

CASE NO. 886-S-17

SUPPLEMENTAL MEMORANDUM #3

February 22, 2018

- Petitioners:** Dave Kirby and Michael Kobel, Point of Contact, Champaign County Fair Association
- Request:** Authorize the expansion of Special Use Permit 836-S-16 for the Champaign County Fairgrounds and Parking Lot in the CR Conservation Recreation Zoning District to allow the construction and use of a BMX track on the Fairgrounds.
- Location:** A tract of land in the Northwest Quarter of Section 8, Township 19 North, Range 9 East of the Third Principal Meridian in Urbana Township and commonly known as the Champaign County Fairgrounds with an address of 1302 North Coler Avenue, Urbana.
- Site Area:** Approximately 1 acre on the 53.79 acres Fairgrounds
- Time Schedule for Development:** As soon as possible
- Prepared by:** **Susan Burgstrom**
Senior Planner
- John Hall**
Zoning Administrator

STATUS

At the January 25, 2018 public hearing for this case, the following information was requested for the continued hearing on March 1, 2018:

1. From **Dave Kirby** – work with P&Z Staff on a more detailed site plan
Response: On January 31, 2018, P&Z Staff sent Mr. Kirby a template aerial photo delineating the 50 feet setback that he could use to create a scaled site plan. On February 7, 2018, Mr. Kirby called Susan Burgstrom and said that he will cordon off the construction area when USA BMX comes to build the track, so that they will not encroach into the agreed upon setbacks on the east and south sides. He said that the person who did his site plan travels, and has been unavailable to update it beyond the version received January 2, 2018. Mr. Kirby said that he would secure an email from Urbana Park District that they accept his plan as it currently is as testimony for ZBA. He asked what other information would be needed for the March 1, 2018 meeting so he can be fully prepared in the hopes of getting a Final Determination. Susan said that she would be in touch with any other information needs as soon as possible.
2. From **Jonathon Manuel, Champaign County Soil and Water Conservation District** – drainage plan and a copy of the federal standards that mention the 36' separation from the drain

Response: On February 1, 2018, Susan Burgstrom received a Natural Resource Report from Mr. Manuel, with attachments from USDA Natural Resources Conservation Service regarding filter strips (see Attachment). In the email, Mr. Manuel stated, “I truly feel that maintaining a 36 ft. minimum sod buffer would be best course of action for the site.”

3. From **Derek Liebert, Urbana Park District, and Brad Bennett, Urbana Public Works**
 - a. For the drain in the middle of the track that will be covered, would it need only a manhole cover, or should it have a filter under that? Any specs on such a filter?
 - b. What runoff/water quality monitoring would Urbana/UPD expect from CCFA/Illini BMX for the track area and drains, and how frequently?
 - c. It would help the project if UPD/UPW could provide a short letter indicating that each agency’s concerns are addressed, and whether staff recommends approval (or accepts, or supports) the proposed BMX track given the design and special conditions imposed by the ZBA.

Response: Susan Burgstrom received email responses from Mr. Bennett on February 2, 2018, (see Attachments) and an email from Mr. Liebert on February 5, 2018. Mr. Bennett stated that a 36 feet sod buffer would be okay; recommended manhole and inlet protector specifications and manufacturers, that no sealant would be necessary for the solid manhole cover; and that the welded wire inlet basket should be used for an evaluation period. Mr. Liebert stated that Mr. Bennett covered the recommended materials; that the welded wire inlet basket should be used for an evaluation period; that if the sod buffer recommended by Mr. Manuel proves insufficient, the Park District can look at other options to protect the storm inlet and Crystal Lake; and that he spoke with Bruce Stickers, who is preparing a letter from Pheasants Forever for the screen planting.

Emails were received from Brad Bennett and Derek Liebert on February 15th and February 19th, respectively, with no further comments on the revised conditions and ESCP.

4. From **Bruce Stickers** – a short letter or email indicating what type of assistance Pheasants Forever has agreed to provide

Response: Susan Burgstrom received the letter from Mr. Stickers on February 12, 2018. Mr. Stickers stated that Pheasants Forever would provide the seed and necessary planting equipment for the view block by the BMX track.

On February 9, 2018, John Hall created and distributed 1) revised Special Conditions and 2) an Erosion and Sedimentation Control Plan (ESCP) to Mr. Manuel, Mr. Liebert, and Mr. Bennett. Comments were received (see attached emails) and taken into consideration. On February 13, 2018, John Hall sent both revised documents to Mr. Kirby, Mr. Kobel, Mr. Manuel, Mr. Liebert, and Mr. Bennett. The final draft ESCP dated February 13, 2018 is an attachment to this memorandum.

FENCE AROUND BMX TRACK

The Zoning Ordinance does not require a fence around the BMX track; however, John Hall proposed a special condition to fence the track due to public safety concerns. The Fairgrounds already has a 6 feet tall wire mesh fence topped with barbed wire. Mr. Manuel questioned the need for the fence, stating that the BMX track should not be treated differently than a new baseball diamond or soccer field. John Hall suggested that perhaps the Fair Board could determine whether an additional fence is needed.

In an email received February 13, 2018, Mr. Liebert stated that the Urbana Park District supports having a fence around the track.

P&Z Staff requests a determination by the ZBA on whether the BMX track should have its own fence, and to revise proposed Special Conditions C and I accordingly.

BMX TRACK OPERATIONS TESTIMONY FROM JANUARY 25, 2018 MEETING

The following was added to the Summary of Evidence dated February 21, 2018 as Item 5.H.:

- H. Regarding BMX track operations, at the January 25, 2018 public hearing, Mr. Kirby provided the following testimony:
- (1) They are planning on having one evening event [weekly] during the summer, when daylight permits, and they would typically be done at 7:30 to 8:00 p.m. at the latest. He said the other event would be on Saturday mornings, typically done by 1:30 to 2:00 p.m. He said that there would be noise from the people out there, but in terms of broadcasting, they would only use a single speaker microphone. For volume, they just want to be able to announce the race so that people at the far end of the track can hear them; beyond that, they do not want to interrupt other things going on.
 - (2) On an average evening or Saturday event, they might have 30 to 40 vehicles, which would all be parked down near the track, so they would not be out on the nearby roads or necessarily in the parking lots that are there now. He said there might be a slight impact right before and after the races, but it is very brief. If they have a larger race, like a state race, they could have 75 to 100 cars, but that is a very limited period of time of when they go in and when they go out. He said he does not feel that there would be an impact on traffic.
 - (3) He said that you do not race when it is muddy, because it destroys the track and makes a lot more work to try and fix it. He said if you cannot walk across it, you cannot ride across it.

REVISED SPECIAL CONDITIONS

- A. **BMX track events shall be scheduled such that adequate parking is available on the Fairgrounds site.**

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

That the Fairgrounds provides sufficient parking capacity for all uses.

- B. **No overnight camping shall be allowed on the Fairgrounds related to BMX track events.**

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

That the Fairgrounds are secure after BMX track events.

- C. **Use of the BMX track must be supervised at all times. Adequate security shall be provided, including enclosing the BMX track in a minimum 6 feet tall security fence with locked gates.**

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

That the use prioritizes public health, safety and general welfare.

- D. **Use of the BMX track shall be limited to daytime hours and no artificial lighting shall be used.**

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

That lighting specifications for the Special Use are reflected on the approved Site Plan and are in accordance with Section 6.1.2 of the Zoning Ordinance.

- E. **If a valid complaint is received about fugitive dust and/ or erosion on and from the proposed BMX Track surface, the Zoning Administrator shall may require that the petitioner and/or the Champaign County Fair Association apply water to control dust and, if necessary, SOILTAC soil stabilizer and dust control agent may be applied per the manufacturer's directions to minimize fugitive dust and to stabilize the Track surface or any other reasonable control to minimize fugitive dust and/ or erosion if a complaint is received stemming from activities related to the BMX track site.**

The special condition stated above is to ensure the following:

That the ~~Special Use takes proposed BMX Track does not harm~~ the public health, safety and general welfare ~~into consideration~~.

- F. **Sound amplification shall be minimized and used only as absolutely necessary during use of the BMX track.**

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

That nearby park users are not disrupted by excessive noise.

- G. **~~Storm water runoff from the BMX track shall not be allowed to pose any significant risk to water quality in Crystal Lake and engineering documentation shall be provided and monitoring shall be undertaken to verify the quality of Construction and operation of the proposed BMX Track shall abide by the erosion and sedimentation controls summarized in the handout titled Special Use Permit Case 886-S-17 Erosion and Sedimentation Control Plan Requirements DRAFT February 13, 2018, so as to prevent sedimentation and pollution in the storm water runoff entering the storm drain system.~~**

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

That the development conforms to all relevant ordinances proposed BMX track shall not be allowed to pose any significant risk to water quality in Crystal Lake.

H. ~~A buffer of native vegetation shall be provided between the BMX track and Crystal Lake Park. The plantings for the vegetative buffer shall be as approved in the Special Use Permit and a man-made screen shall be maintained as necessary to provide screening while the native vegetative buffer is getting established. The man-made screen shall be as approved in the Special Use Permit.~~

A screen planting of tall native grasses shall be established between the proposed BMX Track and the east property line as follows:

- (1) The screen planting shall be as proposed by Pheasants Forever in a letter dated February 12, 2018, and as referred to in the January 22, 2018, email from Derek Liebert with the Urbana Park District.
- (2) The screen planting shall occupy an approximate 150 feet by 50 feet area between the proposed BMX Track and the east property line.
- (3) The screen planting shall be seeded and/or planted prior to any actual shaping and grading of the proposed BMX Track and shall be maintained in perpetuity as long as the BMX Track exists.
- (4) If for whatever reason the screen planting of tall native grasses does not achieve or maintain an adequate density of growth of 40% land cover even with repeated plantings and with all recommended maintenance, the tall grasses may be replaced with a screen planting of evergreen plants a minimum of 4 feet tall at time of planting and planting at a spaced that will provide a 50% screen within 2 years and if necessary to achieve the 50% screen within 2 years the plantings shall be in staggered rows.

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

That Fairgrounds uses continue to be To help ensure that the proposed BMX Track is compatible with Crystal Lake Park.

I. **No motorized vehicles shall be allowed to use the BMX track, and a sign stating this shall be posted on the security fence surrounding the track.**

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

That noise from BMX track use is minimized.

J. The Zoning Administrator shall not issue a Zoning Use Permit or a Zoning Compliance Certificate for the proposed BMX Track until the petitioner has demonstrated that the proposed Special Use complies with the Illinois Accessibility Code.

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

That the proposed Special Use meets applicable state requirements for accessibility.

K. The proposed BMX Track and all ground surface in the vicinity of the proposed BMX Track shall be maintained at all times so as to ensure the control and/or eradication of noxious weeds consistent with the Illinois Noxious Weed Law (505 ILCS 100/1 et seq.)

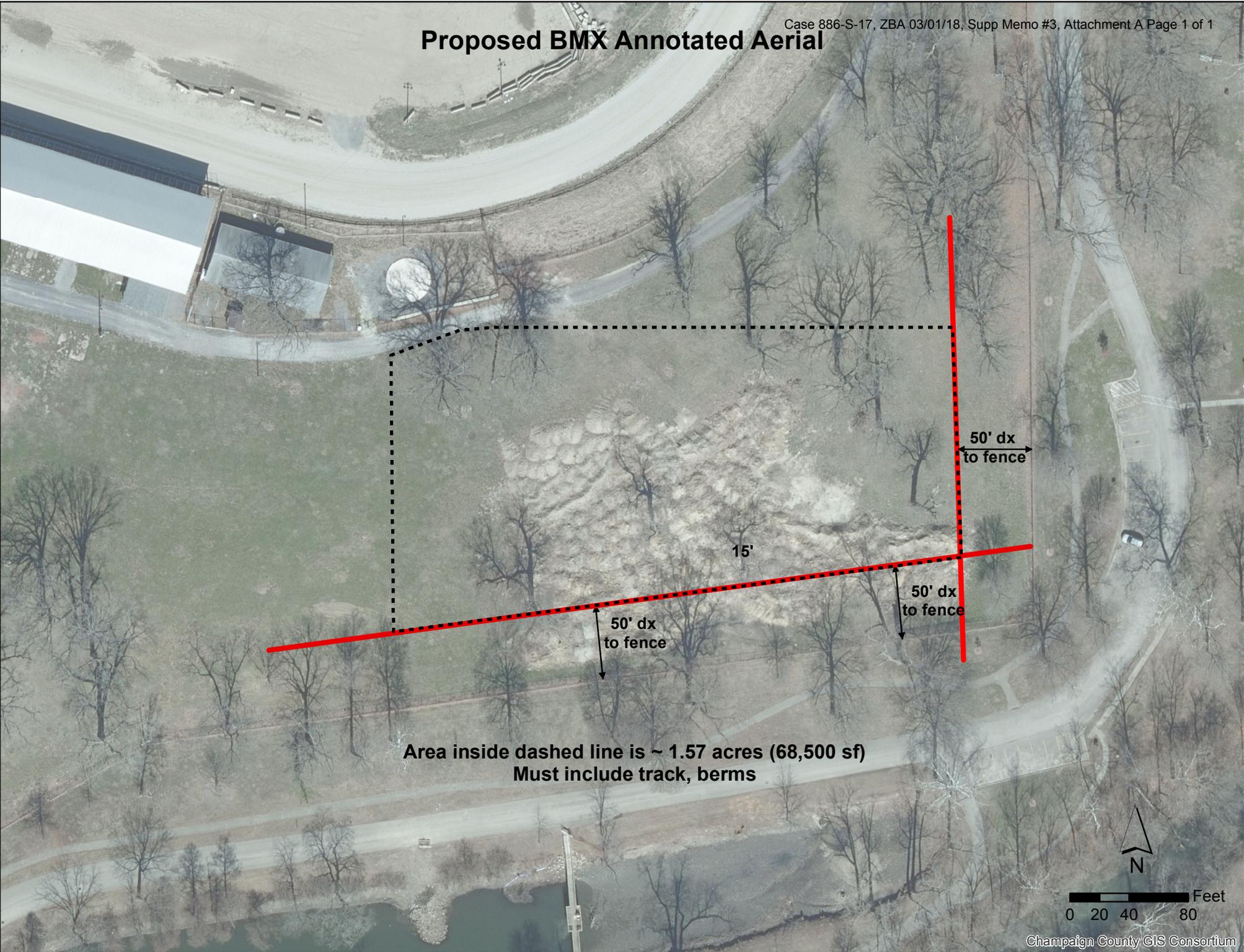
The special condition stated above is necessary to ensure the following:

Compliance with Illinois state law and the Champaign County Nuisance Ordinance.

ATTACHMENTS

- A Aerial photo basemap created by staff and sent to Mr. Kirby on January 31, 2018
- B Email from Jonathon Manuel received February 1, 2018, with attachments:
 - Natural Resources Report
 - USDA Natural Resources Conservation Service guidelines regarding filter strips
- C Email string between Susan Burgstrom, Brad Bennett, and Derek Liebert dated February 2-6, 2018, with attachments:
 - Welded Wire Inlet Protector spec sheet
 - Solid Manhole Cover spec sheet
- D Email string between Susan Burgstrom, Jonathon Manuel, Brad Bennett, and Derek Liebert dated February 9-13, 2018, with attachments:
 - Draft amended Special Conditions for Case 886-S-17 dated February 7, 2018
 - Draft Erosion and Sedimentation Control Plan (ESCP) dated February 7, 2018
- E Letter from Bruce Stickers received February 12, 2018
- F Revised Draft Erosion and Sedimentation Control Plan (ESCP) dated February 13, 2018
- G Emails from Brad Bennett and Derek Liebert received February 15, 2018, and February 19, 2018, respectively
- H Revised Summary of Evidence, Finding of Fact and Final Determination dated February 22, 2018

Proposed BMX Annotated Aerial



Susan Burgstrom

From: Manuel, Jonathon - NRCS-CD, Champaign, IL <Jonathon.Manuel@il.nacdnet.net>
Sent: Thursday, February 01, 2018 3:06 PM
To: djkirby4040@gmail.com; Liebert, Derek; Susan Burgstrom
Subject: BMX County Fair Grounds.pdf
Attachments: BMX County Fair Grounds.pdf

Hello,

I went ahead and did a NRI for the site.

After looking at everything and seeing that it is a heavy clay mix being used for the bare areas on the track. That plus if you notice that the added soil has been in place for several months and has really shown no signs of erosion or of leaving the work area. I truly feel that maintaining a 36 ft. minimum sod buffer would be best course of action for the site.

Jonathon Manuel CPESC-IT
Resource Conservationist
Champaign County Soil and Water Conservation District
2110 W. Park Ct.
Champaign, IL 61821
Phone: 217/352-3536 Ext. 3

RECEIVED

FEB 01 2018

CHAMPAIGN COUNTY P & Z DEPARTMENT

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Champaign County

Soil and Water Conservation District
2110 West Park Court Suite C Champaign, IL 61821
(217) 352-3536 Extension 3 --- www.ccswd.com

NATURAL RESOURCE REPORT

RECEIVED

Development Name: BMX Track

Date Reviewed: January, 30th, 2018

Requested By:

Address:

FEB 01 2018

CHAMPAIGN CO. P & Z DEPARTMENT

Location of Property: part of the NW $\frac{1}{4}$ of sec.8 in T. 19 N., R.9 E., of the 3rd. P.M.



The Resource Conservationist of the Champaign County Soil and Water Conservation District inspected this tract on January 16th, 2018.



Champaign County

Soil and Water Conservation District
 2110 West Park Court Suite C Champaign, IL 61821
 (217) 352-3536 Extension 3 --- www.ccsxcd.com

SITE SPECIFIC CONCERNS

1. The area that is to be developed into a BMX Track has 3 soil types (Sawmill Silty Clay Loam 3107A, Drummer Silty Clay Loam 152A, Senachwine Silt loam 618C2) that are severe ponding for dwellings without a basement.

SOIL RESOURCE

a) Prime Farmland:

This tract is **not** considered best prime farmland for Champaign County by the LE calculation.

This tract has an L.E. Factor of 87; see the attached worksheet for this calculation.

b) Soil Characteristics:

There are Three (3) soil types on this site; see the attached soil map. The soil present has severe limitations for development in its natural, unimproved state. The possible limitations include severe ponding in shallow excavations. A development plan will have to take the soil characteristics into consideration.

