeals

TO BE PUBLISHED: WEDNESDAY, JUNE 14, 2017, ONLY

Send bill and one copy to: Champaign County Planning and Zoning Dept. Brookens Administrative Center 1776 E. Washington Street Urbana, IL 61802

Phone: 384-3708



Illinois Department of Transportation

Office of Highways Project Implementation / Region 3 / District 5 13473 IL Highway 133 / P.O. Box 610 / Paris, Illinois 61944

ODP-1- A-6 Permit No. 5-33447 Champaign County JUL 1 0 2017

3-W-D

CHAMPAIGN CO. P & Z DEPARTMENT

July 7, 2017

Stonetown Woodland Acres LLC 720 South Colorado Boulevard, 1150-N Glendale, Colorado 80246 <u>Mailed to</u>: Ms. Emily P. Jenkins, PE, CFM, PhD Farnsworth Group, Inc. 2211 West Bradley Avenue Champaign, Illinois 61821

Ladies and Gentlemen:

Attached are approved copies of Highway Permit Number 5-33447 for your files. We again wish to call your attention to the necessity for using safety precautions and proper traffic control during the course of construction.

Provisions of this permit require inspection and approval of the work by this office when completed, and you are held liable in accordance with the terms of the permit until so approved.

A form letter is attached for your use in notifying this office that your permit work has been completed and is ready for inspection. Please return this notification to the indicated address.

Please note this permit is valid until the expiration date shown below. An extension of time will be granted on request to this office when supported by legitimate reasons causing delay.

Should any questions arise as to details of how the work should be done, we suggest you call our Permits Technician, Josh Lowry, at telephone number 217-466-7231 in Paris, Illinois.

Sincerely,

and Dar

PERMIT EXPIRE: 7/15/2018

Kensil A. Garnett, P. E. Region Three Engineer

JCL

cc: C. K. Phillips, Attn: N. J. Gazzoli

ODP-1- A-6 Permit No. 5-33447 Champaign County

Date_

Mr. Kensil A. Garnett, P. E. Deputy Director of Highways, Region Three Engineer Bureau of Operations Route 133 West; P.O. Box 610 Paris, Illinois 61944-0610

Dear Mr. Garnett:

This is to inform you that I have completed the work authorized by Highway Permit Number 5-33447, and that I request your inspection and approval of the work.

Do not request an inspection until grass turf has been re-established.

The site of the work is located approximately 1300' east of University Ave./Guardian Dr. in Urbana, on FAP 808; Illinois 130 in Champaign County.

Sincerely,

Grantee

Address

City

PERMIT EXPIRES: 7/15/2018



Highway Permit

District Serial No. <u>5-3344</u>7

Whereas, I (We)	Stonetown Woodland A	cres LLC	720 S. Colorado Bouleva	rd, 1150-N
	(Name of A	pplicant)	(Mailin	g Address)
Glendale		Colorado	here	inafter termed the Applicant,
(Cil		· · · · · · · · · · · · · · · · · · ·	itate)	
request permission	and authority to do certai	in work herein descri	bed on the right-of-way of the S	State Highway
	s State Highway ; FAP		BOB, Section	<u> </u>
from Station	28+00+1- RT		Station	
Champaign	County. Th	ne work is described	in detail on the attached plan o	or sketch and/or as follows:

An expansion is proposed to the existing mobile home park south of the indicated section of State Highway Route 130. Runoff from the expansion is to be held in a dry detention basin on the northeast corner of the property and outletted to the IDOT State Route Highway 130 south ditch. Please see attached materials for complete details.

after the date this permit is approved, All work authorized by this permit shall be completed 1 yr otherwise the permit becomes null and void.

This permit is subject to the conditions and restrictions printed on the reverse side of this sheet.

This permit is hereby acc	epted and its provisions agree	d to this27da	ay of January	2017
Witness	4	Signed on behalf cf	aur clight, Sewer P	Julius
2211 West Bradley /	Venue	720 S Colorado Boulev		/ tainswatt
Mailing	Address		Mailing Address	
Champaign	IL.	Glendale	CO	
City	State	City	State	
SIGN AND RETURN TO	: Regional Engineer	·····		
Approved this	day of July	2017		
		Department of Tra	nsportation	
		BY: Jan	0. Agroop Regional Engineer	

Cases 869-AM-17/870-S-17, ZBA 08/17/17, Attachment B Page 4 of 18 First: The Applicant represents and warrants that he/she is the party in interest respecting this Permit and that he/she is the agent in fact with authority to bind all parties in interest to the obligations and undertakings agreed to in this Permit. The Applicant represents and warrants that the property lines shown on the attached plan sheet(s) or sketch are true and correct, and that all proposed work is accurately depicted thereon.

Second: The proposed work shall be located and constructed to the satisfaction of the Regional Engineer or his/her duly authorized representative. No revisions or additions shall be made to the proposed work on the right-of-way without the written permission of the Regional Engineer. The Applicant agrees to complete all work to the standards and specifications identified by the Regional Engineer or his/her authorized representative as a condition of granting this Permit. The Applicant agrees to furnish all labor, equipment and material, and do all work and pay all costs associated with the work authorized by this Permit. The Applicant agrees to restore any and all damaged portions of the highway right-of-way to the condition satisfactory to the Regional Engineer or his/her authorized representative including. but not limited to, all landscape restoration. The Applicant shall not trim, cut or in any way disturb any trees or shrubbery along the highway without the approval of the Regional Engineer or his/her duly authorized representative. Any and all documents, writings and notes reflecting or identifying the standards, specifications, understandings and conditions applicable to the performance of the permitted work required by the Regional Engineer or his her authorized representative are hereby incorporated into this Permit by reference as though fully set forth herein.

Third: The Applicant shall at all times conduct the work in such a manner as to minimize hazards to vehicular and pedestrian traffic. Traffic controls and work site protection shall be in accordance with the applicable requirements of Part 6 (Temporary Traffic Control) of the Illinois Manual on Uniform Traffic Control Devices and with the traffic control plan if one is required elsewhere in the permit. All signs, barricades, flaggers, etc., required for traffic control shall be furnished by the Applicant. The work may be done on any day except Sunday, New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day. Work shall be done only during daylight hours.

Fourth: The work performed by the Applicant is for the bona fide purpose expressed and not for the purpose of, nor will it result in, the parking or servicing of vehicles on the highway right-of-way. Signs located on or overhanging the right-of-way shall be prohibited.

Fifth: The Applicant shall engage in only the proposed work approved herein, and subject to the hazards incident to such activities, assumes all risks associated therewith. The Applicant assumes full and strict liability for the actions of itself, all parties in interest, its agents and employees, contractors, subcontractors and consultants. The Applicant and all parties in interest shall save, defend, hold harmless and indemnify the State of Illinois and each of its officers, agents, employees, invitees and others associated with it from and against any and all suits, claims, actions, losses, injuries, damages, judgments and expenses that are based on, or that arise or are alleged to have arisen out of the performance of the work approved herein, including, but not limited to, any act, willful or intended, or negligence of the Applicant and any party in interest, its agents and employees, contractors, subcontractors and consultants whether at law, in equity or common law. In the event the Applicant or any party in interest fails, neglects, or refuses to comply with any provision of this indemnity, the State of Illinois may take any action necessary to protect itself from liability, including any action to pay, settle, compromise and procure the discharge thereof, in which case the Applicant or any party in interest, jointly and severally, shall be liable and bound unto the State of Illinois for any and all expenses related thereto, including attorney's fees.

Sixth: The State reserves the right to make such changes, additions, repairs and relocations within its statutory limits to the facilities constructed under this permit or their appurtenances on the right-of-way as may at any time be considered necessary to permit the relocation, reconstruction, widening or maintaining of the highway and/or provide proper protection to life and property on or adjacent to the State right-of-way. However, in the event this permit is granted to construct, locate, operate and maintain utility facilities on the State rightof-way, the Applicant, upon written request by the Regional Engineer, shall perform such alterations or change of location of the facilities, without expense to the State, and should the Applicant fail to make satisfactory arrangements to comply with this request within a reasonable time, the State reserves the right to make such alterations or change of location or remove the work, and the Applicant agrees to pay for the cost incurred.

Seventh: This permit is effective only insofar as the Department has jurisdiction and does not presume to release the Applicant from compliance with the provisions of any existing statutes or local regulations relating to the construction of such work.

Eighth: The Construction of access driveways is subject to the regulations listed in the "Policy on Permits for Access Driveways to State Highways." If, in the future, the land use of property served by an access driveway described and constructed in accordance with this permit changes so as to require a higher driveway type as defined in that policy, the owner shall apply for a new permit and bear the costs for such revisions as may be required to conform to the regulations listed in the policy. Utility installations shall be subject to the "Policy on the Accommodation of Utilities on Right-of-Way of the Illinois State Highway System."

Ninth: If the work covered by this permit includes construction of additional lanes, turn lanes, median cross-overs or traffic signals on, along or adjacent to a highway under Department jurisdiction, the permittee shall use only contractor(s) approved by the Department of Transportation for the performance of said work on the State highway. A contractor currently pregualified by the Department in the work rating governing the said work shall be approved. Prior to the commencement of the said work on the State highway, the applicant shall furnish the Regional Engineer a copy of the contractor's current Certificate of Eligibility, or, if the permittee proposes to use a contractor not currently prequalified by the Department, information satisfactory to the Department evidencing the contractor's qualification and ability to perform the said work. No work on the State highway shall be performed until the Department issues an approval of the proposed contractor.

DRAINAGE PERMIT PROVISIONS

The work authorized by this permit shall include the construction and maintenance of an on-site storm-water drainage and detention system with no increase in storm water run-off toward State right-of-way.

The engineer that prepared the storm water study and storm water detention design shall be responsible for the accuracy of his/her work. Issuance of the Highway Permit by the Department shall not relieve the Engineer of the responsibility for any design errors and/or omissions in the study and or detention design.

The Engineer shall be responsible for any damages incurred as a result of his/her errors, omissions and/or negligent acts and for any losses or costs to repair or remedy the construction of the storm detention as a result of his/her errors, omissions and/or negligent acts. Acceptance of the work covered by the Highway Permit shall not relieve the Engineer of the responsibility for subsequent correction of any such errors, omissions and/or negligent acts or of his/her liability for loss or damage resulting there from.

A copy of this permit shall be in the possession of the construction supervisor on the job site for inspection by the State Highway personnel.

All labor and material required to complete and maintain this permit is the responsibility of the Applicant.

The use of these facilities is to comply with the requirements of the State laws, local ordinances, and the regulations of the department of Public Health and no sanitary sewage effluent from septic tanks or objectionable industrial wastes shall be discharged openly upon the State highway right-of-way, or into any drainage tile or drainage structure on the highway, even though these facilities discharge on private property.

<u>Drainage Facilities</u>: In granting this permit, it is understood the uses of drainage facilities of any nature are to comply with the requirements of the State laws, local ordinances, and the regulations of the Illinois Environmental Protection Agency, Division of Water Pollution Control. No person, firm, corporation, or institution, public or private, shall discharge or empty any type of sewage, including the effluent from septic tanks or other sewage treatment devices, or any other domestic, commercial or industrial waste, or putrescible liquids, or cause the same to be discharged or emptied in any manner into open ditches along any public street or highway, or into any drain or drainage structure installed solely for street or highway purposes.

Maintenance: It is understood and agreed the Applicant, his/her successors or assigns, shall construct and maintain that portion of the drainage structure on State right-of-way in a manner satisfactory to the Department.

<u>Traffic Control</u>: Whenever any of the work under this permit involves any obstruction or hazard to the free flow of traffic in the normal traffic lanes, plans for the proposed method of traffic control must be submitted to and approved by the Deputy Director of Highways, Region Three Engineer at least 72 hours and preferably longer, before the start of work.

All traffic control shall be in accordance with the State of Illinois <u>Manual on Uniform Traffic Control Devices</u> (MUTCD) and amendments thereof. It should be noted that standard and typical placement of devices shown in the MUTCD are minimums. Many locations may require additional or supplemental devices.

The State of Illinois, acting through its representative, reserves the right to stop work on this project anytime it is determined that requirements of the permit are being violated.

The Applicant shall locate, furnish, construct, and maintain the entire improvement at his/her expense and shall assume all risk or liability of every nature accruing during construction or thereafter as a result of the improvement.

All underground facilities shall be located prior to construction. Call J.U.L.I.E. at telephone number 1-800-892-0123 at least 48 hours in advance. The Illinois Department of Transportation is not a member of J.U.L.I.E. Contact the Districts Lighting and Signal Technician, Bureau of Operation, at phone number 217-465-4181 for locations of all underground electric cable and electric conductors in conduit owned and maintained by the Department. The Applicant shall furnish the contractor with one (1) copy of this permit. This copy shall be available for inspection at the job site by authorized personnel upon request.

The Applicant shall complete all back filling, reshaping and reseeding, and restore the right-of-way to its original condition within the time limit specified for this permit. Any extension of time necessary to complete this work shall be obtained in writing prior to specified completion date and authorized by letter from the Deputy Director of Highways, Region Three Engineer or his/her duly authorized representative.

All turf areas on State right-of-way disturbed by this construction shall be seeded or reseeded until a grass turf is reestablished. The disturbed areas shall be seeded with the specified mixture at the following ratio: Three pounds of Kentucky Bluegrass or Kentucky 31 or Alta Fescue, and two pounds of Perennial Ryegrass. The application rate shall be five pounds per 1,000 square feet. All areas shall be mulched with straw and areas with slopes greater that 3:1 shall be covered with an erosion control fabric.

Seed:	Spring	Fall
Kentucky bluegrass	50 lbs	
Perennial Ryegrass	20 lbs	
Redtop or Creeping Red Fescue	10 lbs	10 lbs.
Ladino or White Dutch Clover	5 lbs	0 lbs.
Oats, Spring	0 lbs	48 lbs.

Fertilizer: 10-6-4 800 lbs. per acre

Straw: 2 tons per acre

All waste materials and debris shall be removed from State right-of-way.

<u>Building, Setback Lines or Zoning</u>: The Applicant, his/her successors and assigns, agrees to abide by the terms of all resolutions passed by local agencies (township, county, and municipal) in regard to the establishment of building setback lines or zoning in the county. The proper local agency should be contacted for further Information.

<u>Right-of-Way</u>: The right-of-way dimensions shown on this permit are taken from our plans. However, it is the Applicant's responsibility to establish the correct property lines.

Buried Utilities: The Applicant shall contact the appropriate utility companies for the location of buried utilities before starting work on this permit.

Advertising Signs: The Applicant, his/her successor or assigns, shall <u>not</u> place any advertising material of any kind on, upon, or over State highway right-of-way.

It must be understood that everyone working on this project shall indemnify and save harmless the State of Illinois, its officers, and employees from all suits, actions, or damages received or sustained by any person or property on account of or in consequence of any act of omission, neglect, or misconduct, by your organization or anyone working with your organization.

The Applicant shall require his/her Contractor (or Contractors) to perform his/her (or their) work in accordance with the "Standard Specifications for Road and Bridge Construction," adopted January 1, 1997, and the "Supplemental Specifications" in effect on the date of construction. All material incorporated into the project shall be obtained from a Department approved source and shall be in accordance with Section 1000 of said "Specifications."

Work is not allowed to be started on this project until the permit has been approved by the Department. This permit is required to be available at the job site at all times for inspection by a duly authorized representative of the Department of Transportation or the Illinois State Police.

Upon completion of all construction or maintenance work on State highway rights-of-way, the Contractor and/or the Applicant shall remove all excess material and restore all turf and terrain to the satisfaction of the Department. Such cleanup and repair may consist of back filling, re-grading, reseeding, re-sodding, or any other requirements to restore the right-of-way to a condition equivalent to that which existed prior to the commencement of the project.

No deviations to the work specified in this permit will be allowed without approval from this office. If the Applicant deviates without approval, the facility may be required to be relocated off State right-of-way at the Applicant's expense.

The work authorized by this permit shall be coordinated with the State of Illinois' Resident Engineer for the proposed roadway construction. The work shall also be coordinated with other utilities making adjustments.

The Applicant or his/her Contractor (or Contractors) shall control and protect all vehicular and pedestrian traffic by use of signs, barricades, flagmen, lights and watchmen and by any other means as required in the "Manual on Uniform Traffic Control Devices for Streets and Highways" during the progress of the work as described within this permit. Minimum desirable standards are attached for normal situations. However, additional protection must be provided when special complexities and hazards arise.

The Applicant, his/her successors and assigns, agrees to hold harmless the State of Illinois and its duly appointed agents and employees against any action for personal injury, property damage, or claims arising out of environmental laws or regulations sustained by reason of the exercise of this permit.

The use of these facilities is to comply with the requirements of the State laws, local ordinances, and the regulations of the department of Public Health and no sanitary sewage effluent from septic tanks or objectionable industrial wastes shall be discharged openly upon the State highway right-of-way, or into any drainage tile or drainage structure on the highway, even though these facilities discharge on private property.

The Applicant and/or their Contractor shall be required to repair all severed field drainage tiles, sanitary sewers, storm sewers, or utility service lines and their appurtenances resulting from the work authorized by this permit. The repair of severed field drainage tiles may include the installation of a field tile inspection well to be located approximately 6 inches inside the right-of-way line. Once determination has been made the damage to field drainage tiles, sanitary sewers, storm sewers, or utility service lines and their appurtenances resulted from the work authorized by this permit, the Applicant and/or their Contractor shall complete required repairs within thirty (30) days after receiving written notification from the Deputy Director of Highways, Region Three Engineer. Failure to complete the required repairs may result in the Department completing the repairs and back charging the Applicant and/or their Contractor for all costs incurred. It shall be understood determination of damage may occur after the work authorized by this permit has been completed and approved.

Within <u>incorporated</u> areas, the Applicant shall contact local agency officials to review their proposed work and to determine locations of any existing storm sewers, drain tiles, and utilities.

Within <u>unincorporated</u> areas, the Applicant shall contact adjacent property owners, tenant farmers, and any area drainage districts to determine known locations of existing field tile prior to starting work on State right-of-way.





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QUANTIFIES

 $\mathbb O$ For cost-in-place construction, increase concrete volumes by approximately 122.















remaining pages are redundant in file-did not print them. SB 7/10/17



STORM WATER DRAINAGE PLAN

Expansion of Woodland Acres Mobile Home Park

Champaign County, Urbana, Illinois

Owner: Stonetown Woodland Acres LLC 720 S. Colorado Boulevard, Suite 1150-N Glendale, Colorado 80246 (303) 407-3003

Engineer: *Emily Poynter Jenkins, PE, CFM, PhD* Farnsworth Group, Inc. 2211 West Bradley Avenue Champaign, Illinois 61821 (217) 352-7408

> January 2017 Revised February 2017 Revised June 2017



August 8, 2017

2211 W. Bradley Avenue Champaign, Illinois 61821 p 217.352.7408 f 217.352.7409

www.f-w.com



Ms. Susan Burgstrom, AICP, PCED Senior Planner Champaign County Department of Planning and Zoning 1776 E. Washington St. Urbana, IL 61802

AUG 08 2017 CHAMPAIGN COUNTY P & Z DEPARTMENT

Re: Supplementary Data for Stonetown Woodland Acres LLC Champaign County Zoning Board of Appeals Cases: 869-AM-17 and 870-S-17

Dear Ms. Burgstrom:

In support of the above noted cases, I am writing to provide additional information and responses to your emailed requests which included summarization and clarification of requests presented by members of the Champaign County Zoning Board of Appeals (the "ZBA") at the initial meeting for these cases which was conducted on June 29, 2017.

The specific requests are summarized below in **bold text** with the response, including references to attachments, in plain text.

1. Please provide photos of other facilities.

Attachment 1 includes printouts of photos of multiple facilities recently purchased and under renovation by Stonetown Capital Group. An electronic copy is also provided on the enclosed thumb drive.

2. What is the plan for where people would be expected to go in inclement weather, especially in case of a tornado?

There is not currently a storm shelter on the facility property, nor are there plans to construct one. Stonetown Woodland Acres LLC will utilize the standards included in the Champaign County Department of Planning and Zoning, which are currently in force, as well as conform to the applicable Illinois Department of Public Health (the "IDPH") Requirements for Manufactured & Modular Homes/Mobile Structures. These regulations do not require construction of a site-specific storm shelter and, to the best of our knowledge and belief, no manufactured home community under Champaign County (the "County") jurisdiction has been required to construct such a facility. Stonetown Woodland Acres LLC utilizes a state of the art tie-down system for their construction, as well as full home footprint concrete foundation pads. The "Xi2 Foundation System" is approved by the Champaign County Public Health Department and the IDPH for tiedown of manufactured homes. Data for these systems was provided with the facility IDPH permit application, and is attached for ease of review (see Attachment 2). This system satisfies IBC 2009, 90 mph exposure C wind loads, which is the requirement for the manufactured home community under the applicable regulations. These systems were a portion of the application which resulted in conditional issuance of a permit for

0161332.00

Ms. Susan Burgstrom, AICP, PCED August 8, 2017 Page 2

this expansion by IDPH and are being utilized for all replacement homes in the community.

3. Confirm Fire Hydrant Placement and Coordinate with Chief Thuney of Edge-Scott Fire Protection District.

At the last ZBA meeting, Exhibits A and B (see Attachment 3) were placed into the record depicting an additional fire hydrant near the southwest corner of the expansion. This hydrant was in addition to the original three (3) hydrants proposed. The intention was to place this hydrant in closer proximity to the currently developed portion of the facility to facilitate and enhance fire protection in the existing developed area. In addition, "No Parking - Fire Lane" signs, a "Type D" sign, were depicted on the exhibit, based upon discussions with fire department staff. It is understood that the signs will allow law enforcement personnel to enforce the "no parking" designation which will assure that the interior streets will remain free from parked vehicles and thus accommodate the passage of fire protection equipment and trucks. At the time of this submittal, a coordination meeting with Chief Thuney of the Edge-Scott Fire Protection District is scheduled for 3:00 p.m. on Wednesday, August 9, 2017. An email chain confirming this meeting is attached for reference (see Attachment 3).

- 4. How might the detention basins be developed for recreation? What type of playground equipment will you install at the designated recreation area? The detention basins will be left as open greenspace for recreation. They are dry basins which will be mowed turf. In the area designated as "Future Playground," adjacent to proposed Lots 112 and 114, a GameTime brand playground set will be installed. The exact type has not yet been determined, as it will be a function of the models available at the time of construction. It will be similar in nature to the playground equipment depicted on slide 5 of Attachment 1, which depicts a GameTime playground recently installed at the Stonetown Linway Estates facility in Chicago Heights, Illinois.
- 5. The ZBA recommends adding any additional buildings/structures/amenities to the Site Plan that the Company might want to add in the next 5-10 years. This is to hopefully take care of any necessary special permits or variances during this case rather than coming back to go through this again in the future. At this time there are no specific plans for future items which can be added to the site plan.
- 6. Identify home sites for existing homes and clarify that future replacement homes will not cause the facility to become more non-conforming. It is understood that a Manufactured Home Facility only has one "lot line." The IDOT requirement of moving homes which currently encroach on the ROW as they are replaced is also a subject which falls under this discussion.

The Champaign County Department of Planning and Zoning ordinances include clear provisions which assure that it is not necessary to attempt to anticipate all potential future scenarios for replacement of manufactured homes at the facility. The process of replacing a home will involve submission of a "Zoning Use Permit" application to the County, as well as submission of a permit application to the Champaign County Public

Ms. Susan Burgstrom, AICP, PCED August 8, 2017 Page 3

> Health Department. Note that Section 11 of the Champaign County "Land Disturbance and Zoning Use Permit Application Form" includes the provision of a "Site/Plot Plan." This ensures that, in each instance for which an existing home is to be replaced, the Champaign County Department of Planning and Zoning staff will be engaged in reviewing the proposed replacement home. Mr. DiNovo offered during the first hearing that there may be instances where the home replacement process includes an evaluation of adjoining homes as well as the one to be replaced, to design the replacement home location in a manner which improves the overall setting. That observation was insightful and reflects the process well. An example of how this process has been applied recently for the overall betterment of the existing facility is the "netzero" design of the removal of seven (7) existing homes and replacement with seven (7) new homes with an optimized layout. Attachment 4 includes the revised home layouts utilizing seven (7) new homes and depicts how the proposed removal and replacement of seven (7) old homes due for replacement can result in improvements to the overall facility. We believe that the permitting process in place with the County affords the opportunity to assure that future home replacements, including those which currently encroach upon the IDOT ROW, will reflect the standards required by the County, and afford a review on a case-by-case basis as these replacements occur. This means that there is an ample review process in place for future home replacements, and the ZBA does not find itself in a position to have to attempt to anticipate every possible scenario at this juncture.

7. Provide a copy of a letter, which Dax Nolen possesses from the City of Urbana, which addresses the annexation of the facility.

Attachment 5 includes a copy of the requested letter dated September 22, 2016 which confirms that annexation is not required in order for the facility to access the UCSD sanitary sewer.

8. Is there a plan for screening along Smith Road?

Based upon feedback at the initial meeting and discussion with members of the Edgewood Subdivision Homeowners Association, it was clear that provision of screening by use of preservation of the existing tree line as a screen planting along Smith Road was deemed inadequate, although such screening is in full compliance with the County Zoning Ordinance, Section 6.2.2)C)3. As a result of these discussions, Stonetown has elected to provide an 8-foot tall privacy fence, in addition to the screen planting provided by the existing tree line. This proposed privacy fence is illustrated in the attached "Exhibit C," which is Attachment 6 to this letter. The combination of maintaining the existing established tree line along with an additional 8-foot tall privacy fence is proposed as a means to address the concerns voiced by the members of the Edgewood Subdivision Homeowners Association. At the time of this submission, there are currently plans to conduct a remote electronic meeting with Mr. Dax Nolen, Farnsworth Group, and the Edgewood Subdivision Homeowners Association on the afternoon of Friday, August 11, 2017, at the Edge-Scott Fire Protection District Facility, as well as a follow-up "in person" meeting with Mr. Nolen the afternoon of Wednesday, August 16, 2017. An email chain of correspondence detailing this planning is included as Attachment 7 to this letter.

9. Please address making the streets in the existing park more accessible to emergency vehicles.

As existing homes are replaced each site will be designed with the minimum required 2 parking spaces. In addition, Stonetown Woodland Acres LLC staff will communicate to residents in the existing facility that a policy of no on-street parking will be phased in over a 6 month period beginning after approval of the proposed expansion. An evaluation of the need for additional parking will be included with the process, and within 6 months of approval of the facility expansion, "Type D" "No Parking - Fire Lane" signs will be posted on the existing streets which will allow for local law enforcement to enforce the parking restrictions. This time period will allow for transition and evaluation of the need for additional parking.

10. Please discuss how to ensure that the Champaign County Zoning Administrator will be informed when there is a change of ownership of the homes currently encroaching on the IDOT ROW.

As discussed at the previous ZBA hearing, there is a policy requiring new leases for all lessees. The new lease requirement occurs when the existing lease expires or there is a change of ownership or lessee at a home site. These new leases for the subject homes will be forwarded to the Champaign County Zoning Administrator, thus documenting the change and triggering the removal and replacement of the home in question which is currently encroaching on the State ROW.

Summary: To the best of our knowledge and belief, this additional information addresses all requested items resultant from the initial ZBA meeting for the subject cases. Additional information documenting meetings with the Chief of the Edge-Scott Fire Department as well as the Edgewood Subdivision Homeowners Association will be provided as they become available.

If you have any questions or require any additional information please feel free to contact me.

Very Truly Yours,

FARNSWORTH GROUP IN

Michael C. Friend, PE Engineering Manager

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Enclosures

cc: Dax Nolen

ATTACHMENT 1

Cases 869-AM-17/870-S-17, ZBA 08/17/17, Attachment C Page 6 of 40

Stonetown Capital Group

Other Community Examples





Colonial Estates (Blue Island, IL)

Construction of new "neighborhood" (Champion homes from factory in Topeka, IN)

Cases 869-AM-17/870-S-17, ZBA 08/17/17, Attachment C Page 8 of 40





Parkview MHC (Hodgkins, IL)

Adding new home infill to existing community Purchased in fall 2014 (108/165 occupied), purchased 40 new homes since acquisition





Parkview MHC (Hodgkins, IL)

Addition of new median to direct and control traffic

Cases 869-AM-17/870-S-17, ZBA 08/17/17, Attachment C Page 10 of 40





Linway Estates (Chicago Heights, IL)

Photo of new playground installed in July 2017




Colonial Estates (Blue Island, IL)

Construction of new "neighborhood" (Champion homes from factory in Topeka, IN)





Manteno MHC (Manteno, IL)

Example of new home install with deck + skirting

All homes in proposed expansion will have skirted decks and be installed on HUD approved full concrete pad

Cases 869-AM-17/870-S-17, ZBA 08/17/17, Attachment C Page 13 of 40





Countryside Estates (Chebanse, IL)

Another example of new home with skirted deck

Cases 869-AM-17/870-S-17, ZBA 08/17/17, Attachment C Page 14 of 40





Lakewood Village (Houston, TX)

Construction of new phase (20 new doublewide lots and water feature at the entrance of the community)





Lakewood Village (Houston, TX)

Example of doublewide home in Phase II

ATTACHMENT 2

Exhibit B



Xi2 Foundation System Commercial/Modular Installation Instructions for Ground & Concrete Systems IBC/IRC 2009 90 mph Exposure C By Tie Down Engineering



REQUIREMENTS

- These plans and specifications meet the requirements of IBC 2009, 90 mph. Exposure C Wind Loads.
- Maximum wall height 14', unless design loads adjusted accordingly.
- Main rail spacing must be 75.5" 99.5".
- Vertical anchor ties that are unique to design may be required by the manufacturer. These locations may include shear walls, marriage line ridge beam support posts, and rim plates. The longitudinal component of the Xi2 system replaces end frame ties. Check manufacturers set-up requirements.
- Maximum pier height is 48" pier.
- Steel piers must be fastened to the I-beam with clamps provided with steel pier.
- Systems must be placed as evenly as possible, no more than 10' from end of unit.
- Designed for roof slope of 14 degrees or less.

Additional Requirements for Concrete Systems

- Poured concrete must be 2,500 PSI minimum at 28 days.
- Square concrete pads minimum is 18" wide by 12" deep. Round concrete pads minimum is 18" diameter by 14" deep. Strip footings minimum is 18" wide by 14' long by 6" deep.

Page 1 of 4

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Installation of Xi2 Ground Systems

- 1. Identify the number of systems to be used on the unit using the chart provided (see page 4).
- 2. Identify the location where the systems will be installed.
- 3. Clear all organic matter and debris from the pad site.
- 4. Place U-bolts through holes in pan provided.
- 5. Place pad centered under beam with the lateral strut bracket towards the inside of the unit.
- 6. Press or drive pan into ground until level and flush with prepared surface.
- 7. Build pier according to State, Local or unit manufacturers guidelines (Figure 1).
- 8. Attach the end of the smaller tube to the inside of pan using U-bolt & nuts provided
- 9. Attach the flag end of the larger tube to the opposite I-beam using the "J" bolt over the top of the I-beam with the nut & washer provided (Figure 2).
- 10. Install a minimum of four (#12 x 1" tek screws) self-tapping screws into the holes provided in the lateral strut so that the two tubes should overlap a minimum of 6". (Figure 1).



Page 2 of 4

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Installation of Xi2 Concrete Systems



- 1. Identify the number of systems to be used on the home using the chart provided.
- 2. Identify the location where the systems will be installed.
- 3. Build pier according to State, Local or unit manufacturers guidelines.
- 4A. Drill two 3/8"x 3" deep holes in the concrete using holes in galvanized bracket as a guide. Attach bracket to concrete pad using 3/8"x 3-1/2" wedge anchors provided. Place nut & washer on anchor, leave enough room for 1 to 2 threads showing on top of bolt. Using a hammer, tap the wedge bolts into hole
- through bracket, leaving nut & washer flush with bracket. Using a 9/16" socket wrench, tighten wedge/anchor bolt, securing bracket to the concrete.
- 4B. For wet set: align bracket and submerge legs completely in concrete. Bottom of the bracket should rest on the surface.
- 5. Attach the end of the smaller tube to the bracket mounted on the pad, using the grade 5, 1/2" x 2-1/2" bolt/nut provided.
- 6. Attach the flag end of the larger tube to the opposite I-beam using the "J" bolt over the top of the I-beam with the nut & washer provided. (*Figure 1 next page*)
- 7. Install a minimum of four (#12 x 1" tek screws) self-tapping screws into the holes provided in the lateral strut so that the two tubes are connected together
- 8. Install frame bracket clamps on I-beam on the inside of block/pier.
- 9. Insert strut in frame bracket clamp and attach with nut & bolt. Attach opposite end to concrete bracket.
- 10. Pull the frame bracket clamp with fastened strut outward to remove any slack.
- 11. Tighten all nuts and bolts on system.





Minimum Distance from edge: 1-1/2"



Page 3 of 4

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* - 30" anchor with vertical strap or frame tie with stabilizer plate, within 10' of end of unit on single sections.

NOTE: Wall heights are the eave height for a building without solid skirting. If solid skirting is installed, add the skirting height and use that sum as the wall height. Tear away skirting such as vinyl is not considered solid skirting. Diagram represents single section up to 16' width, double section up to 32' width, and triple section up to 48'. For multiple section of units, determine the number of systems based on each group of 3 modules, with the remainder based on a double or single section (without anchors).

ATTACHMENT 3

Friend, Mike

From: Sent: To: Subject: Friend, Mike Tuesday, August 08, 2017 11:52 AM 'steve.thuney@gmail.com' RE: Stonetown Woodland Acres

Chief,

That is fine. I will plan on meeting you here at our office at 3 PM tomorrow (Wednesday 8/9/17) Thanks for the follow-up. The office is across the street and 50 yards east of the Bradley Avenue entrance to Parkland. We are on the south side of the street. Mike

Michael C. Friend PE / Engineering Manager

2211 West Bradley Avenue / Champaign, IL 61821 o / 217.352.7408 c / 815.510.2090 e / mfriend@f-w.com

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From: steve.thuney@gmail.com [mailto:steve.thuney@gmail.com]
Sent: Tuesday, August 08, 2017 11:45 AM
To: Friend, Mike <mfriend@F-W.com>
Subject: Fwd: Stonetown Woodland Acres

Good Morning Mike,

Your may work better for me as I will be over on that side of town anyway.

If 3:00 at your office is OK let's plan on that.

Thanks Steve

> From: "Friend, Mike" <<u>mfriend@F-W.com</u>> Date: August 7, 2017 at 09:05:49 CDT To: "<u>steve.thuney@gmail.com</u>" <<u>steve.thuney@gmail.com</u>> Cc: "Dax Nolen (<u>dn@stonetowncapital.com</u>)" <<u>dn@stonetowncapital.com</u>> Subject: RE: Stonetown Woodland Acres

Good morning Chief,

Thanks for getting back with me. Wednesday is great. I can come to the fire station if that is best ? I am asking for your time and want to make this as convenient as possible for you. Our office is also available, but that is on the far west side of town. I will schedule 3 PM, and let you select the location which is best for you. Thanks Chief. Let me know what is best. I will plan to bring plans with me for us to view and mark up. Mike

Michael C. Friend PE / Engineering Manager

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From: <u>steve.thuney@gmail.com</u> [<u>mailto:steve.thuney@gmail.com</u>] Sent: Monday, August 07, 2017 9:01 AM To: Friend, Mike <<u>mfriend@F-W.com</u>> Subject: Re: Stonetown Woodland Acres

Hi Mike,

I apologize for my delay in responding to your email.

I have some time available this Wednesday after 3:00pm if this would work with your schedule.

Please let me know if this will work for you and where you would like to meet.

Thanks

Steve Thuney Fire Chief Edge-Scott Fire Protection District

On Aug 3, 2017, at 11:10, Friend, Mike <<u>mfriend@F-W.com</u>> wrote:

Chief Thuney, Just following up with regard to the review of the proposed Stonetown Woodland Acres LLC expansion project. I left voice mails at both the Edge-Scott landline and what I believe is your cell number around 11

Cases 869-AM-17/870-S-17, ZBA 08/17/17, Attachment C Page 24 of 40

this morning. I look forward to meeting with you to discuss the project and understand your perspective of the draft plans as it relates to the fire protection for the facility. Feel free to call my cell number from 6:30 AM- 9 PM, or my office from 8-5, or e-mail any time. Thanks for your consideration Chief. Mike

Michael C. Friend PE / Engineering Manager

2211 West Bradley Avenue / Champaign, IL 61821 o / 217.352.7408 c / 815.510.2090 e / <u>mfriend@f-w.com</u>

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From: Friend, Mike Sent: Wednesday, August 02, 2017 11:20 AM To: Steve Thuney (<u>steve.thuney@gmail.com</u>) <<u>steve.thuney@gmail.com</u>> Cc: 'Dax Nolen' <<u>dn@stonetowncapital.com</u>> Subject: Stonetown Woodland Acres Importance: High

Chief Thuney,

I just left a voice mail on your cell and at the Edge-Scott voice mail phone line. We are a couple weeks out from the next Hearing with the Champaign County Zoning Board of Appeals. I would like to meet with you at your earliest convenience to discuss if there are additional recommendations you have for the proposed watermain, hydrants, and siren actuated access gate for the expansion. Hopefully you have had the opportunity to review the current draft design (recall I also provided you with exhibits A and B which added a hydrant to the initial design, no parking signs to prevent parking on the private access road, as well as the siren actuated gate. I have re-attached those for convenience of your review and discussion purposes. These exhibits were entered into the record at the last meeting.). I look forward to your review and am confident you can assist us in optimizing the design for fire protection of the facility. Feel free to call my cell # anytime from 6:30 AM- 9PM, Or my office number from 8AM-5PM and we can arrange a meeting. I look forward to gaining your input for the proposed project . Thank you for your assistance.

Mike

Michael C. Friend PE / Engineering Manager

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c / 815.510.2090
e / mfriend@f-w.com

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e004.png>







PVC/Vinyl fence with siren actuated gate

Wood fence with siren actuated gate

The depicted gates are conceptual for the purposes of illustration

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	Farnsworth
	GROUP 2211 WEST BRADLEY AVENUE CHAMPAIGN, ILLINOIS 61821
	(217) 352-7408 / info@f-w.com www.f-w.com Engineers Architects Surveyors Scientists
	# Date: Description: 1 01/27/2017 COUNTY REVIEW
28.55	2 06/16/2017 PERMIT DRAWINGS 3 06/22/2017 PERMIT DRAWINGS - REV. 1
The second se	Project Status NOT FOR CONSTRUCTION
and the second sec	PROJECT: WOODLAND ACRES STONETOWN MOBILE HOME PARK
1 # //	
	CHAMPAIGN COUNTY
	URBANA, ILLINOIS Date: 06/22/17
	Design/Drawn: SDS
	Reviewed: AFJ Field Book No.:
	Exhibit A
	SHEET NUMBER:
	A2







ATTACHMENT 4



ATTACHMENT 5



Public Works Department 706 South Glover Avenue Urbana, IL 61802 (217) 384-2342 FAX (217) 384-2400

September 22, 2016

Dax Nolen Stonetown Capital 44 Cook Street, Suite 650 Denver, CO 80206

Subject: Woodland Acres – 2200 East University Avenue, Urbana, Illinois Permanent Parcel Index Numbers: 302110351023, 302110351009, and 302109476004

Dear Mr. Nolen:

The above subject properties shown on Exhibit A attached can connect to a public sanitary sewer system. The City of Urbana plumbing inspector would inspect any sanitary sewer laterals installed for the properties per an intergovernmental agreement between the City and UCSD (Ordinance 9192-110). The Urbana-Champaign Sanitary District (UCSD) would have to review and approve permits for any sanitary sewer extension for the Woodland Acres properties. These properties are in UCSD's service area. Therefore UCSD would be responsible for the operation and maintenance of any publically owned sanitary sewer infrastructure installed for the property.

The properties shown on Exhibit A are located in a subdivision that does not require the properties to annex into the City of Urbana to connect to the public sanitary sewer system. However, these properties could annex into the City by negotiating an annexation agreement with the City. If the properties annex into the City the operation and maintenance of any public sanitary sewer would then become the responsibility of the City.

If you have any questions regarding the sanitary sewer infrastructure available to the project site please do not hesitate to contact the City's Assistant City Engineer Brad Bennett at 217-384-2316.

Respectfully,

Willia: R. Har

William R. Gray, P.E. Director of Public Works City of Urbana Department of Public Works

11 paner

Rick Manner, Executive Director Urbana-Champaign Sanitary District



ATTACHMENT 6







SPACING TOP VIEW 8'-0" MAX. POST SPACING -4" MAX -1"-2" REAR VIEW NOTE: 1. WOOD TO BE TREATED PINE. USE GALVANIZED NAILS FOR FASTENING. 2. NUMBER OF BOARDS WILL VARY DEPENDING ON SPACE BETWEEN BOARDS AND ACTUAL WIDTH OF BOARDS. FRONT VIEW

Privacy screening fence may be treated wood or PVC/Vinyl subject to approval by Champaign County Zoning and Planning

The depicted fence and gates are conceptual for the purpose of illustration

ATTACHMENT 7

Friend, Mike

From:	Friend, Mike
Sent:	Monday, August 07, 2017 1:27 PM
To:	'Pisula, Joe'; Dax Nolen
Cc:	Barbara Payne; murph_1_86@yahoo.com; Rene Wahlfeldt; benihana00@gmail.com
Subject:	RE: Meeting with Dax Nolen

Joe,

Thanks for getting back in touch. I understand that hosting the event near the subdivision would make it easier to attend for the residents. Can you give me information with regard to the IT Capabilities present at the facility? How will the remote conferencing work? I am not apprised of the technical resources available there at the Edge -Scott Fire Protection District facility. It is obviously imperative that Dax be able to interact with the attendees, both for him to be able to clearly hear, and to clearly respond. Can we discuss the logistics of the meeting as it relates to him being able to receive and respond to questions in a way that is mutually beneficial for all? I look forward to determining the best way to conduct the meeting .Thanks Joe. Mike

Michael C. Friend PE / Engineering Manager

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From: Pisula, Joe [mailto:jpisula@donohue-associates.com]
Sent: Monday, August 07, 2017 1:18 PM
To: Dax Nolen <dn@stonetowncapital.com>; Friend, Mike <mfriend@F-W.com>
Cc: Barbara Payne <bjpayne1@comcast.net>; murph_1_86@yahoo.com; Rene Wahlfeldt <renewahl43@gmail.com>; benihana00@gmail.com
Subject: RE: Meeting with Dax Nolen

Mike + Dax:

Over the weekend, I did get thru to Barbara Payne, President of the Edgewood Homeowners Association, and the consensus of the Board is that this Friday, August 11th will work, but they would like to meet at the Edge-Scott FPD firehouse near the site. We would have a much better turn-out and more membership input with that venue. Barbara is reaching out to the Edge Scott Fire Chief today to firm up a time. Tentatively we are shooting for 3:00 PM central time, but that may change, depending on whether there are conflict with that time.

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Joseph V. Pisula, P.E. | Donohue & Associates, Inc. 1605 South State Street, Suite 1C - Champaign, IL 61820-7240 Office: 217.352.9990 Cell: 217.621.4747

From: Dax Nolen [mailto:dn@stonetowncapital.com] Sent: Friday, August 4, 2017 9:17 AM To: Friend, Mike <<u>mfriend@F-W.com</u>>; Pisula, Joe <<u>jpisula@donohue-associates.com</u>> Subject: RE: Meeting with Dax Nolen

Let's try to make something happen on Friday, August 11th (even if it is just a conference call) and then follow that up with a meeting in person on the afternoon of Wednesday, August 16th. That would be my vote.

From: Friend, Mike [mailto:mfriend@F-W.com] Sent: Friday, August 04, 2017 8:11 AM To: Pisula, Joe Cc: Dax Nolen Subject: Re: Meeting with Dax Nolen

Hi Joe

I meant Monday August 7th- sorry about that. Or Friday August 11th. The meeting with the ZBA is Thursday the 17th . Dax will be in town late the afternoon of the 16th and all day the 17th. Mike

Sent from my iPhone

On Aug 4, 2017, at 7:58 AM, Pisula, Joe <<u>ipisula@donohue-associates.com</u>> wrote:

Mike:

I have fwd'd your request to the other members of the Edgewood HOA and hope to hear back soon. This coming Monday August 7th is a problem for me in that I have a full slate of meetings throughout the day.

In your note below, you offered Friday August 7th which seems to be in error. Were you meaning to meet on Friday, August 11th? Or some other date? Please advise. The week of August 15th thru the 18th is much more open for me at this time and that would give us more time to fit things into our schedules.

Joseph V. Pisula, P.E. | Donohue & Associates, Inc. 1605 South State Street, Suite 1C - Champaign, IL 61820-7240 Office: 217.352.9990 Cell: 217.621.4747

From: Friend, Mike [mailto:mfriend@F-W.com]
Sent: Thursday, August 3, 2017 5:11 PM
To: Pisula, Joe <jpisula@donohue-associates.com>
Cc: Dax Nolen (dn@stonetowncapital.com) <dn@stonetowncapital.com>
Subject: Meeting with Dax Nolen
Importance: High

Mr. Pisula,

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I am reaching out to schedule a meeting with my client. Dax would like to offer to have a Skype meeting with representatives of the Edgewood Subdivision homeowner's association . Given that Dax Nolen's office is in Colorado, the ability to meet with the association via Skype was deemed an efficient way to meet ahead of the next ZBA meeting . To be clear- here is the proposed format:

- 1. We propose to host the meeting in the Farnsworth Group training room, which seats on the order of 50 people
- 2. We will have the ability to have a skype audio call, video and audio feed from Dax.
- 3. We will have a podium with a microphone puck which will allow anyone to approach and state their question, and then Dax's response will be broadcast over the speaker system in the room. This should allow everyone to hear both the question and the answer.

Presuming this approach is acceptable, I would request that a selection of one of the following times be made to allow us to schedule the meeting.

- 1. Monday 8/7/17- I have a meeting at 7 that night so any time during the day, with the latest time being 5PM to finish by 6 Pm
- 2. Friday 8/7/2017 any time that day or that evening up until 6 PM start time

Thanks in advance for your assistance in coordinating this meeting with the Edgewood Subdivision Homeowners association. Hopefully one of these 2 dates will work out. Dax will be in town the afternoon of the 16th late and also all day the 17th, the day of the ZBA hearing and is also available to meet personally on those days. We will be submitting a package to the County early next week in response to requests at the last ZBA hearing, and some of that information will be helpful to discuss when meeting with the homeowner's association.

I attempted to catch you by phone, but missed you as I was calling at just a few minutes before 5 PM today. I am off tomorrow but will be checking my e-mail. Feel free to reply at your earliest convenience, contact me with any questions, and indicate your selection of the preferred meeting date and time.

Mike Friend

Michael C. Friend PE / Engineering Manager

2211 West Bradley Avenue / Champaign, IL 61821 o / 217.352.7408 c / 815.510.2090 e / mfriend@f-w.com

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REVISED DRAFT 08/17/17

869-AM-17

FINDING OF FACT AND FINAL DETERMINATION of Champaign County Zoning Board of Appeals

Final Determination:	{RECOMMEND ENACTMENT / RECOMMEND DENIAL}	
Date:	{August 17, 2017}	
Petitioners:	Stonetown Woodland Acres LLC, via agent Michael Friend	
Request:	Amend the Zoning Map to change the zoning district designation in order to operate the proposed Special Use with waivers in related Zoning Case 870-S-17 for the following portions of the subject property:	
	Part A: Change the zoning district designation from the R-1 Single Family Residence Zoning District to the R-5 Manufactured Home Park Zoning District for the eastern 150 feet of the subject property.	
	Part B: Change the zoning district designation from the B-2 Neighborhood Business Zoning District to the R-5 Manufactured Home Park Zoning District for the 1.66 acre lot on the west end of the subject property.	

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FINDING OF FACT

From the documents of record and the testimony and exhibits received at the public hearing conducted on **June 29, 2017, and August 17, 2017,** the Zoning Board of Appeals of Champaign County finds that:

(Note: asterisk indicates items of evidence that are identical to evidence in Cases 870-S-17 and 871-V-17)

- *1. Stonetown Woodland Acres LLC, 720 S Colorado Blvd #1150N, Glendale, CO 80246, is the owner of Woodland Acres Manufactured Home Park. Dax Nolan, Vice President of the LLC, 720 S Colorado Blvd #1150N, Glendale, CO 80246, represents the LLC for this zoning case. The managers of Stonetown Woodland Acres LLC are Roy Lapidus, 1 Alexander Lane, Greenwood Village, CO 80121, and Adam Minnick, 452 Leyden St, Denver, CO 80220. Michael Friend, Engineering Manager for Farnsworth Group in Champaign, is the local agent for this zoning case.
- *2. The subject property is comprised of three tracts of land totaling 13.37 acres, generally south and east of the Urbana spur of I-74 (University Avenue/IL Route 130), north of US Route 150 (University Avenue) and west of Smith Road, in the Southeast Quarter of the Southeast Quarter of Section 9 and the West Half of the Southwest Quarter of Section 10 of Township 19 North, Range 9 East of the Third Principal Meridian in Urbana Township and commonly known as Woodland Acres Manufactured Home Park, with an address of 2200 East University, Urbana.
- *3. Regarding municipal extraterritorial jurisdiction and township planning jurisdiction:
 - *A. The subject property is located within the one and one-half mile extraterritorial jurisdiction of the City of Urbana, a municipality with zoning. Municipalities with zoning have protest rights in Map Amendment cases. Notice of the public hearing was sent to the City of Urbana.
 <u>*(1)</u> In a letter dated September 22, 2016, from the City of Urbana to Dax Nolen, the City indicated that annexation would not be necessary in order for Woodland Acres to expand with additional home sites (see report from Mike Friend received August 8, 2017, which is Attachment B to Supplemental Memorandum #2 dated August 10, 2017).
 - *B. The subject property is located within Urbana Township, which does not have a Planning Commission.
- 4. Regarding comments by petitioners, when asked on the petition what error in the present Ordinance is to be corrected by the proposed change, the petitioner has indicated: "The east 150' of the property is currently zoned R-1, which does not allow manufactured home parks. The balance of the site is zoned R-5, which is intended to accommodate manufactured home parks. This request entails a petition to amend the zoning map from R-1 to R-5 along the east 150' of the subject property."
- 5. Regarding comments by the petitioner when asked on the petition what other circumstances justify the rezoning the petitioner has indicated the following: **"The overall parent site has been previously developed as a manufactured home park. It is highly unlikely that single family dwellings allowed under R-1 zoning would ever be developed in the 150' wide R-1 strip of property adjacent to an existing manufactured home park."**

GENERALLY REGARDING LAND USE AND ZONING IN THE IMMEDIATE VICINITY

*6. Land use and zoning on the subject property and in the vicinity are as follows:

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- *A. The subject property is a 13.37 acre tract with a land use of Manufactured Home Park, and is currently in 3 different zoning districts:
 - *(1) The eastern 150 feet is zoned R-1 Single Family Residence.
 - *(2) The west 1.66 acre lot is zoned B-2 Neighborhood Business.
 - *(3) The remainder is in the appropriate R-5 Manufactured Home Park Zoning District.
- *B. Land to the north and northeast of the subject property is zoned R-5 Manufactured Home Park and is residential in use; to the northwest is R-4 Multiple Family Residence, and is vacant land owned by Flex-N-Gate.
- *C. Land to the east is zoned R-1 Single Family Residence and is residential in use.
- *D. Land to the south is zoned B-2 Neighborhood Business, R-5 Manufactured Home Park, and R-1 Single Family Residence, and is commercial and residential in use.
 - *(1) The petitioners also own the 1.29 acre lot zoned B-2 Neighborhood Business south of the subject properties, which houses the Manufactured Home Park's office and shares a building with a thrift shop.
- *E. Land to the west is zoned B-2 Neighborhood Business, and is commercial in use.
- *7. Regarding the site plan and proposed operations of the subject property:
 - *A. The ALTA Survey created by Berns, Clancy and Associates, received January 27, 2017, indicates the following existing improvements and the Stonetown Woodland Acres Mobile Home Park Expansion County Review Drawings received January 27, 2017, indicates the following proposed improvements:
 - *(1) Existing buildings and structures on the ALTA Survey include:
 - *a. 93 manufactured home sites;
 - *b. A non-conforming single family residence in the southwest corner of the subject property;
 - *c. An empty site in the northwest corner of the subject property that was previously a single family residence (demolished in 2016);
 - *d. A non-conforming single family residence south of home sites east of Dale Lane and northeast of the existing Woodland Acres office;
 - *e. A non-conforming single family residence in the proposed expansion area, to be demolished;
 - *f. A detached shed in the proposed expansion area, to be demolished;
 - *g. A wood barn in the proposed expansion area, to be demolished;
 - *h. A playground area in the proposed expansion area, to be removed; and
 - *i. The subject properties are connected to public water and sewer.

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- *j. The petitioners also own the 1.29 acre lot zoned B-2 Neighborhood Business south of the subject properties, which houses the Manufactured Home Park's office and shares a building with a thrift shop.
 - *(a) A "Variety Store" is authorized in the B-2 Zoning District, but not at all in the R-5 Zoning District. The petitioners indicated in a meeting with Susan Burgstrom on February 1, 2017, that ultimately they would like to rezone the thrift shop property with the knowledge that it cannot be extended, altered, or replaced if destroyed. The petitioners do not yet have a plan for future use on that lot, but indicated that any use they propose would be allowed in the proposed R-5 Zoning District. The petitioners stated that they would address the rezoning and redevelopment of the B-2 zoned property at a later date.
- *(2) Proposed improvements according to the Stonetown Woodland Acres Mobile Home Park Expansion County Review Drawings received January 27, 2017 include:
 - *a. Combining two existing home sites into one larger site in several locations; the petitioners have not yet identified which existing sites would be combined, but they have stated verbally that this would create a net zero change in the number of existing home sites. Existing home sites 27, 47, 50, and 64 were constructed without authorization and will be maintained, which would balance out the reduction in home sites due to combining sites.
 - *b. 21 new home sites in the northeast corner of the property, with related road and utility infrastructure;
 - *c. A new entrance to the park off North Smith Road at the intersection of Slayback Street;
 - *d. A dry detention basin in the northeast corner of the property; and
 - *e. A playground area with four parking spaces near the location of the wood barn that will be demolished.
 - *f. The County Review Drawings set received January 27, 2017, includes the following sheets:
 - (a) C1.0 Cover Sheet
 - (b) C2.0 General Notes and Legends
 - (c) C3.0 Existing Topography and Demolition Plan
 - (d) C4.0 Grading Plan
 - (e) C5.0 Utility Plan/Sanitary and Storm
 - (f) C6.0 Utility Plan/Water, Gas and Electric
 - (g) C6.1 Plan and Profile Sanitary
 - (h) C7.0 Plan and Profile Sanitary
 - (i) C7.1 Plan and Profile Sanitary
 - (j) C7.2 Plan and Profile Sanitary
 - (k) C7.3 Plan and Profile Sanitary and Sanitary Details
 - (1) C8.0 Standard Sanitary Sewer Details
 - (m) C8.1 Standard Storm Sewer Details

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- (n) C8.2 Standard Water Main Details
- (o) C8.3 Pavement and Erosion Control Details
- (q) C8.4 Landscape Details and Notes
- *B. The Revised Stonetown Woodland Acres Mobile Home Park Expansion County Review Drawings received June 5, 2017, includes the following changes on the same sheets listed above plus Sheet C8.3 (a second sheet with additional Standard Water Main Details), which in turn renumbers the Pavement sheet to C8.4 and the Landscape sheet to C8.5.
 - (1) Proposed home sites that were numbered 1 through 21 on the January 27, 2017, County Review Drawings are now numbered 94 through 114.
 - (2) On Sheet C4.0, contour lines have been added as well as more detail on the proposed detention basin.
 - (3) Sheets C5.0 and C6.0 also have more details on the proposed basin.
 - (4) Remaining Sheets have additional details and annotations.
- *C. The Overall Layout Plan dated June 16, 2017, and received on the same day, is the official Site Plan for approval. It contains the following revisions and clarifications:
 - *(1) Michael Friend, Engineer for Farnsworth Group, submitted the revised drawing in an email dated June 16, 2017. He indicated that the drawing is for illustration purposes only, as it is a PDF which merges several other drawings together, with some parts of it created by others.
 - *(2) All existing and proposed home sites have been numbered and included in one drawing rather than having separate drawings for existing and proposed home sites.
 - *(3) Existing home sites 30 through 36 (7 sites) have been reconfigured to created 5 larger home sites numbered 32, 33, 34, 35, and 36 (site numbers 30 and 31 are no longer used).
 - *(4) New sites 49A and 49B have been added to the northwest corner of the subject property.
 - *a. The petitioners note that there will be a net zero change in the number of existing home sites by reconfiguring sites 30 through 36 and adding sites 49A and 49B.
 - *(5) Existing sites 27, 47 and 64 have been renumbered to 50A, 50B, and 50C, respectively.
 - *(6) An existing open space in the southeastern part of the subject property has been designated as an additional recreation area of approximately 23,335 square feet and will be referred to as Recreation Area C in discussion.
- *D. The Revised Stonetown Woodland Acres Mobile Home Park Expansion Permit Drawings received June 16, 2017, will also be included in the official Site Plan for approval and include the following revisions:.
 - *(1) The Permit Drawings set includes the following sheets:

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- (a) C1.0 Cover Sheet
- (b) C2.0 General Notes and Legends
- (c) C3.0 Existing Topography and Demolition Plan
- (d) C4.0 Grading Plan
- (e) C5.0 Utility Plan/Sanitary and Storm
- (f) C6.0 Utility Plan/Water, Gas and Electric
- (g) C6.1 Plan and Profile Sanitary
- (h) C7.0 Plan and Profile Sanitary
- (i) C7.1 Plan and Profile Sanitary
- (j) C7.2 Plan and Profile Sanitary
- (k) C7.3 Plan and Profile Sanitary and Sanitary Details
- (1) C8.0 Standard Sanitary Sewer Details
- (m) C8.1 Standard Storm Sewer Details
- (n) C8.2 Standard Water Main Details
- (o) C8.3 Standard Water Main Details
- (p) C8.4 Pavement and Erosion Control Details
- (q) C8.5 Landscape Details and Notes
- *(1) Sheet C7.3 Sanitary Sewer Plan Profile has replaced the "Typical Riser Detail for Deep Service Lateral" and the "Shallow Service Lateral Detail" shown in the June 5, 2017 revision, with a "Typical Sanitary Sewer Riser Detail" in the June 16, 2017 revision.
- *(2) Sheet C8.0 Standard Sanitary Sewer Details has replaced Typical Sanitary Sewer Details shown in the June 5, 2017 revision with a blank area.
- *E. <u>The Farnsworth Group report received August 8, 2017, included the following sheets,</u> which will become part of the Official Site Plan for these zoning cases: <u>*(1)</u> Sheet A1 showing proposed siren actuated gate at North Smith Road;
 - *(2) Sheet A2 showing conceptual design of a siren actuated gate;
 - *(3) Sheet B1 showing proposed location of an additional fire hydrant;
 - *(4) Sheet C1 showing proposed location of siren actuated gate and a full height privacy screening fence along North Smith Road; and
 - *(5) Sheet C2 showing conceptual design of a siren actuated gate and side detail.
- *F. The following are previous Zoning Use Permits on the subject property:

*(1)

- The following information was provided by the Illinois Department of Public Health:
 *a. 43 home sites were constructed under an Illinois Department of Public Health permit issued May 10, 1960.
- *b. Another 32 home sites were permitted on January 5, 1970, for a total of 75 home sites.
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- *c. No information was available from Public Health to confirm when the remaining 18 home sites were constructed that would comprise the 93 existing home sites.
 - *(a) Aerial photography from 1973 shows 91 home sites.
 - *(b) Aerial photography from 2014 and before does not show the other 2 home sites, which are located east of the Casey's General Store.
- *(2) ZUP #087-74-01 was approved on March 28, 1974, to open a Bakery Thrift Store in the Wilson Trailer Park; staff believes this was located on part of what are now 2 lots housing the Casey's General Store and the western lot of the subject property.
- *(3) ZUP #323-74-01 was approved on November 19, 1974, for a change of use to re-open a restaurant and install a 24 square feet sign, on what is now the MHP office lot.
- *(4) Change of Use Permit #94-85-02 was approved on April 8, 1985, for a change of use for a craft shop, on what is now the MHP office lot.
- *(5) Change of Use Permit #157-86-03 was approved on June 11, 1986, for a change of use for an insurance office, on what is now the MHP office lot.
- *(6) ZUP #205-87-01 was approved on July 24, 1987, for construction of a retail storage building for the Champaign County Power Equipment Co., on what are now 2 lots housing the Casey's General Store and the western lot of the subject property.
- *(7) Change of Use Permit #292-89-02 was approved on October 19, 1989, for a change of use for a siding and window company in the east half of an existing building, on what is now the MHP office lot.
- *(8) Change of Use Permit #157-90-01 was approved on June 8, 1990, for a change of use for a portion of the building with the existing siding and Window Company to house a toning center, on what is now the MHP office lot.
- *(9) ZUP #58-92-02 was approved on February 28, 1992, for an addition to an existing warehouse for the Champaign County Power Equipment Co., on what are now 2 lots housing the Casey's General Store and the western lot of the subject property.
- *(10) Change of Use Permit #346-94-01 was approved on December 12, 1994, for a change of use for an antique sales and gift shop, on what is now the MHP office lot.
- *(11) ZUP #06-97-01 was approved on January 6, 1997, for an addition to an existing building for the Champaign County Power Equipment Co., on what are now 2 lots housing the Casey's General Store and the western lot of the subject property.
- *(12) Change of Use Permit #311-97-02 was approved on November 12, 1997, for a change of use for a beauty shop, on what is now the MHP office lot.

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- *(13) ZUP #316-97-05 was approved on November 13, 1997, for 6 wall signs for the Champaign County Power Equipment Co., on what are now 2 lots housing the Casey's General Store and the western lot of the subject property.
- *(14) ZUP #152-98-02 was approved on June 3, 1998, for the construction of a freestanding sign by Premier Hospitality Management Group, on what is now the MHP office lot.
- *(15) Change of Use Permit #363-06-01 was approved on February 9, 2007, for a change of use to establish a church, on what is now the MHP office lot.
- *(16) Change of Use Permit #277-08-01 was approved on November 13, 2008, for a change of use to establish a resale (variety store) shop and to install a wall sign, on what is now the MHP office lot.

GENERALLY REGARDING THE EXISTING AND PROPOSED ZONING DISTRICTS

- 8. Regarding the existing and proposed zoning districts:
 - A. Regarding the general intent of zoning districts (capitalized words are defined in the Ordinance) as described in Section 5 of the Ordinance:
 - (1) The R-1, Single Family Residence DISTRICT is intended to provide areas for single FAMILY detached DWELLINGS, set on LOTS and is intended for application in mainly non-urban and developing areas where community facilities can be made readily available.
 - (2) The B-2, Neighborhood Business DISTRICT is intended to provide areas for the convenience of adjacent residential areas, and to permit only such USES as are necessary to satisfy limited basic shopping needs which occur daily or frequently.
 - *(3) The R-5, MANUFACTURED HOME Park DISTRICT is intended to accommodate MANUFACTURED HOME PARKS and their associated USES in a medium density housing environment.
 - B. Regarding the different uses that are authorized in the existing and proposed zoning districts by Section 5.2 of the Ordinance:
 - (1) Regarding Part A of the proposed map amendment, there are 9 types of uses authorized by right in the R-1 District and there are 13 types of uses authorized by right in the R-5 District:
 - a. There are 7 uses authorized by right in the R-1 District that are also authorized by right in the R-5 District:
 - (a) Subdivisions totaling three lots or less;
 - (b) Subdivisions totaling more than three LOTS or with new STREETS or PRIVATE ACCESSWAYS;
 - (c) Agriculture, including customary accessory uses;
 - (d) Elementary SCHOOL, Jr. High SCHOOL, or High SCHOOL;
 - (e) Church, Temple, or church related TEMPORARY USES on church PROPERTY;
 - (f) Country club or golf course; and
 - (g) Country Club Clubhouse.

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- b. The following 3 uses are authorized by right in the R-5 District and not at all in the R-1 District:
 - (a) MANUFACTURED HOME in MANUFACTURED HOME PARK;
 - (b) Institution of an Educational, Philanthropic or Eleemosynary Nature; and
 - (c) Lodge or private club.
- c. The following 3 uses are authorized by right in the R-5 District but require a Special Use Permit in the R-1 District:
 - (a) Municipal or GOVERNMENT building;
 - (b) Police station or fire station; and
 - (c) Library, museum, or gallery.
- (2) Regarding Part A of the proposed map amendment, there are 12 types of uses authorized by Special Use Permit (SUP) in the R-1 District, and 9 types of uses authorized by SUP in the R-5 District:
 - a. The following 7 uses may be authorized by SUP in both the R-1 District and the R-5 District:
 - (a) Residential Planned Unit Development;
 - (b) Artificial lake of 1 or more acres;
 - (c) Township Highway Maintenance Garage;
 - (d) Adaptive reuse of government buildings for any use permitted by right in B-1, B-2, B-3, B-4, B-5 and I-1;
 - (e) Electrical substation;
 - (f) Telephone exchange; and
 - (g) Private Kindergarten or Day Care Facility.
 - b. The following 2 uses may be authorized by Special Use Permit in the R-1 District and not at all in the R-5 District:
 - (a) TWO FAMILY DWELLING; and
 - (b) Riding Stable.
 - c. The following 2 uses may be authorized by SUP in the R-5 District and not at all in the R-1 District:
 - (a) MANUFACTURED HOME PARK; and
 - (b) HOSPITAL.
- (3) Regarding Part B of the proposed map amendment, there are 65 types of uses authorized by right in the B-2 District and there are 13 types of uses authorized by right in the R-5 District:
 - a. The following 8 uses authorized by right in the B-2 District are also authorized by right in the R-5 District:
 - (a) Subdivisions totaling three lots or less;
 - (b) Subdivisions totaling more than three LOTS or with new STREETS or PRIVATE ACCESSWAYS;
 - (c) Agriculture, including customary accessory uses;

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- (d) Institution of an Educational, Philanthropic or Eleemosynary Nature;
- (e) Church, Temple, or church related TEMPORARY USES on church PROPERTY;
- (f) Municipal or GOVERNMENT building;
- (g) Police station or fire station; and
- (h) Library, museum, or gallery.
- b. The following 5 uses are authorized by right in the R-5 District and not at all in the B-2 District:
 - (a) MANUFACTURED HOME in MANUFACTURED HOME PARK;
 - (b) Elementary SCHOOL, Jr. High SCHOOL, or High SCHOOL;
 - (c) Country club or golf course;
 - (d) Country Club Clubhouse; and
 - (e) Lodge or private club.
- c. There are no uses that are authorized by right in the R-5 District but require a Special Use Permit in the B-2 District.
- (4) Regarding Part B of the proposed map amendment, there are 10 types of uses authorized by Special Use Permit (SUP) in the B-2 District, and 9 types of uses authorized by SUP in the R-5 District:
 - a. The following 3 uses may be authorized by SUP in both the B-2 District and the R-5 District:
 - (a) Township Highway Maintenance Garage (with conditions);
 - (b) Adaptive reuse of government buildings for any use permitted by right in B-1, B-2, B-3, B-4, B-5 and I-1; and
 - (c) Electrical substation.
 - b. The following 7 uses may be authorized by Special Use Permit in the B-2 District and not at all in the R-5 District:
 - (a) HOTEL no more than 15 LODGING UNITS;
 - (b) MOTOR BUS Station;
 - (c) Artist Studio;
 - (d) Restaurant (indoor service only);
 - (e) Minor AUTOMOBILE Repair (all indoors);
 - (f) Gasoline Service Station; and
 - (g) Automotive Accessories (new).
 - c. The following 2 uses may be authorized by SUP in the R-5 District and not at all in the B-2 District:
 - (a) MANUFACTURED HOME PARK;
 - (b) Residential PLANNED UNIT DEVELOPMENT;
 - (c) Artificial lake of 1 or more acres; and
 - (d) HOSPITAL.
- (5) Any proposed Special Use Permit can be evaluated on a case by case basis for compatibility with adjacent R-1 and/or B-2 uses.