Map Symbol	Name	Slope	Shallow			Septic Fields	Steel Corrosion	Concrete Corrosion
			Excavations	Basements	Roads			
3107A	Sawmill silty clay loam	0-2%	Severe: ponding	Severe: ponding	Severe: ponding	Severe: flooding	high	low
152A	Drummer Silty Clay Loam	0-2%	Severe: ponding	Severe: ponding	Severe: ponding	Severe: ponding	high	moderate
618C2	Senachwine Silt Loam	5-10%	Moderate: dense la	Slight:	Severe: low strength	Severe: perc's slow	moderate	moderate

c) Erosion:

This area to be developed, will be susceptible to erosion both during and after construction. Any areas left bare for more than 7 days, should be temporarily seeded or mulched and permanent vegetation established as soon as possible. The area has a slight slope to the South which could allow erosion during construction and heavy rainfall events. Erosion control measures must be installed before construction starts. It would be recommended to follow the NRCS Filter Strip Standard. This requires at least 35 feet of sod forming grasses between the track and in inlet or water course. These standards are designed for bare fields of up to 100 acres. They should be more than sufficient for the mix use of bare ground and grass for the BMX track. The Standard is attached to the end of this report.



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d) Sedimentation:

Due to this site being less than one acre the normal SWPPP would not be required. I am leaving the following statement in more to think about what maintenance may be needed in the future. Should a silt basket be placed in the inlet a schedule for its monitoring and cleaning will need to be made and followed.

A complete erosion and sedimentation control plan should be developed and implemented on this site prior to and during major construction activity. This plan should also have information for the land owner to continue Sedimentation control after.

Example: When will inlets for storm drains need to be cleaned out or how often? All sediment-laden runoff should be routed through sediment basins before discharge. Silt fences should be used in flow areas with drainage areas that do not exceeding 0.5 acres. Plans should be in conformance with the Illinois Urban Manual for erosion and sedimentation control. The website is: <http://www.aiswcd.org/IUM/>

This link has a resource to help develop a SWPPP for small lots:

<http://www.epa.gov/npdes/stormwater-discharges-construction-activities#resources>

WATER RESOURCE

a) Surface Drainage:

The site is relatively flat. The developed areas seems to have good drainage. The water from the site will leave by way of the inlet on the South. Would recommend leaving at least 36 feet of grass around it during any construction.

b) Subsurface Drainage:

It is likely that this site contains agricultural tile, if any tile is found care should be taken to maintain the tile in working order.

Severe ponding, may be a limitation associated with the soil types on the site. Installing a properly designed subsurface drainage system will minimize adverse effects. A subsurface drainage system would also allow the track to drain.



Champaign County

Soil and Water Conservation District
2110 West Park Court Suite C Champaign, IL 61821
(217) 352-3536 Extension 3 --- www.ccswcd.com

c) Water Quality:

As long as adequate erosion and sedimentation control systems are installed as described above, the quality of water should not be significantly impacted.

EPA Stormwater Pollution Prevention Plan Reference Tool:

EPA requires a plan to control stormwater pollution for all construction sites over 1 acre in size. *A Guide for Construction Sites* is a reference tool for construction site operators who must prepare a SWPPP in order to obtain NPDES permit coverage for their stormwater discharges. The guide describes the SWPPP development process and provides helpful guidance and tips for developing and implementing an effective plan.

Two model plans, based on hypothetical sites, are now available as a supplement to the guide. The first example plan is for a medium-sized residential subdivision and the second is for a small commercial site. Both examples utilize the SWPPP template that is included in the guide. To view the guide, models and template, visit <http://www.epa.gov/npdes/swpppguide>.

A new small lots plan can be found at this website location:

<http://www.epa.gov/npdes/stormwater-discharges-construction-activities#resources>

d) Low impact development:

The EPA's new report, "Reducing Stormwater Costs through Low Impact Development (LID) Strategies and Practices." Provides ideas to improve water quality through unique designs. The report contains 17 case studies from across North America that show using LID practices in construction projects can lower costs while improving environmental results. LID practices are innovative stormwater management practices used to manage urban stormwater runoff at its source. The goal of LID practices is to mimic the way water moves through an area before development occurs, which is achieved using design techniques that infiltrate, evapotranspiration and reuse runoff close to its source. Some common LID practices include rain gardens, grassed swales, cisterns, rain barrels, permeable pavements and green roofs. LID practices increasingly are used by communities across the country to help protect and restore water quality. For a copy of the report, go to www.epa.gov/owow/nps/lid/costs07.



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CULTURAL, PLANT, AND ANIMAL RESOURCE

a) Cultural:

The Illinois Historic Preservation Agency may require a Phase 1 Archeological Review to identify any cultural resources that may be on the site.

b) Illinois Endangered Species Protection Act & Illinois Natural Areas Preservation Act:

State agencies or units of local government must consult the Department about proposed actions that they will authorize, fund or perform. Private parties do not have to consult, but they are liable for prohibited taking of state-listed plants or animals or for adversely modifying a Nature Preserve or a Land and Water Reserve.

Home rule governments may delegate this responsibility, through duly enacted ordinances, to the parties seeking authorization or funding of the action.

The Illinois Natural Heritage Database shows a protected resources may be in the vicinity of the project location

c) Plant:

For eventual landscaping of the site, the use of native species is recommended whenever possible. The soil types will support trees such as Bur Oak, Norway Spruce, Black Oak, and Silky Dogwood. For areas to be restored to a more natural area several groups in the area may be able to help with seed.

If you have further questions, please contact the Champaign County Soil and Water Conservation District.

Signed by _____ Prepared by _____
Joe Rothermel Jonathon Manuel
Board Chairman Resource Conservationist

BMX Track

Date: 1/29/2018

Field Office: CHAMPAIGN SERVICE CENTER

District: CHAMPAIGN COUNTY SOIL & WATER CONSERVATION DISTRICT

Assisted By: JONATHON MANUEL

State and County: IL, Champaign County, Illinois

Legal Description: NW 1/4 of Section 8, T19N, R9E

Aerial 2015



Legend

-  Proposed BMX Track
- fe_2007_17019_edges

Prepared with assistance from USDA-Natural Resources Conservation Service



BMX Track

Field Office: CHAMPAIGN SERVICE CENTER

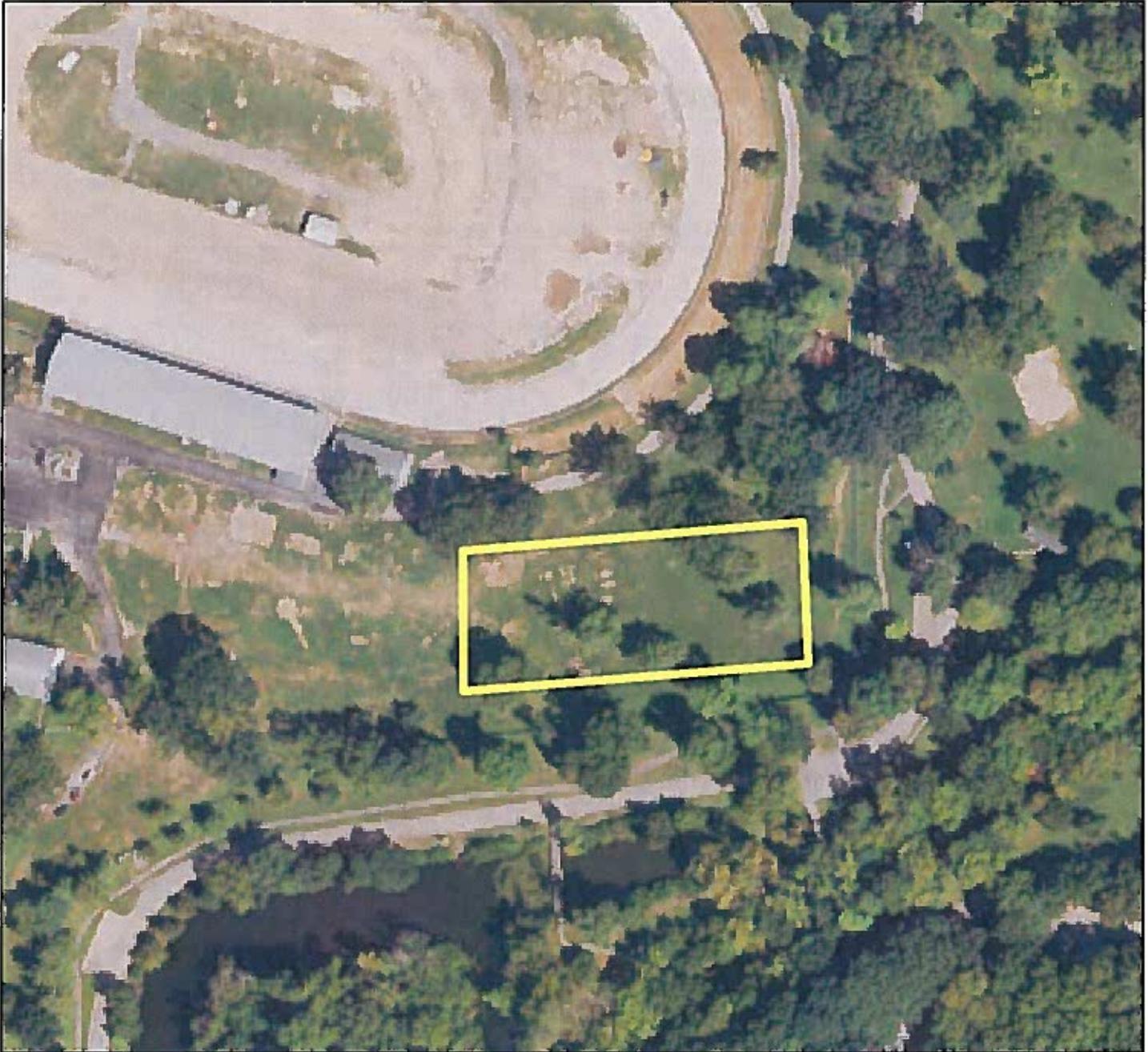
District: CHAMPAIGN COUNTY SOIL & WATER CONSERVATION DISTRICT

Assisted By: JONATHON MANUEL

State and County: IL, Champaign County, Illinois

Legal Description: NW 1/4 of Section 8, T19N, R9E

Aerial 2015



Prepared with assistance from USDA-Natural Resources Conservation Service

Legend

 Proposed BMX Track



LAND EVALUATION WORKSHEET

Soil Type	Soil Name	Ag Group	Relative Value	Acres	Land Evaluation Score
3107A	Sawmill	6	87	1.1	95.7
152A	Drummer	2	100	0.1	10.0
618C2	Senachwine	15	69	0.1	6.9
					0.0
					0.0
					0.0
					0.0

acreage for calculation slightly larger than tract acreage due to rounding of soils program

Total LE Weighted Factor= 112.6

Acreage= 1.3

Land Evaluation Factor For Site= 87

Note: A Soil Classifier could be hired for additional accuracy if desired

Data Source: Champaign County Digital Soil Survey

BMX Track

Date: 1/29/2018

Field Office: CHAMPAIGN SERVICE CENTER

District: CHAMPAIGN COUNTY SOIL & WATER CONSERVATION DISTRICT

Assisted By: JONATHON MANUEL

State and County: IL, Champaign County, Illinois

Legal Description: NW 1/4 of Section 8, T19N, R9E

Aerial 2015



Legend

Soils Map

MUSYM

-  152A
-  3107A
-  618C2
-  Proposed BMX Track

Prepared with assistance from USDA-Natural Resources Conservation Service



Field Office: CHAMPAIGN SERVICE CENTER

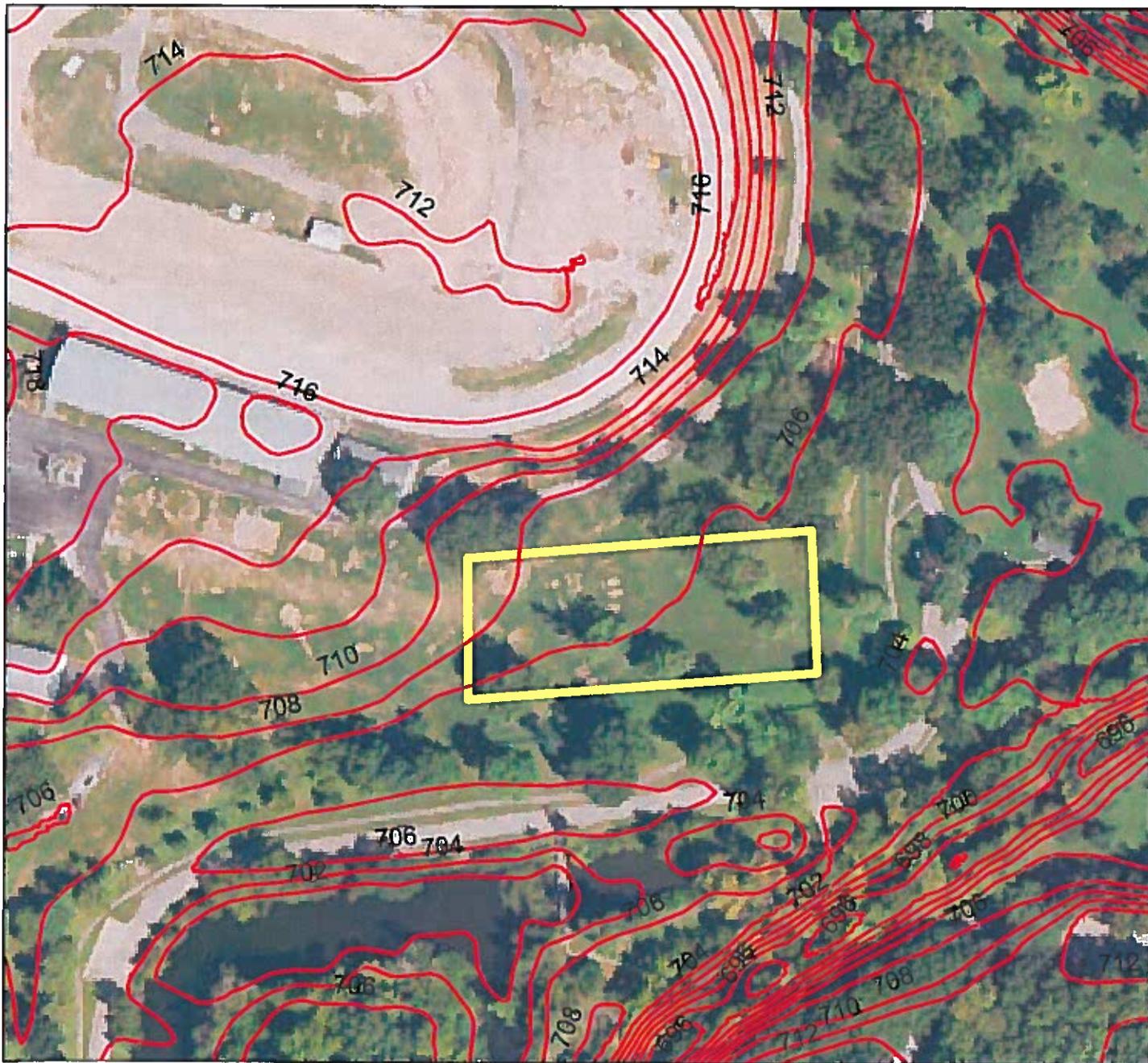
District: CHAMPAIGN COUNTY SOIL & WATER CONSERVATION DISTRICT

Assisted By: JONATHON MANUEL

Legal Description: NW 1/4 of Section 8, T19N, R9E

Aerial 2015

State and County: IL, Champaign County, Illinois



Legend

Prepared with assistance from USDA-Natural Resources Conservation Service

— 3_T19N_R09E_SEC08

□ Proposed BMX Track



BMX Track

Field Office: CHAMPAIGN SERVICE CENTER

District: CHAMPAIGN COUNTY SOIL & WATER CONSERVATION DISTRICT

Assisted By: JONATHON MANUEL

State and County: IL, Champaign County, Illinois

Legal Description: NW 1/4 of Section 8, T19N, R9E

Aerial 2015



Legend

Prepared with assistance from USDA-Natural Resources Conservation Service

-  Proposed BMX Track
-  fema_a_il019



Applicant: Champaign County Soil & Water Conservation District **IDNR Project Number:** 1806839
Contact: Jonathon Manuel **Date:** 01/30/2018
Address: 2110 West Park Court
Suite C
Champaign, IL 61821

Project: BMX Track
Address: 2110 West park Court, Suite C, Champaign

Description: New BMX Track on the Champaign County Fair Grounds

Natural Resource Review Results

This project was submitted for information only. It is not a consultation under Part 1075.

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location:

Bigeye Chub (*Hybopsis amblops*)

Location

The applicant is responsible for the accuracy of the location submitted for the project.

County: Champaign

Township, Range, Section:
19N, 9E, 8



IL Department of Natural Resources
Contact
Impact Assessment Section
217-785-5500
Division of Ecosystems & Environment

Disclaimer

The Illinois Natural Heritage Database cannot provide a conclusive statement on the presence, absence, or condition of natural resources in Illinois. This review reflects the information existing in the Database at the time of this inquiry, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, compliance with applicable statutes and regulations is required.

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IDNR Project Number: 1806839

1. The IDNR EcoCAT website was developed so that units of local government, state agencies and the public could request information or begin natural resource consultations on-line for the Illinois Endangered Species Protection Act, Illinois Natural Areas Preservation Act, and Illinois Interagency Wetland Policy Act. EcoCAT uses databases, Geographic Information System mapping, and a set of programmed decision rules to determine if proposed actions are in the vicinity of protected natural resources. By indicating your agreement to the Terms of Use for this application, you warrant that you will not use this web site for any other purpose.

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3. IDNR reserves the right to enhance, modify, alter, or suspend the website at any time without notice, or to terminate or restrict access.

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Unauthorized use, tampering with or modification of this system, including supporting hardware or software, may subject the violator to criminal and civil penalties. In the event of unauthorized intrusion, all relevant information regarding possible violation of law may be provided to law enforcement officials.