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GENERALLY REGARDING THE LRMP GOALS, OBJECTIVES, AND POLICIES

- 9. The *Champaign County Land Resource Management Plan* (LRMP) was adopted by the County Board on April 22, 2010. The LRMP Goals, Objectives, and Policies were drafted through an inclusive and public process that produced a set of ten goals, 42 objectives, and 100 policies, which are currently the only guidance for amendments to the *Champaign County Zoning Ordinance*, as follows:
 - A. The Purpose Statement of the LRMP Goals, Objectives, and Policies is as follows: "It is the purpose of this plan to encourage municipalities and the County to protect the land, air, water, natural resources and environment of the County and to encourage the use of such resources in a manner which is socially and economically desirable. The Goals, Objectives and Policies necessary to achieve this purpose are as follows..."
 - B. The LRMP defines Goals, Objectives, and Policies as follows:
 - (1) Goal: an ideal future condition to which the community aspires
 - (2) Objective: a tangible, measurable outcome leading to the achievement of a goal
 - (3) Policy: a statement of actions or requirements judged to be necessary to achieve goals and objectives
 - C. The Background given with the LRMP Goals, Objectives, and Policies further states, "Three documents, the *County Land Use Goals and Policies* adopted in 1977, and two sets of *Land Use Regulatory Policies*, dated 2001 and 2005, were built upon, updated, and consolidated into the LRMP Goals, Objectives and Policies."

REGARDING RELEVANT LRMP GOALS & POLICIES

(Note: bold italics typeface indicates staff's recommendation to the ZBA)

10. LRMP Goal 1 is entitled "Planning and Public Involvement" and states: **Champaign County will attain a system of land resource management planning built on broad public involvement that supports effective decision making by the County.**

Goal 1 is always relevant to the review of the LRMP Goals, Objectives, and Policies in land use decisions but the proposed rezoning will *NOT IMPEDE* the achievement of Goal 1.

11. LRMP Goal 2 is entitled "Governmental Coordination" and states:

Champaign County will collaboratively formulate land resource and development policy with other units of government in areas of overlapping land use planning jurisdiction.

Goal 2 has two objectives and three policies. The proposed amendment will *NOT IMPEDE* the achievement of Goal 2.

12. LRMP Goal 3 is entitled "Prosperity" and states:

Champaign County will encourage economic growth and development to ensure prosperity for its residents and the region. Cases 869-AM-17 Page 12 of 34 REVISED DRAFT 08/17/17

Goal 3 has three objectives and no policies. The proposed amendment will *HELP ACHIEVE* Goal 3 for the following reasons:

- A. The three objectives are:
 - (1) Objective 3.1 is entitled "Business Climate" and states: Champaign County will seek to ensure that it maintains comparable tax rates and fees, and a favorable business climate relative to similar counties.
 - (2) Objective 3.2 is entitled "Efficient County Administration" and states: "Champaign County will ensure that its regulations are administered efficiently and do not impose undue costs or delays on persons seeking permits or other approvals."
 - (3) Objective 3.3 is entitled "County Economic Development Policy" and states: "Champaign County will maintain an updated Champaign County Economic Development Policy that is coordinated with and supportive of the LRMP."
- B. Although the proposed rezoning is *NOT DIRECTLY RELEVANT* to any of these objectives, the proposed rezoning will allow the Petitioners to grow their trucking business on the subject property with proper zoning and to continue to serve residents of Champaign County and therefore the proposed rezoning can be said to *HELP ACHIEVE* Goal 3.
- <u>C.</u> At the June 29, 2017 public hearing, Joe Pisula presented on behalf of the Edgewood Subdivision Homeowners' Association. He stated that the petitioner will be able to continue business operations, but the Edgewood property values will decline, assessments in Edgewood will drop, and the County will get less tax revenue from Edgewood. He said that the HOA strongly disagrees with the position that the manufactured home park expansion will achieve Goal 3 – Prosperity.
- 13. LRMP Goal 4 is entitled "Agriculture" and states:

Champaign County will protect the long term viability of agriculture in Champaign County and its land resource base.

Goal 4 has 9 objectives and 22 policies. The proposed amendment will *NOT IMPEDE* the achievement of Goal 4.

14. LRMP Goal 5 is entitled "Urban Land Use" and states as follows:

Champaign County will encourage urban development that is compact and contiguous to existing cities, villages, and existing unincorporated settlements.

Goal 5 has 3 objectives and 15 policies. The proposed amendment will *HELP ACHIEVE* Goal 5 for the following reasons:

A. Objective 5.1 states, "Champaign County will strive to ensure that the preponderance of population growth and economic development is accommodated by new *urban development* in or adjacent to existing population centers."

The proposed rezoning will *HELP ACHIEVE* Objective 5.1 because of the following:

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- (1) Policy 5.1.3 states, "The County will consider municipal extra-territorial jurisdiction areas that are currently served by or that are planned to be served by an available public sanitary sewer service plan as contiguous urban growth areas which should develop in conformance with the relevant municipal comprehensive plans. Such areas are identified on the Future Land Use Map." The proposed rezoning will *HELP ACHIEVE* Policy 5.1.3 for the following reasons:
 - a. The *Land Resource Management Plan* defines "urban land use" as generally any land use that is connected and served by a public sanitary system and "urban development" is defined as the construction, extension, or establishment of a land use that requires or is best served by a connection to a public sanitary system.
 - b. The subject property is connected to public sanitary sewer and a public water supply.
 - c. The subject property is completely surrounded by urban development.
 - d. On the LRMP map "Future Land Use 2030", the subject property is within the City of Urbana 1.5 mile extra-territorial jurisdiction.
 - e. The City of Urbana Comprehensive Plan Future Land Use Map #6, adopted April 11, 2005, shows the subject property in a multi-family future land use with a community business use south of the manufactured home park.
- B. Objective 5.3 states, "Champaign County will oppose proposed new urban development unless adequate utilities, infrastructure, and public services are provided."

The proposed rezoning will HELP ACHIEVE Objective 5.3 because of the following:

- (1) Policy 5.3.1 states, **"The County will:**
 - a. require that proposed new urban development in unincorporated areas is sufficiently served by available public services and without undue public expense; and
 - b. encourage, when possible, other jurisdictions to require that proposed new urban development is sufficiently served by available public services and without undue public expense."

The proposed rezoning will *HELP ACHIEVE* Policy 5.3.1 because the site already receives public services for an existing use.

- (2) Policy 5.3.2 states, "The County will:
 - a. require that proposed new urban development, with proposed improvements, will be adequately served by public infrastructure, and that related needed improvements to public infrastructure are made without undue public expense; and
 - b. encourage, when possible, other jurisdictions to require that proposed new urban development, with proposed improvements, will be adequately

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served by public infrastructure, and that related needed improvements to public infrastructure are made without undue public expense."

The proposed rezoning will *HELP ACHIEVE* Policy 5.3.2 because the petitioners plan to invest in road and utilities infrastructure when expanding the manufactured home park.

- C. The proposed amendment will *NOT IMPEDE* the achievement of Objective 5.2 and Policies 5.1.1, 5.1.2, 5.1.4, 5.1.5, 5.1.6, 5.1.7, 5.1.8, 5.1.9, 5.2.1, 5.2.2, 5.2.3, and 5.3.3.
- 15. LRMP Goal 6 is entitled "Public Health and Safety" and states as follows:

Champaign County will ensure protection of the public health and public safety in land resource management decisions.

Goal 6 has 4 objectives and 7 policies. The proposed amendment will *NOT IMPEDE* the achievement of Goal 6.

16. LRMP Goal 7 is entitled "Transportation" and states as follows:

Champaign County will coordinate land use decisions in the unincorporated area with the existing and planned transportation infrastructure and services.

Goal 7 has 2 objectives and 7 policies. The proposed amendment {WILL / WILL NOT} HELP ACHIEVE Goal 7 for the following reasons:

- A. Objective 7.1 states, "Champaign County will consider traffic impact in all land use decisions and coordinate efforts with other agencies when warranted." The proposed rezoning {WILL / WILL NOT} HELP ACHIEVE Objective 7.1 because of the following:
 - (1) Policy 7.1.1 states, "The County will include traffic impact analyses in discretionary review development proposals with significant traffic generation."

The proposed rezoning **{WILL / WILL NOT} HELP ACHIEVE** Policy 7.1.1 because:

- *a. The subject property is off East University Avenue/IL 130/US 150, approximately 1 mile west of High Cross Road/IL 130 and 1.3 miles east of US 45 North (Cunningham Avenue) in Urbana.
 - (a) East University Avenue in the vicinity of the subject property is a 3lane concrete urban cross section with curb and gutter. The pavement width is about 40 feet.
 - (b) North Smith Road to the north of University Avenue is a 2 lane collector with no shoulders, curb or gutter, which ranges from 22 to 28 feet wide.
- *b. The traffic generated by the proposed use will increase with the addition of 21 home sites.

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- (a) Generally the Zoning Department assumes 10 vehicle trips per day for a residence. The proposed 21 new home sites would thus increase traffic by about 210 trips per day.
- *c. The petitioners propose opening a second access on North Smith Road, which would increase traffic at the intersection of East University Avenue and North Smith Road.
 - *(a) The Urbana Township Road Commissioner has been notified of this case, and provided the following comments:
 - Mr. Prather called the P&Z Department on June 21, 2017, to express opposition to the new road access to North Smith Road at Slayback Street. He asked if parking would be allowed on the 20 feet wide proposed private access drive; Susan Burgstrom told him that the Zoning Ordinance does not allow on-street parking for a 20 feet wide street.
 - *ii. At the June 29, 2017 public hearing, Mr. Prather stated that one of his concerns is the proposed entrance off Slayback Street to North Smith Road. He said he understands the safety reason for the new access, and maybe the gated entrance activated by fire and police only would be the way to go. Mr. Prather said that he is concerned about more traffic on Slayback Street at Smith Road; he said that Smith Road is really not a wide street, and he is afraid the residents in the park will use Smith Road more often. He said that people travel the fastest, easiest way, so there is going to be a lot more traffic on Smith Road. Mr. Prather said that it is sometimes hard to get onto University Avenue from North Smith Road with the traffic in the mornings and evenings. He said that earlier someone mentioned going to the Apple Dumplin'. He said that people will head east to Wal-Mart, Aldi, etc.
 - *(b) Mr. Tim Johnson called the P&Z Department on June 21, 2017 on behalf of some residents in the Edgewood Subdivision (east of the subject property). They are opposed to the proposed road connecting to North Smith Road at Slayback Street.
 - *(c) Based on comments received prior to and during the June 29, 2017, public hearing, the petitioner proposes adding a siren actuated gate at the proposed north entrance, which will be closed except when an emergency siren opens the gate; this will mitigate increased traffic concerns at North Smith Road.
- d. As reviewed in related Case 870-S-17 regarding the general traffic conditions at this location and the level of existing traffic and the likely increase from the proposed Special Use:
 - *(a) The Illinois Department of Transportation measures traffic on various roads throughout the County and determines the annual average 24-hour traffic volume for those roads and reports it as Average Daily Traffic

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(ADT). The most recent ADT data is from 2015-2016 in the vicinity of the subject property.

- *i. East University Avenue had an ADT of 13,100 east of North Smith Road in 2015.
- *ii. North Smith Road to the north of University Avenue had an ADT of 800 in 2016. North Smith Road to the south of University Avenue had an ADT of 5,900 in 2016.
- *(b) The Illinois Department of Transportation's *Manual of Administrative Policies of the Bureau of Local Roads and Streets* provides ideal design criteria for new construction/reconstruction.
 - *i. Regarding East University Avenue:
 - *(a) The 40 feet width for an existing urban two-way, two lane arterial would equate to a maximum recommended twoway design hourly volume (DHV) of no more than 1,250, roughly equivalent to an ADT of 10,400. However, this section of University Avenue has a dual left middle turn lane, which increases traffic flow so that it functions more like a 4-lane cross section. A 4-lane cross section would be designed for an ADT of 10,400 to 17,000.
 - *(b) Staff believes that East University Avenue operates within its design capacity, and that the proposed increase would still function at an acceptable level, although no formal Traffic Impact Analysis has been done.
 - *ii. Regarding North Smith Road:
 - *(a) Rural two-lane collectors with an ADT of 800 should have a minimum 4 feet wide shoulder. North Smith Road does not have shoulders but does have wide grass areas on both sides.
 - *(b) A 22 feet wide pavement width with a minimum 4 feet wide shoulder would be designed for an ADT of 400 to 2000.
 - *(c) Staff believes that North Smith Road operates within its design capacity, and that the proposed increase would still function at an acceptable level, although no formal Traffic Impact Analysis has been done.
- B. The proposed amendment will *NOT IMPEDE* the achievement of Objective 7.2 and Policies 7.2.1, 7.2.2, 7.2.3, 7.2.4, 7.2.5, and 7.2.6.
- 17. LRMP Goal 8 is entitled "Natural Resources" and states as follows:

Champaign County will strive to conserve and enhance the County's landscape and natural resources and ensure their sustainable use.

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Goal 8 has 9 objectives and 36 policies. Objectives 8.1, 8.2, 8.3, 8.5, 8.6, 8.7, 8.8, and 8.9 and the subsidiary policies are not relevant to the proposed amendment.

The proposed amendment will HELP ACHIEVE Goal 8 for the following reasons:

- A. Objective 8.4 states, "Champaign County will work to ensure that new development and ongoing land management practices maintain and improve surface water quality, contribute to stream channel stability, and minimize erosion and sedimentation." Policies 8.4.1, 8.4.3 and 8.4.4 are not relevant to the proposed amendment. The proposed rezoning will *HELP ACHIEVE* Objective 8.4 because of the following:
 - (1) Policy 8.4.2 states, "The County will require storm water management designs and practices that provide effective site drainage, protect downstream drainage patterns, minimize impacts on adjacent properties and provide for stream flows that support healthy aquatic ecosystems."

The proposed rezoning will *HELP ACHIEVE* Policy 8.4.2 for the following reasons:

- *a. A Storm Water Drainage Plan with detention is required because there is more than one acre of impervious area added in the new development.
- *b. The Storm Water Drainage Plan completed by Farnsworth Group and received January 27, 2017, includes one Large and one Small detention basin in the northeast corner of the subject property.
 - *(a) Farnsworth Group concluded that "the results of the analysis demonstrate that adequate detention storage volume is provided for the proposed expansion of the Woodland Acres Mobile Home Site. The results of the storm routing indicates that the allowable peak discharges required by both IDOT and Champaign County will not be exceeded once the site has been constructed as proposed."
 - *(b) The Department of Planning and Zoning contracted with independent engineering consultant Berns, Clancy and Associates to review the drainage plan. They concluded that "the volume of storm water detention required for the expansion of Woodland Acres Mobile Home Park was correctly determined using a critical duration analysis. An area of the proposed development will be rerouted from draining to an existing storm sewer, to draining through a detention basin before the water outlets to a roadside ditch, which may ease the pressure on the existing system. The outlet popes for each basin appear to have been sized correctly, as long as the clogging issue is properly dealt with for the 5-inch diameter outlet of the Small Basin. The overall proposed plan does appear to benefit the community. At this time, the plan needs a few changes or further explanations to meet the Champaign County Storm Water Management Regulations."
- *c. The Storm Water Pollution Prevention Plan (SWPPP) received January 27, 2017, indicates the following:
 - *(a) The subject property is not in the mapped floodplain, per FEMA FIRM panel 17019C0431D.

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- *(b) "The critical area of the site is the existing drainage ditch within the IDOT right-of-way to the north of the project site. This ditch must remain clean and active at all times."
- *(c) The project will require a Land Disturbance and Erosion Control Permit from the P&Z Department; a storm water discharge permit from the Illinois Department of Transportation; and a NPDES permit from the Illinois Environmental Protection Agency.
 - i. Farnsworth Group has completed a LDEC permit for the P&Z Department, the IDOT permit, and a Notice of Intent for the IEPA NPDES permit.
- *d. The Erosion and Sediment Control Plan (ESCP) received January 27, 2017, indicates what measures will be taken during construction to ensure that neighboring land will not be impacted by runoff and erosion.
- *e. <u>At the June 29, 2017 public hearing, Jim Prather, Urbana Township Highway</u> <u>Commissioner, testified that his biggest concern is the drainage and storm</u> retention. He asked if the petitioners planned to drain out on the state highway <u>right-of-way. Mr. Prather stated that some of the drainage goes out toward I-</u> 74 and there is a big issue that it drains down the state's right-of-way to a catch basin at John Street and McGee Street. He said there is a 3 foot wall there, and the tile on the State's right-of-way cannot handle the storm water and it overflows over the 3 foot wall into McGee Street in Edgewood. He said it has overflowed many times. Mr. Prather stated that another concern he has is that there is another storm drain at Smith Road and Slayback Street, at the dead-end of North Smith Road. He said that as far as he is concerned, that is the west end of Edgewood's storm drain, and they do not need anything else hooked on to cause a problem of improper drainage in the subdivision.
- B. The petitioner submitted an initial review of the subject property using IDNR's EcoCAT online mapping tool received January 24, 2017, which showed no record of State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location.
- 18. LRMP Goal 9 is entitled "Energy Conservation" and states as follows:

Champaign County will encourage energy conservation, efficiency, and the use of renewable energy sources.

The proposed amendment will *NOT IMPEDE* the achievement of Goal 9.

19. LRMP Goal 10 is entitled "Cultural Amenities" and states as follows:
 Champaign County will promote the development and preservation of cultural amenities that contribute to a high quality of life for its citizens.

The proposed amendment *WILL NOT IMPEDE* the achievement of Goal 10.

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GENERALLY REGARDING THE LASALLE FACTORS

- 20. In the case of *LaSalle National Bank of Chicago v. County of Cook* the Illinois Supreme Court reviewed previous cases and identified six factors that should be considered in determining the validity of any proposed rezoning. Those six factors are referred to as the *LaSalle* factors. Two other factors were added in later years from the case of *Sinclair Pipe Line Co. v. Village of Richton Park.* The *Champaign County Zoning Ordinance* does not require that map amendment cases be explicitly reviewed using all of the *LaSalle* factors but it is a reasonable consideration in controversial map amendments and any time that conditional zoning is anticipated. The proposed map amendment compares to the *LaSalle* and *Sinclair* factors as follows:
 - A. *LaSalle* factor: The existing uses and zoning of nearby property. Table 1 below summarizes the land uses and zoning of the subject property and nearby properties.

		8 2
Direction	Land Use	Zoning
 Onsite	Manufactured Home Park	R-1 Single Family Residence, B-2 Neighborhood Business, and R-5 MHP
North	vacant land to the northwest and a MHP directly north	R-4 Multiple Family Residence and R-5 Manufactured Home Park
East	Residential	R-1 Single Family Residence
West	Commercial (Casey's)	B-2 Neighborhood Business
 South	Residential and commercial	B-2 Neighborhood Business, R-5 Manufactured Home Park, and R-1 Single Family Residence

Table 1. Land Use and Zoning Summary

- B. *LaSalle* factor: The extent to which property values are diminished by the particular zoning restrictions. Regarding this factor:
 - (1) It is impossible to establish values without a formal real estate appraisal, which has not been requested nor provided, and so any discussion of values is necessarily general.
 - (2) This area is primarily residential and commercial in use; the subject properties have been in use as a Manufactured Home Park since the 1960s.
 - (3) Regarding the value of nearby residential properties:
 - a. The traffic generated by the proposed additional home sites will increase.
 - b. <u>At the June 29, 2017 public hearing, the Edgewood Subdivision Homeowners'</u> <u>Association presentation by Joe Pisula expressed concerns about diminished</u> <u>property values in their neighborhood if the rezoning and park expansion are</u> <u>approved.</u>
 - (a) The presentation included current market values for homes along the east side of North Smith Road, but no other appraisal information has been provided to support the claim of diminished property values.

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- C. *LaSalle* factor: The extent to which the destruction of property values of the plaintiff will promote the health, safety, morals, and general welfare of the public. Regarding this factor:
 - (1) There has been no evidence submitted regarding property values.
 - (2) This area is primarily residential and commercial in use; the subject properties have been in use as a Manufactured Home Park since the 1960s.
- D. *LaSalle* factor: The relative gain to the public as compared to the hardship imposed on the individual property owner. Regarding this factor:
 - (1) The proposed rezoning will provide additional lower cost housing opportunities for the community.
 - *(2) Regarding public comments on the proposed rezoning and special use permit with waivers:
 - *a. Fred Wahlfeldt, who resides at 208 Ira Street, called on June 19, 2017, to express opposition to the proposed plans.
 - *b. Mr. Tim Johnson called the P&Z Department on June 21, 2017 on behalf of some residents in the Edgewood Subdivision (east of the subject property). They are opposed to the proposed road connecting to North Smith Road at Slayback Street.
 - *c. <u>The Urbana Township Highway Commissioner has been notified of this case,</u> <u>and has provided the following comments:</u>
 - (a) Jim Prather called the P&Z Department on June 21, 2017, to express opposition to the new road access to North Smith Road at Slayback Street. He asked if parking would be allowed on the 20 feet wide proposed private access drive; Susan Burgstrom told him that the Zoning Ordinance does not allow on-street parking for a 20 feet wide street.
 - At the June 29, 2017 public hearing, Mr. Prather testified that one of his (b) concerns is the proposed entrance off Slavback Street to North Smith Road. He said he understands the safety reason for the new access, and maybe the gated entrance activated by fire and police only would be the way to go. He stated that his biggest concern is the drainage and storm retention. He asked if the petitioners planned to drain out on the state highway right-of-way. Mr. Prather stated that some of the drainage goes out toward I-74 and there is a big issue that it drains down the state's right-of-way to a catch basin at John Street and McGee Street. He said there is a 3 foot wall there, and the tile on the State's right-ofway cannot handle the storm water and it overflows over the 3 foot wall into McGee Street in Edgewood. He said it has overflowed many times. Mr. Prather stated that another concern he has is that there is another storm drain at Smith Road and Slayback Street, at the dead-end of North Smith Road. He said that as far as he is concerned, that is the west end of Edgewood's storm drain, and they do not need anything else hooked on to cause a problem of improper drainage in the

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subdivision. Mr. Prather responded that he is concerned about more traffic on Slayback Street at Smith Road; he said that Smith Road is really not a wide street, and he is afraid the residents in the park will use Smith Road more often. He said that people travel the fastest, easiest way, so there is going to be a lot more traffic on Smith Road. Mr. Prather said that it is sometimes hard to get onto University Avenue from North Smith Road with the traffic in the mornings and evenings. He said that earlier someone mentioned going to the Apple Dumplin'. He said that people will head east to Wal-Mart, Aldi, etc.

- *d. <u>The following testimony was received at the June 29, 2017 public hearing:</u>
 - *(a) Mr. Joe Pisula, on behalf of the Edgewood Subdivision Homeowners' Association, gave a presentation using PowerPoint slides. The presentation was handed out at the hearing and was submitted as a Document of Record. The presentation will also be described in the minutes of the June 29, 2017 ZBA meeting. Generally, he discussed their concerns about increased traffic, improving the aesthetic of the park, encroachments on other properties, decreasing property values, maintaining a visual barrier between their subdivision and Woodland Acres, potential drainage problems, potential damage from severe storms, and how the HOA generally opposes the rezoning and special use/waivers requests.
 - *(b) Sue Moody, 2405 Elizabeth Street, Urbana, stated that she fully agrees with Mr. Pisula's presentation, and that her biggest concern is the street that connects to Slayback Street.
 - *(c) Mark Moody, 706 McGee Road, stated that Mr. Pisula's presentation pretty much said it for him. He said that he would add that, like his mom Sue said, regarding connecting the two streets, we have a lot of kids and retirees riding bikes, and people come from other neighborhoods to ride bikes. He said the neighborhood is very peaceful, everyone drives slowly, and they want to keep it that way.
 - *(d) Katherine Schneider, 208 Carrie Avenue, Urbana, stated that a big concern of hers is the traffic along Smith Road, because there is an MTD bus stop close to the end of Carrie Avenue on Smith Road. She said the stop is on the east side of Smith Road, where there is no sidewalk, and that the stop is there for middle schoolers to catch the bus. She said there are groups of kids in the mornings on the street. Mrs. Schneider stated that the stop is on a regular schedule in the mornings and in the afternoon, and it is a deviated schedule from a regular route.
- E. *LaSalle* factor: The suitability of the subject property for the zoned purposes. The subject property is suitable for the zoned purposes. The subject property has been a manufactured home park since 1960 and cannot be converted back to agricultural production.

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- F. *LaSalle* factor: The length of time the property has been vacant as zoned considered in the context of land development in the vicinity of the subject property. Regarding this factor:
 - (1) The subject property continues to be in use as a Manufactured Home Park.
 - (2) The subject property and its surroundings have maintained the same uses for years.
- G. *Sinclair* factor: The need and demand for the use. Regarding this factor:
 - (1) If the petitioners did not perceive a demand in the local market for this type of housing, they would not seek to expand the existing manufactured home park.
- H. Sinclair factor: The extent to which the use conforms to the municipality's comprehensive planning. The ZBA has recommended that the proposed rezoning {WILL/WILL NOT} HELP ACHIEVE the Champaign County Land Resource Management Plan.
- I. Overall, the proposed map amendment {**IS / IS NOT**} **CONSISTENT** with the LaSalle and Sinclair factors.

REGARDING THE PURPOSE OF THE ZONING ORDINANCE

- 21. The proposed amendment **{WILL / WILL NOT} HELP ACHIEVE** the purpose of the Zoning Ordinance as established in Section 2 of the Ordinance for the following reasons:
 - A. Paragraph 2.0 (a) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to secure adequate light, pure air, and safety from fire and other dangers.
 - (1) This purpose is directly related to the limits on building coverage and the minimum yard requirements in the Ordinance and the proposed site plan, if approved with the required waivers, appears to be in compliance with those requirements.
 - *(2) <u>Regarding fire protection on the subject property, the subject property is located</u> <u>within the Edge-Scott Fire Protection District. The Fire Chief has been notified of</u> <u>this case and made the following comments:</u>
 - *a. In a phone call with Susan Burgstrom, Chief Thuney discussed the following:
 *(a) He has not seen any plan from the petitioner's engineer, Farnsworth Group.
 - *(b) He is opposed to the waivers in related Special Use Case 870-S-17, with one reason being that recent fires took out 3 trailers based on their proximity to one another.
 - *b. In a letter received June 29, 2017, and distributed as an attachment to Supplemental Memorandum #1 at the June 29, 2017 public hearing, Chief Thuney expressed his opposition to approval of the current zoning cases. He also stated, "the Edge-Scott Fire Protection District would remain neutral for the expansion of the mobile home park provided the appropriate Champaign County ordinances are followed and additional concerns for fire hydrants being installed in the mobile park were agreed to as part of the expansion."

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- During the June 29, 2017 public hearing, Chief Thuney testified the following: *с. *(a) Chief Thuney stated that he came into this case pretty late in the process, and that the Edge-Scott Fire Protection District was not included in many of the discussions that occurred. He said that he feels he is way behind and has not had a chance to review all the materials that were provided. He stated that he would like to point out that his concerns for the trailer park go beyond the new expansion; they go to the trailer park as a whole. He stated that in discussions with the board members for the District, they are not in favor of allowing the variances on the older section of the park. He said that with a new water main proposed, it would be a perfect time to extend that into the rest of the park to provide adequate water supply for fire protection for the entire park, not just the new section. He stated that the fire hydrants actually have to be approved by the Edge-Scott Fire Protection District Board of Trustees, because they pay the bill for those hydrants. He stated the Board of Trustees has not been approached about whether they are willing to pay for new hydrants. He said that he needs further time to study this to come back to the ZBA with areas of concern, possibly areas of agreement. He stated that he thinks Mike Friend's consultations with City of Urbana Fire Chief Nightlinger have been productive, but Edge-Scott Fire Protection District is the primary first responder for Woodland Acres. Edge-Scott will respond for medical, fires, gas leaks, whatever, and will be the first out the door and hopefully the first ones there working fires, and they do get assistance from the City of Urbana and Carroll Fire Protection District when needed. He stated he thinks it was a huge misstep on the part of the petitioner to not include Edge-Scott FPD in the decision-making process.
- *d. The City of Urbana Fire Chief was contacted by Farnsworth Group engineer Mike Friend; in an email received June 29, 2017, Mike Friend communicated the following information from his meeting with Chief Nightlinger:
 *(a) The Chief has been coordinating the discussions about this project
 - from the beginning, as far back as 2015, with the Edge-Scott Fire Department, which is the fire department for Woodland Acres.
 - *(b) Chief Nightlinger is greatly encouraged by the proposed project because it will provide new hydrants in the park and the proposed addition of a hydrant at the Dale Lane intersection with the expansion area will provide a fire hydrant for use inside the park near the existing underserved area.
 - *(c) The source of the Chief's requirements for this project are found in 2 documents:
 - (a) The City of Urbana 2009 Model Codes Adopting Ordinancesection F-506.4
 - (b) The 2009 International Fire Code, Appendix D

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- *(d) These references are the source of the requirement for a second entrance to the park - specifically section D106.1 of the 2009 IFC.
- *(e) "NO PARKING FIRE LANE" signs need to be posted in the park expansion area. If posted, law enforcement personnel can enforce the parking ban on the internal streets of the park.
- *(f) The Chief finds the use of a "siren actuated gate" acceptable for this situation, and he referenced section D103.5 of the 2009 IFC and section F-506.4 of the 2009 Urbana Model Codes Adopting Ordinance, in support of that position.
- *B. Paragraph 2.0 (b) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to conserve the value of land, BUILDINGS, and STRUCTURES throughout the COUNTY.
 - *(1) Provided that the special conditions of approval sufficiently mitigate or minimize any incompatibilities between the proposed Special Use Permit and adjacent properties, there should be no significant effect on the value of nearby properties.
 - *(2) At the June 29, 2017 public hearing, the Edgewood Subdivision Homeowners' Association presentation by Joe Pisula expressed concerns about diminished property values in their neighborhood if the rezoning and park expansion are approved.
 - a. The presentation included current market values for homes along the east side of North Smith Road, but no other appraisal information has been provided to support the claim of diminished property values.
 - *(3) In regards to the value of the subject property, it is not clear if the requested Special Use Permit would have any effect. Regarding the effect on the value of the subject property:
 - *a. The subject property has been a manufactured home park since 1960; if the rezoning is denied, the existing home sites can continue to be used but no new sites will be permitted.
- C. Paragraph 2.0 (c) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to lessen and avoid congestion in the public streets.

The proposed rezoning {**WILL / WILL NOT**} lessen and avoid congestion in the public streets as follows:

- (1) Probable traffic impacts are reviewed under Policy 7.1.1.
- (2) Staff believes that area roads would still function at an acceptable level, although no formal Traffic Impact Analysis has been done.
- *D. Paragraph 2.0 (d) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to lessen and avoid hazards to persons and damage to property resulting from the accumulation of runoff of storm or flood waters.

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A Storm Water Drainage Plan, Storm Water Pollution Prevention Plan, Erosion and Sediment Control Plan, and related permits have been filed with the appropriate agencies. An independent consultant determined that the Storm Water Drainage Plan will meet the drainage needs of the area when the manufactured home park expansion is complete.

- *E. Paragraph 2.0 (e) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to promote the public health, safety, comfort, morals, and general welfare.
 - *(1) In regards to public safety, this purpose is similar to the purpose established in paragraph 2.0 (a) and is in harmony to the same degree.
 - *(2) In regards to public comfort and general welfare, this purpose is similar to the purpose of conserving property values established in paragraph 2.0 (b) and is in harmony to the same degree.
 - (3) Public comments received for this case are included under Item 20.D.
- F. Paragraph 2.0 (f) states that one purpose of the Ordinance is regulating and limiting the height and bulk of BUILDINGS and STRUCTURES hereafter to be erected; and paragraph 2.0 (g) states that one purpose is establishing, regulating, and limiting the BUILDING or SETBACK lines on or along any STREET, trafficway, drive or parkway; and paragraph 2.0 (h) states that one purpose is regulating and limiting the intensity of the USE of LOT AREAS, and regulating and determining the area of OPEN SPACES within and surrounding BUILDINGS and STRUCTURES.

These three purposes are directly related to the limits on building height and building coverage and the minimum setback and yard requirements in the Ordinance and the proposed site plan appears to be in compliance with those limits, contingent upon approval of the related waivers in Case 870-S-17.

*G. Paragraph 2.0 (i) of the Ordinance states that one purpose of the Ordinance is classifying, regulating, and restricting the location of trades and industries and the location of BUILDINGS, STRUCTURES, and land designed for specified industrial, residential, and other land USES; and paragraph 2.0 (j.) states that one purpose is dividing the entire COUNTY into DISTRICTS of such number, shape, area, and such different classes according to the USE of land, BUILDINGS, and STRUCTURES, intensity of the USE of LOT AREA, area of OPEN SPACES, and other classification as may be deemed best suited to carry out the purpose of the ordinance; and paragraph 2.0 (k) states that one purpose is fixing regulations and standards to which BUILDINGS, STRUCTURES, or USES therein shall conform; and paragraph 2.0 (l) states that one purpose is prohibiting USES, BUILDINGS, OR STRUCTURES incompatible with the character of such DISTRICT.

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

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

The Petitioners seek to bring the existing manufactured home park into compliance by applying for the rezoning and a Special Use Permit. They also seek waivers in order to bring the property into full compliance.

*I. Paragraph 2.0 (n) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to protect the most productive agricultural lands from haphazard and unplanned intrusions of urban uses.

The proposed rezoning *WILL* protect the most productive agricultural lands from haphazard and unplanned intrusions of urban uses as follows:

- (1) The proposed Special Use in related Case 870-S-17 meets the definition of "urban land use" as defined in the Appendix to Volume 2 of the Champaign County Land Resource Management Plan.
- (2) The ZBA has recommended that the proposed rezoning will *NOT IMPEDE* Goal 4 Agriculture of the Champaign County Land Resource Management Plan.
- (3) The subject property has been a manufactured home park since the 1960s. No agricultural land will be taken out of production.
- *J. Paragraph 2.0 (o) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to protect natural features such as forested areas and watercourses.

The subject property does not contain any natural features.

- *K. Paragraph 2.0 (p) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to encourage the compact development of urban areas to minimize the cost of development of public utilities and public transportation facilities.
 - *(1) The proposed Special Use in related Case 870-S-17 meets the definition of either "urban development" or "urban land use" as defined in the Appendix to Volume 2 of the Champaign County Land Resource Management Plan.
 - *(2) The proposed development will not require investment in additional public utilities other than the developer connecting to existing utility and transportation infrastructure and the purchase of fire hydrants, which will be coordinated between the petitioner and Edge-Scott Fire Protection District.
- *L. Paragraph 2.0 (q) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to encourage the preservation of agricultural belts surrounding urban areas, to retain the agricultural nature of the County, and the individual character of existing communities.

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- *(1) The property is residential, located in a residential area.
- *(2) The proposed use will not take any agricultural land out of production.
- *(3) The proposed use will maintain the character of the existing community.
- *M. Paragraph 2.0 (r) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to provide for the safe and efficient development of renewable energy sources in those parts of the COUNTY that are most suited to their development.

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

REGARDING SPECIAL CONDITIONS OF APPROVAL

22. Proposed Special Conditions of Approval:

No special conditions are currently proposed.

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DOCUMENTS OF RECORD

- 1. Letter from Michael Friend, Engineering Manager, Farnsworth Group, received January 27, 2017, with attachments:
 - А Application for Map Amendment
 - **Application for Special Use Permit** В
 - С Application for Variance
 - D Land Disturbance and Zoning Use Permit Application
 - Stonetown Woodland Acres Mobile Home Park Expansion County Review Drawings for E proposed new home sites dated January 6, 2017
 - F ALTA/NSPS Land Title Survey for existing home sites created by Berns, Clancy and Associates, dated August 26, 2016
 - G EcoCAT online report dated January 24, 2017
 - Η Storm Water Pollution Prevention Plan (SWPPP)
 - **IDOT** Permit for Drainage Outlet Ι
 - J Erosion and Sediment Control Plan (ESCP)
 - Κ Storm Water Drainage Plan
- Email from Michael Friend received November 4, 2016, with attachment: 2.
 - Typical home site diagram А
- 3. Email from Rick Hafer, Illinois Dept. of Public Health, received November 10, 2016, with attachments:
 - Construction permit dated May 10, 1960, for 43 home sites in Wilson Trailer Park А
 - В Construction permit dated January 5, 1970, for 32 home sites in Wilson Trailer Park
- Revised Storm Water Drainage Plan received from Farnsworth Group on February 24, 2017 4.
- 5. Drainage Plan Evaluation from Berns, Clancy and Associates received April 4, 2017
- 6. Revised Expansion County Review Drawings for proposed new home sites received June 5, 2017
- 7. Email from Michael Friend received June 16, 2017, with attachments:
 - Revised Expansion Permit Drawings for proposed new home sites received June 16, 2017, А which includes the following pages:
 - C1.0 Cover Sheet
 - C2.0 General Notes and Legends
 - C3.0 Existing Topography and Demolition Plan
 - C4.0 Grading Plan
 - C5.0 Utility Plan/Sanitary and Storm
 - C6.0 Utility Plan/Water, Gas and Electric
 - C6.1 Plan and Profile Sanitary
 - C7.0 Plan and Profile Sanitary
 - C7.1 Plan and Profile Sanitary
 - C7.2 Plan and Profile Sanitary
 - C7.3 Plan and Profile Sanitary and Sanitary Details
 - C8.0 Standard Sanitary Sewer Details
 - C8.1 Standard Storm Sewer Details

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- C8.2 Standard Water Main Details
- C8.3 Standard Water Main Details
- C8.4 Pavement and Erosion Control Details
- C8.5 Landscape Details and Notes
- B Copy of Illinois Department of Public Health Permit Site Expansion Application packet received June 16, 2017
- 8. Email from Michael Friend received June 20, 2017, with attachment:
 - A Preliminary response from Illinois Department of Public Health regarding Site Expansion Application
- 9. Email from Fred and Sharon Gerth received June 21, 2017
- 10. Preliminary Memorandum dated June 22, 2017, for Cases 869-AM-17 and 870-S-17, with attachments: A Full legal advertisement from June 14, 2017 *News Gazette*
 - B Case Maps (Location, Land Use, Zoning)
 - C Overall Layout Plan by Farnsworth Group, received June 16, 2017
 - D Revised Expansion Permit Drawings for proposed new home sites received June 16, 2017
 - E ALTA/NSPS Land Title Survey for existing home sites created by Berns, Clancy and Associates, received January 27, 2017
 - F EcoCAT online report dated January 24, 2017
 - G Storm Water Drainage Plan received January 27, 2017
 - H Email from Michael Friend received November 4, 2016, with attachment:
 - Typical home site diagram
 - I Email from Rick Hafer, Illinois Department of Public Health, received November 10, 2016, with attachments:
 - Construction permit dated May 10, 1960, for 43 home sites in Wilson Trailer Park
 - Construction permit dated January 5, 1970, for 32 home sites in Wilson Trailer Park
 - J Email from Michael Friend received June 16, 2017, with attachment:
 - Copy of Illinois Department of Public Health Permit Site Expansion Application packet received June 16, 2017
 - K Email from Fred and Sharon Gerth received June 21, 2017
 - L LRMP Land Use Goals, Objectives, and Policies
 - M LRMP Appendix of Defined Terms
 - N Site Images packet
 - O Summary of Evidence, Finding of Fact, and Final Determination for Case 869-AM-17
 - P Summary of Evidence, Finding of Fact, and Final Determination for Case 870-S-17
- 11. Supplemental Memorandum #1 dated June 29, 2017, for Cases 869-AM-17 and 870-S-17, with attachments:
 - A Email from Joe Pisula to IDOT District 5 staff, received by P&Z Staff on June 26, 2017, with attachments:
 - Map of IDOT right-of-way encroachment
 - Map of drainage basin adjacent to IDOT right-of-way
 - B Email from Tony and Jill Blanck received June 27, 2017

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- C Email from Kevin Trapp, IDOT District 5 received June 28, 2017 and email response from petitioner Dax Nolan received June 28, 2017
- Email from Mike Friend received June 28, 2017, with attachment: D
 - Illinois Department of Public Health approval for the proposed 21 home site expansion Email from Lorrie Pearson, City of Urbana, received June 29, 2017
- E F
- Email from David Willcox received June 29, 2017
- Email from Ellen Willcox received June 29, 2017 G
- Email from Mike Friend received June 29, 2017 Η
- Ι Letter from Edge-Scott Fire Protection District dated June 28, 2017
- 1973 aerial photograph of subject property and Edgewood Subdivision J
- Supplemental Memorandum #2 dated August 10, 2017, for Cases 869-AM-17 and 870-S-17, with 12. attachments:
 - A Full legal advertisement from June 14, 2017 News Gazette
 - B Email received July 10, 2017 from Mike Friend, with attachment:
 - approved IDOT permit for the expansion of the drainage system •
 - Report from Mike Friend received August 8, 2017, with attachments C
 - Stonetown Capital Group Other Community Examples 1.
 - <u>2.</u> Xi2 Foundation System specifications
 - 3. Email string between Edge-Scott Fire Protection District Chief Steve Thuney and Mike Friend dated August 2 through August 8, 2017 with Exhibits A and B
 - Exhibit A: Sheet A1 showing proposed siren actuated gate at North Smith Road, and Sheet A2 showing conceptual design of a siren actuated gate
 - Exhibit B: Sheet B1 showing proposed location of an additional fire hydrant
 - Sheet C4.1 showing revised existing lots <u>4.</u>
 - Letter from City of Urbana to Dax Nolen dated September 22, 2016, regarding 5. annexation and sanitary sewer connectivity
 - Exhibit C: 6.
 - Sheet C1 showing proposed location of siren actuated gate and a full height privacy screening fence along North Smith Road
 - Sheet C2 showing conceptual design of a siren actuated gate and side detail
 - Email string between Joe Pisula, Edgewood Sub resident, Dax Nolen, and Mike 7. Friend dated August 3 through August 7, 2017
 - Revised Finding of Fact for Case 869-AM-17 D
 - Revised Summary of Evidence for Case 870-V-17 dated August 17, 2017 Ε

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SUMMARY FINDING OF FACT

From the documents of record and the testimony and exhibits received at the public hearing conducted on **June 29, 2017, and August 17, 2017,** the Zoning Board of Appeals of Champaign County finds that:

- 1. The proposed Zoning Ordinance map amendment **{WILL / WILL NOT} HELP ACHIEVE** the Land Resource Management Plan because:
 - A. Regarding Goal 3 Prosperity:
 - (1) Although the proposed rezoning is *NOT DIRECTLY RELEVANT* to any of the Goal 3 objectives, the proposed rezoning will allow the petitioner to utilize the property somewhat more intensively and continue business operations in Champaign County.
 - (2) Based on achievement of the above and because it will either not impede or is not relevant to the other Objectives and Policies under this goal, the proposed map amendment *WILL HELP ACHIEVE* Goal 3 Prosperity.
 - B. Regarding Goal 5 Urban Land Use:
 - (1) It **WILL HELP ACHIEVE** Objective 5.1 regarding contiguous urban growth areas because it **WILL HELP ACHIEVE** the following:
 - a. Policy 5.1.3 requiring conformance with municipal comprehensive plans for developments propped with a municipality's 1.5 mile extraterritorial jurisdiction.
 - (2) It **WILL HELP ACHIEVE** Objective 5.3 regarding sufficient infrastructure and services for proposed new urban development because it **WILL HELP ACHIEVE** the following:
 - a. Policy 5.3.1 requiring sufficiently available public services for new urban development.
 - b. Policy 5.3.2 requiring proposed new urban development, with proposed improvements, to be adequately served by public infrastructure.
 - (3) Based on achievement of the above Objectives and Policies, the proposed map amendment *WILL HELP ACHIEVE* Goal 5 Urban Land Use.
 - C. Regarding Goal 7 Transportation:
 - The proposed amendment {WILL/ WILL NOT} HELP ACHIEVE Goal 7 Transportation because it {WILL/ WILL NOT} HELP ACHIEVE the following:
 - a. Policy 7.1.1 requiring traffic impact analyses for projects with significant traffic generation.
 - D. Regarding Goal 8 Natural Resources:
 - (1) The proposed amendment will *HELP ACHIEVE* Goal 8 because it will *HELP ACHIEVE* the following:
 - a. Policy 8.4.2 requiring storm water management designs and practices that provide effective site drainage, protect downstream drainage patterns, minimize impacts on adjacent properties and provide for stream flows that support healthy aquatic ecosystems.

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- E. The proposed amendment *WILL NOT IMPEDE* the following LRMP goal(s):
 - Goal 1 Planning and Public Involvement
 - Goal 2 Governmental Coordination
 - Goal 4 Agriculture
 - Goal 6 Public Health and Public Safety
 - Goal 9 Energy Conservation
 - Goal 10 Cultural Amenities
- F. Overall, the proposed map amendment *will HELP ACHIEVE* the Land Resource Management Plan.
- 2. The proposed Zoning Ordinance map amendment {**IS / IS NOT**} **CONSISTENT** with the *LaSalle* and *Sinclair* factors because of the following:
 - A. It is impossible to establish property values without a formal real estate appraisal, which has not been requested nor provided, and so any discussion of values is necessarily general.
 - B. There has been no evidence submitted regarding property values. This area is primarily residential and commercial in use, and the subject property has been a manufactured home park since 1960.
 - C. The gain to the public of the proposed rezoning would be allow the Petitioner to provide lower cost housing for the community.
 - D. Public comments relevant to the proposed rezoning can be found under Item 20.D.
 - E. The subject property has been a manufactured home park since 1960 and cannot be converted back to agricultural production.
 - F. The subject property is occupied and in use as a manufactured home park.
 - G. The ZBA has recommended that the proposed rezoning **{WILL / WILL NOT} HELP** ACHIEVE the Champaign County Land Resource Management Plan.
- 3. The proposed Zoning Ordinance map amendment {WILL / WILL NOT} HELP ACHIEVE the purpose of the Zoning Ordinance because:
 - A. Establishing the special use as proposed by the Petitioner, which requires rezoning to R-5, {WILL / WILL NOT} lessen and avoid congestion in the public streets (Purpose 2.0 (c) see Item 21.C.).
 - B. Establishing the R-5 District at this location *WILL* lessen and avoid hazards to persons and damage to property resulting from the accumulation of runoff of storm or flood waters (Purpose 2.0 (d) see Item 21.D.).
 - C. Establishing the R-5 District at this location *WILL* help classify, regulate, and restrict the location of the uses authorized in the R-5 District (Purpose 2.0 (i) see Item 21.G.).

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- D. Establishing the R-5 District in this location *WILL* help protect the most productive agricultural lands from haphazard and unplanned intrusions of urban uses ((Purpose 2.0 (n) Item 21.I).
- E. Establishing the R-5 District at this location *WILL* encourage the preservation of agricultural belts surrounding urban areas (Purpose 2.0 (q) Item 21.L).
- F. The proposed rezoning and proposed Special Use *WILL NOT* hinder the development of renewable energy sources (Purpose 2.0(r) Item 21.M).
- 4. The proposed Zoning Ordinance map amendment is subject to the following special condition:

No special conditions are currently proposed.

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FINAL DETERMINATION

Pursuant to the authority granted by Section 9.2 of the Champaign County Zoning Ordinance, the Zoning Board of Appeals of Champaign County determines that:

The Zoning Ordinance Amendment requested in **Case 869-AM-17** should *{BE ENACTED / NOT BE ENACTED}* by the County Board in the form attached hereto.

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

SIGNED:

ATTEST:

Eric Thorsland, Chair Champaign County Zoning Board of Appeals Secretary to the Zoning Board of Appeals

Date

Case 870-S-17

SUMMARY OF EVIDENCE, FINDING OF FACT AND FINAL DETERMINATION of Champaign County Zoning Board of Appeals

Final Determination:	{GRANTED/GRANTED WITH SPECIAL CONDITIONS/DENIED}		
Date:	{August 17, 2017}		
Petitioners:	Stonetown Woodland Acres LLC, via agent Michael Friend		
Request:	SE 870-S-17 horize the establishment and use of a manufactured home park with 93 existing and additional 21 proposed manufactured home sites in the R-5 Manufactured Home k Zoning District, contingent upon the rezoning of the eastern 150 feet of the subject perty from R-1 Single Family Residence to R-5 Manufactured Home Park and from Neighborhood Business to R-5 Manufactured Home Park for the 1.66 acre lot on west end of the subject property in related case 869-AM-17, and also subject to the owing required waivers on the subject property described below:		
	Part A: Authorize a waiver from Section 6.2.1 C.2., for a Site Plan that does not include the number, location, and size of all Manufactured Home Sites.		
	Part B: Authorize a waiver for a setback of 0 feet between a manufactured home stand and a manufactured home park exterior boundary that faces a state or US highway or a major street in lieu of the minimum required 45 feet, per Section 6.2.2 C.1.a. for existing home sites 1 through 10, 48, and 49, and proposed home sites 94 through 98.		
	Part C: Authorize a waiver for 9 Manufactured Home Sites for each gross acre of land in lieu of the maximum allowed 8 Manufactured Home Sites for each gross acre of land, per Section 6.2.2 B.		
	Part D: Authorize a waiver for a setback of 0 feet between a manufactured home stand and a manufactured home park exterior boundary that faces a township road or minor street in lieu of the minimum required 25 feet, per Section 6.2.2 C.1.c. for existing home sites 88 through 93.		
	Part E: Authorize a minimum rear yard of 0 feet in lieu of the minimum required 15 feet, per Section 6.2.2 C.2. for existing home sites 1 through 10, 47, 48, 50, 52, 55, 57, 58, 64, 89, and 91.		
	Part F: Authorize a Manufactured Home Park with 3 percent of the gross site area in lieu of the minimum required 8 percent and parcels of recreation space that are at least 3,985 square feet in lieu of the minimum required 6,000 square feet, per Section 6.2.2 D.		

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Part G: Authorize a waiver from Section 6.2.2 E.1., for a Site Plan that does not include the limits of each Manufactured Home Site.

Part H: Authorize a minimum setback (yard) of 2 feet in lieu of 15 feet between the manufactured home and the manufactured home site boundary adjacent to private accessways, per Section 6.2.2 E.2.a. for proposed home site 114 and existing home sites 1 through 93 <u>except</u> home sites 27, 48, 64, 70, 71, and 72.

Part I: Authorize a minimum setback (yard) of 8 feet in lieu of 20 feet between the entrance side of the manufactured home and the manufactured home site boundary, per Section 6.2.2 E.2.b. for existing home sites 1 through 93 <u>except</u> home sites 1, 19, 27, 28, 39 through 44, 47, 66, 73, 74, 75, 77, 79, and 81.

Part J: Authorize a minimum setback (rear and side yards) of 0 feet in lieu of the minimum required 10 feet, per Section 6.2.2 E.2.c. for existing home sites 1 through 93 <u>except</u> home sites 11, 27, 47, 65, and 74.

Part K: Authorize a minimum manufactured home site of 1,600 square feet in area in lieu of the minimum required 3,200 square feet, per Section 6.2.2 E.3. for existing home sites 1 through 9, 13 through 18, 21, 29 through 38, 40, 41, 45, 46, 52 through 64, 67, 68, 74 through 77, 80, 85 and 86.

Part L: Authorize no outdoor paved living space in lieu of an outdoor living space of at least 160 square feet with a minimum dimension of 8 feet, per Section 6.2.2 E.5. for existing home sites 1 through 93.

Part M:Authorize no improved off-street parking spaces for each existing manufactured home site in lieu of the minimum required two improved off-street parking spaces, per Section 6.2.2 E.7. for existing home sites 7, 8, 13, 14, 15, 18, 29, 30, 33, 34, 37, 38, 46, 53, 54, and 67.

Part N: Authorize a minimum pavement width of 18 feet for existing private accessways in lieu of the minimum required 24 feet for minor streets, per Section 6.2.2 F.5.

Part O: Authorize a waiver from Section 6.2.2 F.6., with respect to paving materials, curbs and gutters, grading, intersections, offsets, and radii of curvature, that the provisions of the Subdivision Ordinance shall apply to existing private accessways.

Part P: Authorize electrical service to the existing street lighting system to be located above ground in lieu of underground, per Section 6.2.2 G.2.

Part Q: Authorize a waiver for the electrical system for all existing homes, any used homes that will replace existing homes, and for the electrical distribution system to existing homes, to comply with the latest edition of the National Electric Code, per Section 6.2.3 D.1.

Part R: Authorize a waiver for a Manufactured Home Park that provides an offsite Management Office in lieu of an on-site Management Office, per Section 6.2.4 A.

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SUMMARY OF EVIDENCE

From the documents of record and the testimony and exhibits received at the public hearing conducted on **June 29, 2017**, and **August 17, 2017**, the Zoning Board of Appeals of Champaign County finds that:

- *1. Stonetown Woodland Acres LLC, 720 S Colorado Blvd #1150N, Glendale, CO 80246, is the owner of Woodland Acres Manufactured Home Park. Dax Nolan, Vice President of the LLC, 720 S Colorado Blvd #1150N, Glendale, CO 80246, represents the LLC for this zoning case. The managers of Stonetown Woodland Acres LLC are Roy Lapidus, 1 Alexander Lane, Greenwood Village, CO 80121, and Adam Minnick, 452 Leyden St, Denver, CO 80220. Michael Friend, Engineering Manager for Farnsworth Group in Champaign, is the local agent for this zoning case.
- *2. The subject property is comprised of three tracts of land totaling 13.37 acres, generally south and east of the Urbana spur of I-74 (University Avenue/IL Route 130), north of US Route 150 (University Avenue) and west of Smith Road, in the Southeast Quarter of the Southeast Quarter of Section 9 and the West Half of the Southwest Quarter of Section 10 of Township 19 North, Range 9 East of the Third Principal Meridian in Urbana Township and commonly known as Woodland Acres Manufactured Home Park, with an address of 2200 East University, Urbana.
- *3. Regarding municipal extraterritorial jurisdiction and township planning jurisdiction:
 - *A. The subject property is located within the one and one-half mile extraterritorial jurisdiction of the City of Urbana, a municipality with zoning. Municipalities with Planning Commissions are notified of Special Use Permit cases, but do not have protest rights in these cases.
 - *(1) In a letter dated September 22, 2016, from the City of Urbana to Dax Nolen, the City indicated that annexation would not be necessary in order for Woodland Acres to expand with additional home sites (see report from Mike Friend received August 8, 2017, which is Attachment B to Supplemental Memorandum #2 dated August 10, 2017).
 - *B. The subject property is located within Urbana Township, which does not have a Planning Commission.

GENERALLY REGARDING LAND USE AND ZONING IN THE IMMEDIATE VICINITY

- 4. Land use and zoning on the subject property and in the vicinity are as follows:
 - *A. The subject property is a 13.37 acre tract with a land use of Manufactured Home Park, and is currently in 3 different zoning districts:
 - (1) The eastern 150 feet is zoned R-1 Single Family Residence.
 - (2) The west 1.66 acre lot is zoned B-2 Neighborhood Business.
 - (3) The remainder is in the appropriate R-5 Manufactured Home Park Zoning District.
 - *B. Land to the north and northeast of the subject property is zoned R-5 Manufactured Home Park and is residential in use; to the northwest is R-4 Multiple Family Residence, and is vacant land owned by Flex-N-Gate.
 - *C. Land to the east is zoned R-1 Single Family Residence and is residential in use.

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- *D. Land to the south is zoned B-2 Neighborhood Business, R-5 Manufactured Home Park, and R-1 Single Family Residence, and is commercial and residential in use.
 - *(1) The petitioners also own the 1.29 acre lot zoned B-2 Neighborhood Business south of the subject properties, which houses the Manufactured Home Park's office and shares a building with a thrift shop.
- *E. Land to the west is zoned B-2 Neighborhood Business, and is commercial in use.

GENERALLY REGARDING THE PROPOSED SPECIAL USE

- 5. Regarding the site plan and proposed operations of the subject property:
 - *A. The ALTA Survey created by Berns, Clancy and Associates, received January 27, 2017, indicates the following existing improvements and the Stonetown Woodland Acres Mobile Home Park Expansion County Review Drawings received January 27, 2017, indicates the following proposed improvements:
 - *(1) Existing buildings and structures on the ALTA Survey include:
 - *a. 93 manufactured home sites;
 - *b. A non-conforming single family residence in the southwest corner of the subject property;
 - *c. An empty site in the northwest corner of the subject property that was previously a single family residence (demolished in 2016);
 - *d. A non-conforming single family residence south of home sites east of Dale Lane and northeast of the existing Woodland Acres office;
 - *e. A non-conforming single family residence in the proposed expansion area, to be demolished;
 - *f. A detached shed in the proposed expansion area, to be demolished;
 - *g. A wood barn in the proposed expansion area, to be demolished;
 - *h. A playground area in the proposed expansion area, to be removed; and
 - *i. The subject properties are connected to public water and sewer.
 - *j. The petitioners also own the 1.29 acre lot zoned B-2 Neighborhood Business south of the subject properties, which houses the Manufactured Home Park's office and shares a building with a thrift shop.
 - *(a) A "Variety Store" is authorized in the B-2 Zoning District, but not at all in the R-5 Zoning District. The petitioners indicated in a meeting with Susan Burgstrom on February 1, 2017, that ultimately they would like to rezone the thrift shop property with the knowledge that it cannot be extended, altered, or replaced if destroyed. The petitioners do not yet have a plan for future use on that lot, but indicated that any use they propose would be allowed in the proposed R-5 Zoning District. The

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petitioners stated that they would address the rezoning and redevelopment of the B-2 zoned property at a later date.

- *(2) Proposed improvements according to the Stonetown Woodland Acres Mobile Home Park Expansion County Review Drawings received January 27, 2017 include:
 - *a. Combining two existing home sites into one larger site in several locations; the petitioners have not yet identified which existing sites would be combined, but they have stated verbally that this would create a net zero change in the number of existing home sites. Existing home sites 27, 47, 50, and 64 were constructed without authorization and will be maintained, which would balance out the reduction in home sites due to combining sites.
 - *b. 21 new home sites in the northeast corner of the property, with related road and utility infrastructure;
 - *c. A new entrance to the park off North Smith Road at the intersection of Slayback Street;
 - *d. A dry detention basin in the northeast corner of the property; and
 - *e. A playground area with four parking spaces near the location of the wood barn that will be demolished.
 - *f. The Expansion County Review Drawings received January 27, 2017, includes the following sheets:
 - (a) C1.0 Cover Sheet
 - (b) C2.0 General Notes and Legends
 - (c) C3.0 Existing Topography and Demolition Plan
 - (d) C4.0 Grading Plan
 - (e) C5.0 Utility Plan/Sanitary and Storm
 - (f) C6.0 Utility Plan/Water, Gas and Electric
 - (g) C6.1 Plan and Profile Sanitary
 - (h) C7.0 Plan and Profile Sanitary
 - (i) C7.1 Plan and Profile Sanitary
 - (j) C7.2 Plan and Profile Sanitary
 - (k) C7.3 Plan and Profile Sanitary and Sanitary Details
 - (1) C8.0 Standard Sanitary Sewer Details
 - (m) C8.1 Standard Storm Sewer Details
 - (n) C8.2 Standard Water Main Details
 - (o) C8.3 Pavement and Erosion Control Details
 - (q) C8.4 Landscape Details and Notes
- *B. The Revised Stonetown Woodland Acres Mobile Home Park Expansion County Review Drawings received June 5, 2017, includes the following changes on the same sheets listed above plus Sheet C8.3 (a second sheet with additional Standard Water Main Details), which in turn renumbers the Pavement sheet to C8.4 and the Landscape sheet to C8.5.
 - (1) Proposed home sites that were numbered 1 through 21 on the January 27, 2017, Expansion County Review Drawings are now numbered 94 through 114.

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- (2) On Sheet C4.0, contour lines have been added as well as more detail on the proposed detention basin.
- (3) Sheets C5.0 and C6.0 also have more details on the proposed basin.
- (4) Remaining Sheets have additional details and annotations.
- *C. The Overall Layout Plan dated June 16, 2017, and received on the same day, is the official Site Plan for approval. It contains the following revisions and clarifications:
 - *(1) Michael Friend, Engineer for Farnsworth Group, submitted the revised drawing in an email dated June 16, 2017. He indicated that the drawing is for illustration purposes only, as it is a PDF which merges several other drawings together, with some parts of it created by others.
 - *(2) All existing and proposed home sites have been numbered and included in one drawing rather than having separate drawings for existing and proposed home sites.
 - *(3) Existing home sites 30 through 36 (7 sites) have been reconfigured to created 5 larger home sites numbered 32, 33, 34, 35, and 36 (site numbers 30 and 31 are no longer used).
 - *(4) New sites 49A and 49B have been added to the northwest corner of the subject property.
 - *a. The petitioners note that there will be a net zero change in the number of existing home sites by reconfiguring sites 30 through 36 and adding sites 49A and 49B.
 - *(5) Existing sites 27, 47 and 64 have been renumbered to 50A, 50B, and 50C, respectively.
 - *(6) An existing open space in the southeastern part of the subject property has been designated as an additional recreation area of approximately 23,335 square feet and will be referred to as Recreation Area C in discussion.
 - a. Total proposed square footage for recreational areas would include:
 - (a) Area A (northeast corner proposed dry detention area): 16,282.6 square feet;
 - (b) Area B (southwest corner of proposed expansion area): 3984.9 square feet; and
 - (c) Area C (south of home sites 65 through 73): 23,335 square feet.
 - (d) The total of the 3 areas is 43,602.5 square feet, which is 7.5% of the 13.37 acre subject property.
 - (e) In order to meet the Zoning Ordinance minimum of 8%, there would need to be a total of 46,592 square feet in recreation areas, which is 2,989 square feet more than proposed. Waiver Part F requested as

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part of Special Use Permit Case 870-S-17 would still be necessary for compliance with the Zoning Ordinance.

- *D. The Revised Stonetown Woodland Acres Mobile Home Park Expansion Permit Drawings received June 16, 2017, will also be included in the official Site Plan for approval and include the following revisions:.
 - *(1) The Permit Drawings set includes the following sheets:
 - a. C1.0 Cover Sheet
 - b. C2.0 General Notes and Legends
 - c. C3.0 Existing Topography and Demolition Plan
 - d. C4.0 Grading Plan
 - e. C5.0 Utility Plan/Sanitary and Storm
 - f. C6.0 Utility Plan/Water, Gas and Electric
 - g. C6.1 Plan and Profile Sanitary
 - h. C7.0 Plan and Profile Sanitary
 - i. C7.1 Plan and Profile Sanitary
 - j. C7.2 Plan and Profile Sanitary
 - k. C7.3 Plan and Profile Sanitary and Sanitary Details
 - 1. C8.0 Standard Sanitary Sewer Details
 - m. C8.1 Standard Storm Sewer Details
 - n. C8.2 Standard Water Main Details
 - o. C8.3 Standard Water Main Details
 - p. C8.4 Pavement and Erosion Control Details
 - q. C8.5 Landscape Details and Notes
 - *(2) Sheet C7.3 Sanitary Sewer Plan Profile has replaced the "Typical Riser Detail for Deep Service Lateral" and the "Shallow Service Lateral Detail" shown in the June 5, 2017 revision, with a "Typical Sanitary Sewer Riser Detail" in the June 16, 2017 revision.
 - *(3) Sheet C8.0 Standard Sanitary Sewer Details has replaced Typical Sanitary Sewer Details shown in the June 5, 2017 revision with a blank area.
- *E. <u>The Farnsworth Group report received August 8, 2017, included the following sheets,</u> <u>which will become part of the Official Site Plan for these zoning cases:</u> <u>*(1) Sheet A1 showing proposed siren actuated gate at North Smith Road;</u>
 - *(2) Sheet A2 showing conceptual design of a siren actuated gate;
 - *(3) Sheet B1 showing proposed location of an additional fire hydrant;
 - *(4) Sheet C1 showing proposed location of siren actuated gate and a full height privacy screening fence along North Smith Road; and
 - *(5) Sheet C2 showing conceptual design of a siren actuated gate and side detail.
- *F. The following are previous Zoning Use Permits on the subject property:
 - *(1) The following information was provided by the Illinois Department of Public Health:
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- a. 43 home sites were constructed under an Illinois Department of Public Health permit issued May 10, 1960.
- b. Another 32 home sites were permitted on January 5, 1970, for a total of 75 home sites.
- c. No information was available from Public Health to confirm when the remaining 18 home sites were constructed that would comprise the 93 existing home sites.
 - (a) Aerial photography from 1973 shows 91 home sites.
 - (b) Aerial photography from 2014 and before does not show the other 2 home sites, which are located east of the Casey's General Store.
- *(2) ZUP #087-74-01 was approved on March 28, 1974, to open a Bakery Thrift Store in the Wilson Trailer Park; staff believes this was located on part of what are now 2 lots housing the Casey's General Store and the western lot of the subject property.
- *(3) ZUP #323-74-01 was approved on November 19, 1974, for a change of use to re-open a restaurant and install a 24 square feet sign, on what is now the MHP office lot.
- *(4) Change of Use Permit #94-85-02 was approved on April 8, 1985, for a change of use for a craft shop, on what is now the MHP office lot.
- *(5) Change of Use Permit #157-86-03 was approved on June 11, 1986, for a change of use for an insurance office, on what is now the MHP office lot.
- *(6) ZUP #205-87-01 was approved on July 24, 1987, for construction of a retail storage building for the Champaign County Power Equipment Co., on what are now 2 lots housing the Casey's General Store and the western lot of the subject property.
- *(7) Change of Use Permit #292-89-02 was approved on October 19, 1989, for a change of use for a siding and window company in the east half of an existing building, on what is now the MHP office lot.
- *(8) Change of Use Permit #157-90-01 was approved on June 8, 1990, for a change of use for a portion of the building with the existing siding and Window Company to house a toning center, on what is now the MHP office lot.
- *(9) ZUP #58-92-02 was approved on February 28, 1992, for an addition to an existing warehouse for the Champaign County Power Equipment Co., on what are now 2 lots housing the Casey's General Store and the western lot of the subject property.
- *(10) Change of Use Permit #346-94-01 was approved on December 12, 1994, for a change of use for an antique sales and gift shop, on what is now the MHP office lot.