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Field Office: CHAMPAIGN SERVICE CENTER

District: CHAMPAIGN COUNTY SOIL & WATER CONSERVATION DISTRICT

Assisted By: JONATHON MANUEL

State and County: IL, Champaign County, Illinois

Legal Description: NW 1/4 of Section 8, T19N, R9E

Aerial 2010



Legend

-  Proposed BMX Track
- fe_2007_17019_edges

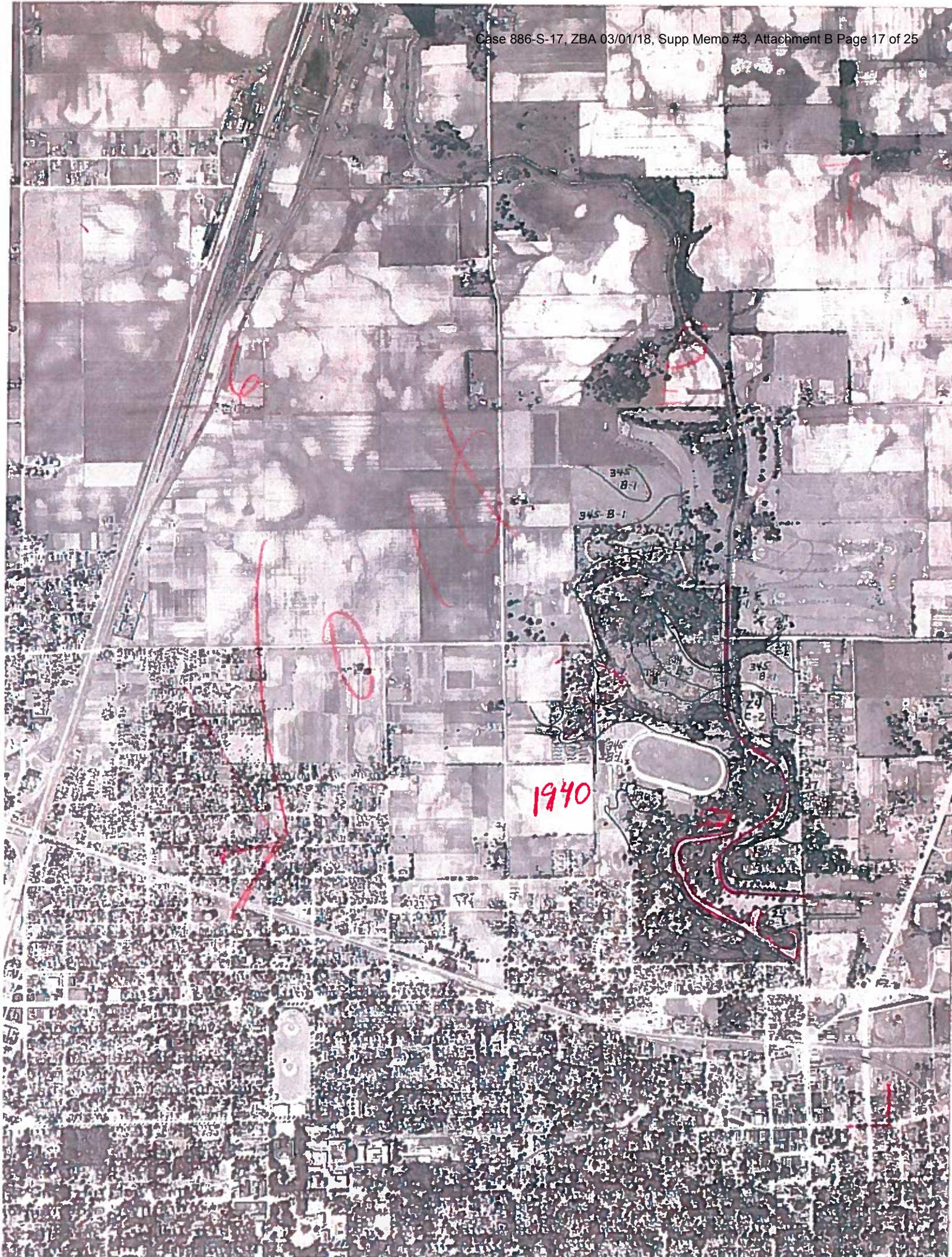
Prepared with assistance from USDA-Natural Resources Conservation Service





196

4-1-1





United States Department of Agriculture

393-CPS-1

Natural Resources Conservation Service
CONSERVATION PRACTICE STANDARD

FILTER STRIP

Code 393

(Ac)

DEFINITION

A strip or area of herbaceous vegetation that removes contaminants from overland flow.

PURPOSE

- Reduce suspended solids and associated contaminants in runoff and excessive sediment in surface waters.
- Reduce dissolved contaminant loadings in runoff.
- Reduce suspended solids and associated contaminants in irrigation tailwater and excessive sediment in surface waters.

CONDITIONS WHERE PRACTICE APPLIES

Filter strips are established where environmentally sensitive areas need to be protected from sediment, other suspended solids, and dissolved contaminants in runoff.

CRITERIA

General Criteria Applicable to All Purposes

Overland flow entering the filter strip will be uniform sheet flow. Concentrated flow will be dispersed before it enters the filter strip.

Filter strips will not be placed on sites adjacent to larger rivers and streams where the predominant in flow is from out of bank flow.

Filter strips shall be located downslope from a source area of contaminants. Filter strips will not be placed on sites such as larger rivers and streams where the predominant in flow is from out of bank flow.

State-listed noxious or invasive plants will not be established in the filter strip.

The maximum gradient along the leading edge of filter strip will not exceed one-half of the up-and-down-hill slope percent, immediately upslope from the filter strip, up to a maximum of five percent. The drainage area immediately above the filter strip will have a slope of one half percent or greater.

Filter strips shall be established to permanent herbaceous vegetation consisting of predominately sod forming, stiff stemmed grass species

Filter strips will not be used as a travel lane for equipment or livestock.

Seedings will be conducted within the appropriate seeding periods.

The minimum seeding and stem density shall be equivalent to a high quality grass hay. Successful establishment will be based on Illinois Agronomy Technical Note No. IL-2, "Guidelines for Herbaceous Stand Evaluation". Minimum stand densities will be consistent with applicable forage seedings.

Additional Criteria to Reduce Dissolved Contaminants, Suspended Solids and Associated Contaminants in Runoff and Excessive Sediment in Surface Waters.

The filter strip design and land treatment of the contributing area will be adequate to prevent an excess of 6 inches of accumulated sediment in the filter strip over a 10-year life span. Agronomy Technical Note No. 2, "Using RUSLE2 for the Design and Predicted Effectiveness of Vegetative Filter Strips (VFS) for Sediment," and the associated "Illinois Filter Strip Sediment Deposition Worksheet". The minimum flow length (width) shall be based on a 15 minute flow through time determined not to exceed a 30 minute flow through time from Table 2. Filter strip width may be rounded to match increments of the planting width.

Vegetation. The filter strip will be established to permanent herbaceous vegetation.

Species selected will be—

- Tolerant of herbicides used on the area that contributes runoff to the filter strip.
- Stiff stemmed and a high stem density near the ground surface.
- Suited to current site conditions and intended uses.
- Able to achieve adequate density and vigor within an appropriate period to stabilize the site sufficiently to permit suited uses with ordinary management activities.

Plant species, rates of seeding (PLS lbs. /ac) and method of establishment shall be specified before application. Only viable, high quality seed will be used.

Site preparation and seeding/planting shall be performed at a time and in a manner that best ensures survival and growth of selected species.

Schedule planting dates during periods when soil moisture is adequate for germination and establishment. Seeding will be timed so that tillage for adjacent crop does not damage the seeded filter strip.

Where the purpose is to remove phosphorus, remove (or harvest) the filter strip aboveground biomass at least once each year where permitted.

Additional Criteria to Reduce Suspended Solids and Associated Contaminants in Irrigation Tailwater and Excessive Sediment in Surface Waters.

Filter strip vegetation will be a small grain or other suitable annual plant.

The seeding rate shall be sufficient to ensure that the plant spacing does not exceed 4 inches (about 16–18 plants per square foot).

Establish filter strips prior to the irrigation season so that the vegetation is mature enough to filter sediment from the first irrigation.

CONSIDERATIONS

General Considerations.

Filter strip width (flow length) can be increased as necessary to accommodate harvest and maintenance equipment.

Filters strips with the leading edge on the contour will function better than those with a gradient along the leading edge.

Increase Carbon Storage. Increasing the width of the filter strip beyond the minimum required will increase potential for carbon sequestration.

PLANS AND SPECIFICATIONS

Seeding Periods

Seeding dates are listed in Table 1. The dates in the table are based on long-term averages and may be extended by two weeks by the district conservationist when favorable moisture and temperature for seed germination exists.

Seed Quality

All seed shall be of high quality and comply with Illinois Seed and Weed Laws; and originate from the United States or Canada.

All seed shall comply with Illinois Seed and Weed Laws and originate from the United States or Canada.

Seed rates will be based on Pure Live Seed (PLS) per acre. Computation of Pure Live Seed will be based on the following formula:

$$\text{PLS} = \frac{(\% \text{ germination} + \% \text{ dormant seed}) \times \% \text{ purity}}{100}$$

Germination tests are required for all warm and cool season grasses and legumes (excluding companion crops). Germination tests may not be older than 12 months at time of seeding excluding the month of testing. Germination tests are not required for native forbs.

Seed Mixtures

Approved seed mixtures are found in Table 3.

Criteria for seed mixtures:

All filter strip seed mixtures will be predominately (60%) sod forming species.

Native grass seed mixtures shall be seeded at 40 PLS seeds/ft². The sod forming component shall be at least 24 PLS seeds/ft². Custom seed mixtures can be developed using Tables 4 and 5.

Introduced cool season species mixtures will shall consist of predominately sod forming species based on the full seeding rates listed in Table 6. Custom seed mixtures can be developed using Tables 6 and 7. Introduced cool season grass seed mixtures shall include a legume from Table 8.

Legume Inoculation

Legume seeds shall be treated with a pure culture of nitrogen fixing bacteria prepared specifically for the species being seeded. Where more than one legume is included in the seed mixture, inoculate each species separately. A sticker, as recommended by the inoculant manufacturer, will be used to secure the bacteria to the seed. Refer to Illinois Agronomy Technical Note Number 20 for guidance.

Uncoated seed pre-inoculated greater than 60 days will be re-inoculated. Pre-inoculated seed that has been coated must be seeded within 12 months of inoculation, otherwise re-inoculate. In no cases shall inoculum be used after the expiration date including inoculum that is included with the seed as a pre-treatment.

Legumes not pre-inoculated will be inoculated within 24 hours of seeding.

Inoculation of native legumes is recommended when commercial inoculum is available.

Companion (Nurse) Crop

For spring seedings, oats shall be seeded at a rate of one bushel/acre to reduce soil erosion and suppress weed competition. The oats shall be clipped prior to seed head emergence (late boot stage) to prevent further competition with the new permanent cover. For seedings of introduced grasses and legumes planned for the late summer to early fall period, a companion crop of wheat or cereal rye will be seeded at a rate of 20 lbs. /acre. An oat companion crop at a rate of 1 bushel/acre may be used for late summer if planted no later than 45 days prior to the first expected killing frost date. Expected first frost dates may be found in the FOTG, Section I-Climatic Data, most published soil surveys, and the Illinois Agronomy Handbook. Companion crops will be mowed no later than just prior to seed head emergence the late boot stage. Companion crops shall not be allowed to form seeds.

Specifications for establishment and operation of this practice will be prepared for each field or treatment unit. Record the specifications using the Illinois Filter Strip Job Sheet. The specifications will identify at a minimum the following:

- Practice purpose(s).
- Length, width (width refers to flow length through the filter strip), and slope of the filter strip to accomplish the planned purpose(s).
- Plant species selection and PLS seeding rates to accomplish the planned purpose.
- Planting dates and planting method(s).
- A statement that only viable, high quality, and adapted seed will be used.
- Site preparation instructions sufficient to establish and grow selected species.

OPERATION AND MAINTENANCE

For the purposes of filtering contaminants and nutrients (phosphorus), permanent filter strip vegetative plantings will be harvested (unless prohibited due to conservation program regulations) and removed as appropriate to encourage dense growth, maintain an upright growth habit and remove nutrients and other contaminants that are contained in the plant tissue.

Control undesired weed species, especially State-listed noxious weeds. When needed, invasive plant species may be controlled through mowing, herbicides, and hand weeding.

If Conservation Practice Standard (CPS) Prescribed Burning (Code 338) is used to manage and maintain the filter strip, an approved burn plan must be developed.

Inspect the filter strip after storm events and repair any gullies that have formed, remove unevenly deposited sediment accumulation that will disrupt sheet flow, reseed disturbed areas and take other measures to prevent concentrated flow through the filter strip.

Apply supplemental nutrients as needed to maintain the desired species composition and stand density.

Periodically regrade and reestablish the filter strip area when sediment deposition at the filter strip-field interface jeopardizes its function. Reestablish the filter strip vegetation in regraded areas, if needed.

If grazing is used to harvest vegetation from the filter strip, the grazing plan must ensure that the integrity and function of the filter strip is not adversely affected.

REFERENCES

Dillaha, T.A., J.H. Sherrard, and D. Lee. 1986. Long-Term Effectiveness and Maintenance of Vegetative Filter Strips. VPI-VWRRC Bulletin 153.

Dillaha, T.A., and J.C. Hayes. 1991. A Procedure for the Design of Vegetative Filter Strips: Final Report Prepared for U.S. Soil Conservation Service.

Foster, G.R. Revised Universal Soil Loss Equation, Version 2 (RUSLE2) Science Documentation (In Draft). USDA-ARS, Washington, DC. 2005.

Renard, K.G., G.R. Foster, G.A. Weesies, D.K. McCool, and D.C. Yoder, coordinators. 1997. Predicting Soil Erosion by Water: A Guide to Conservation Planning with the Revised Universal Soil Loss Equation (RUSLE). U.S. Department of Agriculture. Agriculture Handbook 703.

Revised Universal Soil Loss Equation Version 2 (RUSLE2) Web site (checked May 2007):

http://fargo.nserl.purdue.edu/rusle2_dataweb/RUSLE2_Index.htm.

M.G. Dosskey, M.J. Helmers, and D.E. Eisenhauer 2008. A Design Aid for Determining Width of Filter Strips. Journal of Soil and Water Conservation. July/Aug 2008—vol. 63, no. 4.

Table 1. Seeding Dates

Time of Seeding	Plant Suitability Zone ¹	Cool Season Species	Warm Season Species
Spring	I	Early spring - June 1	Early spring - June 15
	II	Early Spring - May 15	Early spring - June 5
	III	Early Spring - May 15	Early spring - June 1
Late Summer	I	August 1 - September 1	Not Recommended
	II	August 1 - September 10	Not Recommended
	III	August 1 - September 20	Not Recommended
Dormant	I	November 1 - Freeze-up	November 1 - Freeze-up
	II	November 15 - Freeze up	November 15 - Freeze up
	III	November 15 - Freeze up	November 15 - Freeze up
1 - Refer to the "Plant Suitability Zones" map locate in Section I, IL-FOTG-Climatic Data			

Table 2. Filter strip flow length (width) based on land slope at the upslope filter strip boundary and flow through time in minutes.

Flow through time (0.5" depth)	Percent Slope					
	0.5%	1.0%	2.0%	3.0%	4.0%	5.0% or greater
Filter Strip Flow Length (Feet)						
15 minutes	36	54	72	90	108	117
30 minutes	72	108	144	180	216	234

Table 3. Approved seed mixtures.

Native Species Mixtures	Lbs. PLS/Acre	SITE SUITABILITY
Switchgrass	5	Well, adapted to mesic and moist sites. Will withstand droughty sites. Tolerant to atrazine.
Switchgrass Indiangrass Big Bluestem	5.5 2.5 3.5	Adapted to most sites except for extremely wet soils. Tolerant to atrazine. Indiangrass susceptible to atrazine prior to establishment.
Western Wheatgrass	16	This mixture is tolerant to frequent, short duration floods. Low tolerance to atrazine.
Introduced Species Mixtures (Include a companion legume)	Lbs. PLS/Acre	SITE SUITABILITY
Redtop ¹	4	Adapted to poorly drained soils. Low tolerance to atrazine.
Redtop ¹ Timothy	2.5 2.5	Adapted to poorly drained soils. Fair tolerance to atrazine.
Smooth Bromegrass ¹	16	Adapted to well drained to somewhat poorly drained soils. Fair tolerance to atrazine.
Smooth Bromegrass ¹ Timothy	9.6 2.5	Adapted to well drained to somewhat poorly drained soils. Fair tolerance to atrazine.

Tables 4. Native sod forming grasses.

Native Sod Forming Species	Seeds per square foot at 1 lb. PLS/acre	Comments
Switchgrass	9.2	
Western Wheatgrass	2.5	

Table 5. Native bunch forming grasses.

Native Bunch Forming Grasses	Seeds per square foot at 1 lb. PLS/acre	Comments
Big Bluestem	3.0	
Indiangrass	4.0	
Sideoats Grama	4.4	
Virginia Wildrye	1.7	
Canadian Wildrye	2.6	

Table 6. Introduced cool season sod forming species.

Introduced Sod Forming Cool Season Species	Full seeding Rate PLS lbs./acre	80% Full Seeding Rate PLS lbs./acre	Comments
Smooth Bromegrass	16	9.6	
Redtop	4	2.4	

Table 7. Introduced cool season bunch forming species.

Introduced Bunch Forming Cool Season Species	Full seeding Rate PLS lbs./acre	40% Full Seeding Rate PLS lbs./acre	Comments
Orchardgrass	8	3.2	
Timothy	6	2.4	
Perennial Ryegrass	15	6.0	

Table 8. Companion legumes for introduced cool season seed mixtures.

COMPANION LEGUMES	Lbs. PLS/Ac.	SITE SUITABILITY
Alsike Clover	1-3	Adapted to poorly drained soils
Ladino Clover	0.5-1.0	Adapted to poorly drained soils
Alfalfa	6	Not adapted to poorly drained soils.
Annual Lespedeza	6	Plant Suitability Zone 2 and 3 only. Not adapted to poorly drained soils.
Birdsfoot Trefoil	3	
Red Clover	6	
Crimson Clover	5	

Susan Burgstrom

From: Bennett, Brad <bmbennett@urbanaillinois.us>
Sent: Friday, February 02, 2018 2:47 PM
To: Susan Burgstrom; 'Liebert, Derek'; bmxmedic911@gmail.com
Cc: Reinke, Beth; Pearson, Lorrie
Subject: RE: inlet filters and covers, vegetative cover for BMX track
Attachments: WeldedWireInletProtection.pdf; Neenah 1713 Solid Lid.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Susan and Derek:

Hi! How are you doing?