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- *(11) ZUP #06-97-01 was approved on January 6, 1997, for an addition to an existing building for the Champaign County Power Equipment Co., on what are now 2 lots housing the Casey's General Store and the western lot of the subject property.
- *(12) Change of Use Permit #311-97-02 was approved on November 12, 1997, for a change of use for a beauty shop, on what is now the MHP office lot.
- *(13) ZUP #316-97-05 was approved on November 13, 1997, for 6 wall signs for the Champaign County Power Equipment Co., on what are now 2 lots housing the Casey's General Store and the western lot of the subject property.
- *(14) ZUP #152-98-02 was approved on June 3, 1998, for the construction of a freestanding sign by Premier Hospitality Management Group, on what is now the MHP office lot.
- *(15) Change of Use Permit #363-06-01 was approved on February 9, 2007, for a change of use to establish a church, on what is now the MHP office lot.
- *(16) Change of Use Permit #277-08-01 was approved on November 13, 2008, for a change of use to establish a resale (variety store) shop and to install a wall sign, on what is now the MHP office lot.

GENERALLY REGARDING SPECIFIC ORDINANCE REQUIREMENTS

- 6. Regarding the requested Special Use in the R-5 Manufactured Home Park Zoning District:
 - A. The following definitions from the *Zoning Ordinance* are especially relevant to the requested Special Use Permit (capitalized words are defined in the Ordinance):
 - (1) "AREA, LOT" is the total area within the LOT LINES.
 - (2) "DWELLING" is a BUILDING or MANUFACTURED HOME designated for non-transient residential living purposes and containing one or more DWELLING UNITS and/or LODGING UNITS.
 - (3) "FRONTAGE" is that portion of a LOT abutting a STREET or ALLEY.
 - (4) "LOT" is a designated parcel, tract or area of land established by PLAT, SUBDIVISION or as otherwise permitted by law, to be used, developed or built upon as a unit.
 - (5) "LOT LINE, FRONT" is a line dividing a LOT from a STREET or easement of ACCESS. On a CORNER LOT or a LOT otherwise abutting more than one STREET or easement of ACCESS only one such LOT LINE shall be deemed the FRONT LOT LINE.
 - (6) "LOT LINE, REAR" is any LOT LINE which is generally opposite and parallel to the FRONT LOT LINE or to a tangent to the midpoint of the FRONT LOT LINE. In the case of a triangular or gore shaped LOT or where the LOT comes to a point opposite the FRONT LOT LINE it shall mean a line within the LOT 10 feet long

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and parallel to and at the maximum distance from the FRONT LOT LINE or said tangent.

- (7) "LOT LINES" are the lines bounding a LOT.
- (8) "MANUFACTURED HOME" is a factory assembled DWELLING UNIT designed and constructed to be transported in one or more parts by truck or by towing on wheels temporarily or permanently attached to its frame. This definition shall include mobile homes and modular homes or housing units and shall exclude MOTOR VEHICLES and TRAVEL TRAILERS.
- (9) "MANUFACTURED HOME PARK" is a designated contiguous parcel of land planned and improved for the placement of five or more MANUFACTURED HOMES.
- (10) "MANUFACTURED HOME PARK SERVICE BUILDING" is a permanent STRUCTURE housing laundry, recreation, office, sanitation or other community facilities as required in MANUFACTURED HOME PARKS for use by MANUFACTURED HOME PARK occupants.
- (11) "MANUFACTURED HOME SITE" is a designated parcel of land in a MANUFACTURED HOME PARK intended for the placement of an individual MANUFACTURED HOME, for the exclusive use of its occupants.
- (12) "MANUFACTURED HOME STAND" is that part of an individual MANUFACTURED HOME SITE which has been constructed for the placement of a MANUFACTURED HOME.
- (13) "NONCONFORMING LOT, STRUCTURE or USE" is a LOT, SIGN, STRUCTURE, or USE that existed on the effective date of the adoption or amendment of this ordinance which does not conform to the regulations and standards of the DISTRICT in which it is located.
- (14) "OPEN SPACE" is the unoccupied space open to the sky on the same LOT with a STRUCTURE.
- (15) "PARKING SPACE" is a space ACCESSORY to a USE or STRUCTURE for the parking of one vehicle.
- (16) "PUBLIC SANITARY SEWER SYSTEM" is any system, other than an individual septic tank or tile field, that is operated by a municipality, governmental agency, or a public utility for the collection, treatment, and disposal of liquid and solid sewage wastes, other than stormwaters.
- (17) "PUBLIC WATER SUPPLY SYSTEM" is any system, other than an individual well, that is operated by a municipality, governmental agency, or a public utility for the purpose of furnishing potable water.

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- (18) "SCREEN" is a STRUCTURE or landscaping element of sufficient opaqueness or density and maintained such that it completely obscures from view throughout its height the PREMISES upon which the screen is located.
- (19) "SETBACK LINE" is the BUILDING RESTRICTION LINE nearest the front of and across a LOT establishing the minimum distance to be provided between a line of a STRUCTURE located on said LOT and the nearest STREET RIGHT-OF-WAY line.
- (20) SIDEWALK: That paved portion of the RIGHT-OF-WAY designed and intended for the movement of and use of pedestrian traffic.
- (21) "SPECIAL CONDITION" is a condition for the establishment of a SPECIAL USE.
- (22) "SPECIAL USE" is a USE which may be permitted in a DISTRICT pursuant to, and in compliance with, procedures specified herein.
- (23) "STREET" is a thoroughfare dedicated to the public within a RIGHT-OF-WAY which affords the principal means of ACCESS to abutting PROPERTY. A STREET may be designated as an avenue, a boulevard, a drive, a highway, a lane, a parkway, a place, a road, a thoroughfare, or by other appropriate names. STREETS are identified on the Official Zoning Map according to type of USE, and generally as follows:

(a) MAJOR STREET: Federal or State highways.

- (b) COLLECTOR STREET: COUNTY highways and urban arterial STREETS.(c) MINOR STREET: Township roads and other local roads.
- (24) "USE" is the specific purpose for which land, a STRUCTURE or PREMISES, is designed, arranged, intended, or for which it is or may be occupied or maintained. The term "permitted USE" or its equivalent shall not be deemed to include any NONCONFORMING USE.
- (25) "VARIANCE" is a deviation from the regulations or standards adopted by this ordinance which the Hearing Officer or the Zoning BOARD of Appeals are permitted to grant.
- (26) "YARD" is an OPEN SPACE, other than a COURT, of uniform depth on the same LOT with a STRUCTURE, lying between the STRUCTURE and the nearest LOT LINE and which is unoccupied and unobstructed from the surface of the ground upward except as may be specifically provided by the regulations and standards herein.
- (27) "YARD, FRONT" is a YARD extending the full width of a LOT and situated between the FRONT LOT LINE and the nearest line of a PRINCIPAL STRUCTURE located on said LOT. Where a LOT is located such that its REAR and FRONT LOT LINES each abut a STREET RIGHT-OF-WAY both such YARDS shall be classified as FRONT YARDS.

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- (28) "YARD, REAR" is a YARD extending the full width of a LOT and situated between the REAR LOT LINE and the nearest line of a PRINCIPAL STRUCTURE located on said LOT.
- (29) "YARD, SIDE" is a YARD situated between a side LOT LINE and the nearest line of a PRINCIPAL STRUCTURE located on said LOT and extending from the rear line of the required FRONT YARD to the front line of the required REAR YARD.
- B. Subsection 6.1 contains standard conditions that apply to all SPECIAL USES, standard conditions that may apply to all SPECIAL USES, and standard conditions for specific types of SPECIAL USES. Relevant requirements from Subsection 6.1 are as follows:
 - (1) Paragraph 6.1.2 A. indicates that all Special Use Permits with exterior lighting shall be required to minimize glare on adjacent properties and roadways by the following means:
 - a. All exterior light fixtures shall be full-cutoff type lighting fixtures and shall be located and installed so as to minimize glare and light trespass. Full cutoff means that the lighting fixture emits no light above the horizontal plane.
 - b. No lamp shall be greater than 250 watts and the Board may require smaller lamps when necessary.
 - c. Locations and numbers of fixtures shall be indicated on the site plan (including floor plans and building elevations) approved by the Board.
 - d. The Board may also require conditions regarding the hours of operation and other conditions for outdoor recreational uses and other large outdoor lighting installations.
 - e. The Zoning Administrator shall not approve a Zoning Use Permit without the manufacturer's documentation of the full-cutoff feature for all exterior light fixtures.
- C. Current Zoning Ordinance regulations for Section 6.2: Manufactured Home Parks are provided as an attachment to this Summary of Evidence.
- D.Section 8 of the Zoning Ordinance contains a general provision that states thatNONCONFORMING USES of land shall not be enlarged, expanded, or extended afterOctober 10, 1973 or the effective date of an amendment.
- E. Section 9.1.11 requires that a Special Use Permit shall not be granted by the Zoning Board of Appeals unless the public hearing record and written application demonstrate the following:
 - (1) That the Special Use is necessary for the public convenience at that location;
 - (2) That the Special Use is so designed, located, and proposed as to be operated so that it will not be injurious to the DISTRICT in which it shall be located or otherwise detrimental to the public welfare except that in the CR, AG-1, and AG-2 DISTRICTS the following additional criteria shall apply:

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- a. The property is either BEST PRIME FARMLAND and the property with proposed improvements in WELL SUITED OVERALL or the property is not BEST PRIME FARMLAND and the property with proposed improvements is SUITED OVERALL.
- b. The existing public services are available to support the proposed SPECIAL USE effectively and safely without undue public expense.
- c. The existing public infrastructure together with proposed improvements is adequate to support the proposed development effectively and safely without undue public expense.
- (3) That the Special Use conforms to the applicable regulations and standards of and preserves the essential character of the DISTRICT in which it shall be located, except where such regulations and standards are modified by Section 6.
- (4) That the Special Use is in harmony with the general purpose and intent of this ordinance.
- (5) That in the case of an existing NONCONFORMING USE, it will make such USE more compatible with its surroundings.
- F. Paragraph 9.1.11.D.1. states that a proposed Special Use that does not conform to the standard conditions requires only a waiver of that particular condition and does not require a variance. Regarding standard conditions:
 - (1) The Ordinance requires that a waiver of a standard condition requires the following findings:
 - a. That the waiver is in accordance with the general purpose and intent of the ordinance; and
 - b. That the waiver will not be injurious to the neighborhood or to the public health, safety, and welfare.
 - (2) However, a waiver of a standard condition is the same thing as a variance and Illinois law (55ILCS/ 5-12009) requires that a variance can only be granted in accordance with general or specific rules contained in the Zoning Ordinance and the VARIANCE criteria in paragraph 9.1.9 C. include the following in addition to criteria that are identical to those required for a waiver:
 - a. Special conditions and circumstances exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district.
 - b. Practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied will prevent reasonable or otherwise permitted use of the land or structure or construction.
 - c. The special conditions, circumstances, hardships, or practical difficulties do not result from actions of the applicant.

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G. Paragraph 9.1.11 D.2. states that in granting any SPECIAL USE permit, the BOARD may prescribe SPECIAL CONDITIONS as to appropriate conditions and safeguards in conformity with the Ordinance. Violation of such SPECIAL CONDITIONS when made a party of the terms under which the SPECIAL USE permit is granted, shall be deemed a violation of this Ordinance and punishable under this Ordinance.

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

- 7. Generally regarding the *Zoning Ordinance* requirement that the proposed Special Use is necessary for the public convenience at this location:
 - A. The Petitioners testified on the application, "The subject over +/- 14.16 acres property is owned by Stonetown Woodland Acres LLC. The proposed project is in an undeveloped +/- 3.66 acre located in the northeast portion of the existing manufactured home park. This project will develop the area for additional housing at the existing facility."
 - B. Regarding the existing manufactured homes:
 - (1) Most of the existing home sites in Woodland Acres are occupied.
 - (2) Site visits by staff indicate that homes range from older to new, and fair to good condition.
 - (3) All existing manufactured homes are "nonconforming structures" and cannot be replaced without the necessary variance and/or waiver.
 - C. Stonetown Woodland Acres is located within one block of the Edge-Scott Fire Protection District station.
 - D. Stonetown Woodland Acres is located on the Champaign-Urbana Mass Transit District line, which middle and high school youth use as their transportation to and from school.

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

- 8. Generally regarding the *Zoning Ordinance* requirement that the proposed Special Use be designed, located, and operated so that it will not be injurious to the District in which it shall be located, or otherwise detrimental to the public welfare:
 - A. The Petitioner has testified on the application, "See attached plans for the proposed facility. The expansion of this existing facility will provide needed economical housing by completing the development of an existing manufactured home park. The development of this remaining 3.66+/- acres will be in accordance with Section 6.2 of the Champaign County Zoning Ordinance on an existing manufactured home facility property."
 - B. Regarding traffic, the following evidence is provided:
 - *(1) The subject property is off East University Avenue/IL 130/US 150, approximately 1 mile west of High Cross Road/IL 130 and 1.3 miles east of US 45 North (Cunningham Avenue) in Urbana.

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- a. East University Avenue in the vicinity of the subject property is a 3-lane concrete urban cross section with curb and gutter. The pavement width is about 40 feet.
- b. North Smith Road to the north of University Avenue is a 2 lane collector with no shoulders, curb or gutter, which ranges from 22 to 28 feet wide.
- *(2) The Illinois Department of Transportation measures traffic on various roads throughout the County and determines the annual average 24-hour traffic volume for those roads and reports it as Average Daily Traffic (ADT). The most recent ADT data is from 2015-2016 in the vicinity of the subject property.
 - *a. East University Avenue had an ADT of 13,100 east of North Smith Road in 2015.
 - *b. North Smith Road to the north of University Avenue had an ADT of 800 in 2016. North Smith Road to the south of University Avenue had an ADT of 5,900 in 2016.
 - *c. The traffic generated by the proposed use will increase with the addition of 21 home sites.
 - (a) Generally, the Zoning Department assumes 10 vehicle trips per day for a residence. The proposed 21 new home sites would thus increase traffic by about 210 trips per day.
 - (b) The petitioners propose opening a second access on North Smith Road, which would increase traffic at the intersection of East University Avenue and North Smith Road.
- *(3) The Illinois Department of Transportation's *Manual of Administrative Policies of the Bureau of Local Roads and Streets* provides ideal design criteria for new construction/ reconstruction.
 - *a. Regarding East University Avenue:
 - *(a) The 40 feet width for an existing urban two-way, two lane arterial would equate to a maximum recommended two-way design hourly volume (DHV) of no more than 1,250, roughly equivalent to an ADT of 10,400. However, this section of University Avenue has a dual left middle turn lane, which increases traffic flow so that it functions more like a 4-lane cross section. A 4-lane cross section would be designed for an ADT of 10,400 to 17,000.
 - *(b) P&Z Staff believe that East University Avenue operates within its design capacity, and that the proposed increase would still function at an acceptable level, although no formal Traffic Impact Analysis has been done.
 - *b. Regarding North Smith Road:

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- *(a) Rural two-lane collectors with an ADT of 800 should have a minimum 4 feet wide shoulder. North Smith Road does not have shoulders but does have wide grass areas on both sides.
- *(b) A 22 feet wide pavement width with a minimum 4 feet wide shoulder would be designed for an ADT of 400 to 2000.
- *(c) P&Z Staff believe that North Smith Road operates within its design capacity, and that the proposed increase would still function at an acceptable level, although no formal Traffic Impact Analysis has been done.
- *(4) The petitioners propose opening a second access on North Smith Road, which would increase traffic at the intersection of East University Avenue and North Smith Road.
 *a. The Urbana Township Highway Commissioner has been notified of this case:
 - The Urbana Township Highway Commissioner has been notified of this case:
 <u>*</u>(a) Jim Prather called the P&Z Department on June 21, 2017, to express
 - opposition to the new road access to North Smith Road at Slayback Street. He asked if parking would be allowed on the 20 feet wide proposed private access drive; Susan Burgstrom told him that the Zoning Ordinance does not allow on-street parking for a 20 feet wide street.
 - *(b) At the June 29, 2017 public hearing, Mr. Prather stated that one of his concerns is the proposed entrance off Slayback Street to North Smith Road. He said he understands the safety reason for the new access, and maybe the gated entrance activated by fire and police only would be the way to go. Mr. Prather said that he is concerned about more traffic on Slayback Street at Smith Road; he said that Smith Road is really not a wide street, and he is afraid the residents in the park will use Smith Road more often. He said that people travel the fastest, easiest way, so there is going to be a lot more traffic on Smith Road. Mr. Prather said that it is sometimes hard to get onto University Avenue from North Smith Road with the traffic in the mornings and evenings. He said that earlier someone mentioned going to the Apple Dumplin'. He said that people will head east to Wal-Mart, Aldi, etc.
 - *b. Mr. Tim Johnson called the P&Z Department on June 21, 2017 on behalf of some residents in the Edgewood Subdivision (east of the subject property). They are opposed to the proposed road connecting to North Smith Road at Slayback Street.
 - *c. Based on comments received prior to and during the June 29, 2017, public hearing, the petitioner proposes adding a siren actuated gate at the proposed north entrance, which will be closed except when an emergency siren opens the gate; this will mitigate increased traffic concerns at North Smith Road.
- *C. <u>Regarding fire protection on the subject property, the subject property is located within the</u> <u>Edge-Scott Fire Protection District. The Fire Chief has been notified of this case and made</u> <u>the following comments:</u>

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- *(1) In a phone call with Susan Burgstrom, Chief Thuney discussed the following:
 *a. He has not seen any plan from the petitioner's engineer, Farnsworth Group.
 - *b. He is opposed to the waivers, with one reason being that recent fires took out 3 trailers based on their proximity to one another.
- *(2) In a letter received June 29, 2017, and distributed as an attachment to Supplemental Memorandum #1 at the June 29, 2017 public hearing, Chief Thuney expressed his opposition to approval of the current zoning cases. He also stated, "the Edge-Scott Fire Protection District would remain neutral for the expansion of the mobile home park provided the appropriate Champaign County ordinances are followed and additional concerns for fire hydrants being installed in the mobile park were agreed to as part of the expansion."
- During the June 29, 2017 public hearing, Chief Thuney testified the following: *(3) *a. Chief Thuney stated that he came into this case pretty late in the process, and that the Edge-Scott Fire Protection District was not included in many of the discussions that occurred. He said that he feels he is way behind and has not had a chance to review all the materials that were provided. He stated that he would like to point out that his concerns for the trailer park go beyond the new expansion; they go to the trailer park as a whole. He stated that in discussions with the board members for the District, they are not in favor of allowing the variances on the older section of the park. He said that with a new water main proposed, it would be a perfect time to extend that into the rest of the park to provide adequate water supply for fire protection for the entire park, not just the new section. He stated that the fire hydrants actually have to be approved by the Edge-Scott Fire Protection District Board of Trustees, because they pay the bill for those hydrants. He stated the Board of Trustees has not been approached about whether they are willing to pay for new hydrants. He said that he needs further time to study this to come back to the ZBA with areas of concern, possibly areas of agreement. He stated that he thinks Mike Friend's consultations with City of Urbana Fire Chief Nightlinger have been productive, but Edge-Scott Fire Protection District is the primary first responder for Woodland Acres. Edge-Scott will respond for medical, fires, gas leaks, whatever, and will be the first out the door and hopefully the first ones there working fires, and they do get assistance from the City of Urbana and Carroll Fire Protection District when needed. He stated he thinks it was a huge misstep on the part of the petitioner to not include Edge-Scott FPD in the decision-making process.
- *(4) The City of Urbana Fire Chief was contacted by Farnsworth Group engineer Mike Friend; in an email received June 29, 2017, Mike Friend communicated the following information from his meeting with Chief Nightlinger:
 - *a. The Chief has been coordinating the discussions about this project from the beginning, as far back as 2015, with the Edge-Scott Fire Department, which is the fire department for Woodland Acres.

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- <u>*b.</u> Chief Nightlinger is greatly encouraged by the proposed project because it will provide new hydrants in the park and the proposed addition of a hydrant at the Dale Lane intersection with the expansion area will provide a fire hydrant for use inside the park near the existing underserved area.
- *c. The source of the Chief's requirements for this project are found in 2 documents:
 - *(a) The City of Urbana 2009 Model Codes Adopting Ordinance- section <u>F-506.4</u>
 - *(b) The 2009 International Fire Code, Appendix D
- *d. These references are the source of the requirement for a second entrance to the park specifically section D106.1 of the 2009 IFC.
- *e. "NO PARKING FIRE LANE" signs need to be posted in the park expansion area. If posted, law enforcement personnel can enforce the parking ban on the internal streets of the park.
- *f.The Chief finds the use of a "siren actuated gate" acceptable for thissituation, and he referenced section D103.5 of the 2009 IFC and section F-506.4 of the 2009 Urbana Model Codes Adopting Ordinance, in support of
that position.
- *D. Regarding stormwater management on the subject property:
 - *(1) A Storm Water Drainage Plan with detention is required because there is more than one acre of impervious area added in the new development.
 - *(2) The Storm Water Drainage Plan completed by Farnsworth Group and received January 27, 2017, includes one Large and one Small detention basin in the northeast corner of the subject property.
 - *a. Farnsworth Group concluded, "The results of the analysis demonstrate that adequate detention storage volume is provided for the proposed expansion of the Woodland Acres Mobile Home Site. The results of the storm routing indicates that the allowable peak discharges required by both IDOT and Champaign County will not be exceeded once the site has been constructed as proposed."
 - *b. The Department of Planning and Zoning contracted with independent engineering consultant Berns, Clancy and Associates to review the drainage plan. They concluded, "The volume of storm water detention required for the expansion of Woodland Acres Mobile Home Park was correctly determined using a critical duration analysis. An area of the proposed development will be rerouted from draining to an existing storm sewer, to draining through a detention basin before the water outlets to a roadside ditch, which may ease the pressure on the existing system. The outlet popes for each basin appear to have been sized correctly, as long as the clogging issue is properly dealt with for the 5-inch diameter outlet of the Small Basin. The overall proposed plan

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does appear to benefit the community. At this time, the plan needs a few changes or further explanations to meet the Champaign County Storm Water Management Regulations."

- *(3) The Storm Water Pollution Prevention Plan (SWPPP) received January 27, 2017, indicates the following:
 - *a. The subject property is not in the mapped floodplain, per FEMA FIRM panel 17019C0431D.
 - *b. "The critical area of the site is the existing drainage ditch within the IDOT right-of-way to the north of the project site. This ditch must remain clean and active at all times."
 - *c. The project will require a Land Disturbance and Erosion Control Permit from the P&Z Department; a storm water discharge permit from the Illinois Department of Transportation; and a NPDES permit from the Illinois Environmental Protection Agency.
 - i. Farnsworth Group has completed a LDEC permit for the P&Z Department, the IDOT permit, and a Notice of Intent for the IEPA NPDES permit.
- *(4) The Erosion and Sediment Control Plan (ESCP) received January 27, 2017, indicates what measures will be taken during construction to ensure that neighboring land will not be impacted by runoff and erosion.
- *(5) At the June 29, 2017 public hearing, Jim Prather, Urbana Township Highway Commissioner, testified that his biggest concern is the drainage and storm retention. He asked if the petitioners planned to drain out on the state highway right-of-way. Mr. Prather stated that some of the drainage goes out toward I-74 and there is a big issue that it drains down the state's right-of-way to a catch basin at John Street and McGee Street. He said there is a 3 foot wall there, and the tile on the State's right-ofway cannot handle the storm water and it overflows over the 3 foot wall into McGee Street in Edgewood. He said it has overflowed many times. Mr. Prather stated that another concern he has is that there is another storm drain at Smith Road and Slayback Street, at the dead-end of North Smith Road. He said that as far as he is concerned, that is the west end of Edgewood's storm drain, and they do not need anything else hooked on to cause a problem of improper drainage in the subdivision.
- E. The subject property is not considered to be BEST PRIME FARMLAND. The soils on the subject property consist of 618B Senachwine silt loam, 171B Catlin silt loam, and 154A Flanagan silt loam. The property has an average LE of 79.
 - (1) The property has not been in agricultural production for decades.
 - (2) Future development will not change the use of the property.
- F. Regarding outdoor lighting on the subject property:
 - (1) There are proposed street lamps on Sheet C6.1: Utility Plan received June 5, 2017.

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- (2) There is a note on Sheet C2.0: General Notes of the revised Expansion County Review Drawings received June 5, 2017, which states, "13. Street lighting will be provided at a minimum at locations depicted on the plans. Lighting shall meet the requirements of Section 6.2.2.G of the Champaign County Zoning Ordinance. A photometric plan verifying that a minimum of 0.1 footcandles throughout the street system and 0.3 footcandles at potentially hazardous locations will be provided."
- G. Regarding wastewater treatment and disposal on the subject property:
 - (1) All existing home sites have a private sanitary sewer system, which connects to the Urbana-Champaign Sanitary District public system. Proposed home sites will connect to the existing system.
 - (2) No information has been provided regarding current status and maintenance of the private system.
- H. Regarding life safety considerations related to the proposed Special Use:
 - (1) Champaign County has not adopted a building code. Life safety considerations are considered to a limited extent in Champaign County land use regulation as follows:
 - a. The Office of the State Fire Marshal has adopted the Code for Safety to Life from Fire in Buildings and Structures as published by the National Fire Protection Association (NFPA 101) 2000 edition, Life Safety Code, as the code for Fire Prevention and Safety as modified by the Fire Prevention and Safety Rules, 41 Ill. Adm Code 100, that applies to all localities in the State of Illinois.
 - b. The Office of the State Fire Marshal is authorized to enforce the Fire Prevention and Safety Rules and the code for Fire Prevention and Safety and will inspect buildings based upon requests of state and local government, complaints from the public, or other reasons stated in the Fire Prevention and Safety Rules, subject to available resources.
 - c. The Office of the State Fire Marshal currently provides a free building plan review process subject to available resources and subject to submission of plans prepared by a licensed architect, professional engineer, or professional designer that are accompanied by the proper Office of State Fire Marshal Plan Submittal Form.
 - d. Compliance with the Code for Fire Prevention and Safety is mandatory for all relevant structures anywhere in the State of Illinois whether or not the Office of the State Fire Marshal reviews the specific building plans.
 - e. Compliance with the Office of the State Fire Marshal's code for Fire Prevention and Safety is not required as part of the review and approval of Zoning Use Permit Applications.
- *I. Regarding public comments on the proposed rezoning and special use permit with waivers:
 - *(1) Fred Wahlfeldt, who resides at 208 Ira Street, called on June 19, 2017, to express opposition to the proposed plans.

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- *(2) Mr. Tim Johnson called the P&Z Department on June 21, 2017 on behalf of some residents in the Edgewood Subdivision (east of the subject property). They are opposed to the proposed road connecting to North Smith Road at Slayback Street.
- *(3) The Urbana Township Highway Commissioner has been notified of this case. He called the P&Z Department on June 21, 2017, to express opposition to the new road access to North Smith Road at Slayback Street.

*(4) The following testimony was received at the June 29, 2017 public hearing:

- *a. Mr. Joe Pisula, on behalf of the Edgewood Subdivision Homeowners' Association, gave a presentation using PowerPoint slides. The presentation was handed out at the hearing and was submitted as a Document of Record. The presentation will also be described in the minutes of the June 29, 2017
 ZBA meeting. Generally, he discussed their concerns about increased traffic, improving the aesthetic of the park, encroachments on other properties, decreasing property values, maintaining a visual barrier between their subdivision and Woodland Acres, potential drainage problems, potential damage from severe storms, and how the HOA generally opposes the rezoning and special use/waivers requests.
 - *b. Sue Moody, 2405 Elizabeth Street, Urbana, stated that she fully agrees with Mr. Pisula's presentation, and that her biggest concern is the street that connects to Slayback Street.
 - *c. Mark Moody, 706 McGee Road, stated that Mr. Pisula's presentation pretty much said it for him. He said that he would add that, like his mom Sue said, regarding connecting the two streets, we have a lot of kids and retirees riding bikes, and people come from other neighborhoods to ride bikes. He said the neighborhood is very peaceful, everyone drives slowly, and they want to keep it that way.
 - *d. Katherine Schneider, 208 Carrie Avenue, Urbana, stated that a big concern of hers is the traffic along Smith Road, because there is an MTD bus stop close to the end of Carrie Avenue on Smith Road. She said the stop is on the east side of Smith Road, where there is no sidewalk, and that the stop is there for middle schoolers to catch the bus. She said there are groups of kids in the mornings on the street. Mrs. Schneider stated that the stop is on a regular schedule in the mornings and in the afternoon, and it is a deviated schedule from a regular route.
- J. Other than as reviewed elsewhere in this Summary of Evidence, there is no evidence to suggest that the proposed Special Use will generate either nuisance conditions such as odor, noise, vibration, glare, heat, dust, electromagnetic fields or public safety hazards such as fire, explosion, or toxic materials release, that are in excess of those lawfully permitted and customarily associated with other uses permitted in the zoning district.

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

- 9. Generally regarding the *Zoning Ordinance* requirement that the proposed Special Use conform to all applicable regulations and standards and preserve the essential character of the District in which it shall be located, except where such regulations and standards are modified by Section 6 of the Ordinance:
 - A. The Petitioner has testified on the application: **"Yes. This proposed expansion is** prepared in accordance with 6.2 of the Champaign County Zoning Ordinance, for "Manufactured Home Parks", with only minor variances. The previously developed portion of the facility will also become compliant with issuance of a special use permit, variances and map amendment for the facility."
 - B. Regarding compliance with the *Zoning Ordinance*:
 - (1) Expansion of Manufactured Home Parks is allowed in the R-5 Manufactured Home Park Zoning District with a Special Use Permit.
 - (2) Section 6.2.1 states that it shall be unlawful to construct, alter, or expand any manufactured home park unless a valid permit is issued by the Zoning Administrator for the specific construction, alteration, or expansion proposed. It also states that all applications for permits should include the following:
 - (a) Name and address of the applicant.
 - (b) Location and legal description of the proposed manufactured home park.
 - (c) Plans and specifications of the proposed manufactured home park development including but not limited to the following:
 - i. A map indicating the area and dimensions of the tract of land;
 - ii. The number, location, and size of all manufactured home sites;
 - iii. The location of all water, storm sewer, and sanitary sewer lines,
 - water supply, and refuse and sewage disposal facilities;
 - iv. All buildings existing or to be constructed within the manufactured home park; and
 - v. The location of internal lighting and electrical systems.
 - a. A waiver of Section 6.2.1.C.2. is necessary because the size of all manufactured home sites was not provided for existing home sites 1 through 93; proposed home sites have dimensions on the Site Plan received June 5, 2017.
 - b. The existing Manufactured Home Park is a non-conforming use; therefore, a more specific site plan will not change what is already in place.
 - (4) Paragraph 6.2.2.A. provides General Provisions for locating MANUFACTURED HOME PARKS on suitable sites, as follows:
 - a. No MANUFACTURED HOME PARK shall be located in an area where the conditions of soil, groundwater level, drainage or topography may cause hazard to the property, health, or safety of the occupants.

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- (a) A waiver from Section 6.2.2.A.1. is not required because the Petitioners have completed a Stormwater Drainage Plan that proposes a dry detention basin to improve drainage for the park.
- b. No MANUFACTURED HOME PARK shall be located such that it is exposed to objectionable smoke, dust, noise, odors, vibrations or other adverse influences.
 - (a) A waiver from 6.2.2.A.2. is not required because there is no evidence that any smoke, dust, noise, odors, vibrations, or other adverse influences exist at objectionable levels on the subject property.
- c. ACCESS to a MANUFACTURED HOME PARK shall be provided in such a manner to facilitate ACCESS by emergency vehicles, and should be designed to provide efficient and safe traffic circulation in the vicinity.
 - (a) A waiver from Section 6.2.2.A.3. does not appear to be necessary because of the following:
 - (i) The petitioner proposes to install a siren actuated gate at the proposed entrance on North Smith Road.
 - (ii) The Farnsworth Group report received August 8, 2017, provides the following information:
 - a. Page 2, Item 3 states that the petitioner proposes placing "No parking – Fire Lane" signs that "will allow law enforcement personnel to enforce the no parking designation, which will assure that the interior streets will remain free from parked vehicles and thus accommodate the passage of fire protection equipment and trucks."
 - Page 4, Item 9 states, "As existing homes are b. replaced each site will be designed with the minimum required 2 parking spaces. In addition, Stonetown Woodland Acres LLC staff will communicate to residents in the existing facility that a policy of no on-street parking will be phased in over a 6 month period beginning after approval of the proposed expansion. An evaluation of the need for additional parking will be included with the process, and within 6 months of approval of the facility expansion, "Type D" "No Parking - Fire Lane" signs will be posted on the existing streets which will allow for local law enforcement to enforce the parking restrictions. This time period will allow for transition and evaluation of the need for additional parking."

<u>d.</u> No part of any MANUFACTURED HOME PARK shall be used for nonresidential purposes except ACCESSORY USES that are required to directly

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serve MANUFACTURED HOME PARK residents and for management and maintenance of the MANUFACTURED HOME PARK.