Please see my responses to your questions in red text below.

Have a great weekend!

Brad Bennett, P.E.
Assistant City Engineer
Public Works Department
City of Urbana
706 S. Glover Avenue
Urbana, IL 61802
217-384-2316 - phone
217-384-2400- fax

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Walk Score® – 51 out of 100

Bike Routes – www.urbanailinois.us/bike-urbana

Plan Your Bus Trip – <http://www.cumtd.com> or 384-8188

From: Susan Burgstrom [mailto:sburgstrom@co.champaign.il.us]
Sent: Friday, February 02, 2018 8:51 AM
To: Bennett, Brad <bmbennett@urbanaillinois.us>; 'Liebert, Derek' <daliebert@UrbanaParks.Org>; bmxmedic911@gmail.com
Subject: inlet filters and covers, vegetative cover for BMX track

Derek and Brad,

1. **Vegetative cover/screen** - We have received recommendations from Jonathon Manuel in attached file NRR 020118. He recommends a 36 feet sod buffer. Could you please let me know what would be acceptable to UPD (i.e. is lawn grass such as what is at the site now sufficient for the entire separation between the track and the fence, would you be fine without a taller grass or other vegetative screen, etc.)? **We are okay with the 36-foot sod buffer.**

2. **Inlet filter protector** – Our Storm Water Management and Erosion Control Ordinance specifies acceptable inlet filters (SD6). I have attached spec sheets for the permanent type filter from IPP inlet filters. Please let me know what thoughts you have on using this type of filter. Would you happen to know the approximate cost for this apparatus? **We would recommend NOT using the Flexstorm Inlet protectors as those are intended for paved areas. Please use the attached welded wire inlet protector.**

3. **Solid manhole cover** – the center inlet will need to be covered with a solid manhole cover. John would like to know if there is a solid lid available, and if not, where one can be purchased. He would also appreciate any information you have on any special care that needs to be taken for installation of the solid lid, such as including a bead of sealant to prevent accidental inflow of sediment. Do you know the approximate cost of a solid cover? **A solid cover type manhole cover should be available for the storm manhole. You will need to take measurements of the manhole frame and find a cover that matches those dimensions. Attached is an example frame and cover that we use as a standard on Urbana storm manholes.**

Please see the link below for the Neenah foundry catalog for manhole covers and frames.

<http://www.nfco.com/nfco/NeenahCatalog.pdf>

Since the storm sewer is not a public storm sewer we cannot provide you a cover for it. However, if you need help selecting the correctly sized cover we can assist you with that. Please let me know if you need our assistance in ordering the manhole cover.

Thanks again for your efforts on this project.

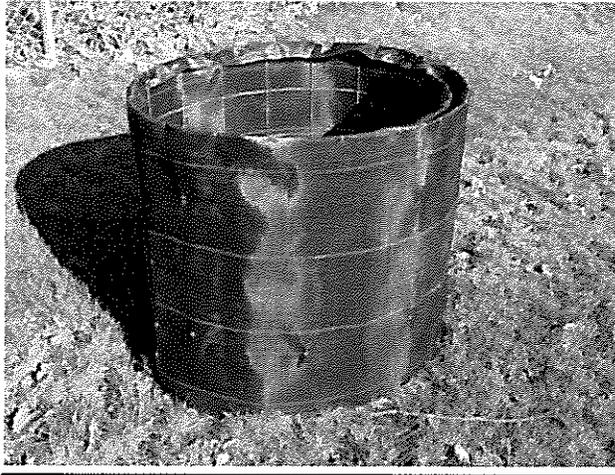
Susan

Susan Burgstrom, AICP
Senior Planner
Champaign County Department of Planning & Zoning
1776 East Washington Street
Urbana, IL 61802

P: 217-384-3708

F: 217-819-4021

WELDED WIRE MONOFILAMENT PROTECTORS



MAINTENANCE:

1. Inspect on a daily basis.
2. Repair any damage immediately.
3. Remove sediment when it reaches 6" high on the basket.
4. Replace geotextile fabric that has deteriorated due to ultraviolet breakdown.
5. Remove inlet protector when it has served its useful purpose, but not before the upslope area has been permanently stabilized.

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SPECIFICATIONS

Description: Weld Wire monofilament protector shall consist of three (3) parts: CHAMPAIGN CO. P & Z DEPARTMENT

1. 36" wide geotextile fabric shall be WinFab 2098. Geotextile fabric is composed of monofilament polypropylene yarns, which are woven into a stable network such that the yarns retain their relative position.
2. 6" x 6" welded wire mesh geotextile composite, shall be 30" tall, formed and secured into a 42" minimum diameter circle.
3. Fastening rings shall be constructed of wire conforming to ASTM A-641, A-809, A-370, and A-938.

Assembly

Geotextile shall be wrapped a minimum of one inch over the top member of the 6" x 6" welded wire mesh and secured with fastening rings at six inches on center. Geotextile shall be secured to the sides of the welded wire mesh with fastening rings at a spacing of one per square foot. The fastening rings shall penetrate both layers of geotextile and securely close around a steel member. The bottom 2" +/- of fabric shall be left unsecured to allow for entrenchment.

Geotextile

<u>Mechanical/ Physical Properties</u>	<u>Description/Minimum Average Roll Values</u>	<u>Test Method</u>
Structure	Woven Monofilament	
Polymer	Polypropylene	
U.V. Resistance (@ 500hrs)	80% Strength Retained	ASTM D4355
Permittivity	.05 Sec-1	ASTM D4491
Flow Rate	75 gpm/ft ²	ASTM D4491
Grab Tensile Strength	350 / 250 lbs	ASTM D4632
AOS (U.S. Sieve)	40	ASTM D4751
Mullen Burst Strength	450 psi	ASTM D3786
Color	Black	

Welded Wire Mesh

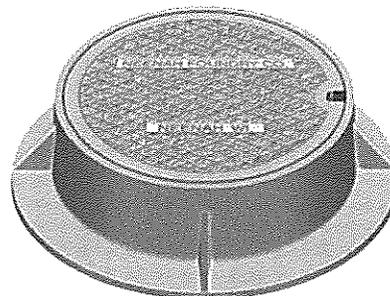
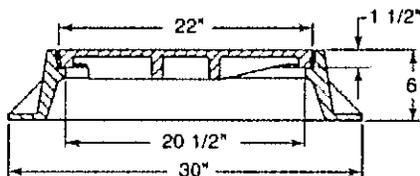
6" x 6" welded wire mesh shall be formed of 10ga. steel conforming to ASTM A-185.

Installation

Install welded wire protector in a 6" deep trench overlapping the ends a minimum of 3". Use wire or zip ties to secure the overlap, then compact soil back into trench over the flap.

**R-1711-A
Manhole Frame, Solid Lid**

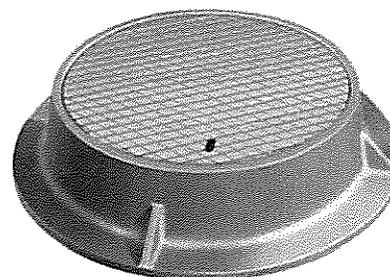
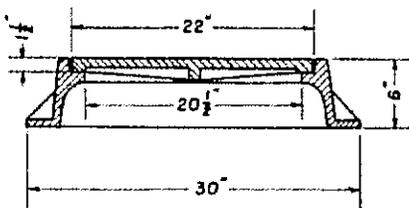
Heavy Duty



Available Grate: R-2461-A
(see Inlet Frames & Grates, R-2000 Series table)

**R-1711-B
Manhole Frame, Solid Lid**

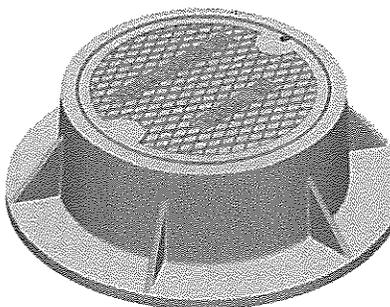
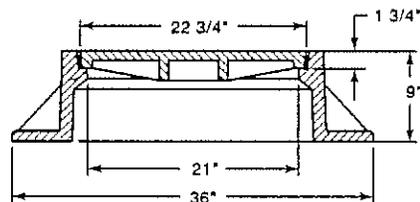
Light Duty



Available Grate: R-2461-A
(see Inlet Frames & Grates, R-2000 Series table)

**R-1712
Manhole Frame, Solid Lid**

Heavy Duty



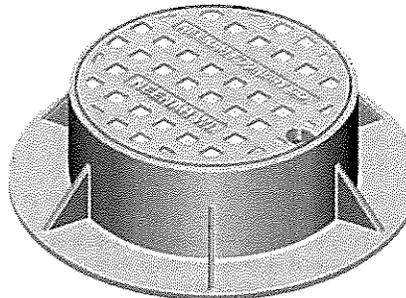
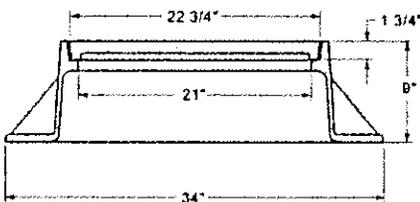
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**R-1713
Manhole Frame, Solid Lid**

Heavy Duty



Available Grate: R-2504

Susan Burgstrom

From: Bennett, Brad <bmbennett@urbanaillinois.us>
Sent: Friday, February 02, 2018 3:34 PM
To: Susan Burgstrom
Subject: RE: inlet filters and covers, vegetative cover for BMX track

You should not need sealant for the lid. A proper manhole cover should be tight fitting enough to keep soil from washing in. The 1713 cover in the example I attached previously can be ordered with a built in rubber gasket for an even tighter seal. Make sure the cover is pickless or has concealed pick holes so there are no holes in it to allow water into the manhole cover.

Typically sealant is used to see the frame to the concrete cone or grade adjustment rings. The cover is removable.

Brad Bennett
Assistant City Engineer
Public Works Department

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Please consider the environment before printing this e-mail.

From: Susan Burgstrom [<mailto:sburgstrom@co.champaign.il.us>]
Sent: Friday, February 02, 2018 3:26 PM
To: Bennett, Brad <bmbennett@urbanaillinois.us>; 'Liebert, Derek' <daliebert@UrbanaParks.Org>; bmxmedic911@gmail.com
Cc: Reinke, Beth <bcreinke@urbanaillinois.us>; Pearson, Lorrie <lpearson@urbanaillinois.us>
Subject: RE: inlet filters and covers, vegetative cover for BMX track

Thanks, this is great information.

John asked if the solid cover should be set into a bed of sealant so as to prevent any silt infiltration, or will the lid and frame fit tightly enough without sealant?

Susan Burgstrom

From: Bennett, Brad <bmbennett@urbanailinois.us>
Sent: Friday, February 02, 2018 5:01 PM
To: Susan Burgstrom
Subject: RE: inlet filters and covers, vegetative cover for BMX track

Sodding would be better but if they use welded wire inlet protection that should keep any erosion from getting into the storm sewer while the grass is getting established.

Brad Bennett
Assistant City Engineer
Public Works Department

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Please consider the environment before printing this e-mail.

From: Susan Burgstrom [<mailto:sburgstrom@co.champaign.il.us>]
Sent: Friday, February 02, 2018 3:37 PM
To: Bennett, Brad <bmbennett@urbanailinois.us>
Subject: RE: inlet filters and covers, vegetative cover for BMX track

Thanks! One more question from John. He wanted to be clear that he was referring to seeding and mulching, not of actual sod for this project. Is that still acceptable?

Susan Burgstrom

From: Liebert, Derek <daliebert@UrbanaParks.Org>
Sent: Monday, February 05, 2018 5:28 PM
To: Susan Burgstrom; 'Bennett, Brad'; bmxmedic911@gmail.com
Cc: Reinke, Beth; Pearson, Lorrie; Bruce Stickers (bjstickers@hotmail.com); Bruce Stickers (bjstickers@sbcglobal.net)
Subject: RE: inlet filters and covers, vegetative cover for BMX track

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Susan,

Brad has covered the recommended materials. The welder wire inlet protector should initially be inspected occasionally and after large rainfalls to see if any sediment is getting through the sod buffer. UPD approves the sod buffer provided that the welded wire inlet protector does not accumulate sediment and can be removed once the site stabilizes. It is more of a temporary measure that we can use to evaluate the effectiveness of the sod buffer. Jonathon Manuel is fairly certain the sod buffer will be sufficient but in the unlikely event it is not, we can look at other options to protect the storm inlet and Crystal Lake.

Regarding the vegetative screening, I spoke with Bruce Stickers and he said he is preparing a letter from Pheasants Forever for the planting. He is recommending tall native grasses and the UPD approves of this approach.

Please let me know if more is needed.

Thanks,
Derek

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Susan Burgstrom

From: Bennett, Brad <bmbennett@urbanaillinois.us>
Sent: Tuesday, February 06, 2018 8:06 AM
To: 'Liebert, Derek'; Susan Burgstrom; bmxmedic911@gmail.com
Cc: Reinke, Beth; Pearson, Lorrie; Bruce Stickers (bjstickers@hotmail.com); Bruce Stickers (bjstickers@sbcglobal.net)
Subject: RE: inlet filters and covers, vegetative cover for BMX track

Follow Up Flag: Follow up
Flag Status: Flagged

I concur with Derek's e-mail below.

I would recommend using the welded wire inlet basket for an evaluation period after the sod buffer is installed to see how effectively the buffer is functioning. If after a number of rain storm events there is no sediment captured by the welded wire basket then it can be removed.

Brad Bennett
Assistant City Engineer
Public Works Department

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FEB 06 2018

Please consider the environment before printing this e-mail.

CHAMPAIGN CO. P & Z DEPARTMENT

From: Liebert, Derek [<mailto:daliebert@UrbanaParks.Org>]
Sent: Monday, February 05, 2018 5:28 PM
To: 'Susan Burgstrom' <sburgstrom@co.champaign.il.us>; Bennett, Brad <bmbennett@urbanaillinois.us>; bmxmedic911@gmail.com
Cc: Reinke, Beth <bcreinke@urbanaillinois.us>; Pearson, Lorrie <lpearson@urbanaillinois.us>; Bruce Stickers (bjstickers@hotmail.com) <bjstickers@hotmail.com>; Bruce Stickers (bjstickers@sbcglobal.net) <bjstickers@sbcglobal.net>
Subject: RE: inlet filters and covers, vegetative cover for BMX track

Hi Susan,

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Regarding the vegetative screening, I spoke with Bruce Stickers and he said he is preparing a letter from Pheasants Forever for the planting. He is recommending tall native grasses and the UPD approves of this approach.

Please let me know if more is needed.

Thanks,
Derek

Susan Burgstrom

From: Liebert, Derek <daliebert@UrbanaParks.Org>
Sent: Tuesday, February 13, 2018 6:06 AM
To: Manuel, Jonathon - NRCS-CD, Champaign, IL; Susan Burgstrom; Brad Bennett
Subject: RE: amended special conditions for zoning case 886-S-17

Hi Jonathon,

The soiltac was an initial concern of the UPD--we were concerned about run off into Crystal Lake. BMX told us that they would only use it if necessary and at a later date. They doubted they would have budget for it any time soon. We'd prefer to see wetting to control dust as needed however we are also worried that BMX may not have enough volunteer support to control the dust with wetting and are concerned about dust impacts on the park. When we reviewed the Safety Data Sheet, our concerns about run off into the lake lessened, provided it is used at labeled rates. Mostly, we want to make sure there is a mechanism to control dust if it becomes a problem as it does on numerous construction sites in our area. I am encouraged that Farmer City is not too big a problem but still want to have protections in place.

I am not sure where the fence originated but it is something we support. We know that we get a lot of vandalism and destructive/inappropriate park use in the hours the park is closed. The BMX course could experience the same. Noise and lights were a concern of the UPD's and one that Illini BMX did not think would be a problem. No lights are proposed and we visited the Farmer City course with Dave Kirby from Illini BMX to get an idea of what the noise level is and found it was minimal.

Thanks,
Derek

From: Manuel, Jonathon - NRCS-CD, Champaign, IL [Jonathon.Manuel@il.nrcs.net]
Sent: Friday, February 09, 2018 9:46 AM
To: Susan Burgstrom; Brad Bennett; Liebert, Derek
Subject: RE: amended special conditions for zoning case 886-S-17

RECEIVED

FEB 13 2018

CHAMPAIGN CO. P & Z DEPARTMENT

Hi,
Two comments on the plan:

- 1 under 2 b you give them 14 days, most construction sites are only allowed 7.
- 2 For a BMX track I am not a fan of Soiltac or other additives around areas that kids will be. Plus the fair rounds is equipped with the ability to water the track to control dust just like they do for the big track. I would recommend removing the soil tac and leave in the last part. If you feel you need something more then maybe a recommendation that if the water spraying is unable to control erosion (by wind or water) then a tarp systems may be needed.

The track in Farmer City has never been a windblown issue. The track is made up of such a heavy clay that silting and wind are general not an issue.

Ok,
Your second document.

I question the fence around the BMX track. Why? If this is to be something for the community and county why are you not treating it like a new baseball diamond or soccer field. Also under the fairgrounds rights do you have the ability to control the lights and sound? I know several people that have lost that case against the Farmer City fairgrounds. Not trying to cause any trouble, just a note for you to check on.

Jonathon Manuel CPESC-IT
Resource Conservationist
Champaign County Soil and Water Conservation District

From: Susan Burgstrom [mailto:sburgstrom@co.champaign.il.us]
Sent: Friday, February 09, 2018 8:57 AM
To: Brad Bennett <bmbennett@urbanaininois.us>; Manuel, Jonathon - NRCS-CD, Champaign, IL <Jonathon.Manuel@il.nacdnet.net>; Derek Liebert <daliebert@UrbanaParks.Org>
Subject: amended special conditions for zoning case 886-S-17

Derek, Brad, and Jonathon,

Could you please respond if you, on behalf of your agency, agree with the 2 attached documents? John Hall would like to get your sign-off for these documents prior to final determination of the case. The first document is the amended Special Conditions for the case. The second is the Erosion and Sedimentation Control Plan that is required for the BMX track.

If you have any requested revisions, please let us know by responding to this email, so we can have a written record of your decision.