- (a) A waiver from Section 6.2.2.A.4. is not required because there are no non-residential uses within the subject property. A building housing the MHP management office and a non-conforming thrift store has been excluded from subject property for these cases while owners plan future redevelopment of that parcel.
- (5) Paragraph 6.2.2.B. regulates the Size and Density of MANUFACTURED HOME PARKS, as follows:
 - a. No MANUFACTURED HOME PARK shall contain an area of less than five acres, nor less than 40 MANUFACTURED HOME SITES provided.
 - b. MANUFACTURED HOME PARKS which predate the adoption of zoning may continue to operate.
 - c. Any alterations or expansions of existing MANUFACTURED HOME PARKS must conform to the Zoning Ordinance; after the alteration or expansion the MANUFACTURED HOME PARK must be at least three acres in area or provide at least 24 MANUFACTURED HOME SITES; and must not include more than eight MANUFACTURED HOME SITES per gross acre.
 - (a) Waiver Part C is necessary because there are 9 home sites per gross acre in the Manufactured Home Park, rather than the maximum allowed 8 home sites per gross acre.
 - i. The existing 93 home sites on 13.37 acres have a density of 6.96 home sites per gross acre, in conformance with the Zoning Ordinance.
 - ii. The proposed 21 home sites on the undeveloped 3.66 acres have a density of 5.74 home sites per gross acre, in conformance with the Zoning Ordinance.
 - iii. The combined 114 home sites on the 13.37 acre subject property have a density of 8.53 home sites per gross acre.
- (6) Paragraph 6.2.2.C. provides Required Setbacks and Screening for MANUFACTURED HOME PARK exterior boundaries, as follows:
 - a. Setback from State or U.S. Highways or MAJOR STREETS 45 feet: this setback applies to the East University Avenue corridor to the north, and the IL130/ US150/ East University Avenue corridor to the south of the subject property.
 - (a) Waiver Part B (Section 6.2.2.C.1.c.) for East University Avenue to the north is necessary because of the following:
 - i. The Overall Layout Plan received on June 16, 2017, indicates that existing home sites 1 through 10, 48, 49, and to the north and 50 and 52 on the southwest corner of the subject property

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encroach into the IDOT right-of-way. Proposed sites 94 through 98 also encroach into the IDOT right-of-way.

- ii. The existing homes on these home sites are non-conforming.
- iii. There is a special condition to prohibit the replacement of homes which encroach on the East University Avenue setback.
- b. Setback from COUNTY Highways or COLLECTOR STREETS 35 feet: not applicable for the subject property.
- c. Setback from Township Road or MINOR STREETS 25 feet: this setback applies to North Smith Road on the east side of the subject property.
 - (a) Waiver Part D (Section 6.2.2.C.1.a.) is necessary because of the
 Overall Layout Plan received on June 16, 2017, indicates that existing
 home sites 88 through 93 are within the required setback from North
 Smith Road.
- d. The Manufactured Home Park must have minimum SIDE and REAR YARDS of 15 feet:
 - (a) Waiver Part E (Section 6.2.2.C.2.) is necessary due of the following: i. 20 of the 93 existing home sites have a rear yard that is less than 15 feet.
 - ii. These home sites are non-conforming; they existed prior to the adoption of the Zoning Ordinance on October 10, 1973.
- e. All MANUFACTURED HOME PARKS shall be provided with visual screening such as fences or SCREEN PLANTING along all boundary lines abutting existing residential, commercial, or industrial development. Such fences or SCREEN PLANTING shall be of sufficient height and density to adequately filter from view the MANUFACTURED HOMES, ACCESSORY STRUCTURES, and other USES in the MANUFACTURED HOME PARK.

No waiver of Section 6.2.2.C.3. is necessary because the Farnsworth Group report received August 8, 2017, page 3, Item 8 states that the petitioner proposes to construct an 8 feet tall privacy fence within its property line along North Smith Road. This fence would be in addition to the existing vegetative screening. Exhibit C: Sheet C1 of the same report illustrates the proposed privacy fence.

(7) Paragraph 6.2.2.D. provides for Required Recreation Space of not less than eight percent of the gross site area of the MANUFACTURED HOME PARK. Such facilities shall be centrally located on the site and readily accessible to all MANUFACTUED HOME occupants. Recreation areas may include park space, play lots, swimming pools, and community buildings (exclusive of laundry and administrative offices). Recreation areas may be de-centralized provided that no

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single parcel of outdoor recreation space contains less than 6,000 square feet nor has a minimum average width of less than thirty feet.

- a. Waiver Part F (Section 6.2.2.D.) is necessary because of the following:
 - (a) The petitioners have proposed two new recreational areas as part of the expansion, which total 20,268 square feet (.47 acre), or 3.5% of the entire 13.77 acre manufactured home park. The proposed recreational areas total 12.7% of the 3.66 acre proposed expansion area.
 - (b) The playground (Recreation Area B) is 3,984.9 square feet rather than the minimum 6,000 square feet.
 - (c) The existing recreational area is non-conforming; it was built prior to adoption of the Zoning Ordinance on October 10, 1973. Further, the existing playground and rec space will be removed to make space for the proposed expansion area.
- (8) Paragraph 6.2.2.E. provides MANUFACTURED HOME SITE REQUIREMENTS, as follows:
 - a. The limits of each MANUFACTURED HOME SITE shall be designated in accordance with the approved plan required by Section 6.2.1.C of the Zoning Ordinance.
 - (a) Waiver Part G Section 6.2.2.E.1. is necessary because of the following:
 (i) The Overall Layout Plan of the subject property received on June 16, 2017, is the proposed plan at this time.
 - (ii) The limits of each manufactured home sites were not designated for existing home sites 1 through 93; proposed home sites have dimensions on the Site Plan.
 - (iii) The existing Manufactured Home Park is a non-conforming use; therefore, a more specific site plan will not change what is already in place.
 - b. Every MANUFACTURED HOME shall maintain a 15 foot minimum yard from the boundary abutting a PRIVATE ACCESSWAY or road.

(a)

- Waiver Part H (Section 6.2.2.E.2.a). is necessary due to the following:i.The ALTA Land Use Survey received January 27, 2017,indicates that most of the existing MANUFACTUREDHOME SITES in the park provide less than 15 feet of yardbetween the home and the private accessway.
 - ii. The existing home sites are non-conforming; they existed prior to the adoption of the Zoning Ordinance on October 10, 1973.
- c. Every MANUFACTURED HOME shall maintain a 20 foot minimum yard from the boundary facing the entrance of the MANUFACTURED HOME.
 (a) Waiver Part I (Section 6.2.2.E.2.b.) is necessary due to the following:

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- <u>i.</u> The ALTA Land Use Survey received January 27, 2017, indicates that many of the existing MANUFACTURED HOME SITES in the park provide less than 20 feet of yard between the entrance side of the manufactured home and the home site boundary.
- ii. The existing home sites are non-conforming; they existed prior to the adoption of the Zoning Ordinance on October 10, 1973.
- d. Every MANUFACTURED HOME shall maintain a 10 foot minimum yard from any boundary not specified above.
 - (a) Waiver Part J (Section 6.2.2.E.2.c.) is necessary because of the following:
 - i. The ALTA Land Use Survey received January 27, 2017, indicates that many of the existing MANUFACTURED HOME SITES in the park provide sometimes 0 feet between the home and the rear property line.
 - ii. The existing home sites are non-conforming; they existed prior to the adoption of the Zoning Ordinance on October 10, 1973.
- e. No MANUFACTURED HOME SITE shall consist of an area less than 3,200 square feet.
 - (a) Waiver Part K (Section 6.2.2.E.3.) is necessary due to the following:
 - i. No record has been found of home site dimensions for home sites 1 through 93. P&Z Staff estimated the existing home sites' dimensions in order to describe the necessary variances.
 - ii. The existing home sites are non-conforming; they existed prior to the adoption of the Zoning Ordinance on October 10, 1973.
- f.A MANUFACTURED HOME STAND or pad shall be provided on each
MANUFACTURED HOME SITE of sufficient size to accommodate the
MANUFACTURED HOME to be located thereon. MANUFACTURED
HOME STANDS shall be concrete slabs, or runways, constructed so as not
to shift or settle unevenly under the weight of a MANUFACTURED
HOME or other forces due to frost, vibration, wind or water. Provisions
shall be made for the use of ground anchors designed to withstand a
minimum load of 4,800 pounds each. Four ground anchor connections shall
be provided for each MANUFACTURED HOME of less than 51 feet in
length and six ground anchor connections shall be provided for
MANUFACTURED HOMES exceeding 50 feet in length.

No waiver of Section 6.2.2.E.4. is necessary because all sites are on slabs and have ground anchors which exceed Illinois Department of Public Health regulations.

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- g. Each MANUFACTURED HOME SITE shall be provided with an outdoor
 living space to supplement the interior living space of the MANUFACTURED
 HOME. This outdoor living space must be paved monolithically or constructed
 of masonry or concrete moveable units placed sufficiently close together to
 create a single useable surface. The area of the outdoor living space shall be a
 minimum of 160 square feet with a minimum dimension of eight feet.
 (a) Waiver Part L (Section 6.2.2.E.5.) is necessary because none of the
 - existing home sites have an outdoor paved living space of at least 160 square feet.
 - (b) The existing home sites are non-conforming; they existed prior to the adoption of the Zoning Ordinance on October 10, 1973.
- h. The space between the MANUFACTURED HOME STAND and the floor of the MANUFACTURE HOME shall be enclosed with non-combustible skirting. The area thereby enclosed may be used for storage of ordinary household objects and material.

No waiver of Section 6.2.2.E.6. is necessary because all existing homes are in compliance and proposed homes will be enclosed with non-combustible skirting.

- i.A minimum of two improved off-street PARKING SPACES shall be
provided for each MANUFATURED HOME SITE. One of these
PARKING SPACES may be provided off the MANUFACTURED HOME
SITE provided such PARKING SPACE is not located more than 200 feet
from the MANUFACTURED HOME SITE served.
 - (a) Waiver Part M is necessary because 16 of 93 existing home sites do not have the minimum required two improved off-street parking spaces.
 - (b) The existing home sites are non-conforming; they existed prior to the adoption of the Zoning Ordinance on October 10, 1973.
- (9) Paragraph 6.2.2.F provides STREET Requirements, as follows:
 a. All MANUFACTURED HOME PARKS shall be provided with adequate, safe, and convenient vehicular ACCESS from abutting public STREETS.
 - b. Public STREET dedications within or abutting MANUFACTURED HOME PARKS shall be made in accordance with the subdivision regulations. No MANUFACTURED HOME SITE shall have direct ACCESS onto a dedicated public STREET.

A waiver of Section 6.2.2.F.2. is not necessary because there are no home sites with direct access onto a public street.

c. Entrance drives into MANUFACTURED HOME PARKS shall have direct ACCESS to a public STREET and shall be designed to have free traffic flow onto such public STREETS, and no parking or MANUFACTURED Case 870-S-17 Page 30 of 72

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HOME SITE ACCESS driveway shall be permitted off an entrance drive for a distance of 50 feet from a public RIGHT-OF-WAY.

A waiver of Section 6.2.2.F.3. is not necessary because there are no existing or proposed home site driveways within 50 feet of a public right-of-way.

d.The internal PRIVATE ACCESSWAY system serving MANUFACTURED
HOME SITES shall provide convenient circulation by means of minor
PRIVATE ACCESSWAYS and properly located COLLECTOR PRIVATE
ACCESSWAYS. Cul-de-sac PRIVATE ACCESSWAYS shall be limited to
a length of 300 feet.

<u>A waiver of Section 6.2.2.F.4. is not necessary because there are no cul-de-</u> sacs in Stonetown Woodland Acres.

- e. Minimum pavement widths for PRIVATE ACCESSWAYS shall be as follows (all areas exclusive of parking areas):
 - i. 30 feet for COLLECTOR STREETS;
 - ii. 24 feet for MINOR STREETS;
 - iii. 24 feet for Cul-de-sac STREETS; and
 - iv. 80 feet for Cul-de-sac Turnarounds
 - (a) Waiver Part N is necessary because the existing Fred Lane is only <u>18 feet wide in lieu of the minimum required 24 feet wide, and the</u> proposed private drive is 20 feet wide in lieu of 24 feet wide.
 - (b) The existing Manufactured Home Park and its private accessways are non-conforming; they existed prior to the adoption of the Zoning Ordinance on October 10, 1973.
- f.With respect to paving materials, curbs and gutters, grading, intersections,
offsets, and radii of curvature, the provisions of the subdivision ordinance
shall apply to PRIVATE ACCESSWAYS.
 - (a) Waiver Part O is no longer necessary because the existing manufactured home park is non-conforming, and it existed prior to the adoption of the Subdivision Ordinance on May 17, 1977.
 - (b) Per Sheet C2.0 of the Stonetown Woodland Acres Mobile Home Park Expansion Plan received June 16, 2017, proposed streets will comply with the Illinois Department of Transportation "Standard Specifications for Road and Bridge Construction, latest edition."
- g. PARKING SPACES perpendicular to PRIVATE ACCESSWAYS shall not be located within the required pavement width. Parallel parking on one side of a MINOR STREET is permitted provided the required 24 feet of pavement remains unobstructed for travel.

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A waiver of Section 6.2.2.F.7. would be necessary if the parallel parking that has occurred in Woodland Acres continued; however, there is a special condition proposed to prohibit parallel parking and require signage to that effect throughout the park.

(10)Paragraph 6.2.2.G. provides requirements for STREET Lighting, as follows:a.STREET lights shall be designed to produce a minimum of 0.1 footcandle
throughout the STREET system. Potentially hazardous locations such as
intersections, major pedestrian crossings, and portions of STREETS
abutting service buildings and recreation areas shall be illuminated with a
minimum of 0.3 footcandle.

No waiver of 6.2.2.G.1. is necessary because there is a note on Sheet C2.0: General Notes of the revised Expansion County Review Drawings received June 5, 2017, which states, "13. Street lighting will be provided at a minimum at locations depicted on the plans. Lighting shall meet the requirements of Section 6.2.2.G of the Champaign County Zoning Ordinance. A photometric plan verifying that a minimum of 0.1 footcandles throughout the street system and 0.3 footcandles at potentially hazardous locations will be provided."

- b. All gas or electric service to the STREET lighting system shall be located underground.
 - (a) Waiver Part P is necessary because electrical service to street lighting is above ground rather than underground.
 - (b) The existing manufactured home park is non-conforming; it existed prior to the adoption of the Zoning Ordinance on October 10, 1973.
- (11)Paragraph 6.2.2.H. provides requirements for Pedestrian Walkways, as follows:a.Individual walks to each MANUFACTURED HOME STAND from pavedSTREETS or parking areas are required and shall be a minimum of two feetin width.

No waiver of Section 6.2.2.H.1. is necessary because onsite review by staff indicates that each MANUFACTURED HOME SITE is connected to their provided parking spaces with a paved surface.

b.Common walks are required at locations where heavy pedestrian traffic is
likely to occur such as at entrances, service facilities and recreation areas.
Common walks should be located through interior areas removed from
STREETS wherever possible.

No waiver of Section 6.2.2.H.2. is necessary because of the following: (a) The only place in the park where a common walk is currently provided is around the main office building on Dale Drive. Case 870-S-17 Page 32 of 72

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- (b) The proposed playground has not yet been designed; future development of high-traffic areas in the park will need to comply with this section of the Zoning Ordinance.
- c. Individual and common walks shall be paved monolithically or constructed of masonry or concrete moveable units placed sufficiently close together to create a uniform surface. Individual walks shall not be less than two feet in width. Common walks shall not be less than three and one-half feet in width.

No waiver of Section 6.2.2.H.3. is necessary because all existing walks appear to meet this condition.

d. No walk shall be used as a drainage way. Sudden changes in alignment and gradient shall be avoided.

No waiver of Section 6.2.2.H.4. is necessary because there are no drainage ways running through the existing park, and there are no sidewalks in the proposed dry detention basin.

- (12) Paragraph 6.2.3.A. provides minimum requirements for a MHP's Water Supply and Distribution System, as follows:
 - a. Where a public supply of water is reasonably available, connection shall be made thereto and its supply used exclusively.

A waiver from Section 6.2.3.A.1. is not necessary because the park is connected to the public water supply.

- b Where a public supply of water is not reasonably available, a private water supply system shall be developed to furnish a minimum of 150 gallons per day per MANUFACTURED HOME at a minimum pressure of 20 pounds per square inch. Section 6.2.3.A.2. does not apply to the subject property.
- c. All other applicable minimum requirements of the Illinois State Department of Public Health must be met.

<u>A waiver from Section 6.2.3.A.3. does not appear to be necessary because</u> the existing park was permitted and approved by the Illinois Department of Public Health, and the proposed expansion has received approval for construction, per a letter received June 28, 2017 (Supplemental Memo #1, Attachment D dated June 29, 2017).</u>

- (13) Paragraph 6.2.3.B. provides minimum requirements for a MHP's Sewage Systems, as follows:
 - a. Where a public system of sewage collection and treatment is reasonably available, all sewage and water carried waste shall be disposed of into such public system.

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A waiver from Section 6.2.3.B.1. is not necessary because of the following:

- (a) The ALTA Land Use Survey received January 27, 2017, shows existing sanitary sewer lines connected throughout the subject property.
- (b) The proposed expansion area will also connect to the public sanitary system.
- b. Where public sewage treatment facilities are not reasonably available, a private treatment system shall be designed to collect and treat a minimum of 225 gallons per day per MANUFACTURED HOME SITE.

Section 6.2.3.B.2. does not apply to the subject property.

c. All other applicable minimum requirements of the Illinois State Department of Public Health must be met.

<u>A waiver from Section 6.2.3.A.3. does not appear to be necessary because</u> the existing park was permitted and approved by the Illinois Department of <u>Public Health, and the proposed expansion has received approval for</u> construction, per a letter received June 28, 2017 (Supplemental Memo #1, <u>Attachment D dated June 29, 2017).</u>

- (14) Paragraph 6.2.3.C. provides minimum requirements for a MHP's Solid Waste Disposal, as follows:
 - a.All refuse shall be stored in water tight containers located on eachMANUFACTURED HOME SITE or within 150 feet thereof.

<u>A waiver from Section 6.2.3.C.1. does not appear to be necessary because</u> there is no evidence that individual MANUFACTURED HOME SITES do not have trashcans.

b. Refuse shall be collected regularly and transported to a disposal site in compliance with State Law. Incineration of any refuse or vegetation within a MANUFACTURED HOME PARK is prohibited.

A waiver from Section 6.2.3.C.2. does not appear to be necessary because site visits by staff found dumpsters from a local garbage collection service with no garbage or debris present. The brush pile near the garbage dumpsters shows no evidence of burning.

c. All other applicable minimum requirements of the Illinois State Department of Public Health must be met.

A waiver from Section 6.2.3.A.3. does not appear to be necessary because the existing park was permitted and approved by the Illinois Department of Public Health, and the proposed expansion has received approval for construction, per a letter received June 28, 2017 (Supplemental Memo #1, **Case 870-S-17** Page 34 of 72

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Attachment D dated June 29, 2017). Receipt of the recent construction permit implies that IDPH has no issues with the park.

- (15) Paragraph 6.2.3.D. provides minimum requirements for a MHP's Electrical Distribution System, as follows:
 - a. Electrical installations in MANUFACTURED HOME PARKS shall conform to the National Electric Code, latest edition.
 - (a) Waiver Part Q is necessary because it is not clear if the electrical distribution system serving the existing home sites complies with the National Electric Code.
 - (b) The existing manufactured home park is non-conforming; it existed prior to the adoption of the Zoning Ordinance on October 10, 1973.
 - b. The electrical distribution system in all MANUFACTURED HOME PARKS shall be underground.

<u>A waiver from Section 6.2.3.D.2. does not appear to be necessary because</u> the ALTA Survey received January 27, 2017, does not show overhead electric lines serving the individual home sites.

c. MANUFACTURED HOME SITE feeder circuits shall be rated for a capacity of not less than 100 amperes of 120/240 volts. Additional secondary receptacles of not less than 50 amperes each may be provided at MANUFACTURED HOME SITES.

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d. The total load for a MANUFACTURED HOME PARK shall be calculated on the basis of 16,000 watts per MANUFACTURED HOME SITE. The minimum allowable demand factors which may be used in the calculating load on feeders and service are as determined by the table in Subparagraph <u>6.2.3.D(4) of the Zoning Ordinance.</u>

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- (16) Paragraph 6.2.3.E. provides minimum requirements for a MHP's Telephone Services and Television Systems, as follows:
 - a. All telephone service to MANUFACTURED HOMES shall be underground.

<u>A waiver from Section 6.2.3.E.1. does not appear to be necessary because</u> the ALTA Survey received January 27, 2017, shows underground telephone lines that serve the individual home sites.

b. Distribution of master television antenna service to MANUFACTURED HOME SITES shall be underground.

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<u>A waiver from Section 6.2.3.E.1. does not appear to be necessary because</u> the ALTA Survey received January 27, 2017, shows underground cable television lines that serve the individual home sites.

- (17) Paragraph 6.2.3.F. provides minimum requirements for a MHP's Fire Protection, as follows:
 - a. MANUFACTURED HOME PARKS shall be kept free of all litter, rubbish or other accumulated flammable materials.

A waiver from Section 6.2.3.F.1. does not appear to be necessary because staff has visited the subject property several times and never noted any problems with litter, rubbish, or other accumulated flammable materials.

b. If the MANUFACTURED HOME PARK is served by a public water system, approved fire hydrants shall be located throughout the MANUFACTURED HOME PARK and shall be located not more than 500 feet from any MANUFACTURED HOME. The hydrants shall deliver a minimum of 75 gallons of water per minute at a pressure of 20 pounds per square inch at the highest elevation point of the MANUFACTURED HOME PARK.

A waiver of Section 6.2.3.F.2. does not appear to be necessary because of the following:

- (a) P&Z Staff could find no on-site fire hydrants in the existing manufactured home park; however, there is one hydrant located on the south side of IL130/US150/E University Avenue across from the thrift store.
- (b) All homes in the existing park are within 500 feet of a fire hydrant. STAFF REQUESTED VERIFICATION FROM CHIEF THUNEY ON 8/10/17
- (c) The petitioner is coordinating with Chief Thuney of Edge-Scott Fire Protection District regarding the 4 proposed hydrants in the proposed expansion area.
- (d) A special condition has been proposed to require the installation of the proposed fire hydrants in coordination with Edge-Scott Fire Protection District.
- c. Fire extinguishers shall be provided in accordance with the Illinois State Department of Public Health requirements.

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- (18) Subsection 6.2.4 states that all manufactured home parks shall provide the following community facilities:
 - a. A Management Office

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- b. Management Storage Facilities
- c. Other facilities as may be required by Section 158, *Et. seq.*, Chapter 111 <u>1/2</u>, *Illinois Revised Statutes*.
- (a) Waiver Part R is necessary because the existing manufactured home park Management Office is located on a separate but adjacent lot that is within the B-2 Zoning District rather than the R-5 Zoning District.
- (b) The existing manufactured home park is non-conforming; it existed prior to the adoption of the Zoning Ordinance on October 10, 1973.
- (c) There is no regulation in the *Illinois Mobile Home Park Act (210 ILCS 115)* or in the Illinois Department of Public Health Manufactured Home Community Code stating that the park office must be located on-site.
- (19) Other than as indicated in waiver Parts B and H, each site in the proposed expansion will comply with all setback, yard, and other requirements as established in Section 6.2.2.
- C. Regarding compliance with the *Stormwater Management and Erosion Control Ordinance*: A Storm Water Drainage Plan, Storm Water Pollution Prevention Plan, Erosion and Sediment Control Plan, and related permits have been filed with the appropriate agencies. An independent consultant determined that the Storm Water Drainage Plan would meet the drainage needs of the area when the manufactured home park expansion is complete.
- D. Regarding the *Special Flood Hazard Areas Ordinance*, no portion of the subject property is located within the mapped floodplain.
- E. Regarding the *Subdivision Regulations*, the subject property is located in the City of Urbana subdivision jurisdiction and the subject property conforms to City of Urbana subdivision regulations.
- F. Regarding the requirement that the Special Use preserve the essential character of the R-5 Manufactured Home Park Zoning District:
 - (1) Manufactured homes in Manufactured Home Parks are acceptable and permitted uses in the R-5 District.
 - (2) The visual character of the subject property will not change.
 - (3) The proposed expansion is unlikely to create any significant traffic impacts but no Traffic Impact Assessment has been made.
- G. Regarding the *Illinois Mobile Home Park Act (210 ILCS 115)*:
 - (1) In many cases, the Champaign County Zoning Ordinance is more stringent than the *Illinois Mobile Home Park Act*, and the more stringent code takes precedence.

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

- 10. Regarding the *Zoning Ordinance* requirement that the proposed Special Use is in harmony with the general intent and purpose of the Ordinance:
 - A. Subsection 5.1.8 of the Zoning Ordinance states the general intent of the R-5 Manufactured Home Park and states as follows (capitalized words are defined in the Ordinance):
 - (1) The R-5, MANUFACTURED HOME Park DISTRICT is intended to accommodate MANUFACTURED HOME PARKS and their associated USES in a medium density housing environment.
 - (2) The types of uses authorized in the R-5 District are in fact the types of uses that have been determined to be acceptable in the R-5 District. Uses authorized by Special Use Permit are acceptable uses in the district provided that they are determined by the ZBA to meet the criteria for Special Use Permits established in paragraph 9.1.11 B. of the Ordinance.
 - B. Regarding whether the proposed Special Use Permit is in harmony with the general purpose of the Zoning Ordinance:
 - (1) Paragraph 2 .0 (a) of the Ordinance states that one purpose of the Ordinance is securing adequate light, pure air, and safety from fire and other dangers.

The setback waiver seeks to utilize the minimum standard adopted by the State of Illinois for Manufactured Home Parks. The State's regulations refer to the Office of the State Fire Marshal for fire safety in mobile home parks, as does the *Champaign County Zoning Ordinance*. Section 21 of *Illinois Mobile Home Park Act (210 ILCS 115)* states "the Department (Illinois Department of Public Health) shall enforce the provisions of this Act and the rules and regulations adopted pursuant thereto affecting health, sanitation, water supply, sewage, garbage, fire safety, and waste disposal, and the Department shall inspect, at least once each year, each mobile home park and all the accommodations and facilities therewith."

- *(2) Paragraph 2.0 (b) of the Ordinance states that one purpose of the Ordinance is conserving the value of land, BUILDINGS, and STRUCTURES throughout the COUNTY. In regards to the value of nearby properties:
 - *a. Provided that the special conditions of approval sufficiently mitigate or minimize any incompatibilities between the proposed Special Use Permit and adjacent properties, there should be no significant effect on the value of nearby properties.
 - *b. At the June 29, 2017 public hearing, the Edgewood Subdivision Homeowners' Association presentation by Joe Pisula expressed concerns about diminished property values in their neighborhood if the rezoning and park expansion are approved.
 - (a) The presentation included current market values for homes along the east side of North Smith Road, but no other appraisal information has been provided to support the claim of diminished property values.

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- *c. In regards to the value of the subject property, it is not clear if the requested Special Use Permit would have any effect. Regarding the effect on the value of the subject property:
 - *(a) The subject property has been a manufactured home park since 1960; if the rezoning is denied, the existing home sites can continue to be used but no new sites will be permitted.
- *(3) Paragraph 2.0 (c) of the Ordinance states that one purpose of the Ordinance is lessening and avoiding congestion in the public STREETS. In regards to congestion in the public STREETS:
 - a. Probable traffic impacts are reviewed under Item 8.B.
 - *b. Staff believes that area roads would still function at an acceptable level, although no formal Traffic Impact Analysis has been done.
- *(4) Paragraph 2.0 (d) of the Ordinance states that one purpose of the Ordinance is lessening and avoiding the hazards to persons and damage to PROPERTY resulting from the accumulation of runoff from storm or flood waters.

A Storm Water Drainage Plan, Storm Water Pollution Prevention Plan, Erosion and Sediment Control Plan, and related permits have been filed with the appropriate agencies. An independent consultant determined that the Storm Water Drainage Plan will meet the drainage needs of the area when the manufactured home park expansion is complete.

- *(5) Paragraph 2.0 (e) of the Ordinance states that one purpose of the Ordinance is promoting the public health, safety, comfort, morals, and general welfare.
 - *a. In regards to public safety, this purpose is similar to the purpose established in paragraph 2.0 (a) and is in harmony to the same degree.
 - *b. In regards to public comfort and general welfare, this purpose is similar to the purpose of conserving property values established in paragraph 2.0 (b) and is in harmony to the same degree.

*c. Public comments received for this case are included under Item 8.I.

- (6) Paragraph 2.0 (f) states that one purpose of the Ordinance is regulating and limiting the height and bulk of BUILDINGS and STRUCTURES hereafter to be erected; and paragraph 2.0 (g) states that one purpose is establishing, regulating, and limiting the BUILDING or SETBACK lines on or along any STREET, trafficway, drive or parkway; and paragraph 2.0 (h) states that one purpose is regulating and limiting the intensity of the USE of LOT AREAS, and regulating and determining the area of OPEN SPACES within and surrounding BUILDINGS and STRUCTURES.
 - a. These three purposes are directly related to the limits on building height and building coverage and the minimum setback and yard requirements in the Ordinance.

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- b. The existing home sites conform to the less stringent *Illinois Mobile Home Park Act (210 ILCS 115)*, which has similar intent to the *Champaign County Zoning Ordinance* regarding setbacks.
- c. The setback and density requirements for Manufactured Home Parks have been part of the Zoning Ordinance since its adoption on October 10, 1973.
- *(7) Paragraph 2.0 (i) of the Ordinance states that one purpose of the Ordinance is classifying, regulating, and restricting the location of trades and industries and the location of BUILDINGS, STRUCTURES, and land designed for specified industrial, residential, and other land USES; and paragraph 2.0 (j.) states that one purpose is dividing the entire COUNTY into DISTRICTS of such number, shape, area, and such different classes according to the USE of land, BUILDINGS, and STRUCTURES, intensity of the USE of LOT AREA, area of OPEN SPACES, and other classification as may be deemed best suited to carry out the purpose of the ordinance; and paragraph 2.0 (k) states that one purpose is fixing regulations and standards to which BUILDINGS, STRUCTURES, or USES therein shall conform; and paragraph 2.0 (l) states that one purpose is prohibiting USES, BUILDINGS, OR STRUCTURES incompatible with the character of such DISTRICT.

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

*(8) Paragraph 2.0 (m) of the Ordinance states that one purpose of the Ordinance is preventing additions to and alteration or remodeling of existing BUILDINGS, STRUCTURES, or USES in such a way as to avoid the restrictions and limitations lawfully imposed under this ordinance.

The Petitioners seek to bring the existing manufactured home park into compliance by applying for the rezoning and a Special Use Permit. They also seek waivers in order to bring the property into full compliance.

- *(9) Paragraph 2.0 (n) of the Ordinance states that one purpose of the Ordinance is protecting the most productive AGRICULTURAL lands from haphazard and unplanned intrusions of urban USES.
 - a. The proposed Special Use meets the definition of "urban land use" as defined in the Appendix to Volume 2 of the Champaign County Land Resource Management Plan.
 - b. The ZBA has recommended that the proposed rezoning will *NOT IMPEDE* Goal 4 Agriculture of the Champaign County Land Resource Management Plan.
 - c. The subject property has been a manufactured home park since the 1960s. No agricultural land will be taken out of production.

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*(10) Paragraph 2.0 (o) of the Ordinance states that one purpose of the Ordinance is protecting natural features such as forested areas and watercourses.

The subject property does not contain any natural features.

- *(11) Paragraph 2.0 (p) of the Ordinance states that one purpose of the Ordinance is encouraging the compact development of urban areas to minimize the cost of development of public utilities and public transportation facilities.
 - *a. The proposed Special Use meets the definition of either "urban development" or "urban land use" as defined in the Appendix to Volume 2 of the Champaign County Land Resource Management Plan.
 - *b. The proposed development will not require investment in additional public utilities other than the developer connecting to existing utility and transportation infrastructure and the purchase of fire hydrants, which will be coordinated between the petitioner and Edge-Scott Fire Protection District.
- *(12) Paragraph 2.0 (q) of the Ordinance states that one purpose of the Ordinance is encouraging the preservation of AGRICULTURAL belts surrounding urban areas, to retain the AGRICULTURAL nature of the COUNTY, and the individual character of existing communities.
 - *a. The property is residential, located in a residential area.
 - *b. The proposed use will not take any agricultural land out of production.
 - *c. The proposed use will maintain the character of the existing community.
- *(13) Paragraph 2.0 (r) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to provide for the safe and efficient development of renewable energy sources in those parts of the COUNTY that are most suited to their development.

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

GENERALLY REGARDING WHETHER THE SPECIAL USE IS AN EXISTING NONCONFORMING USE

- 11. Regarding the *Zoning Ordinance* requirement that in the case of an existing NONCONFORMING USE the granting of the Special Use Permit will make the use more compatible with its surroundings:
 - A. The Petitioner has testified on the application: **"The currently developed portion of the total** +/- **14.16 acre property is an existing manufactured home park. The proposed** +/- **3.66 expansion will be a special use under county zoning. The currently developed portion of the site is a pre-existing use."**
 - B. The existing use on the property is a non-conforming use.

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

- 12. Generally regarding the Zoning Ordinance requirement of a finding that special conditions and circumstances exist which are peculiar to the land or structure involved which are not applicable to other similarly situated land or structures elsewhere in the same district:
 - A. Regarding Part A of the proposed waivers, for a Site Plan that does not include the number, location, and size of all Manufactured Home Sites:
 - (1) No site plan showing the size of the existing home sites has been found through staff research or inquiries to other agencies such as Public Health.
 - (2) Staff created approximate site boundaries in order to estimate yards and setbacks.
 - B. Regarding Part B of the proposed waivers, for a setback of 0 feet between a manufactured home stand and a manufactured home park exterior boundary that faces a state or US highway in lieu of 45 feet:
 - (1) All other residential districts in the Champaign County *Zoning Ordinance* require no more than 35 feet between a residence and a property line, per Section 4.3.2.
 - C. Regarding Part C of the proposed waivers, for 9 Manufactured Home Sites for each gross acre of land in lieu of the maximum allowed 8 Manufactured Home Sites for each gross acre of land:
 - (1) The existing 93 home sites on 13.37 acres have a density of 6.96 home sites per gross acre, in conformance with the Zoning Ordinance.
 - (2) The proposed 21 home sites on the undeveloped 3.66 acres have a density of 5.74 home sites per gross acre, in conformance with the Zoning Ordinance.
 - (3) The combined 114 home sites on the 13.37 acre subject property have a density of 8.53 home sites per gross acre.
 - D. Regarding Part D of the proposed waivers, for a setback of 0 feet between a manufactured home stand and a manufactured home park exterior boundary that faces a township road or minor street in lieu of the minimum required 25 feet:
 - (1) The original homes placed on existing home sites prior to 1973 were smaller and achieved the required 5 feet setback between the home stand and the manufactured home park exterior boundary established in *Illinois Mobile Home Park Act (210 ILCS 115)*.
 - (2) Larger homes have been placed on the property since then that have reduced the space between the home stand and the exterior boundary.
 - E. Regarding Part E of the proposed waivers, for a minimum rear yard of 0 feet in lieu of the minimum required 15 feet:
 - (1) The original homes placed on existing home sites prior to 1973 were smaller and achieved the required 5 feet setback between the home stand and the manufactured home park exterior boundary established in *Illinois Mobile Home Park Act (210 ILCS 115)*.