Thanks,
Susan

Susan Burgstrom, AICP
Senior Planner
Champaign County Department of Planning & Zoning
1776 East Washington Street
Urbana, IL 61802

P: 217-384-3708
F: 217-819-4021

This electronic message contains information generated by the USDA solely for the intended recipients. Any unauthorized interception of this message or the use or disclosure of the information it contains may violate the law and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete the email immediately.

Susan Burgstrom

From: Liebert, Derek <daliebert@UrbanaParks.Org>
Sent: Tuesday, February 13, 2018 6:21 AM
To: Susan Burgstrom; Brad Bennett; Jonathon Manuel
Subject: RE: amended special conditions for zoning case 886-S-17

Jonathon and Susan, the erosion control permit does not provide a minimum width for the proposed filter strip. I'd suggest we include that for clarity.

The Pheasants Forever Screen section looks good--I'd suggest 100' as the approximate (or minimum length). If the Pheasants Forever screen planting is not adequately maintained, I'd suggest an alternative. The UPD suggests the next best alternative would be evergreen screening.

RECEIVED

From: Susan Burgstrom [sburgstrom@co.champaign.il.us]
Sent: Friday, February 09, 2018 8:57 AM
To: Brad Bennett; Jonathon Manuel; Liebert, Derek
Subject: amended special conditions for zoning case 886-S-17

FEB 13 2018

CHAMPAIGN CO. P & Z DEPARTMENT

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Urbana, IL 61802

P: 217-384-3708
F: 217-819-4021

Special Use Permit Case 886-S-17
Erosion and Sedimentation Control Plan Requirements
DRAFT February 7, 2018

The Erosion and Sedimentation Control Plan for the Land Disturbance Erosion Control Permit for the proposed BMX Track shall include the following:

1. The following erosion and sedimentation controls shall be installed in the following sequence prior to construction of the proposed BMX Track. The Zoning Administrator shall inspect and must approve the installed erosion and sedimentation controls before authorizing construction of the proposed BMX Track:
 - a. A **silt fence** shall be installed around the outer edge of all ground surfaces that will be disturbed by the moving of earthen fill and the construction of the proposed BMX Track. The silt fence shall be located such that a minimum 10 feet wide construction path shall be maintained between the silt fence and any proposed construction and/ or area to be graded. The silt fence shall be installed and maintained as per Champaign County Storm Water and Erosion Control Ordinance (SWMEC) Standard Detail SD2 including the following:
 - (1) The silt fence shall be installed in a 6-inch deep trench that is backfilled with tightly compacted soil.
 - (2) The silt fence shall be inspected weekly and following each rainfall of ½ inch or more of rain until final stabilization has been achieved.
 - (3) Sediment caught by the silt fence shall be removed when it reaches a height of 6 inches above the compacted fill at the base of the silt fence and all sediment removed shall be appropriately incorporated back into the earth.
 - (4) The silt fence may be removed when final stabilization has been established on all ground surface of the Special Use Permit outside of the actual BMX Track surface. Final stabilization is a uniform perennial vegetative land cover with a density of 70 percent of the native background vegetative cover for the area.
 - b. A **cast iron manhole frame and solid lid** shall be installed permanently on **catch basin “A”** on the approved site plan to prevent infiltration of silt into the underground drainage system. If the solid lid is to be covered with soil the lid shall have a gasket to seal out the infiltration of soil laden water.
 - c. A **welded wire monofilament inlet protector** shall be installed and maintained on the south **catch basin “B”** as per City of Urbana recommendation received in an email dated 2/2/18 including the following:
 - (1) The inlet protector shall be installed in a 6-inch deep trench that is backfilled with tightly compacted soil.
 - (2) The inlet protector shall be inspected weekly and following each rainfall of ½ inch or more of rain until final stabilization has been achieved.
 - (3) Sediment caught by the inlet protector shall be removed when it reaches a height of 6 inches above the compacted fill at the base of the inlet

Special Use Permit Case 886-S-17
Erosion and Sedimentation Control Plan Requirements
DRAFT February 7, 2018

- protector and all sediment removed shall be appropriately incorporated back into the earth.
- (4) The inlet protector may be removed when final stabilization has been established on all ground surface of the Special Use Permit outside of the actual BMX Track surface. Final stabilization is a uniform perennial vegetative land cover with a density of 70 percent of the native background vegetative cover for the area.
- d. A **permanent urban filter strip** shall be established between the proposed BMX Track and the south property line by permanent seeding of disturbed areas immediately upon the relocation of the earthen fill. The permanent seeding shall be done prior to any actual shaping and grading of the proposed BMX Track. Seeding and maintenance of the filter strip shall be done as per Natural Resources Conservation Service (NRCS) Conservation Practice Standard Code 393 Urban Filter Strip with mulching as required per NRCS Conservation Practice Standard Code 875 Mulching (SWMEC SD12). The filter strip shall be maintained in perpetuity as long as the BMX Track exists.
- e. A **screen planting** of tall native grasses shall be established between the proposed BMX Track and the east property line as follows:
- (1) The screen planting shall be as proposed by Pheasants Forever in a letter dated {date} and as referred to in the 1/22/18 email from Derek Liebert with the Urbana Park District.
 - (2) The screen planting shall occupy an approximate {100 / 150} feet by 50 feet area between the proposed BMX Track and the east property line.
 - (3) The screen planting shall be seeded and/ or planted prior to any actual shaping and grading of the proposed BMX Track and shall be maintained in perpetuity as long as the BMX Track exists.
2. All land grading for construction of the proposed BMX Track shall be done as follows:
- a. Land grading shall be done as per Natural Resources Conservation Service (NRCS) Conservation Practice Standard Code 865 Land Grading except that the land proposed to be part of the actual BMX Track surface may be graded and finished as per the requirements and recommendations of the BMX sanctioning body, USA BMX.
 - b. Stockpiles of earthen fill shall be located a minimum of 60 feet from the east and south property lines and temporary stockpiles of earthen fill that are left in place more than 14 days shall receive temporary seeding as required per Natural Resources Conservation Service (NRCS) Conservation Practice Standard Code 965 Temporary Seeding.

Special Use Permit Case 886-S-17
Erosion and Sedimentation Control Plan Requirements
DRAFT February 7, 2018

- c. Temporary and/ or permanent seeding of vegetation shall be installed on all disturbed ground surfaces that are not part of the proposed BMX Track surface. Permanent seeding shall be done as per Natural Resources Conservation Service (NRCS) Conservation Practice Standard Code 880 Permanent Seeding (SWMEC SD14) with mulching as required per NRCS Conservation Practice Standard Code 875 Mulching (SWMEC SD12).
 - d. Disturbed ground surfaces that are graded steeper than 2 horizontal units to one vertical unit shall require special design and stabilization efforts to prevent erosion such as the use of special mulch and/ or netting and/or erosion control blankets and/or sod, all as per the Natural Resources Conservation Service (NRCS) Illinois Urban Manual, or non-vegetative stabilization methods such as a retaining wall.
3. Post-construction operation and maintenance of the BMX Track shall include the following requirement for control of fugitive dust and/ or erosion:

If complaints are received about fugitive dust and/ or erosion on and from the proposed BMX Track surface, the petitioner and/or the Champaign County Fair Association shall apply SOILTAC soil stabilizer and dust control agent per the manufacturer's directions to minimize fugitive dust and to stabilize the Track surface and any other reasonable control to minimize fugitive dust and/ or erosion.

Proposed revisions to Special Conditions E, G, and H

February 9, 2018

- E. ~~If a valid complaint is received about fugitive dust and/ or erosion on and from the proposed BMX Track surface, the Zoning Administrator shall may require that the petitioner and/or the Champaign County Fair Association apply SOILTAC soil stabilizer and dust control agent per the manufacturer's directions to minimize fugitive dust and to stabilize the Track surface or any other reasonable control to minimize fugitive dust and/ or erosion if a complaint is received stemming from activities related to the BMX track site.~~

The special condition stated above is to ensure the following:

~~That the Special Use takes proposed BMX Track does not harm the public health, safety and general welfare into consideration.~~

- G. ~~Storm water runoff from the BMX track shall not be allowed to pose any significant risk to water quality in Crystal Lake and engineering documentation shall be provided and monitoring shall be undertaken to verify the quality of Construction and operation of the proposed BMX Track shall abide by the erosion and sedimentation controls summarized in the handout titled Special Use Permit Case 886-S-17 Erosion and Sedimentation Control Plan Requirements DRAFT February 7, 2018, so as to prevent sedimentation and pollution in the storm water runoff entering the storm drain system.~~

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

~~That the development conforms to all relevant ordinances proposed BMX track shall not be allowed to pose any significant risk to water quality in Crystal Lake~~

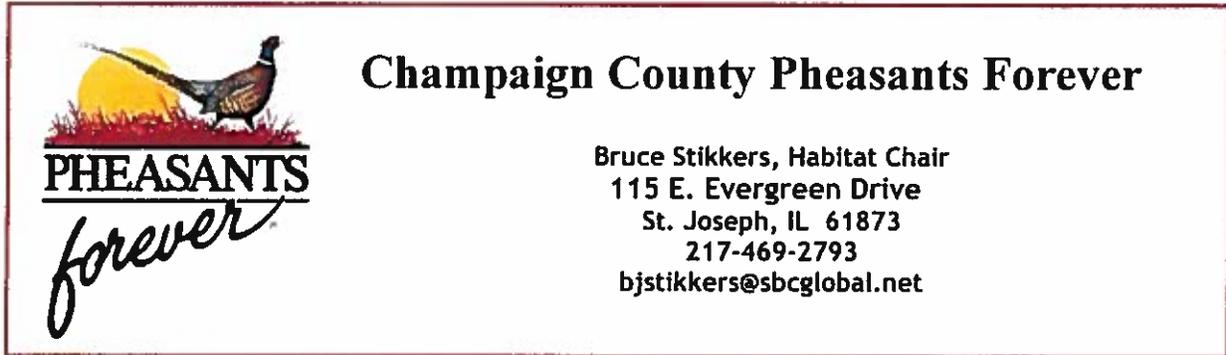
- H. ~~A buffer of native vegetation shall be provided between the BMX track and Crystal Lake Park. The plantings for the vegetative buffer shall be as approved in the Special Use Permit and a man-made screen shall be maintained as necessary to provide screening while the native vegetative buffer is getting established. The man-made screen shall be as approved in the Special Use Permit.~~

A screen planting of tall native grasses shall be established between the proposed BMX Track and the east property line as follows:

- (1) The screen planting shall be as proposed by Pheasants Forever in a letter dated {date} and as referred to in the 1/22/18 email from Derek Liebert with the Urbana Park District.
- (2) The screen planting shall occupy an approximate {100 / 150} feet by 50 feet area between the proposed BMX Track and the east property line.
- (3) The screen planting shall be seeded and/ or planted prior to any actual shaping and grading of the proposed BMX Track and shall be maintained in perpetuity as long as the BMX Track exists.

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

~~That Fairgrounds uses continue to be~~ To help ensure that the proposed BMX Track is compatible with Crystal Lake Park.



February 12, 2018

Zoning Case 886-5-17

BMX Track at the Champaign County Fairgrounds

Dear Mr. Hall:

This project could be enhanced with a planting on the southeast as noted in the plans that would partially block the view from Crystal Lake Park. Champaign County Pheasants Forever is willing to supply the seed and planting equipment necessary for this view block. I would supervise the seed selection and planting at the site.

A view block of native prairie grasses such as Big Bluestem, Indiangrass and Switchgrasses could provide a view block that would enhance the view from the park. Some forbs (wildflowers) such as Tall Coreopsis could be added to enhance the planting. These plants would all be 5'-6' tall which should be adequate for this site. The final seed selection would be submitted to the Urbana Park District for their opinion as to the adequacy of the seed selection to provide the view blocking qualities they desire.

Sincerely,

Bruce Stickers

RECEIVED

FEB 12 2018

CHAMPAIGN COUNTY P & Z DEPARTMENT

Special Use Permit Case 886-S-17
Erosion and Sedimentation Control Plan Requirements
REVISED DRAFT February 13, 2018

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 - b. A **cast iron manhole frame and solid lid** shall be installed permanently on **catch basin “A”** on the approved site plan to prevent infiltration of silt into the underground drainage system. If the solid lid is to be covered with soil the lid shall have a gasket to seal out the infiltration of soil laden water.
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Special Use Permit Case 886-S-17
Erosion and Sedimentation Control Plan Requirements
REVISED DRAFT February 13, 2018

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- (4) The inlet protector ~~may be removed when final stabilization has been established on all ground surface of the Special Use Permit outside of the actual BMX Track surface. Final stabilization is a uniform perennial vegetative land cover with a density of 70 percent of the native background vegetative cover for the area shall remain in place and regularly maintained in perpetuity or until removal has been authorized by the Zoning Administrator in consultation with the Urbana Park District and the City of Urbana Engineering Division.~~

- d. A **permanent urban filter strip** with a flow length of 50 feet shall be established between the proposed BMX Track and the south property line by permanent seeding of disturbed areas immediately upon the relocation of the earthen fill. The permanent seeding shall be done prior to any actual shaping and grading of the proposed BMX Track. Seeding and maintenance of the filter strip shall be done as per Natural Resources Conservation Service (NRCS) Conservation Practice Standard Code 393 Urban Filter Strip with mulching as required per NRCS Conservation Practice Standard Code 875 Mulching (SWMEC SD12). The filter strip shall be maintained in perpetuity as long as the BMX Track exists.

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- (1) The screen planting shall be as proposed by Pheasants Forever in a letter dated February 12, 2018, and as referred to in the 1/22/18 email from Derek Liebert with the Urbana Park District.

- (2) The screen planting shall occupy an approximate 150 feet by 50 feet area between the proposed BMX Track and the east property line.

- (3) The screen planting shall be seeded and/ or planted prior to any actual shaping and grading of the proposed BMX Track and shall be maintained in perpetuity as long as the BMX Track exists.

- (4) If for whatever reason the screen planting of tall native grasses does not achieve or maintain an adequate density of growth of 40% land cover even with repeated plantings and with all recommended maintenance, the tall grasses may be replaced with a screen planting of evergreen plants a minimum of 4 feet tall at time of planting and planting at a spaced that will provide a 50% screen within 2 years and if necessary to achieve the 50% screen within 2 years the plantings shall be in staggered rows.

Special Use Permit Case 886-S-17
Erosion and Sedimentation Control Plan Requirements
REVISED DRAFT February 13, 2018

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Susan Burgstrom

From: Bennett, Brad <bmbennett@urbanaininois.us>
Sent: Thursday, February 15, 2018 8:33 AM
To: Susan Burgstrom; bmxmedic911@gmail.com; Mike Kobel; Derek Liebert; Jonathon Manuel
Subject: RE: amended special conditions for zoning case 886-S-17

The City of Urbana does not have any comments or revisions regarding the two revised memos.

Brad Bennett, P.E.
Assistant City Engineer
Public Works Department
City of Urbana
706 S. Glover Avenue
Urbana, IL 61802
217-384-2316 - phone
217-384-2400- fax

RECEIVED
FEB 15 2018
CHAMPAIGN CO. P & Z DEPARTMENT



Walk Score® – [51 out of 100](#)
Bike Routes – www.urbanaininois.us/bike-urbana
Plan Your Bus Trip – <http://www.cumtd.com> or 384-8188

From: Susan Burgstrom [<mailto:sburgstrom@co.champaign.il.us>]
Sent: Wednesday, February 14, 2018 3:32 PM
To: bmxmedic911@gmail.com; Mike Kobel <m-kobel@illinois.edu>; Derek Liebert <daliebert@UrbanaParks.Org>; Bennett, Brad <bmbennett@urbanaininois.us>; Jonathon Manuel <Jonathon.Manuel@il.nacdnet.net>
Subject: amended special conditions for zoning case 886-S-17

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Thanks!
Susan

Susan Burgstrom

From: Liebert, Derek <daliebert@UrbanaParks.Org>
Sent: Monday, February 19, 2018 3:32 PM
To: Susan Burgstrom; bmxmedic911@gmail.com; Mike Kobel; Brad Bennett; Jonathon Manuel
Subject: RE: amended special conditions for zoning case 886-S-17

Hello Susan,

I reviewed with Tim Bartlett and he is comfortable with the statement that the Urbana Park District has no further objections provided the conditions of the special conditions permit and erosion plan are met. Would it be helpful to provide you and/or Illini BMX with a signed letter from the park district?

Thanks,
Derek

RECEIVED

FEB 19 2018

From: Susan Burgstrom [mailto:sburgstrom@co.champaign.il.us]
Sent: Wednesday, February 14, 2018 3:32 PM
To: bmxmedic911@gmail.com; Mike Kobel <m-kobel@illinois.edu>; Liebert, Derek <daliebert@UrbanaParks.Org>; Brad Bennett <bmbennett@urbanainllinois.us>; Jonathon Manuel <Jonathon.Manuel@il.nacdnet.net>
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Thanks!
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If you have any requested revisions, please let us know by responding to this email, so we can have a written record of your decision.

Thanks,
Susan

REVISED DRAFT 02/22/18

886-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: *{March 1, 2018}*

Petitioners: **Dave Kirby, Illini BMX, and Michael Kobel, President, Champaign County Fair Association**

Request: **Authorize the expansion of Special Use Permit 836-S-16 for the Champaign County Fairgrounds and Parking Lot in the CR Conservation Recreation Zoning District to allow the construction and use of a BMX track on the Fairgrounds, subject to the following waiver of standard conditions required by Section 6.1.3 of the Zoning Ordinance:**

~~Authorize a waiver for side and rear yards of 20 feet in lieu of the minimum required 50 feet for the Fairgrounds Special Use.~~

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SUMMARY OF EVIDENCE

From the documents of record and the testimony and exhibits received at the public hearing conducted on **January 25, 2018** and **March 1, 2018**, the Zoning Board of Appeals of Champaign County finds that:

1. The petitioners are Dave Kirby, 305 S East St, Mansfield, and Michael Kobel, former President and Point of Contact for the Champaign County Fair Association, which owns the subject property. The 2018 Board of Directors for the Champaign County Fair Association includes: Bill Alagna, President, 210 E North Street, Seymour, IL 61875; Kent Weeks, 1st Vice President, 3310 N Mattis Ave, Champaign IL 61822; Edgar Busboom, 2nd Vice President, 2106 CR 2500 N, Thomasboro, IL 61878; Chris Wallace, Director, 2691 CR 1000 E, Champaign, IL 61822; Pam Barham, Secretary, 2451 Clayton Blvd, Champaign IL 61822; HD Brown, Treasurer, 907 N Country Fair Dr, Champaign IL 61821; Dave Price, Director, 1807 S Brook Ct, Mahomet IL 61853; Bob Williams, Director, 409 S Bourne, Tolono IL 61880; John Bell, Director, 1614 W Park Ave, Champaign, IL 61821; Jared Little, Director, 1321 Cobble Stone Way, Champaign IL 61822; Debbie Weeks, Director, 700 Schlutter St, Thomasboro IL 61878; and Marty Poling, Director, 1915 McDonald Dr, Champaign, IL 61821.
2. The subject property is a 53.79 acre tract in the Northwest Quarter of Section 8, Township 19 North, Range 9 East of the Third Principal Meridian in Urbana Township and commonly known as the Champaign County Fairgrounds with an address of 1302 North Coler Avenue, 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.
 - 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 53.79 acre tract and is currently zoned CR Conservation Recreation. Land uses are a public fairgrounds and parking lot approved in Cases 962-S-94 and 836-S-16.
 - B. With the exception of the land northwest of the subject property, all surrounding areas are within the City of Urbana and have City of Urbana zoning.
 - (1) Land to the northwest is zoned R-4 Multiple Family Residence and is in use as Vineyard Christian Church.
 - C. Land to the north of the subject property is zoned City of Urbana CRE Conservation-Recreation-Education and is in use as the Urbana Park District's Busey Woods.