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- (2) Larger homes have been placed on the property since then that have reduced the space between the home stand and the exterior boundary.
- F. Regarding Part F of the proposed waivers, for a Manufactured Home Park with 3 percent of the gross site area in lieu of the minimum required 8 percent and parcels of recreation space that are at least 3,985 square feet in lieu of the minimum required 6,000 square feet:
 - (1) There was no mention of required recreational area in the *Illinois Mobile Home Park Act (210 ILCS 115).*
 - (2) The petitioners have proposed two new recreational areas as part of the expansion, which total 20,268 square feet (.47 acre), or 3.5% of the entire 13.77 acre manufactured home park. The proposed recreational areas total 12.7% of the 3.66 acre proposed expansion area.
- G. Regarding Part G of the proposed waivers, for a Site Plan that does not include the limits of each Manufactured Home Site:
 - (1) No site plan showing the limits of the existing home sites has been found through staff research or inquiries to other agencies such as Public Health.
 - (2) Staff created approximate home site limits in order to estimate yards and setbacks.
- H. Regarding Part H of the proposed waivers, for a minimum setback (yard) of at least 2 feet in lieu of 15 feet between the manufactured home and the manufactured home site boundary adjacent to private accessways:
 - (1) Homes placed prior to 1973 were only required to have 5 feet of space at the ends of a manufactured home, per the *Illinois Mobile Home Park Act* (210 ILCS 115/9.3).
 - (2) Larger homes have replaced the smaller homes that were on the property prior to 1973, which reduced the setback on existing home sites to as little as 2 feet.
 - (3) Proposed home site 114 is limited on two sides by the existing adjacent private accessway, which limits the west yard to 10 feet.
- I. Regarding Part I of the proposed waivers, for a minimum setback (yard) of 8 feet in lieu of 20 feet between the entrance side of the manufactured home and the manufactured home site boundary:
 - (1) Homes placed prior to 1973 were only required to have "open space of at least 10 feet adjacent to the sides of every mobile home and at least 5 feet adjacent to the ends of every mobile home", per the *Illinois Mobile Home Park Act* (210 ILCS 115/9.3).
- J. Regarding Part J of the proposed waivers, for a minimum setback (rear and side yards) of 0 feet in lieu of the minimum required 10 feet:
 - (1) Homes placed prior to 1973 were only required to have "open space of at least 10 feet adjacent to the sides of every mobile home and at least 5 feet adjacent to the ends of every mobile home", per the *Illinois Mobile Home Park Act* (210 ILCS 115/9.3).
 - (2) Larger homes have replaced the smaller homes that were on the property prior to 1973, which reduced the yards on existing home sites.

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- (3) Regarding side yard requirements, in the December 10, 2015, approved minutes for Case 818-S-15 for the Woods Edge MHP adjacent to Loral Park, Mr. Hall stated, "testimony is that they (Illinois Department of Public Health) have required no more than 5 feet, with 10 feet between buildings from day one. He added that we have had testimony that in our own Zoning Ordinance, in this same area, we would require no more than 5 feet separation if these were private homes in the R-3 District, and those homes would not meet any standard. He stated that these homes (the manufactured homes) are absolutely built to a standard and inspected."
 - a. A special condition was added to Case 818-S-15 that stated, "There shall be a minimum separation distance of 10 feet between residential buildings. The special condition stated above is required to ensure compliance with IDPH standards."
 - b. Per Case 818-S-15 Findings of Fact approved on December 10, 2015, the ZBA approved the waiver for side yards because it is in compliance with IDPH regulations and it is comparable to the standards that apply in the R-3 and R-4 zoning districts.
- K. Regarding Part K of the proposed waivers, for a minimum manufactured home site of 1,600 square feet in area in lieu of the minimum required 3,200 square feet:
 - (1) Section 9.3 of the *Illinois Mobile Home Park Act (210 ILCS 115)* states, "Each site on which a mobile home is accommodated shall have a minimum area of 2,500 square feet, provided that sites existing in parks or approved by the Department for construction prior to August 21, 1967, shall contain an area of not less than 1,000 square feet, and sites constructed between August 21, 1967 and the effective date of this amendatory Act of 1987 shall contain an area of not less than 2,100 feet."
 - (2) No information was found showing the location of the first 45 home sites or how they correlate to the current home site numbering system.
 - (3) The 1970 permit application received November 10, 2016, for construction of 32 home sites stated that the area of the smallest trailer coach space was 2,625 square feet.
 - a. No information was found showing the location of these 32 home sites or how they correlate to the current home site numbering system.
 - Proposed expansion sites 94 through 114 must meet the more stringent *Champaign County Zoning Ordinance* requirement of 3,200 square feet.
 <u>a.</u> The Overall Layout Plan received June 16, 2017, shows all proposed home sites to be greater than 3,200 square feet in area.
- L. Regarding Part L of the proposed waivers, for no outdoor paved living space in lieu of an outdoor living space of at least 160 square feet with a minimum dimension of 8 feet:
 - (1) There was no mention of required paved outdoor space in the *Illinois Mobile Home Park Act (210 ILCS 115).*

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- M. Regarding Part M of the proposed waivers, for no improved off-street parking spaces for each existing manufactured home site in lieu of the minimum required two improved off-street parking spaces:
 - (1) The Illinois Department of Public Health *Manufactured Home Community Code* (860 ILCS 220) states, "at least two parking spaces shall be provided for each site constructed after July 1, 1998. At least one space shall be available for all other sites. Parking spaces on streets must be a minimum of 18 feet in length".
 - (2) All existing home sites but 2 (sites 47 and 64) were constructed prior to adoption of the Zoning Ordinance on October 10, 1973. Sites 47 and 64 each have 2 off-street parking spaces.
 - (3) Staff analysis indicates that there is sufficient existing off-street and on-street space to provide 2 parking spaces for all but 16 home sites.
 - a. The on-street spaces included in the analysis are outside the 24 feet required unobstructed travel path; in some locations it is difficult to discern on-street versus off-street parking.
 - b. Staff allocated all available parking spaces to determine which home sites are at least 200 feet from available on or off street parking, and those are the 16 home sites listed in the waiver.
 - c. The Farnsworth Group report received August 8, 2017, provides the following information on Page 4, Item 9: "As existing homes are replaced each site will be designed with the minimum required 2 parking spaces. In addition, Stonetown Woodland Acres LLC staff will communicate to residents in the existing facility that a policy of no on-street parking will be phased in over a 6 month period beginning after approval of the proposed expansion. An evaluation of the need for additional parking will be included with the process, and within 6 months of approval of the facility expansion, "Type D" "No Parking - Fire Lane" signs will be posted on the existing streets which will allow for local law enforcement to enforce the parking restrictions. This time period will allow for transition and evaluation of the need for additional parking."
- N. Regarding Part N of the proposed waivers, for a minimum pavement width of 18 feet for existing private accessways in lieu of the minimum required 24 feet for minor streets:
 - (1) Fred Lane is the only existing street with a width less than the required minimum.
 - (2) All existing streets in the Manufactured Home Park were constructed prior to adoption of the Zoning Ordinance on October 10, 1973.
 - (3) There was no mention of required street width in the *Illinois Mobile Home Park* Act (210 ILCS 115).
- O. Regarding Part O of the proposed waivers, that the provisions of the Subdivision Ordinance shall apply to existing private accessways:
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- (1) All streets in the Manufactured Home Park were constructed prior to adoption of the Zoning Ordinance on October 10, 1973. The Subdivision Ordinance was adopted on May 17, 1977.
- (2) The proposed extension of private accessways must comply with current regulations.
- P. Regarding Part P of the proposed waivers, for above ground street lighting:
 - (1) No street lighting information has been found regarding the existing system.
 - (2) The specifications and functionality of the existing street light system are unknown.
 - (3) The Illinois Department of Public Health *Manufactured Home Community Code* (860 ILCS 220) has street lighting requirements for communities constructed after July 1, 1998.
- Q. Regarding Part Q of the proposed waivers, for above ground electrical service:
 - (1) No information was provided regarding the existing electrical system and whether it was installed in conformance to the National Electric Code or equivalent at the time.
 - (2) The proposed expansion must comply with the Illinois Department of Public Health *Manufactured Home Community Code (860 ILCS 220)*, which requires conformance to the National Electric Code.
- R. Regarding Part R of the proposed waivers, for an off-site Management Office:
 - (1) The existing manufactured home park Management Office is located on a separate but adjacent lot.
 - (2) There is no regulation in the *Illinois Mobile Home Park Act (210 ILCS 115)* or in the Illinois Department of Public Health *Manufactured Home Community Code (860 ILCS 220)* stating that the park office must be located on-site.

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

- 13. Generally regarding the Zoning Ordinance requirement of a finding that practical difficulties or hardships related to carrying out the strict letter of the regulations sought to be varied prevent reasonable and otherwise permitted use of the land or structures or construction on the lot:
 - A. Without Part A of the proposed waivers, for a Site Plan that does not include the number, location, and size of all Manufactured Home Sites: the petitioners are required to provide this information to the Illinois Department of Public Health as part of their application to alter the manufactured home park; the proposed expansion has received approval for construction, per a letter received June 28, 2017 (Supplemental Memo #1, Attachment D dated June 29, 2017).
 - B. Without Part B of the proposed waivers, for a setback of 0 feet between a manufactured home stand and a manufactured home park exterior boundary that faces a state or US

highway or a major street in lieu of the minimum required 45 feet: the petitioners would have to reconfigure and remove home sites along the north side.

- C. Without Part C of the proposed waivers, for 9 Manufactured Home Sites for each gross acre of land in lieu of the maximum allowed 8 Manufactured Home Sites for each gross acre of land: The petitioners would be limited to 13 proposed sites rather than 21 home sites.
- D. Without Part D of the proposed waivers, for a setback of 0 feet between a manufactured home site that faces a public street and the manufactured home park exterior boundary in lieu of the minimum required 25 feet: home sites 88 through 93 would have to be reconfigured and the petitioners would have to remove some of those sites.
- E. Without Part E of the proposed waivers, for a minimum rear yard of 0 feet in lieu of the minimum required 15 feet: 20 existing homes would have to be replaced with shorter homes or the sites would have to be reconfigured, which would force the petitioners to remove some of those sites.
- F. Without Part F of the proposed waivers, for less than 8% gross area set aside for recreation space, the petitioners would have to provide approximately 1 acre of recreation space (approximately 25,700 additional square feet). This would be equivalent to about 8 manufactured home sites measuring 3,200 square feet each.
- G. Without Part G of the proposed waivers, for a Site Plan that does not include the limits of each Manufactured Home Site: The petitioners are required to provide this information to the Illinois Department of Public Health as part of their application to alter the manufactured home park; the proposed expansion has received approval for construction, per a letter received June 28, 2017 (Supplemental Memo #1, Attachment D dated June 29, 2017).
- H. Without Part H of the proposed waivers, a minimum setback (yard) of at least 2 feet in lieu of 15 feet between the manufactured home and the manufactured home site boundary adjacent to private accessways, the petitioners would need to install smaller manufactured homes, or reconfigure most of the existing home sites, as well as proposed home site 114.
- I. Without Part I of the proposed waivers, for a minimum setback (yard) of 8 feet in lieu of 20 feet between the entrance side of the manufactured home and the manufactured home site boundary: The petitioners would have to remove enough home sites to meet this requirement, which could make the expansion and improvements to the park financially infeasible.
- J. Without Part J of the proposed waivers, for a minimum setback (rear and side yards) of 0 feet in lieu of the minimum required 10 feet: The petitioners would have to remove enough sites and homes to meet this requirement, which could make the expansion and improvements to the park financially infeasible.
- K. Without Part K of the proposed waivers, for a minimum manufactured home site of 1,600 square feet in area in lieu of the minimum required 3,200 square feet: The petitioners would

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have to remove enough sites and homes, which could make the expansion and improvements to the park financially infeasible.

- L. Without Part L of the proposed waivers, for home sites without a 160 square feet paved outdoor space, most existing home sites would have to be reconfigured to include this space, and construction of the paved area would disrupt residents and in some cases require removal of other structures on home sites.
- M. Without Part M of the proposed waivers, for no improved off-street parking spaces for each existing manufactured home site, 16 existing home sites would have to be reconfigured to include additional parking, and construction of the paved area would disrupt residents and in some cases require removal of other structures on home sites.
- N. Without Part N of the proposed waivers, for a minimum pavement width of 18 feet for existing private accessways, Fred Lane would have to be widened, which would require reconfiguration or removal of adjacent home sites.
- O. Without Part O of the proposed waivers, with respect to paving materials, curbs and gutters, grading, intersections, offsets, and radii of curvature, for which the provisions of the Subdivision Ordinance shall apply:
 - (1) There would be no change to the existing conditions because no changes are proposed for those streets, which were constructed prior to the adoption of the Zoning Ordinance on October 10, 1973.
 - (2) This waiver does not apply to the proposed expansion.
- P. Without Part P of the proposed waivers, for the electrical service to the existing street lighting system located above ground in lieu of underground, the petitioners would have to invest in underground electrical service to the street lighting, which would be invasive to existing home sites and disruptive to residents.
- Q. Without Part Q of the proposed waivers, for the electrical system for all existing homes, any used homes that will replace existing homes, and for the electrical distribution system to existing homes, to comply with the latest edition of the National Electric Code: The petitioners would have to inspect the electrical systems of each home and the overall system in order to ensure compliance.
- R. Without Part R of the proposed waivers, for a Manufactured Home Park that provides an off-site Management Office in lieu of an on-site Management Office: The petitioners would have to provide an office on site, or they would have rezone the existing office lot and eliminate the unpermitted use (thrift store).

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

14. Generally regarding the Zoning Ordinance requirement for a finding that the special conditions, circumstances, hardships, or practical difficulties do not result from the actions of the Applicant:

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- A. The Petitioner testified the following on the variance application, which is also applicable to the proposed waivers for the proposed expansion area: "No, triangular shape of the portion of the site remaining to be developed is a function of the geometry of the site boundary."
- B. The petitioner purchased the property in 2016; with the exception of waiver Parts B and H, all requested waivers are for existing conditions that were created when the park was constructed and expanded in the 1960s and 1970s.

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

- 15. Regarding the *Zoning Ordinance* requirement that the waivers of standard conditions of the Special Use will be in harmony with the general purpose and intent of the ordinance:
 - A. Regarding Part A of the proposed waivers, for a Site Plan that does not include the number, location, and size of all Manufactured Home Sites: The requested waiver (variance) is 0% of the minimum required, for a variance of 100%.
 - B. Regarding Part B of the proposed waivers, for a setback of 0 feet between a manufactured home stand and a manufactured home park exterior boundary that faces a state or US highway or a major street in lieu of the minimum required 45 feet: The requested waiver (variance) is 0% of the minimum required, for a variance of 100%.
 - C. Regarding Part C of the proposed waivers, for 9 Manufactured Home Sites for each gross acre of land in lieu of the maximum allowed 8 Manufactured Home Sites for each gross acre of land: The requested waiver (variance) is 108% of the minimum required, for a variance of 8%.
 - D. Regarding Part D of the proposed waivers, for a setback of 0 feet between a manufactured home site that faces a public street and the manufactured home park exterior boundary in lieu of the minimum required 25 feet: The requested waiver (variance) is 0% of the minimum required, for a variance of 100%.
 - E. Regarding Part E of the proposed waivers, for a minimum rear yard of 0 feet in lieu of the minimum required 15 feet: The requested waiver (variance) is 0% of the minimum required, for a variance of 100%.
 - F. Regarding Part F of the proposed waivers, for less than 8% gross area set aside for recreation space: The requested waiver (variance) is 44% of the minimum required, for a variance of 56%.
 - G. Regarding Part G of the proposed waivers, for a Site Plan that does not include the limits of each Manufactured Home Site: The requested waiver (variance) is 0% of the minimum required, for a variance of 100%.
 - H. Regarding Part H of the proposed waivers, for a minimum setback (yard) of 2 feet in lieu of 15 feet between the manufactured home and the manufactured home site boundary adjacent to private accessways: The requested waiver (variance) is 13% of the minimum required, for a variance of 87%.

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- I. Regarding Part I of the proposed waivers, for a minimum setback (yard) of 8 feet in lieu of 20 feet between the entrance side of the manufactured home and the manufactured home site boundary: The requested waiver (variance) is 40% of the minimum required, for a variance of 60%.
- J. Regarding Part J of the proposed waivers, for a minimum setback (rear and side yards) of 0 feet in lieu of the minimum required 10 feet: The requested waiver (variance) is 0% of the minimum required, for a variance of 100%.
- K. Regarding Part K of the proposed waivers, for a minimum manufactured home site of 1,600 square feet in area in lieu of the minimum required 3,200 square feet: The requested waiver (variance) is 50% of the minimum required, for a variance of 50%.
- L. Regarding Part L of the proposed waivers, for home sites without a 160 square feet paved outdoor space: The requested waiver (variance) is 0% of the minimum required, for a variance of 100%.
- M. Regarding Part M of the proposed waivers, for no improved off-street parking spaces for each existing manufactured home site: When considered in terms of the number of existing home sites with less than 2 off-street parking spaces (16 of 93), the requested waiver (variance) is 83% of the minimum required, for a variance of 17%.
- N. Regarding Part N of the proposed waivers, for a minimum pavement width of 18 feet for existing private accessways: The requested waiver (variance) is 75% of the minimum required, for a variance of 25%.
- O. Regarding Part O of the proposed waivers, with respect to paving materials, curbs and gutters, grading, intersections, offsets, and radii of curvature, for which the provisions of the Subdivision Ordinance shall apply: The requested waiver (variance) is 0% of the minimum required, for a variance of 100%.
- P. Regarding Part P of the proposed waivers, for the electrical service to the existing street lighting system located above ground in lieu of underground: The requested waiver (variance) is 0% of the minimum required, for a variance of 100%.
- Q. Regarding Part Q of the proposed waivers, for the electrical system for all existing homes, any used homes that will replace existing homes, and for the electrical distribution system to existing homes, to comply with the latest edition of the National Electric Code: The requested waiver (variance) is 0% of the minimum required, for a variance of 100%.
- R. Regarding Part R of the proposed waivers, for a Manufactured Home Park that provides an off-site Management Office in lieu of an on-site Management Office: The requested waiver (variance) is 0% of the minimum required, for a variance of 100%.
- S. Regarding minimum site plan requirements, the Zoning Ordinance reflects the requirements of the *Illinois Mobile Home Park Act (210 ILCS 115)* and the Illinois Department of Public Health *Manufactured Home Community Code (860 ILCS 220)*.

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- T. Regarding minimum setback and yard requirements, the Zoning Ordinance does not clearly state the considerations that underlie the minimum setback requirements and front yard requirements. Presumably, the setback from street centerline and front yard minimum is intended to ensure the following:
 - (1) Adequate separation from roads.
 - (2) Allow adequate area for road expansion and right-of-way acquisition.
 - (3) Parking, where applicable.
 - (4) The proposed expansion, including the proposed new road within the manufactured home park, will not impact setbacks and yards.
- U. Regarding minimum street requirements referencing the *Champaign County Subdivision Ordinance*, the Zoning Ordinance does not clearly state the considerations that underlie pavement and other street specifications. Presumably, the street requirements are intended to ensure the following:
 - (1) Conformance to state road specifications.
 - (2) Safe infrastructure for all users.
 - (3) Accessibility for persons with disabilities.
 - (4) Access for emergency vehicles.
 - (5) Adequate stormwater drainage.
 - (6) Logical and adequate connectivity to existing public streets.
- V. Regarding minimum electrical system requirements, the Zoning Ordinance does not clearly state the considerations that underlie the electrical system. Presumably, the requirements are intended to ensure the following:
 - (1) Conformance to National Electric Code.
 - (2) Consideration of life safety.

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

- 16. Regarding the Zoning Ordinance requirement for a finding that the granting of the waiver (variance) will not be injurious to the neighborhood, or otherwise detrimental to the public health, safety, or welfare:
 - *<u>A.</u> The Urbana Township Highway Commissioner has been notified of this case, and has provided the following comments:
 - *(a) Jim Prather called the P&Z Department on June 21, 2017, to express opposition to the new road access to North Smith Road at Slayback Street. He asked if parking would be allowed on the 20 feet wide proposed private access drive; Susan Burgstrom told him that the Zoning Ordinance does not allow on-street parking for a 20 feet wide street.

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- *(b) At the June 29, 2017 public hearing, Mr. Prather testified that one of his concerns is the proposed entrance off Slavback Street to North Smith Road. He said he understands the safety reason for the new access, and maybe the gated entrance activated by fire and police only would be the way to go. He stated that his biggest concern is the drainage and storm retention. He asked if the petitioners planned to drain out on the state highway right-of-way. Mr. Prather stated that some of the drainage goes out toward I-74 and there is a big issue that it drains down the state's right-of-way to a catch basin at John Street and McGee Street. He said there is a 3 foot wall there, and the tile on the State's rightof-way cannot handle the storm water and it overflows over the 3 foot wall into McGee Street in Edgewood. He said it has overflowed many times. Mr. Prather stated that another concern he has is that there is another storm drain at Smith Road and Slavback Street, at the dead-end of North Smith Road. He said that as far as he is concerned, that is the west end of Edgewood's storm drain, and they do not need anything else hooked on to cause a problem of improper drainage in the subdivision. Mr. Prather responded that he is concerned about more traffic on Slavback Street at Smith Road; he said that Smith Road is really not a wide street, and he is afraid the residents in the park will use Smith Road more often. He said that people travel the fastest, easiest way, so there is going to be a lot more traffic on Smith Road. Mr. Prather said that it is sometimes hard to get onto University Avenue from North Smith Road with the traffic in the mornings and evenings. He said that earlier someone mentioned going to the Apple Dumplin'. He said that people will head east to Wal-Mart, Aldi, etc.
- B. The Edge-Scott Fire Protection District has been notified of this variance and Item 8.C. above includes comments provided by Chief Steve Thuney.
- C. Considerations of public health, safety, and welfare for the proposed special use are discussed under Item 8 and are also applicable to the proposed waivers.

GENERALLY REGARDING PROPOSED SPECIAL CONDITIONS OF APPROVAL

- 17. Regarding proposed special conditions of approval for Special Use Permit Case 870-S-17:
 - A. Within 30 days of approval of Case 869-AM-17 by the Champaign County Board, the petitioner shall file a miscellaneous document with the Champaign County Recorder of Deeds stating the Stonetown Woodland Acres Manufactured Home Park was authorized subject to special conditions in Case 870-S-17, and the document shall contain all of the special conditions of approval for Case 870-S-17. A copy of the recorded document shall be given to the Zoning Administrator after filing with the Recorder of Deeds.

The special condition stated above is required to ensure the following: That any prospective purchaser of the subject property is aware of all of the special conditions of approval.

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

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

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

C. That the petitioners develop the recreation areas within two years and in accordance with the most recent version of the *Illinois Mobile Home Park Act (210 ILCS 115)* and the Illinois Department of Public Health *Manufactured Home Community Code (860 ILCS 220)*.

The special condition stated above is required to ensure the following: That Stonetown Woodland Acres conforms to State of Illinois requirements.

D. On-street parking shall be allowed only when there is at least 24 feet in unobstructed pavement width for travel, and shall be clearly marked with signs at each entrance to the development or sufficiently throughout the park and these signs shall be in place before any replacement of homes occurs and shall be verified in all inspections by the Zoning Administrator.

The special condition stated above is required to ensure the following: That there is always adequate emergency vehicle access.

E. Replacement homes shall conform to setback and yard requirements established in Zoning Ordinance Section 6.2.2, unless larger replacement homes occupy more than one of the existing home sites.

The special condition stated above is required to ensure the following: That replacement homes do not make the manufactured home park more nonconforming with Zoning Ordinance requirements.

- F. Any proposed new construction and/ or proposed new use shall be authorized and established as follows:
 - (1) A Change of Use Permit shall be required for any replacement of existing nonconforming structures. The replacement structure shall be inspected by the Zoning Administrator prior to occupancy and if the replacement structure is in compliance with the approval in Case 870-S-17, then the Zoning Administrator shall authorize occupancy in a Zoning Compliance Certificate. The total fee for a Change of Use Permit for replacement of existing nonconforming structures, including the Zoning Compliance Certificate, shall be \$66 per home site.
 - (2) As existing homes that are encroaching on the IDOT right-of way change ownership, those home must either be relocated or replaced with new homes that do not encroach into the IDOT right-of-way, and the as-built location of each replacement home shall be documented in an as-built site plan prepared by an Illinois Professional Engineer or Illinois Licensed Land Surveyor. The existing home sites are numbered 4, 5, 7, 8, 9 and 10 on the Overall Site Plan received June 16, 2017.
 - (3) Each new home on proposed sites 94 through 114 shall be established pursuant to a Zoning Use Permit that may include all homes on one combined permit or

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individual homes on individual permits at a fee of \$33 per each site plus a Zoning Compliance Certificate fee of \$33 per each site.

(4) Development of the proposed recreation areas shall be authorized either under a Change of Use Permit for a fee of \$65 or may be combined for no fee with any other required Change of Use Permit or Zoning Use Permit.

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

To clarify the permits that are required to ensure conformance with the Zoning Ordinance.

G. The Overall Layout Plan by Farnsworth Group, received June 16, 2017; the Revised Expansion Permit Drawings for proposed new home sites received June 16, 2017; <u>and</u> <u>Sheets A1, A2, B1, and C1 by Farnsworth Group, received August 8, 2017</u>, comprise the official site plan for approval in Case 870-S-17.

The above special condition is necessary to ensure the following: That it is clear which version of the Site Plan submitted by the petitioners is the approved Site Plan.

H.The Zoning Administrator shall not authorize a Zoning Compliance Certificate until
the petitioner has provided the Zoning Administrator a copy of the written approval
by the Edge-Scott Fire Protection District Chief for the location, purchase, and
installation of the 4 proposed fire hydrants shown on Exhibit B: Sheet B1 received
June 29, 2017, and the as-built drawings of the siren actuated gate.

The above special condition is necessary to ensure the following:

That public safety in the existing and proposed areas of Woodland Acres meet local fire protection standards.

I.The petitioner shall provide the Zoning Administrator a copy of the written approval
by the City of Urbana Plumbing Inspector of the inspection of any sanitary sewer
laterals installed for the properties per an intergovernmental agreement between the
City and UCSD (Ordinance 9192-110).

 The above special condition is necessary to ensure the following:

 That new sewer connections are compliant with local regulations and agreements.

J.The Zoning Administrator shall not authorize a Zoning Compliance Certificate on
the subject property until the petitioners submit as-built drawings of the streets, fire
hydrants, siren actuated gate, and detention basins.

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

That proposed construction reflects what was included in the Approved Site Plan for Case 870-S-17.

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DOCUMENTS OF RECORD

- 1. Letter from Michael Friend, Engineering Manager, Farnsworth Group, received January 27, 2017, with attachments:
 - A Application for Map Amendment
 - B Application for Special Use Permit
 - C Application for Variance
 - D Land Disturbance and Zoning Use Permit Application
 - E Expansion County Review Drawings for proposed new home sites dated January 6, 2017
 - F ALTA/NSPS Land Title Survey for existing home sites created by Berns, Clancy and Associates, dated August 26, 2016
 - G EcoCAT online report dated January 24, 2017
 - H Storm Water Pollution Prevention Plan (SWPPP)
 - I IDOT Permit for Drainage Outlet
 - J Erosion and Sediment Control Plan (ESCP)
 - K Storm Water Drainage Plan
- 2. Email from Michael Friend received November 4, 2016, with attachment:
 - A Typical home site diagram
- 3. Email from Rick Hafer, Illinois Dept. of Public Health, received November 10, 2016, with attachments:
 - A Construction permit dated May 10, 1960, for 43 home sites in Wilson Trailer Park
 - B Construction permit dated January 5, 1970, for 32 home sites in Wilson Trailer Park
- 4. Revised Storm Water Drainage Plan received from Farnsworth Group on February 24, 2017
- 5. Drainage Plan Evaluation from Berns, Clancy and Associates received April 4, 2017
- 6. Revised Expansion County Review Drawings for proposed new home sites received June 5, 2017
- 7. Email from Michael Friend received June 16, 2017, with attachments:
 - A Revised Expansion Permit Drawings for proposed new home sites received June 16, 2017, which includes the following pages:
 - C1.0 Cover Sheet
 - C2.0 General Notes and Legends
 - C3.0 Existing Topography and Demolition Plan
 - C4.0 Grading Plan
 - C5.0 Utility Plan/Sanitary and Storm
 - C6.0 Utility Plan/Water, Gas and Electric
 - C6.1 Plan and Profile Sanitary
 - C7.0 Plan and Profile Sanitary
 - C7.1 Plan and Profile Sanitary
 - C7.2 Plan and Profile Sanitary
 - C7.3 Plan and Profile Sanitary and Sanitary Details
 - C8.0 Standard Sanitary Sewer Details
 - C8.1 Standard Storm Sewer Details
 - C8.2 Standard Water Main Details

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- C8.3 Standard Water Main Details
- C8.4 Pavement and Erosion Control Details
- C8.5 Landscape Details and Notes
- B Copy of Illinois Department of Public Health Permit Site Expansion Application packet received June 16, 2017
- 8. Email from Michael Friend received June 20, 2017, with attachment:
 - A Preliminary response from Illinois Department of Public Health regarding Site Expansion Application
- 9. Email from Fred and Sharon Gerth received June 21, 2017
- 10. Preliminary Memorandum dated June 22, 2017, for Cases 869-AM-17 and 870-S-17, with attachments:
 - A Full legal advertisement from June 14, 2017 News Gazette
 - B Case Maps (Location, Land Use, Zoning)
 - C Overall Layout Plan by Farnsworth Group, received June 16, 2017
 - D Revised Expansion Permit Drawings for proposed new home sites received June 16, 2017
 - E ALTA/NSPS Land Title Survey for existing home sites created by Berns, Clancy and Associates, received January 27, 2017
 - F EcoCAT online report dated January 24, 2017
 - G Storm Water Drainage Plan received January 27, 2017
 - H Email from Michael Friend received November 4, 2016, with attachment:
 - Typical home site diagram
 - I Email from Rick Hafer, Illinois Department of Public Health, received November 10, 2016, with attachments:
 - Construction permit dated May 10, 1960, for 43 home sites in Wilson Trailer Park
 - Construction permit dated January 5, 1970, for 32 home sites in Wilson Trailer Park
 - J Email from Michael Friend received June 16, 2017, with attachment:
 - Copy of Illinois Department of Public Health Permit Site Expansion Application packet received June 16, 2017
 - K Email from Fred and Sharon Gerth received June 21, 2017
 - L LRMP Land Use Goals, Objectives, and Policies
 - M LRMP Appendix of Defined Terms
 - N Site Images packet
 - O Summary of Evidence, Finding of Fact, and Final Determination for Case 869-AM-17
 - P Summary of Evidence, Finding of Fact, and Final Determination for Case 870-S-17
- 11. Supplemental Memorandum #1 dated June 29, 2017, for Cases 869-AM-17 and 870-S-17, with attachments:
 - A Email from Joe Pisula to IDOT District 5 staff, received by P&Z Staff on June 26, 2017, with attachments:
 - Map of IDOT right-of-way encroachment
 - Map of drainage basin adjacent to IDOT right-of-way
 - B Email from Tony and Jill Blanck received June 27, 2017
 - <u>C</u> Email from Kevin Trapp, IDOT District 5 received June 28, 2017 and email response from petitioner Dax Nolan received June 28, 2017

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- D Email from Mike Friend received June 28, 2017, with attachment:
 - Illinois Department of Public Health approval for the proposed 21 home site expansion
- E Email from Lorrie Pearson, City of Urbana, received June 29, 2017
- F Email from David Willcox received June 29, 2017
- <u>G</u> Email from Ellen Willcox received June 29, 2017
- H Email from Mike Friend received June 29, 2017
- I Letter from Edge-Scott Fire Protection District dated June 28, 2017
- J 1973 aerial photograph of subject property and Edgewood Subdivision
- 12. Supplemental Memorandum #2 dated August 10, 2017, for Cases 869-AM-17 and 870-S-17, with attachments:
 - A Full legal advertisement from June 14, 2017 News Gazette
 - <u>B</u> Email received July 10, 2017 from Mike Friend, with attachment:
 - approved IDOT permit for the expansion of the drainage system
 - <u>C</u> Report from Mike Friend received August 8, 2017, with attachments
 - 1. Stonetown Capital Group Other Community Examples
 - 2. Xi2 Foundation System specifications
 - 3. Email string between Edge-Scott Fire Protection District Chief Steve Thuney and Mike Friend dated August 2 through August 8, 2017 with Exhibits A and B
 - Exhibit A: Sheet A1 showing proposed siren actuated gate at North Smith
 - Road, and Sheet A2 showing conceptual design of a siren actuated gate
 - o Exhibit B: Sheet B1 showing proposed location of an additional fire hydrant
 - 4. Sheet C4.1 showing revised existing lots
 - 5. Letter from City of Urbana to Dax Nolen dated September 22, 2016, regarding annexation and sanitary sewer connectivity
 - 6. Exhibit C:
 - Sheet C1 showing proposed location of siren actuated gate and a full height privacy screening fence along North Smith Road
 - o Sheet C2 showing conceptual design of a siren actuated gate and side detail
 - 7. Email string between Joe Pisula, Edgewood Sub resident, Dax Nolen, and Mike Friend dated August 3 through August 7, 2017
 - D Revised Finding of Fact for Case 869-AM-17 dated August 17, 2017
 - E Revised Summary of Evidence for Case 870-V-17 dated August 17, 2017

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FINDINGS OF FACT

From the documents of record and the testimony and exhibits received at the public hearing for zoning Case **870-S-17** held on **June 29, 2017**, and **August 17, 2017**, the Zoning Board of Appeals of Champaign County finds that:

- 1. The requested Special Use Permit *{IS / IS NOT}* necessary for the public convenience at this location because:
- 2. The requested Special Use Permit *{SUBJECT TO THE SPECIAL CONDITIONS IMPOSED HEREIN}* is so designed, located, and proposed to be operated so that it *{WILL NOT / WILL}* be injurious to the district in which it shall be located or otherwise detrimental to the public health, safety, and welfare because:
 - a. The street has {*ADEQUATE / INADEQUATE*} traffic capacity and the entrance location has {*ADEQUATE / INADEQUATE*} visibility.
 - b. Emergency services availability is {ADEQUATE / INADEQUATE} {because*}:
 - c. The Special Use {*WILL / WILL NOT*} be compatible with adjacent uses {*because**}:
 - d. Surface and subsurface drainage will be {ADEQUATE / INADEQUATE} {because*}:
 - e. Public safety will be {ADEQUATE / INADEQUATE} {because*}:
 - f. The provisions for parking will be {*ADEQUATE / INADEQUATE*} {*because**}:

(Note the Board may include other relevant considerations as necessary or desirable in each case.)