REVISED DRAFT 02/22/18**Case 886-S-17**
Page 3 of 37

- D. Land to the south of the subject property is zoned City of Urbana CRE Conservation-Recreation-Education toward the east and R-2 Single Family Residential toward the west and is in use as a mix of residential and Urbana Park District properties.
- E. Land to the east of the subject property is zoned City of Urbana CRE Conservation-Recreation-Education and is in use as the Urbana Park District's Crystal Lake Park.
- F. Land to the west of the subject property is zoned City of Urbana R-2 Single Family Residential and is in use as residential.

GENERALLY REGARDING THE PROPOSED SPECIAL USE

- 5. Regarding the Site Plan and proposed activities for the proposed Special Use:
 - A. Existing structures (as numbered on the annotated aerial received May 9, 2016, which is part of the Approved Site Plan for Case 836-S-16) include:
 - (1) Fair Office (south of the track);
 - (2) Main restrooms (east of existing parking lot) - SUP 962-S-94, ZUPA #139-95-04;
 - (3) Kesler Exhibit Hall (just east of main restrooms);
 - (4) Grandstands (south of track);
 - (5) Fish tent – vendors (east end of grandstands);
 - (6) Pavilion – beer tent (east of grandstands) – ZUPA #312-89-01;
 - (7) Corral/paddock area (north of track);
 - (8) Steel water tank (east of corral/paddock area);
 - (9) Horse barn for boarding, 1 of 2 (north of track);
 - (10) Horse barn for boarding, 2 of 2 (north of track);
 - (11) Horse barn (north of track);
 - (12) Speed office – Fair only (north of track between horse barns);
 - (13) Portable stage (middle of track);
 - (14) Portable announcer's stand (middle of track);
 - (15) 4-H restrooms (west of track);
 - (16) Sheep barn (northwest corner of property);
 - (17) Hog barn, 1 of 2 (northwest corner of property);
 - (18) Hog barn, 2 of 2 (northwest corner of property);
 - (19) Beef barn (west of track) – ZUPA #68-77-02 and #226-84-03;
 - (20) Dairy barn (west of track) – ZUPA #68-77-02 and #226-84-03;
 - (21) Manure pits (south of dairy barn);
 - (22) Cattle wash racks (south of dairy barn);
 - (23) New parking area constructed in 2016 – ZUP #155-16-02;
 - (24) ½ mile dirt track (outer ring);
 - (25) ¼ mile dirt track (inner ring);
 - (26) Electric courtyard (south of grandstands);
 - (27) Midway – carnival (southeast of grandstands);
 - (28) Kiddy-land area (north of existing parking lot);
 - (29) Food vendors (north of existing parking lot);
 - (30) Carle shuttle stops – 3 (inside existing parking lot);
 - (31) Main fair entrance (southwest corner of property and west side of property);

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- (32) Secondary access gates (on west property line: north of proposed parking area, north of beef barn; on east property line: south of proposed new shed);
 - (33) Existing parking lot (southwest corner, not numbered) – ZUP #021-88-01, 285-93-02, and 111-94-01; and
 - (34) New storage shed constructed in 2016 (northeast corner, not numbered) – ZUP #195-16-01 LDEC; and
 - (35) New 0.3 acre stormwater detention basin and associated berm constructed in 2016 (south end, not numbered).
- B. Proposed improvements shown on the Site Plan received November 8, 2017 include:
- (1) A 1,200 lineal feet BMX track in the southeast corner of the Fairgrounds with the following characteristics:
 - a. Four 300 feet long lengths of track and 3 turns;
 - b. 9 feet high berms at the start hill and on each of the 3 turns;
 - c. Two natural grass barrier/filter drains adjacent to the track; and
 - d. A fence surrounding the track.
 - (a) In an email received November 22, 2017, Mr. Kirby indicated that he plans on fencing off the track as soon as they raise funds for it.
- C. On January 2, 2018, P&Z Staff received a Revised Site Plan from the petitioner, which indicated the following:
- (1) Pit areas will be on the north and west sides of the track;
 - (2) Fencing will be added to the north and west sides of the track, connecting to the existing Fairgrounds fencing on the south and east sides.
 - (3) 9 feet high berms will have a slope of 1:3 on the back side of each;
 - (4) The drain in the middle of the track will be covered;
 - (5) The drain south of the track will have a grass screen and inlet filter;
 - (6) The track will be set back 50 feet from the south and east existing fencing.
- D. The following Zoning Use Permits were issued for the subject property:
- (1) ZUPA #068-77-02 was approved on March 17, 1977 for construction of a detached cattle barn.
 - (2) ZUPA #121-79-03 was approved on May 1, 1979 for construction of a detached cattle barn/storage building.
 - (3) ZUPA #153-84-02 was approved on June 3, 1984 for a lighted sign on the Fairgrounds entrance gate.

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- (4) ZUPA #226-84-03 was approved on August 20, 1984 for the demolition of a cattle barn.
 - (5) ZUPA #021-88-01 was approved on January 21, 1988 for the first phase of parking lot conversion from grass area to paved area.
 - (6) ZUPA #312-89-01 was approved on November 8, 1989 for construction of a pavilion.
 - (7) ZUPA #285-93-02 was approved on October 21, 1993 to convert a grass parking area to a paved parking lot.
 - (8) ZUPA #111-94-01 was approved on May 5, 1994 for continuation of the parking lot conversion.
 - a. The 4 existing shuttle pick up stations were shown on the approved site plan for this Zoning Use Permit. They were thus approved, but should not have been because they should have been considered significant expansions to the Fairgrounds.
 - (9) ZUPA #139-95-04 was approved on May 19, 1995 in conjunction with Special Use case 962-S-94 for construction of the restroom facility.
 - (10) ZUPA #306-15-01 was approved on November 18, 2015 for construction of a pavilion (gazebo, which was considered an insignificant expansion of SUP 962-S-94).
 - (11) ZUPA #195-16-01 LDEC was approved on August 2, 2016, for construction of a storage shed.
 - (12) ZUPA #155-16-02 was approved on August 10, 2016, for construction of a parking lot and a bus shelter; a stormwater detention basin was also installed on the south end of the Fairgrounds as part of the parking lot project.
 - a. A Storm Water Management Plan for the new detention basin was received on June 3, 2016, and became part of the approved Site Plan for Case 836-S-16 approved June 30, 2016.
 - b. The proposed BMX track was not considered in the preparation of the Storm Water Management Plan received June 3, 2016.
- E. Previous zoning cases for the subject property include:
- (1) Text Amendment 954-AT-95 was adopted on January 17, 1995 and allowed for Public Fairgrounds to be permitted by Special Use Permit in the CR Zoning District. No standard conditions affecting Section 6 of the Zoning Ordinance were adopted in conjunction with that case.
 - (2) Special Use 962-S-94 was approved on March 2, 1995 to allow the continued use and expansion of a non-conforming Fairgrounds in the CR Conservation Recreation Zoning District.
 - a. The approved Finding of Fact for this case included information such as:

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- (a) The Champaign County Soil and Water Conservation District declined the request for a Natural Resource Report for this case.
 - (b) The Fairgrounds have been in operation at the subject site since prior to the adoption of County Zoning in 1973, and therefore have retained non-conforming rights.
 - (c) This Special Use Permit case is the result of the petitioner's desire to construct a new 2,052 square foot restroom facility. Any further expansions deemed significant expansions of a previously issued Special Use Permit will require additional Special Use Permits.
 - (d) The fairgrounds have been allowed a limited number of Zoning Use Permits without being required to file a Special Use Permit. These previously approved construction activities were not deemed significant expansions or improvements contributing to the longevity of a non-conforming use.
- b. All grass areas converted to paved parking areas occurred between 1988 and prior to approval of Special Use 962-S-94 on March 2, 1995, and were considered to be insignificant expansions of the Fairgrounds (see Attachment: Parking Expansions Map).
- (a) Storm water detention is not automatically required for the existing pavement because those expansions predated Special Use 962-S-94.
- (3) Text Amendment 819-AT-15 was adopted on March 17, 2016 and amended the Zoning Ordinance to allow a new Special Use category: "Parking lot and related passenger waiting buildings as an additional principal use or additional principal structure. A new standard condition for the Fairground Special Use was added to Section 6.1.3.
- (4) Special Use 836-S-16 was approved on June 30, 2016, to authorize the following in the CR Conservation Recreation Zoning District:
- a. Expansion of a Fairgrounds that was previously authorized as a Special Use Permit in Case 962-S-94; and
 - b. Use of an existing Parking Lot as an additional principal use and the use of existing parking related pick up stations as additional principal structures on a Fairgrounds; and
 - c. Construction and use of a proposed Parking Lot as an additional principal use and a proposed related passenger waiting building as an additional principal structure on a Fairgrounds.
- F. The following activities were scheduled for 2017 on the Fairgrounds property:
- (1) The Great Benjamin's Circus, March 30-31, 2017;
 - (2) Cattle Sale, April 1, 2017;
 - (3) Derby Icons Spring Explosion, April 28-30, 2017;

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- (4) Lawn Mower Demolition Derby, May 6, 2017;
- (5) Derby Icons - Metal Mayhem, June 16-17, 2017;
- (6) Boy Scouts, June 23-24, 2017;
- (7) Audio Feed, June 29-30, 2017;
- (8) Audio Feed, July 1-2, 2017;
- (9) Hammer Down Tractor Pull, July 14, 2017;
- (10) Livestock Cash Bash, July 20, 2017;
- (11) Midget Sprint Car Racing, July 21, 2017;
- (12) Demolition Derby, July 22, 2017;
- (13) Rodeo, July 23, 2017;
- (14) Talent Show, Karaoke Contest, Big Giveaway, July 24, 2017;
- (15) Harness Racing, July 25, 2017;
- (16) Motorcycle Racing, July 26, 2017;
- (17) Motor Madness (Kids Derby, Figure 8Race, Demo Derby), July 27, 2017;
- (18) Country Music Concert, July 28, 2017;
- (19) Truck & Tractor Pulls, July 29, 2017;
- (20) WIXY Flea Market, August 19, 2017;
- (21) Lawn Mower Demolition Derby, September 9, 2017;
- (22) Boy Scouts, September 24, 2017; and
- (23) Lawn Mower Derby, December 3, 2017.

G. On June 17, 2016, staff became aware of a BMX track proposed for the east side of the Fairgrounds.

- (1) At the June 30, 2016 ZBA public hearing, the Board determined that the BMX track would not be part of Case 836-S-16 Special Use Permit.

H. Regarding BMX track operations, at the January 25, 2018 public hearing, Mr. Kirby provided the following testimony:

- (1) They are planning on having one evening event [weekly] during the summer, when daylight permits, and they would typically be done at 7:30 to 8:00 p.m. at the latest. He said the other event would be on Saturday mornings, typically done by 1:30 to 2:00 p.m. He said that there would be noise from the people out there, but in terms of broadcasting, they would only use a single speaker microphone. For volume, they just want to be able to announce the race so that people at the far end of the track can hear them; beyond that, they do not want to interrupt other things going on.
- (2) On an average evening or Saturday event, they might have 30 to 40 vehicles, which would all be parked down near the track, so they would not be out on the nearby roads or necessarily in the parking lots that are there now. He said there might be a slight impact right before and after the races, but it is very brief. If they have a larger race, like a state race, they could have 75 to 100 cars, but that is a very limited period of time of when they go in and when they go out. He said he does not feel that there would be an impact on traffic.
- (3) He said that you do not race when it is muddy, because it destroys the track and makes a lot more work to try and fix it. He said if you cannot walk across it, you cannot ride across it.

REVISED DRAFT 02/22/18**GENERALLY REGARDING SPECIFIC ORDINANCE REQUIREMENTS**

6. Regarding the requested Special Use in the CR 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) “BUFFER STRIP” is an area, PROPERTY, LOT or tract of land or portion thereof, either vacant or landscaped with SCREEN PLANTING as herein specified, which shall serve as a separating space between dissimilar USES or DISTRICTS.
 - (2) “PUBLIC ASSEMBLY USE” is a USE where more than fifty persons congregate or assemble for any purpose, including a cabaret, banquet hall, church, concert hall, dance hall, exhibition hall, lecture room, music hall, THEATER, grandstand, tents and similar outdoor and indoor USES.
 - (3) “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.
 - (4) “SCREEN PLANTING” is a vegetative material of sufficient height and density to filter adequately from view, in adjoining DISTRICTS, STRUCTURES, and USES on the PREMISES upon which the SCREEN PLANTING is located.
 - (5) “SPECIAL CONDITION” is a condition for the establishment of a SPECIAL USE.
 - (6) “SPECIAL USE” is a USE which may be permitted in a DISTRICT pursuant to, and in compliance with, procedures specified herein.
 - (7) “STRUCTURE” is anything CONSTRUCTED or erected with a fixed location on the surface of the ground or affixed to something having a fixed location on the surface of the ground. Among other things, STRUCTURES include BUILDINGS, walls, fences, billboards, and SIGNS.
 - (8) “STRUCTURE, DETACHED” is a STRUCTURE not connected to another STRUCTURE.
 - (9) “SUITED OVERALL” is a discretionary review performance standard to describe the site on which a development is proposed. A site may be found to be SUITED OVERALL if the site meets these criteria:
 - a. The site features or site location will not detract from the proposed use;
 - b. The site will not create a risk to health, safety or property of the occupants, the neighbors or the general public;
 - c. The site is not clearly inadequate in one respect even if it is acceptable in other respects;
 - d. Necessary infrastructure is in place or provided by the proposed development; and
 - e. Available public services are adequate to support the proposed development effectively and safely.

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- (10) “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.
- B. A Fairgrounds is a USE authorized with a Special Use Permit in the CR Conservation Recreation Zoning District.
- C. 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.
- (2) Subsection 6.1.3 lists standard conditions that apply specifically to the Fairgrounds Special Use, including:
- a. A minimum 6 feet tall wire mesh fence.
 - (a) The Champaign County Fairgrounds fenced perimeter meets this standard.
 - b. A minimum side yard and rear yard of 50 feet.
 - (a) The Site Plan received November 8, 2017, shows the BMX track approximately 20 feet away from the shared property line with Crystal Lake Park.
 - (b) The Revised Site Plan received January 2, 2018, shows a 50 feet separation between the BMX track and the shared property line with Crystal Lake Park.

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- c. Site design, land management, and storm water management designs and practices shall provide effective site drainage; shall meet or exceed state and federal water quality standards; shall protect downstream drainage patterns; shall provide for stream flows that support healthy aquatic ecosystems; shall minimize impacts on adjacent properties and cause no more than minimal disturbance to the stream corridor environment; and, shall wherever possible, preserve existing habitat, enhance degraded habitat, and restore habitat.
- D. Section 7.4.1 refers to parking requirements for a place of public assembly such as the proposed Special Use:
- (1) For outdoor areas, including non-permanent STRUCTURES, used for exhibit, educational, entertainment, recreational, or other purpose involving assemblage of patrons, one PARKING SPACE per three patrons based on the estimated number of patrons during peak attendance on a given day during said USE is in operation.
- 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:
 - a. The property is either BEST PRIME FARMLAND and the property with proposed improvements is 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.

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- (6) That the SPECIAL USE Permit shall authorize USE, CONSTRUCTION and operation only in a manner that is fully consistent with all testimony and evidence submitted by the petitioner or petitioner's agent(s).
- 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.
- 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 Petitioner has testified on the application, **“The track will offer a fun family sport that currently is not offered in the C-U area.”**
- B. The closest BMX track is in Farmer City, which is approximately 25 miles from Champaign-Urbana.

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- C. Prior to knowing a permit would be necessary for construction and use, Mr. Kirby hauled in a large amount of dirt to build the track, which is still on site at the Fairgrounds.

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, **“I have spoken with the Urbana Park District and addressed their concerns and how we can work together to benefit both parties.”**
- B. Regarding surface drainage:
- (1) A Natural Resource Report from the Champaign County Soil and Water Conservation District was not required, but one was received from Jonathon Manuel on February 1, 2018. The NRR indicates the following:
- a. The area that is to be developed into a BMX Track has 3 soil types: Sawmill Silty Clay Loam 3107A, Drummer Silty Clay Loam 152A, Senachwine Silt Loam 618C2, which have severe ponding for dwellings without a basement.
- b. The area to be developed is not Best Prime Farmland.
- c. Regarding erosion, the report states, “This area to be developed will be susceptible to erosion both during and after construction. Any areas left bare for more than 7 days should be temporarily seeded or mulched, and permanent vegetation established as soon as possible. The area has a slight slope to the South, which could allow erosion during construction and heavy rainfall events. Erosion control measures must be installed before construction starts. It would be recommended to follow the NRCS Filter Strip Standard. This requires at least 35 feet of sod forming grasses between the track and the inlet or water course. These standards are designed for bare fields of up to 1.00 acres. They should be more than sufficient for the mixed use of bare ground and grass for the BMX track. The Standard is attached to the end of this report.”
- d. Regarding sedimentation, the report states, “Due to this site being less than one acre the normal SWPPP would not be required. I am leaving the following statement, in more to think about what maintenance may be needed in the future. Should a silt basket be placed in the inlet a schedule for its monitoring and cleaning will need to be made and followed. A complete erosion and sedimentation control plan should be developed and implemented on this site prior to and during major construction activity. This plan should also have information for the land owner to continue Sedimentation control after. Example: When will inlets for storm drains need to be cleaned out or how often? All sediment-laden runoff should be routed through sediment basins before discharge. Silt fences should be used in flow areas with drainage areas that do not exceeding 0.5 acres. Plans should be in conformance with the

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Illinois Urban Manual for erosion and sedimentation control. The website is: <http://www.aiswcd.org/IUM>. This link has a resource to help develop a SWPPP for small lots: <http://www.epa.gov/npdes/stormwater-discharges-construction-activities#resources>.”