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

- 3a. The requested Special Use Permit *{SUBJECT TO THE SPECIAL CONDITIONS IMPOSED HEREIN} {DOES / DOES NOT}* conform to the applicable regulations and standards of the DISTRICT in which it is located.
- 3b. The requested Special Use Permit *{SUBJECT TO THE SPECIAL CONDITIONS IMPOSED HEREIN} {DOES / DOES NOT}* preserve the essential character of the DISTRICT in which it is located because:
 - a. The Special Use will be designed to *{CONFORM / NOT CONFORM}* to all relevant County ordinances and codes.
 - b. The Special Use *{WILL / WILL NOT}* be compatible with adjacent uses.
 - c. Public safety will be *{ADEQUATE / INADEQUATE}*.
- 4. The requested Special Use Permit *{SUBJECT TO THE SPECIAL CONDITIONS IMPOSED HEREIN} {IS / IS NOT}* in harmony with the general purpose and intent of the Ordinance because:
 - a. The Special Use is authorized in the District.
 - b. The requested Special Use Permit *{IS/ IS NOT}* necessary for the public convenience at this location.
 - c. The requested Special Use Permit *{SUBJECT TO THE SPECIAL CONDITIONS IMPOSED HEREIN}* is so designed, located, and proposed to be operated so that it *{WILL / WILL NOT}* be injurious to the district in which it shall be located or otherwise detrimental to the public health, safety, and welfare.

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- d. The requested Special Use Permit *{SUBJECT TO THE SPECIAL CONDITIONS IMPOSED HEREIN} {DOES / DOES NOT}* preserve the essential character of the DISTRICT in which it is located.
- 5. The requested Special Use *IS* an existing nonconforming use.

6. SUBJECT TO THE FOLLOWING WAIVERS OF STANDARD CONDITIONS:

Per Section 7.15 of the Champaign County ZBA Bylaws, "waivers may be approved individually or *en masse* by the affirmative vote of a majority of those members voting on the issue, and shall be incorporated into the Findings of Fact with the reason for granting each waiver described".

- A. Regarding Part A of the proposed waivers, for a Site Plan that does not include the number, location, and size of all Manufactured Home Sites:
 - (1) The waiver *{IS/ IS NOT}* in accordance with the general purpose and intent of the Zoning Ordinance and *{WILL/ WILL NOT}* be injurious to the neighborhood or to the public health, safety, and welfare because:
 - (2) Special conditions and circumstances *{DO / DO NOT}* exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district because:
 - (3) Practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied *{WILL / WILL NOT}* prevent reasonable or otherwise permitted use of the land or structure or construction because:
 - (4) The special conditions, circumstances, hardships, or practical difficulties *{DO / DO NOT}* result from actions of the applicant because:
 - (5) The requested waiver {*SUBJECT TO THE PROPOSED SPECIAL CONDITION*} *{IS / IS NOT*} the minimum variation that will make possible the reasonable use of the land/structure because:
- B. Regarding Part B of the proposed waivers, for a setback of 0 feet between a manufactured home stand and a manufactured home park exterior boundary that faces a state or US highway in lieu of 45 feet:
 - (1) The waiver *{IS/ IS NOT}* in accordance with the general purpose and intent of the Zoning Ordinance and *{WILL/ WILL NOT}* be injurious to the neighborhood or to the public health, safety, and welfare because:
 - (2) Special conditions and circumstances {DO / DO NOT} exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district because:
 - (3) Practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied *{WILL / WILL NOT}* prevent reasonable or otherwise permitted use of the land or structure or construction because:

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- (4) The special conditions, circumstances, hardships, or practical difficulties {DO / DO NOT} result from actions of the applicant because:
- (5) The requested waiver {SUBJECT TO THE PROPOSED SPECIAL CONDITION} {IS / IS NOT} the minimum variation that will make possible the reasonable use of the land/structure because:
- C. Regarding Part C of the proposed waivers, for 9 Manufactured Home Sites for each gross acre of land in lieu of the maximum allowed 8 Manufactured Home Sites for each gross acre of land:
 - (1) The waiver *{IS/ IS NOT}* in accordance with the general purpose and intent of the Zoning Ordinance and *{WILL/ WILL NOT}* be injurious to the neighborhood or to the public health, safety, and welfare because:
 - (2) Special conditions and circumstances *{DO / DO NOT}* exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district because:
 - (3) Practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied *{WILL / WILL NOT}* prevent reasonable or otherwise permitted use of the land or structure or construction because:
 - (4) The special conditions, circumstances, hardships, or practical difficulties *{DO / DO NOT}* result from actions of the applicant because:
 - (5) The requested waiver {*SUBJECT TO THE PROPOSED SPECIAL CONDITION*} *{IS / IS NOT*} the minimum variation that will make possible the reasonable use of the land/structure because:
- D. Regarding Part D of the proposed waivers, for a setback of 0 feet between a manufactured home stand and a manufactured home park exterior boundary that faces a township road or minor street in lieu of the minimum required 25 feet:
 - (1) The waiver *{IS/ IS NOT}* in accordance with the general purpose and intent of the Zoning Ordinance and *{WILL/ WILL NOT}* be injurious to the neighborhood or to the public health, safety, and welfare because:
 - (2) Special conditions and circumstances {DO / DO NOT} exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district because:
 - (3) Practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied *{WILL / WILL NOT}* prevent reasonable or otherwise permitted use of the land or structure or construction because:
 - (4) The special conditions, circumstances, hardships, or practical difficulties *{DO / DO NOT}* result from actions of the applicant because:

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- (5) The requested waiver {*SUBJECT TO THE PROPOSED SPECIAL CONDITION*} {*IS / IS NOT*} the minimum variation that will make possible the reasonable use of the land/structure because:
- E. Regarding Part E of the proposed waivers, for a minimum rear yard of 0 feet in lieu of the minimum required 15 feet:
 - (1) The waiver *{IS/ IS NOT}* in accordance with the general purpose and intent of the Zoning Ordinance and *{WILL/ WILL NOT}* be injurious to the neighborhood or to the public health, safety, and welfare because:
 - (2) Special conditions and circumstances {*DO* / *DO NOT*} exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district because:
 - (3) Practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied *{WILL / WILL NOT}* prevent reasonable or otherwise permitted use of the land or structure or construction because:
 - (4) The special conditions, circumstances, hardships, or practical difficulties *{DO / DO NOT}* result from actions of the applicant because:
 - (5) The requested waiver {*SUBJECT TO THE PROPOSED SPECIAL CONDITION*} *{IS / IS NOT*} the minimum variation that will make possible the reasonable use of the land/structure because:
- F. Regarding Part F of the proposed waivers, for a Manufactured Home Park with 3 percent of the gross site area in lieu of the minimum required 8 percent and parcels of recreation space that are at least 3,985 square feet in lieu of the minimum required 6,000 square feet:
 - (1) The waiver *{IS/ IS NOT}* in accordance with the general purpose and intent of the Zoning Ordinance and *{WILL/ WILL NOT}* be injurious to the neighborhood or to the public health, safety, and welfare because:
 - (2) Special conditions and circumstances *{DO / DO NOT}* exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district because:
 - (3) Practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied *{WILL / WILL NOT}* prevent reasonable or otherwise permitted use of the land or structure or construction because:
 - (4) The special conditions, circumstances, hardships, or practical difficulties {DO / DO NOT} result from actions of the applicant because:
 - (5) The requested waiver {*SUBJECT TO THE PROPOSED SPECIAL CONDITION*} *{IS / IS NOT*} the minimum variation that will make possible the reasonable use of the land/structure because:

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- G. Regarding Part G of the proposed waivers, for a Site Plan that does not include the limits of each Manufactured Home Site:
 - (1) The waiver *{IS/ IS NOT}* in accordance with the general purpose and intent of the Zoning Ordinance and *{WILL/ WILL NOT}* be injurious to the neighborhood or to the public health, safety, and welfare because:
 - (2) Special conditions and circumstances {DO / DO NOT} exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district because:
 - (3) Practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied *{WILL / WILL NOT}* prevent reasonable or otherwise permitted use of the land or structure or construction because:
 - (4) The special conditions, circumstances, hardships, or practical difficulties *{DO / DO NOT}* result from actions of the applicant because:
 - (5) The requested waiver {*SUBJECT TO THE PROPOSED SPECIAL CONDITION*} {*IS / IS NOT*} the minimum variation that will make possible the reasonable use of the land/structure because:
- H. Regarding Part H of the proposed waivers, for a minimum setback (yard) of at least 2 feet in lieu of 15 feet between the manufactured home and the manufactured home site boundary adjacent to private accessways:
 - (1) The waiver *{IS/ IS NOT}* in accordance with the general purpose and intent of the Zoning Ordinance and *{WILL/ WILL NOT}* be injurious to the neighborhood or to the public health, safety, and welfare because:
 - (2) Special conditions and circumstances *{DO / DO NOT}* exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district because:
 - (3) Practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied *{WILL / WILL NOT}* prevent reasonable or otherwise permitted use of the land or structure or construction because:
 - (4) The special conditions, circumstances, hardships, or practical difficulties {DO / DO NOT} result from actions of the applicant because:
 - (5) The requested waiver {SUBJECT TO THE PROPOSED SPECIAL CONDITION} {IS / IS NOT} the minimum variation that will make possible the reasonable use of the land/structure because:
- I. Regarding Part I of the proposed waivers, for a minimum setback (yard) of 8 feet in lieu of 20 feet between the entrance side of the manufactured home and the manufactured home site boundary:

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- (1) The waiver *{IS/ IS NOT}* in accordance with the general purpose and intent of the Zoning Ordinance and *{WILL/ WILL NOT}* be injurious to the neighborhood or to the public health, safety, and welfare because:
- (2) Special conditions and circumstances *{DO / DO NOT}* exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district because:
- (3) Practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied *{WILL / WILL NOT}* prevent reasonable or otherwise permitted use of the land or structure or construction because:
- (4) The special conditions, circumstances, hardships, or practical difficulties {DO / DO NOT} result from actions of the applicant because:
- (5) The requested waiver {SUBJECT TO THE PROPOSED SPECIAL CONDITION} {IS / IS NOT} the minimum variation that will make possible the reasonable use of the land/structure because:
- J. Regarding Part J of the proposed waivers, for a minimum setback (rear and side yards) of 0 feet in lieu of the minimum required 10 feet:
 - (1) The waiver *{IS/ IS NOT}* in accordance with the general purpose and intent of the Zoning Ordinance and *{WILL/ WILL NOT}* be injurious to the neighborhood or to the public health, safety, and welfare because:
 - (2) Special conditions and circumstances *{DO / DO NOT}* exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district because:
 - (3) Practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied *{WILL / WILL NOT}* prevent reasonable or otherwise permitted use of the land or structure or construction because:
 - (4) The special conditions, circumstances, hardships, or practical difficulties {DO / DO NOT} result from actions of the applicant because:
 - (5) The requested waiver {SUBJECT TO THE PROPOSED SPECIAL CONDITION} {IS / IS NOT} the minimum variation that will make possible the reasonable use of the land/structure because:
- K. Regarding Part K of the proposed waivers, for a minimum manufactured home site of 1,600 square feet in area in lieu of the minimum required 3,200 square feet:
 - (1) The waiver *{IS/ IS NOT}* in accordance with the general purpose and intent of the Zoning Ordinance and *{WILL/ WILL NOT}* be injurious to the neighborhood or to the public health, safety, and welfare because:

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- (2) Special conditions and circumstances {DO / DO NOT} exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district because:
- (3) Practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied *{WILL / WILL NOT}* prevent reasonable or otherwise permitted use of the land or structure or construction because:
- (4) The special conditions, circumstances, hardships, or practical difficulties *{DO / DO NOT}* result from actions of the applicant because:
- (5) The requested waiver {SUBJECT TO THE PROPOSED SPECIAL CONDITION} {IS / IS NOT} the minimum variation that will make possible the reasonable use of the land/structure because:
- L. Regarding Part L of the proposed waivers, for no outdoor paved living space in lieu of an outdoor living space of at least 160 square feet with a minimum dimension of 8 feet:
 - (1) The waiver *{IS/ IS NOT}* in accordance with the general purpose and intent of the Zoning Ordinance and *{WILL/ WILL NOT}* be injurious to the neighborhood or to the public health, safety, and welfare because:
 - (2) Special conditions and circumstances *{DO / DO NOT}* exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district because:
 - (3) Practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied *{WILL / WILL NOT}* prevent reasonable or otherwise permitted use of the land or structure or construction because:
 - (4) The special conditions, circumstances, hardships, or practical difficulties *{DO / DO NOT}* result from actions of the applicant because:
 - (5) The requested waiver {SUBJECT TO THE PROPOSED SPECIAL CONDITION} {IS / IS NOT} the minimum variation that will make possible the reasonable use of the land/structure because:
- M. Regarding Part M of the proposed waivers, for no improved off-street parking spaces for each existing manufactured home site in lieu of the minimum required two improved off-street parking spaces:
 - (1) The waiver *{IS/ IS NOT}* in accordance with the general purpose and intent of the Zoning Ordinance and *{WILL/ WILL NOT}* be injurious to the neighborhood or to the public health, safety, and welfare because:
 - (2) Special conditions and circumstances {*DO* / *DO NOT*} exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district because:

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- (3) Practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied *{WILL / WILL NOT}* prevent reasonable or otherwise permitted use of the land or structure or construction because:
- (4) The special conditions, circumstances, hardships, or practical difficulties *{DO / DO NOT}* result from actions of the applicant because:
- (5) The requested waiver {*SUBJECT TO THE PROPOSED SPECIAL CONDITION*} *{IS / IS NOT*} the minimum variation that will make possible the reasonable use of the land/structure because:
- N. Regarding Part N of the proposed waivers, for a minimum pavement width of 18 feet for existing private accessways in lieu of the minimum required 24 feet for minor streets:
 - (1) The waiver *{IS/ IS NOT}* in accordance with the general purpose and intent of the Zoning Ordinance and *{WILL/ WILL NOT}* be injurious to the neighborhood or to the public health, safety, and welfare because:
 - (2) Special conditions and circumstances {*DO* / *DO NOT*} exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district because:
 - (3) Practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied *{WILL / WILL NOT}* prevent reasonable or otherwise permitted use of the land or structure or construction because:
 - (4) The special conditions, circumstances, hardships, or practical difficulties *{DO / DO NOT}* result from actions of the applicant because:
 - (5) The requested waiver {*SUBJECT TO THE PROPOSED SPECIAL CONDITION*} *{IS / IS NOT*} the minimum variation that will make possible the reasonable use of the land/structure because:
- O. Regarding Part O of the proposed waivers, that the provisions of the Subdivision Ordinance shall apply to existing private accessways:
 - (1) The waiver *{IS/ IS NOT}* in accordance with the general purpose and intent of the Zoning Ordinance and *{WILL/ WILL NOT}* be injurious to the neighborhood or to the public health, safety, and welfare because:
 - (2) Special conditions and circumstances *{DO / DO NOT}* exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district because:
 - (3) Practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied *{WILL / WILL NOT}* prevent reasonable or otherwise permitted use of the land or structure or construction because:
 - (4) The special conditions, circumstances, hardships, or practical difficulties {DO / DO NOT} result from actions of the applicant because:

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- (5) The requested waiver {*SUBJECT TO THE PROPOSED SPECIAL CONDITION*} *{IS / IS NOT*} the minimum variation that will make possible the reasonable use of the land/structure because:
- P. Regarding Part P of the proposed waivers, for above ground street lighting:
 - (1) The waiver {IS/ IS NOT} in accordance with the general purpose and intent of the Zoning Ordinance and {WILL/ WILL NOT} be injurious to the neighborhood or to the public health, safety, and welfare because:
 - (2) Special conditions and circumstances {DO / DO NOT} exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district because:
 - (3) Practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied *{WILL / WILL NOT}* prevent reasonable or otherwise permitted use of the land or structure or construction because:
 - (4) The special conditions, circumstances, hardships, or practical difficulties *{DO / DO NOT}* result from actions of the applicant because:
 - (5) The requested waiver {*SUBJECT TO THE PROPOSED SPECIAL CONDITION*} *{IS / IS NOT*} the minimum variation that will make possible the reasonable use of the land/structure because:
- Q. Regarding Part Q of the proposed waivers, for above ground electrical service:
 - (1) The waiver *{IS/ IS NOT}* in accordance with the general purpose and intent of the Zoning Ordinance and *{WILL/ WILL NOT}* be injurious to the neighborhood or to the public health, safety, and welfare because:
 - (2) Special conditions and circumstances {DO / DO NOT} exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district because:
 - (3) Practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied *{WILL / WILL NOT}* prevent reasonable or otherwise permitted use of the land or structure or construction because:
 - (4) The special conditions, circumstances, hardships, or practical difficulties *{DO / DO NOT}* result from actions of the applicant because:
 - (5) The requested waiver {*SUBJECT TO THE PROPOSED SPECIAL CONDITION*} *{IS / IS NOT*} the minimum variation that will make possible the reasonable use of the land/structure because:
- R. Regarding Part R of the proposed waivers, for an off-site Management Office:
 - (1) The waiver {IS/ IS NOT} in accordance with the general purpose and intent of the Zoning Ordinance and {WILL/ WILL NOT} be injurious to the neighborhood or to the public health, safety, and welfare because:

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- (2) Special conditions and circumstances *{DO / DO NOT}* exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district because:
- (3) Practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied *{WILL / WILL NOT}* prevent reasonable or otherwise permitted use of the land or structure or construction because:
- (4) The special conditions, circumstances, hardships, or practical difficulties *{DO / DO NOT}* result from actions of the applicant because:
- (5) The requested waiver {*SUBJECT TO THE PROPOSED SPECIAL CONDITION*} *{IS / IS NOT*} the minimum variation that will make possible the reasonable use of the land/structure because:

7. {NO SPECIAL CONDITIONS ARE HEREBY IMPOSED / THE SPECIAL CONDITIONS IMPOSED HEREIN ARE REQUIRED TO ENSURE COMPLIANCE WITH THE CRITERIA FOR SPECIAL USE PERMITS AND FOR THE PARTICULAR PURPOSES DESCRIBED BELOW:

A. Within 30 days of approval of Case 869-AM-17 by the Champaign County Board, the petitioner shall file a miscellaneous document with the Champaign County Recorder of Deeds stating the Stonetown Woodland Acres Manufactured Home Park was authorized subject to special conditions in Case 870-S-17, and the document shall contain all of the special conditions of approval for Case 870-S-17. A copy of the recorded document shall be given to the Zoning Administrator after filing with the Recorder of Deeds.

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

That any prospective purchaser of the subject property is aware of all of the special conditions of approval.

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

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

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

C. That the petitioners develop the recreation areas within two years and in accordance with the most recent version of the *Illinois Mobile Home Park Act (210 ILCS 115)* and the Illinois Department of Public Health *Manufactured Home Community Code (860 ILCS 220)*.

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

That Stonetown Woodland Acres conforms to State of Illinois requirements.

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D. On-street parking shall be allowed only when there is at least 24 feet in unobstructed pavement width for travel, and shall be clearly marked with signs at each entrance to the development or sufficiently throughout the park and these signs shall be in place before any replacement of homes occurs and shall be verified in all inspections by the Zoning Administrator.

The special condition stated above is required to ensure the following: That there is always adequate emergency vehicle access.

E. Replacement homes shall conform to setback and yard requirements established in Zoning Ordinance Section 6.2.2, unless larger replacement homes occupy more than one of the existing home sites.

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

That replacement homes do not make the manufactured home park more nonconforming with Zoning Ordinance requirements.

- F. Any proposed new construction and/ or proposed new use shall be authorized and established as follows:
 - (1) A Change of Use Permit shall be required for any replacement of existing nonconforming structures. The replacement structure shall be inspected by the Zoning Administrator prior to occupancy and if the replacement structure is in compliance with the approval in Case 870-S-17, then the Zoning Administrator shall authorize occupancy in a Zoning Compliance Certificate. The total fee for a Change of Use Permit for replacement of existing nonconforming structures, including the Zoning Compliance Certificate, shall be \$66 per home site.
 - (2) As existing homes that are encroaching on the IDOT right-of way change ownership, those home must either be relocated or replaced with new homes that do not encroach into the IDOT right-of-way, and the as-built location of each replacement home shall be documented in an as-built site plan prepared by an Illinois Professional Engineer or Illinois Licensed Land Surveyor. The existing home sites are numbered 4, 5, 7, 8, 9 and 10 on the Overall Site Plan received June 16, 2017.
 - (3) Each new home on proposed sites 94 through 114 shall be established pursuant to a Zoning Use Permit that may include all homes on one combined permit or individual homes on individual permits at a fee of \$33 per each site plus a Zoning Compliance Certificate fee of \$33 per each site.
 - (4) Development of the proposed recreation areas shall be authorized either under a Change of Use Permit for a fee of \$65 or may be combined for no fee with any other required Change of Use Permit or Zoning Use Permit.

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

To clarify the permits that are required to ensure conformance with the Zoning Ordinance.

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G. The Overall Layout Plan by Farnsworth Group, received June 16, 2017; the Revised Expansion Permit Drawings for proposed new home sites received June 16, 2017; <u>and Sheets A1, A2, B1, and C1 by Farnsworth Group, received August 8, 2017</u>, comprise the official site plan for approval in Case 870-S-17.

The above special condition is necessary to ensure the following: That it is clear which version of the Site Plan submitted by the petitioners is the approved Site Plan.

H.The Zoning Administrator shall not authorize a Zoning Compliance Certificate until
the petitioner has provided the Zoning Administrator a copy of the written approval
by the Edge-Scott Fire Protection District Chief for the location, purchase, and
installation of the 4 proposed fire hydrants shown on Exhibit B: Sheet B1 received
June 29, 2017, and the as-built drawings of the siren actuated gate.

The above special condition is necessary to ensure the following:

That public safety in the existing and proposed areas of Woodland Acres meet local fire protection standards.

I.The petitioner shall provide the Zoning Administrator a copy of the written approval
by the City of Urbana Plumbing Inspector of the inspection of any sanitary sewer
laterals installed for the properties per an intergovernmental agreement between the
City and UCSD (Ordinance 9192-110).

<u>The above special condition is necessary to ensure the following:</u> <u>That new sewer connections are compliant with local regulations and</u> <u>agreements.</u>

J.The Zoning Administrator shall not authorize a Zoning Compliance Certificate on
the subject property until the petitioners submit as-built drawings of the streets, fire
hydrants, siren actuated gate, and detention basins.

The special condition stated above is required to ensure the following:That proposed construction reflects what was included in the Approved SitePlan for Case 870-S-17.

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FINAL DETERMINATION FOR CASE 870-S-17

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

The Special Use requested in Case 870-S-17 is hereby *{GRANTED/GRANTED WITH SPECIAL CONDITIONS / DENIED}* to the applicant, Stonetown Woodland Acres LLC, *including Principals Dax Nolen, Vice President; Roy Lapidus, Manager; and Adam Minnick, Manager, via agent Mike Friend,* to authorize the following:

Authorize the establishment and use of a manufactured home park with 93 existing and an additional 21 proposed manufactured home sites in the R-5 Manufactured Home Park Zoning District, contingent upon the rezoning of the eastern 150 feet of the subject property from R-1 Single Family Residence to R-5 Manufactured Home Park and from B-2 Neighborhood Business to R-5 Manufactured Home Park for the 1.66 acre lot on the west end of the subject property in related case 869-AM-17; and

SUBJECT TO THE FOLLOWING WAIVERS OF STANDARD CONDITIONS FOR MANUFACTURED HOME PARKS:

Part A: Authorize a waiver from Section 6.2.1 C.2., for a Site Plan that does not include the number, location, and size of all Manufactured Home Sites.

Part B: Authorize a waiver for a setback of 0 feet between a manufactured home stand and a manufactured home park exterior boundary that faces a state or US highway or a major street in lieu of the minimum required 45 feet, per Section 6.2.2 C.1.a. for existing home sites 1 through 10, 48, and 49, and proposed home sites 1 through 5.

Part C: Authorize a waiver for 9 Manufactured Home Sites for each gross acre of land in lieu of the maximum allowed 8 Manufactured Home Sites for each gross acre of land, per Section 6.2.2 B.

Part D: Authorize a waiver for a setback of 0 feet between a manufactured home stand and a manufactured home park exterior boundary that faces a township road or minor street in lieu of the minimum required 25 feet, per Section 6.2.2 C.1.c. for existing home sites 88 through 93.

Part E: Authorize a minimum rear yard of 0 feet in lieu of the minimum required 15 feet, per Section 6.2.2 C.2. for existing home sites 1 through 10, 47, 48, 50, 52, 55, 57, 58, 64, 89, and 91.

Part F: Authorize a Manufactured Home Park with 3 percent of the gross site area in lieu of the minimum required 8 percent and parcels of recreation space that are at least 3,985 square feet in lieu of the minimum required 6,000 square feet, per Section 6.2.2 D.

Part G: Authorize a waiver from Section 6.2.2 E.1., for a Site Plan that does not include the limits of each Manufactured Home Site.

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Part H: Authorize a minimum setback (yard) of 2 feet in lieu of 15 feet between the manufactured home and the manufactured home site boundary adjacent to private accessways, per Section 6.2.2 E.2.a. for proposed home site 21 and existing home sites 1 through 93 except home sites 27, 48, 64, 70, 71, and 72.

Part I: Authorize a minimum setback (yard) of 8 feet in lieu of 20 feet between the entrance side of the manufactured home and the manufactured home site boundary, per Section 6.2.2 E.2.b. for existing home sites 1 through 93 except home sites 1, 19, 27, 28, 39 through 44, 47, 66, 73, 74, 75, 77, 79, and 81.

Part J: Authorize a minimum setback (rear and side yards) of 0 feet in lieu of the minimum required 10 feet, per Section 6.2.2 E.2.c. for existing home sites 1 through 93 except home sites 11, 27, 47, 65, and 74.

Part K: Authorize a minimum manufactured home site of 1,600 square feet in area in lieu of the minimum required 3,200 square feet, per Section 6.2.2 E.3. for existing home sites 1 through 9, 13 through 18, 21, 29 through 38, 40, 41, 45, 46, 52 through 64, 67, 68, 74 through 77, 80, 85 and 86.

Part L: Authorize no outdoor paved living space in lieu of an outdoor living space of at least 160 square feet with a minimum dimension of 8 feet, per Section 6.2.2 E.5. for existing home sites 1 through 93.

Part M: Authorize no improved off-street parking spaces for each existing manufactured home site in lieu of the minimum required two improved off-street parking spaces, per Section 6.2.2 E.7. for existing home sites 7, 8, 13, 14, 15, 18, 29, 30, 33, 34, 37, 38, 46, 53, 54, and 67.

Part N: Authorize a minimum pavement width of 18 feet for existing private accessways in lieu of the minimum required 24 feet for minor streets, per Section 6.2.2 F.5.

Part O: Authorize a waiver from Section 6.2.2 F.6., with respect to paving materials, curbs and gutters, grading, intersections, offsets, and radii of curvature, the provisions of the Subdivision Ordinance shall apply to existing private accessways.

Part P: Authorize electrical service to the existing street lighting system to be located above ground in lieu of underground, per Section 6.2.2 G.2.

Part Q: Authorize a waiver for the electrical system for all existing homes, any used homes that will replace existing homes, and for the electrical distribution system to existing homes, to comply with the latest edition of the National Electric Code, per Section 6.2.3 D.1.

Part R: Authorize a waiver for a Manufactured Home Park that provides an off-site Management Office in lieu of an on-site Management Office, per Section 6.2.4 A.

{SUBJECT TO THE FOLLOWING SPECIAL CONDITIONS:}

A. Within 30 days of approval of Case 869-AM-17 by the Champaign County Board, the petitioner shall file a miscellaneous document with the Champaign County Recorder of Deeds stating the Stonetown Woodland Acres Manufactured Home Park was authorized subject to special conditions in Case 870-S-17, and the document shall

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contain all of the special conditions of approval for Cases 870-S-17. A copy of the recorded document shall be given to the Zoning Administrator after filing with the Recorder of Deeds.

- B. The Zoning Administrator shall not authorize a Zoning Compliance Certificate until the petitioners have demonstrated that any new or proposed exterior lighting on the subject property will comply with the lighting requirements of Section 6.1.2.
- C. That the petitioners develop the recreation areas within two years and in accordance with the most recent version of the *Illinois Mobile Home Park Act (210 ILCS 115)* and the Illinois Department of Public Health *Manufactured Home Community Code (860 ILCS 220)*.
- D. On-street parking shall be allowed only when there is at least 24 feet in unobstructed pavement width for travel, and shall be clearly marked with signs at each entrance to the development or sufficiently throughout the park and these signs shall be in place before any replacement of homes occurs and shall be verified in all inspections by the Zoning Administrator.
- E. Replacement homes shall conform to setback and yard requirements established in Zoning Ordinance Section 6.2.2, unless larger replacement homes occupy more than one of the existing home sites.
- F. Any proposed new construction and/ or proposed new use shall be authorized and established as follows:
 - (1) A Change of Use Permit shall be required for any replacement of existing nonconforming structures. The replacement structure shall be inspected by the Zoning Administrator prior to occupancy and if the replacement structure is in compliance with the approval in Case 870-S-17, then the Zoning Administrator shall authorize occupancy in a Zoning Compliance Certificate. The total fee for a Change of Use Permit for replacement of existing nonconforming structures, including the Zoning Compliance Certificate, shall be \$66 per home site.
 - (2) As existing homes that are encroaching on the IDOT right-of way change ownership, those home must either be relocated or replaced with new homes that do not encroach into the IDOT right-of-way, and the as-built location of each replacement home shall be documented in an as-built site plan prepared by an Illinois Professional Engineer or Illinois Licensed Land Surveyor. The existing home sites are numbered 4, 5, 7, 8, 9 and 10 on the Overall Site Plan received June 16, 2017.
 - (3) Each new home on proposed sites 94 through 114 shall be established pursuant to a Zoning Use Permit that may include all homes on one combined permit or individual homes on individual permits at a fee of \$33 per each site plus a Zoning Compliance Certificate fee of \$33 per each site.

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- (4) Development of the proposed recreation areas shall be authorized either under a Change of Use Permit for a fee of \$65 or may be combined for no fee with any other required Change of Use Permit or Zoning Use Permit.
- G. The Overall Layout Plan by Farnsworth Group, received June 16, 2017; the Revised Expansion Permit Drawings for proposed new home sites received June 16, 2017; and Sheets A1, A2, B1, and C1 by Farnsworth Group, received August 8, 2017, comprise the official site plan for approval in Case 870-S-17.
- H.The Zoning Administrator shall not authorize a Zoning Compliance Certificate until
the petitioner has provided the Zoning Administrator a copy of the written approval
by the Edge-Scott Fire Protection District Chief for the location, purchase, and
installation of the 4 proposed fire hydrants shown on Exhibit B: Sheet B1 received
June 29, 2017, and the as-built drawings of the siren actuated gate.
- I.The petitioner shall provide the Zoning Administrator a copy of the written approval
by the City of Urbana Plumbing Inspector of the inspection of any sanitary sewer
laterals installed for the properties per an intergovernmental agreement between the
City and UCSD (Ordinance 9192-110).
- J.The Zoning Administrator shall not authorize a Zoning Compliance Certificate on
the subject property until the petitioners submit as-built drawings of the streets, fire
hydrants, siren actuated gate, and detention basins.

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

SIGNED:

ATTEST:

Eric Thorsland, Chair Champaign County Zoning Board of Appeals Secretary to the Zoning Board of Appeals

Date