- (2) Regarding Base Flood Elevation (BFE):
- a. BFE for the Saline Branch Drainage Ditch located approximately 500 feet northwest of the proposed BMX track site has been measured at 708 feet, per FEMA Flood Insurance Rate Map Panel 427D dated October 2, 2013.
 - b. BFE for the Saline Branch Drainage Ditch located approximately 400 feet south of the proposed BMX track site has been measured at 707 feet, per FEMA Flood Insurance Rate Map Panel 427D dated October 2, 2013.
 - c. 2005 contour elevations by the Champaign County GIS Consortium indicate the proposed BMX track site to be at an elevation of 708 feet at the northwest corner and closer to 704 feet at the southeast corner.
 - d. The petitioners have not indicated the lowest height of the track, but the Site Plan received November 8, 2017 indicates the tallest corners of the track will be 9 feet in height.
 - (a) At the January 25, 2018 public hearing, Mr. Kirby indicated that the lowest part of the track would be a little higher than ground level so that the track surface can be packed down.
- (3) Per the *Storm Water Management and Erosion Control Ordinance*, the subject property requires a Storm Water Drainage Plan because the amount of impervious area on the subject property exceeds the maximum allowed for being exempt from the Storm Water Drainage Plan requirement.
- a. A Storm Water Management Plan was received from Berns, Clancy and Associates on June 3, 2016, for the parking lot expansion during Zoning Case 836-S-16. A new storm water detention basin was constructed on the south end of the Fairgrounds in order to mitigate issues from the parking area.
 - (a) The proposed BMX track was not considered in the preparation of the Storm Water Management Plan received June 3, 2016.
 - b. Zoning Administrator John Hall has determined that the proposed BMX track will not require a Storm Water Management Plan unless complaints are received about flooding due to the BMX track.
- (4) On November 29, 2017, Susan Burgstrom met with Mr. Kobel, Derek Liebert from Urbana Park District, and Brad Bennett from City of Urbana Public Works to discuss storm water management.
- a. Mr. Kirby could not attend that day, but planned to meet with Mr. Kobel and Mr. Liebert on December 1, 2017. The December 1, 2017 did not occur, but Mr. Kobel worked with Mr. Kirby on what was still needed.

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- b. General concurrence was achieved on the following:
- (a) There are 3 grated drains on or near the proposed track site.
 - (b) There is a storm sewer running through the site.
 - (c) The site generally drains to the sediment basin at Crystal Lake Park, which is currently being cleaned out to improve drainage.
 - (d) For the drain in the middle of the proposed track, if it is not needed for site drainage, it could be covered to avoid sedimentation that would affect the Park. The covered drain could be integrated into the track design, or be located in between track lengths. If the middle drain is needed for site drainage, then a different design would be required.
 - (e) For the drain on the south side of the proposed site (near the south fence), a buffer filter and perhaps a rain garden were suggested. Installing a sediment fence around the drain for a year would help determine if the filter is functioning appropriately or if additional measures need to be taken.
 - (f) There were concerns about dust control from construction and from use of the track.
 - (g) Susan Burgstrom mentioned the required 50 feet side and rear yard requirements for the Fairgrounds, which differs from the 20 feet proposed yards. Mr. Liebert mentioned that the Urbana Park District is in favor of more distance between the track and the park if it is feasible.
 - (h) Screening options were discussed. Mr. Liebert said that native grasses on the east berms would be ideal to help filter storm water flow and control erosion. This would be preferred over the evergreen screening typically required for Champaign County zoning cases.
 - (i) A Storm Water Management Plan would be desirable, but the BMX group has limited resources. Mr. Kobel would speak with Chris Billing at Berns Clancy and Associates to see if they have any existing surveys and utility information for that part of the Fairgrounds. He said he would also try to pin down the exact locations of the three existing drains. Susan Burgstrom would look through files at the P&Z Department for similar documents.

(5) Several email exchanges occurred between Susan Burgstrom, Brad Bennett, and Derek Liebert subsequent to that meeting in order to determine whether Urbana

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Park District and Urbana Public Works would be okay with the BMX track's impacts on surface drainage at Crystal Lake Park.

- a. Susan Burgstrom emailed Mr. Liebert, Mr. Bennett, copying Mr. Kirby on February 2, 2018, requesting concurrence with using a sod buffer instead of taller grass or other vegetative screen; and the specifications for an inlet filter and a solid manhole cover.
 - (a) On February 2, 2018, Brad Bennett stated that Urbana Public Works would be okay with a 36-foot sod buffer. He also submitted preferred specification sheets and contact information for the inlet filter and manhole cover.
 - (b) On February 5, 2018, Derek Liebert stated that Urbana Park District approves the sod buffer provided that the welded wire inlet protector does not accumulate sediment and can be removed once the site stabilizes. He also said that Bruce Stickers of Pheasants Forever is recommending tall native grasses and the Urbana Park District approves of this approach.
 - i. Susan Burgstrom received the letter from Mr. Stickers on February 12, 2018. Mr. Stickers stated that Pheasants Forever would provide the seed and necessary planting equipment for the view block by the BMX track. He said that final seed selection would be submitted to Urbana Park District for their opinion as to the adequacy of the seed selection.
- b. Susan Burgstrom emailed Mr. Liebert, Mr. Bennett, and Mr. Manuel on February 9, 2018, requesting a response on whether their agency agreed with 1) a draft Erosion and Sedimentation Control Plan created by John Hall and 2) revised Special Conditions for the case.
 - (a) Mr. Bennett responded on February 9, 2018, that he suggests leaving the inlet basket in place for one year after construction is completed to monitor for erosion from the track. I would not recommend removing the inlet basket after vegetation is established.
 - (b) Mr. Manuel responded on February 9, 2018, with comments on the following:
 - i. Most construction sites are only allowed 7 days, instead of the proposed 14 days, to temporarily seed any stockpiles.
 - ii. He stated, "For a BMX track I am not a fan of Soiltac or other additives around areas that kids will be. Plus the Fairgrounds is equipped with the ability to water the track to control dust just like they do for the big track." He also does not think that a fence around the track would be necessary, referring to proposed special condition C.
 - (c) Mr. Liebert responded on February 13, 2018, with the following comments:

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- i. “The Soiltac was an initial concern of the UPD--we were concerned about run off into Crystal Lake. BMX told us that they would only use it if necessary and at a later date. They doubted they would have budget for it any time soon. We'd prefer to see wetting to control dust as needed however we are also worried that BMX may not have enough volunteer support to control the dust with wetting and are concerned about dust impacts on the park. When we reviewed the Safety Data Sheet, our concerns about run off into the lake lessened, provided it is used at labeled rates. Mostly, we want to make sure there is a mechanism to control dust if it becomes a problem as it does on numerous construction sites in our area. I am encouraged that Farmer City is not too big a problem but still want to have protections in place.”
- ii. “I am not sure where the fence originated but it is something we support. We know that we get a lot of vandalism and destructive/inappropriate park use in the hours the park is closed. The BMX course could experience the same. Noise and lights were a concern of the UPD's and one that Illini BMX did not think would be a problem. No lights are proposed and we visited the Farmer City course with Dave Kirby from Illini BMX to get an idea of what the noise level is and found it was minimal.”
- iii. The erosion control permit does not provide a minimum width for the proposed filter strip. I'd suggest we include that for clarity.”
- iv. The Pheasants Forever Screen section looks good--I'd suggest 100' as the approximate (or minimum length). If the Pheasants Forever screen planting is not adequately maintained, I'd suggest an alternative. The UPD suggests the next best alternative would be evergreen screening.
- c. Susan Burgstrom emailed Mr. Kirby, Mr. Kobel, Mr. Liebert, Mr. Bennett, and Mr. Manuel on February 9, 2018, requesting a response on whether their agency agreed with the February 13, 2018 revisions to 1) a draft Erosion and Sedimentation Control Plan created by John Hall and 2) revised Special Conditions for the case.
- (a) Mr. Bennett responded on February 15, 2018, that “the City of Urbana does not have any comments or revisions regarding the two revised memos.”
- (b) Mr. Liebert responded on February 19, 2018, that “the Urbana Park District has no further objections provided the conditions of the special conditions permit and erosion plan are met.”

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- C. Regarding the *Special Flood Hazard Areas Ordinance*, the eastern edge of the subject property and the proposed BMX track site are within the flood hazard area, per FIRM panel 17019C0427D effective October 2, 2013.
- (1) A Floodplain Development Permit will be required in order to construct the proposed BMX track, all disturbed areas will have to be seeded and carefully managed so as to establish a good vegetative land cover, and a silt fence will be required around the entire disturbed area.
 - (2) In an email string between Jamie Hitt, Zoning Officer, and Kristian Peterson, Permit Engineer for IDNR Office of Water Resources dated August 28, 2017, Mr. Peterson determined that the proposed BMX track is located outside of the delineated floodway, so an IDNR permit would not be required to perform the proposed work. If any of the proposed work will include any land within the delineated floodway, they will need to review this project to determine if a permit is required.
- D. Regarding traffic, the following evidence is provided:
- (1) The subject property fronts Coler Avenue on the west and Fairview Avenue on the south.
 - (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 2011 in the vicinity of the subject property. Coler Avenue had an ADT of 2,150 adjacent to the subject property. There was no count available for Fairview Avenue.
 - (3) Regarding traffic impacts:
 - a. In an email received by Susan Burgstrom on November 20, 2017, Mr. Kirby stated that the tentative schedule would be 1 weeknight and 1 weekend event per approval by USA BMX with consideration given to fair and park events. He estimates that 60-70 people attend an average event. The events would generally be held on the weeknight from 5:30 to 8:30 p.m. and from 9:30 a.m. to 3:00 p.m. on the weekend.
 - b. The proposed event schedule generally avoids peak hour traffic and parking at the Fairgrounds.
 - c. The following testimony was received regarding traffic at the January 25, 2018 public hearing:
 - (a) Mr. Kirby said that there might be an increase in bicycle traffic around the Fairgrounds because there are track users who might not be able to get a ride to the track or live close enough that they would bike to an event.
 - (b) Mr. Kirby said that track users would most likely park their vehicles down by the track, accessing it via the inner Fairgrounds road and parking on the grass.

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- (4) The Urbana Township Road Commissioner has been notified of this case, but no comments have been received.
- E. Regarding fire protection on the subject property, the subject property is located within the Eastern Prairie Fire Protection District. The Fire Chief has been notified of this case but no comments have been received.
- F. The subject property is not considered BEST PRIME FARMLAND. The soil on the Fairgrounds property consists of Xenia silt loam 291B, Drummer silty clay loam 152A, Senachwine silt loam 618B, Senachwine silt loam 618C2, Orthents 802B, Sawmill silty clay loam 3107A and Sunbury silt loam 234A and has an average LE of 77.
- (1) The property has been developed as a Fairgrounds for over a century.
- (2) The proposed BMX track will not significantly change the use of the property.
- G. Regarding outdoor lighting on the subject property:
- (1) In an email received November 22, 2017, Mr. Kirby indicated that there are no plans for installing lighting.
- H. Regarding wastewater treatment and disposal on the subject property:
- (1) The Fairgrounds has a septic system. The proposed BMX track will not require changes to the septic system.
- I. The Urbana Park District has expressed concerns about the BMX track since 2016. The petitioners have met with Urbana Park District several times to discuss these concerns and work out possible solutions. The following is a summary of communications received by P&Z Staff regarding those discussions:
- (1) In an email received June 29, 2016, Tim Bartlett, Executive Director for the Urbana Park District, identified a number of concerns about the proposed BMX track on the southeast side of the Fairgrounds grandstand. Mr. Bartlett also recommended that the parking portion of the request be given full consideration at the scheduled hearing by the ZBA but that the BMX portion would be rejected at this time. Mr. Bartlett requested that the BMX Course be reconsidered to allow more time to work with the Fair Association in finding an appropriate location based on the following concerns about the proposed location:
- a. Noise and impacts on the pavilion rentals, Lake House, Crystal Lake Park Family Aquatic Center
 - b. Day camp use at the North Woods pavilion – safety concerns and distraction of the camp participants
 - c. Drainage impacts – the UPD has not reviewed/seen any storm water plans
 - d. Lighting impacts from BMX events – rentals/special event lighting
 - e. Vandalism and Security – attractive nuisance and lack of site security at the Fairgrounds

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- f. Future Growth—the current site is very limited and future growth/program expansion would be extremely limited
 - g. Lack of Planning – working with all adjacent land owners and surrounding neighborhood for a site use change; currently this is a non-conforming use from the UPD perspective
- (2) Susan Burgstrom was copied in an email received August 17, 2017 from Dave Kirby to Tim Bartlett, Executive Director of the Urbana Park District. Mr. Kirby provided the following responses to Mr. Bartlett’s concerns:
- a. Regarding noise: our events will not be very loud on a normal event we will have one small speaker for announcing and playing music that I feel would never overtake music from the pool and would not add any more noise to what level is already there. As for camps we will be running during the evening during the week unless we run something for one of your camps like we discussed. Also before any larger races were scheduled I would get with you and the Fair board to make sure no other event is scheduled for the same weekend.
 - b. Regarding view: We spoke about landscaping the area near the park and will be happy to work with your grounds crew to come up with something mutually appealing and functional.
 - c. Regarding runoff: Silt fences will be installed around the drains to prevent excess runoff. Along with the track being very hard packed and repacked weekly. Grass or some other form of plants will be put on the side of the jumps to prevent erosion.
- (3) Mr. Bartlett sent Mr. Kirby an email dated August 29, 2017 and received by P&Z Staff the same day. Mr. Bartlett stated, “It would be best to keep water out of the storm drains (2) on your side of the fence to keep sediments out of the lake—can you provide this as a way to keep water out of the lake vs any “silt fence”—as the county reported to us. Silt fences are really more temporary devices that are used for construction or interim periods of time...of all the concerns of the UPD—a more permanent solution to storm water drainage is most critical given the history of the lake and how it has suffered from sediments...let us know your plans?”
- (4) Mr. Bartlett sent Mr. Kirby an email dated August 30, 2017 and received by P&Z Staff on September 7, 2017. Mr. Bartlett stated, “Hi Dave—I was contacted by Susan Burgstrom from Champaign County regarding site plans for the proposed BMX. She wanted to know if we have any outstanding concerns with the permit application going forward—the one I noted is that we discussed with you closing off the 2 manholes/drainage infrastructure located at your site—to avoid sending any potential sediments in the Crystal Lake. The application she referenced stated “silt fence”—we believe silt fencing is a temporary form of protection—more typical for a construction site—not a permanent finished site. They often fail after a period of time and are thus used as a “temporary” remediation. Are you able to amend your Illini BMX

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application to recognize what we agreed on? While the UPD may have some lingering concerns on how this proposed use will mesh with park use, we are mostly concerned about the impact of any storm water runoff into the lake system... let us know.

- a. On August 30, 2017, Mr. Kirby responded via email to Mr. Bartlett, "At the hearing I will make sure to address that if I'm not able to change it. Were you able to get in touch with the city and see if they had any extra like we had talked about? If I have to purchase these a silt fence might have to be in place for a time while I raise the extra money for them.
- b. On September 5, 2017, Mr. Bartlett responded via email to Mr. Kirby, "Derek (Liebert, Urbana Park District) offered to check with the city of Urbana to see if they have any "extra" lids to cover the 2 manholes; Derek also suggested "Mack's Recycling" as they likely have some that have been taken/turned in?"

J. In an email received January 25, 2018, Catherine Connor, owner of 1012 North Busey, Urbana stated that her primary concerns are noise and traffic created by the proposed BMX track.

K. Regarding public safety, at the January 25, 2018 public hearing, Mr. Kirby stated, "Illini BMX has a sanctioning body they have to report to, which is USA BMX. He said that part of the sanctioning is they have insurance through USA BMX, so it is not going to be the CCFA that is insuring this or covering it. He said that USA BMX provides insurance while Illini BMX is holding events, and there is a secondary insurance for when they are not holding events, such as if someone were to break in to the track area.

L. 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.

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- 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.
 - f. The Illinois Environmental Barriers Act (IEBA) requires the submittal of a set of building plans and certification by a licensed architect that the specific construction complies with the Illinois Accessibility Code for all construction projects worth \$50,000 or more and requires that compliance with the Illinois Accessibility Code be verified for all Zoning Use Permit Applications for those aspects of the construction for which the Zoning Use Permit is required.
 - g. The Illinois Accessibility Code incorporates building safety provisions very similar to those of the code for Fire Prevention and Safety.
 - h. The certification by an Illinois licensed architect that is required for all construction projects worth \$50,000 or more should include all aspects of compliance with the Illinois Accessibility Code including building safety provisions very similar to those of the code for Fire Prevention and Safety.
 - i. When there is no certification required by an Illinois licensed architect, the only aspects of construction that are reviewed for Zoning Use Permits and which relate to aspects of the Illinois Accessibility Code are the number and general location of required building exits.
 - j. Verification of compliance with the Illinois Accessibility Code applies only to exterior areas. With respect to interiors, it means simply checking that the required number of building exits is provided and that they have the required exterior configuration. This means that other aspects of building design and construction necessary to provide a safe means of egress from all parts of the building are not checked.
- M. 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.

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

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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, being in a flood plain we will make every effort to keep water flow normal along with silt fences around the drains.”**
- B. Regarding compliance with the *Zoning Ordinance*:
- (1) The subject property is 53.79 acres. The proposed BMX track area is approximately ~~0.951.5~~ acres.
 - (2) A Fairgrounds is a USE that has been deemed appropriate in the CR Conservation Recreation Zoning District provided that a Special Use Permit is authorized.
 - (3) In the CR Conservation Recreation Zoning District, the minimum lot size is 1 acre. The minimum average lot width is 200 feet. The subject property meets or exceeds these minimum requirements.
 - (4) The proposed site plan complies with all setback requirements.
 - (5) Regarding parking on the subject property:
 - a. There are 1,266 paved parking spaces at the Fairgrounds.
 - b. The Zoning Administrator has determined that there is sufficient parking for the Fairgrounds land use.
 - c. The BMX track users are not expected to use the Fairgrounds parking lot leased by Carle Hospital.
- C. Regarding surface drainage:
- (1) A Natural Resource Report from the Champaign County Soil and Water Conservation District was not required.
 - (2) Per the *Storm Water Management and Erosion Control Ordinance*, the subject property requires a Storm Water Drainage Plan because the amount of impervious area on the subject property exceeds the maximum allowed for being exempt from the Storm Water Drainage Plan requirement.
 - a. A Storm Water Management Plan was received from Berns, Clancy and Associates on June 3, 2016, for the parking lot expansion during Zoning Case 836-S-16. A new storm water detention basin was constructed on the south end of the Fairgrounds in order to mitigate issues from the parking area.
 - (a) The proposed BMX track was not considered in the preparation of the Storm Water Management Plan received June 3, 2016.
 - b. Zoning Administrator John Hall has determined that the proposed BMX track will not require a Storm Water Management Plan unless complaints are received about flooding due to the BMX track.
 - (3) Item 8.B. includes information regarding surface drainage.

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- D. Item 8.D. includes information regarding the *Special Flood Hazard Areas Ordinance*.
- E. Regarding the Subdivision Regulations, the subject property is located in the City of Urbana subdivision jurisdiction and the subject property is in compliance.
- F. Regarding the requirement that the Special Use preserve the essential character of the CR Conservation Recreation District:
- (1) A Fairgrounds is a USE that has been deemed appropriate in the CR Conservation Recreation Zoning District provided that a Special Use Permit is authorized.
 - (2) The visual character of the subject property will not change.
 - (3) Regarding traffic impacts:
 - a. In an email received by Susan Burgstrom on November 20, 2017, Mr. Kirby stated that the tentative schedule would be 1 weeknight and 1 weekend event per approval by USA BMX with consideration given to fair and park events. He estimates that 60-70 people attend an average event. The events would generally be held on the weeknight from 5:30 to 8:30 p.m. and from 9:30 a.m. to 3:00 p.m. on the weekend.
 - b. The proposed event schedule generally avoids peak hour traffic and parking at the Fairgrounds.
- G. The proposed Special Use must comply with the Illinois Accessibility Code, which is not a County ordinance or policy and the County cannot provide any flexibility regarding that Code. A special condition has been included regarding this requirement.

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 5.1.2 of the Zoning Ordinance states the general intent of the CR Conservation Recreation District and states as follows (capitalized words are defined in the Ordinance):
 - (1) The CR, Conservation-Recreation DISTRICT is intended to protect the public health by restricting development in areas subject to frequent or periodic floods and to conserve the natural and scenic areas generally along the major stream networks of the COUNTY.
 - (2) The types of uses authorized in the CR District are in fact the types of uses that have been determined to be acceptable in the CR 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:

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- (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.

This purpose is directly related to the limits on building coverage and the minimum yard requirements in the Ordinance and the proposed site plan appears to be in compliance with those requirements.

- (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:

The requested Special Use Permit should not decrease the value of nearby properties.

- (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:

See the discussion under item 8.E. of this Summary of Evidence.

- (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.

See the discussion under item 8.B. of this Summary of Evidence.

- (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.

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.

- (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.

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.

- (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

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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 proposed uses are compliant with the Zoning Ordinance if a Special Use Permit is authorized.

- (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 property has been in use as a Fairgrounds for over a century.
 - b. The proposed use will not take any agricultural land out of production.
- (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 proposed BMX track area does not contain any natural features. The special conditions for this case include measures to protect nearby Crystal Lake.

- (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.

The proposed use will not require the development of public utilities or transportation facilities.

- (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.

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- a. The property is surrounded by the City of Urbana.
- 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 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 existing use on the property is a conforming use.

GENERALLY REGARDING OTHER CONSIDERATIONS RELATED TO THE WAIVERS OF STANDARD CONDITIONS

12. Regarding the necessary waivers of standard conditions:
- A. Waive the standard condition of Section 6.1.3 of the Zoning Ordinance that requires side and rear yards of 50 feet for the “Fairgrounds” Special Use:
 - (1) The Site Plan received November 8, 2017, indicates side and rear yards of approximately 20 feet.

(2) The revised Site Plan received January 2, 2018, indicates side and rear yards of at least 50 feet, which removes the need for the waiver.

GENERALLY REGARDING PROPOSED SPECIAL CONDITIONS OF APPROVAL

13. Regarding proposed special conditions of approval:
- A. **BMX track events shall be scheduled such that adequate parking is available on the Fairgrounds site.**

The special condition stated above is required to ensure the following:
That the Fairgrounds provides sufficient parking capacity for all uses.

- B. **No overnight camping shall be allowed on the Fairgrounds related to BMX track events.**

The special condition stated above is required to ensure the following:
That the Fairgrounds are secure after BMX track events.

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- C. **Use of the BMX track must be supervised at all times. Adequate security shall be provided, including enclosing the BMX track in a minimum 6 feet tall security fence with locked gates.**

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

That the use prioritizes public health, safety and general welfare.

- D. **Use of the BMX track shall be limited to daytime hours and no artificial lighting shall be used.**

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

That lighting specifications for the Special Use are reflected on the approved Site Plan and are in accordance with Section 6.1.2 of the Zoning Ordinance.

- E. **If a valid complaint is received about fugitive dust and/ or erosion on and from the proposed BMX Track surface, the Zoning Administrator shall may require that the petitioner and/or the Champaign County Fair Association apply water to control dust and, if necessary, SOILTAC soil stabilizer and dust control agent may be applied per the manufacturer's directions to minimize fugitive dust and to stabilize the Track surface or any other reasonable control to minimize fugitive dust and/ or erosion if a complaint is received stemming from activities related to the BMX track site.**

The special condition stated above is to ensure the following:

That the ~~Special Use takes~~ proposed BMX Track does not harm the public health, safety and general welfare ~~into consideration~~.

- F. **Sound amplification shall be minimized and used only as absolutely necessary during use of the BMX track.**

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

That nearby park users are not disrupted by excessive noise.

- G. **~~Storm water runoff from the BMX track shall not be allowed to pose any significant risk to water quality in Crystal Lake and engineering documentation shall be provided and monitoring shall be undertaken to verify the quality of~~ Construction and operation of the proposed BMX Track shall abide by the erosion and sedimentation controls summarized in the handout titled Special Use Permit Case 886-S-17 Erosion and Sedimentation Control Plan Requirements DRAFT February 13, 2018, so as to prevent sedimentation and pollution in the storm water runoff entering the storm drain system.**

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

That the ~~development conforms to all relevant ordinances~~ proposed BMX track shall not be allowed to pose any significant risk to water quality in Crystal Lake.

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- H. ~~A buffer of native vegetation shall be provided between the BMX track and Crystal Lake Park. The plantings for the vegetative buffer shall be as approved in the Special Use Permit and a man-made screen shall be maintained as necessary to provide screening while the native vegetative buffer is getting established. The man-made screen shall be as approved in the Special Use Permit.~~

A screen planting of tall native grasses shall be established between the proposed BMX Track and the east property line as follows:

- (1) The screen planting shall be as proposed by Pheasants Forever in a letter dated February 12, 2018, and as referred to in the January 22, 2018, email from Derek Liebert with the Urbana Park District.**
- (2) The screen planting shall occupy an approximate 150 feet by 50 feet area between the proposed BMX Track and the east property line.**
- (3) The screen planting shall be seeded and/or planted prior to any actual shaping and grading of the proposed BMX Track and shall be maintained in perpetuity as long as the BMX Track exists.**
- (4) If for whatever reason the screen planting of tall native grasses does not achieve or maintain an adequate density of growth of 40% land cover even with repeated plantings and with all recommended maintenance, the tall grasses may be replaced with a screen planting of evergreen plants a minimum of 4 feet tall at time of planting and planting at a spaced that will provide a 50% screen within 2 years and if necessary to achieve the 50% screen within 2 years the plantings shall be in staggered rows.**

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

That Fairgrounds uses continue to be To help ensure that the proposed BMX Track is compatible with Crystal Lake Park.

- I. **No motorized vehicles shall be allowed to use the BMX track, and a sign stating this shall be posted on the security fence surrounding the track.**

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

That noise from BMX track use is minimized.

- J. **The Zoning Administrator shall not issue a Zoning Use Permit or a Zoning Compliance Certificate for the proposed BMX Track until the petitioner has demonstrated that the proposed Special Use complies with the Illinois Accessibility Code.**

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

That the proposed Special Use meets applicable state requirements for accessibility.

- K. **The proposed BMX Track and all ground surface in the vicinity of the proposed BMX Track shall be maintained at all times so as to ensure the control and/or**

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eradication of noxious weeds consistent with the Illinois Noxious Weed Law (505 ILCS 100/1 et seq.)

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

Compliance with Illinois state law and the Champaign County Nuisance Ordinance.

DOCUMENTS OF RECORD

1. Application for Special Use Permit received April 20, 2016, with attachments:
 - A Site Plan
2. Annotated aerial photo by Berns, Clancy and Assoc. received May 9, 2016
3. Revised Site Plan received November 8, 2017
4. Email regarding BMX Track construction from Urbana Park District received June 29, 2016
5. Email from Dave Kirby to Tim Bartlett dated May 9, 2017 and received August 17, 2017
6. Email string between Jamie Hitt and Kristian Peterson of IDNR dated August 28, 2017
7. Email from Tim Bartlett to Dave Kirby dated August 29, 2017 and received August 29, 2017
8. Email from Dave Kirby to Tim Bartlett dated August 30, 2017 and received September 7, 2017
9. Email string between Susan Burgstrom and Dave Kirby dated September 15, 2017 to November 22, 2017
10. Stormwater Management Plan by Berns, Clancy and Assoc. received June 3, 2016 (does not include proposed track site)
11. Preliminary Memorandum dated December 7, 2017, with attachments:
 - A Case Maps (Location, Land Use, Zoning)
 - B Annotated aerial photo by Berns, Clancy and Assoc. received May 9, 2016
 - C Revised Site Plan received November 8, 2017
 - D Annotated aerial photo with Base Flood Elevation, FEMA 2013 flood hazard area created by P&Z Staff on November 27, 2017
 - E Email regarding BMX Track construction from Urbana Park District received June 29, 2016
 - F Email from Dave Kirby to Tim Bartlett dated May 9, 2017 and received August 17, 2017
 - G Email string between Jamie Hitt and Kristian Peterson of IDNR dated August 28, 2017
 - H Email from Tim Bartlett to Dave Kirby dated August 29, 2017 and received August 29, 2017
 - I Email from Dave Kirby to Tim Bartlett dated August 30, 2017 and received September 7, 2017
 - J Email string between Susan Burgstrom and Dave Kirby dated September 15, 2017 to November 22, 2017
 - K Site Images taken November 29, 2017
 - L Draft Summary of Evidence, Finding of Fact, and Final Determination dated December 14, 2017
12. Supplemental Memorandum #1 dated January 4, 2018, with attachments:
 - A Email from Chris Marx, City of Urbana, received January 8, 2018
 - B 1st email 1 from Derek Liebert received January 11, 2018
 - C Email sent by Susan Burgstrom on January 11, 2018 to Dave Kirby, Mike Kobel, Brad Bennett, Chris Marx, Tim Bartlett, and Derek Liebert requesting an update

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- D 2nd email from Derek Liebert received January 11, 2018, with attachments:
- 7171 Plan 3 Watershed Map created September 23, 2015
 - Soiltac Safety Data Sheet revised May 12, 2015

13. Supplemental Memorandum #2 dated January 25, 2018, with attachments:

- A Email from Derek Liebert received January 22, 2018, with attachment: annotated Site Plan created by Mr. Liebert
- B Letter from Catherine Connor received January 25, 2018

14. Supplemental Memorandum #3 dated February 22, 2018, with attachments:

- A Aerial photo basemap created by staff and sent to Mr. Kirby on January 31, 2018
- B Email from Jonathon Manuel received February 1, 2018, with attachments:
- Natural Resources Report
 - USDA Natural Resources Conservation Service guidelines regarding filter strips
- C Email string between Susan Burgstrom, Brad Bennett, and Derek Liebert dated February 2-6, 2018, with attachments:
- Welded Wire Inlet Protector spec sheet
 - Solid Manhole Cover spec sheet
- D Email string between Susan Burgstrom, Jonathon Manuel, Brad Bennett, and Derek Liebert dated February 9-13, 2018, with attachments:
- Draft amended Special Conditions for Case 886-S-17 dated February 7, 2018
 - Draft Erosion and Sedimentation Control Plan (ESCP) dated February 7, 2018
- E Letter from Bruce Stickers received February 12, 2018
- F Revised Draft Erosion and Sedimentation Control Plan (ESCP) dated February 13, 2018
- G Emails from Brad Bennett and Derek Liebert received February 15, 2018, and February 19, 2018, respectively
- H Revised Summary of Evidence, Finding of Fact and Final Determination dated February 22, 2018

FINDINGS OF FACT

From the documents of record and the testimony and exhibits received at the public hearing for zoning case **886-S-17** held on **January 25, 2018** and **March 1, 2018**, 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.

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- 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.
- 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 NOT* an existing nonconforming use.

6. ***{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. **BMX track events shall be scheduled such that adequate parking is available on the Fairgrounds site.**

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

That the Fairgrounds provides sufficient parking capacity for all uses.

B. **No overnight camping shall be allowed on the Fairgrounds related to BMX track events.**

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

That the Fairgrounds are secure after BMX track events.

C. **Use of the BMX track must be supervised at all times. Adequate security shall be provided, including enclosing the BMX track in a minimum 6 feet tall security fence with locked gates.**

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

That the use prioritizes public health, safety and general welfare.

D. **Use of the BMX track shall be limited to daytime hours and no artificial lighting shall be used.**

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

That lighting specifications for the Special Use are reflected on the approved Site Plan and are in accordance with Section 6.1.2 of the Zoning Ordinance.

E. **If a valid complaint is received about fugitive dust and/ or erosion on and from the proposed BMX Track surface, the Zoning Administrator shall may-require that the petitioner and/or the Champaign County Fair Association apply water to control dust and, if necessary, SOILTAC soil stabilizer and dust control agent may be applied per the manufacturer’s directions to minimize fugitive dust and to stabilize the Track**

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~~surface or any other reasonable control to minimize fugitive dust and/ or erosion if a complaint is received stemming from activities related to the BMX track site.~~

The special condition stated above is to ensure the following:

~~That the Special Use takes~~ **proposed BMX Track does not harm** the public health, safety and general welfare ~~into consideration.~~

- F. **Sound amplification shall be minimized and used only as absolutely necessary during use of the BMX track.**

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

That nearby park users are not disrupted by excessive noise.

- G. ~~Storm water runoff from the BMX track shall not be allowed to pose any significant risk to water quality in Crystal Lake and engineering documentation shall be provided and monitoring shall be undertaken to verify the quality of~~ **Construction and operation of the proposed BMX Track shall abide by the erosion and sedimentation controls summarized in the handout titled Special Use Permit Case 886-S-17 Erosion and Sedimentation Control Plan Requirements DRAFT February 13, 2018, so as to prevent sedimentation and pollution in the** storm water runoff entering the storm drain system.

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

~~That the development conforms to all relevant ordinances~~ **proposed BMX track shall not be allowed to pose any significant risk to water quality in Crystal Lake.**

- H. ~~A buffer of native vegetation shall be provided between the BMX track and Crystal Lake Park. The plantings for the vegetative buffer shall be as approved in the Special Use Permit and a man-made screen shall be maintained as necessary to provide screening while the native vegetative buffer is getting established. The man-made screen shall be as approved in the Special Use Permit.~~

A screen planting of tall native grasses shall be established between the proposed BMX Track and the east property line as follows:

- (1) The screen planting shall be as proposed by Pheasants Forever in a letter dated February 12, 2018, and as referred to in the January 22, 2018, email from Derek Liebert with the Urbana Park District.**
- (2) The screen planting shall occupy an approximate 150 feet by 50 feet area between the proposed BMX Track and the east property line.**
- (3) The screen planting shall be seeded and/or planted prior to any actual shaping and grading of the proposed BMX Track and shall be maintained in perpetuity as long as the BMX Track exists.**
- (4) If for whatever reason the screen planting of tall native grasses does not achieve or maintain an adequate density of growth of 40% land cover**

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even with repeated plantings and with all recommended maintenance, the tall grasses may be replaced with a screen planting of evergreen plants a minimum of 4 feet tall at time of planting and planting at a spaced that will provide a 50% screen within 2 years and if necessary to achieve the 50% screen within 2 years the plantings shall be in staggered rows.

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

That Fairgrounds uses continue to be To help ensure that the proposed BMX Track is compatible with Crystal Lake Park.

- I. **No motorized vehicles shall be allowed to use the BMX track, and a sign stating this shall be posted on the security fence surrounding the track.**

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

That noise from BMX track use is minimized.

- J. The Zoning Administrator shall not issue a Zoning Use Permit or a Zoning Compliance Certificate for the proposed BMX Track until the petitioner has demonstrated that the proposed Special Use complies with the Illinois Accessibility Code.

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

That the proposed Special Use meets applicable state requirements for accessibility.

- K. The proposed BMX Track and all ground surface in the vicinity of the proposed BMX Track shall be maintained at all times so as to ensure the control and/or eradication of noxious weeds consistent with the Illinois Noxious Weed Law (505 ILCS 100/1 et seq.)

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

Compliance with Illinois state law and the Champaign County Nuisance Ordinance.

FINAL DETERMINATION

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** 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 **886-S-17** is hereby *{GRANTED/ GRANTED WITH SPECIAL CONDITIONS / DENIED}* to the applicants, **Dave Kirby and the Champaign County Fair Association**, to authorize the following:

Authorize the expansion of Special Use Permit 836-S-16 for the Champaign County Fairgrounds and Parking Lot in the CR Conservation Recreation Zoning District to allow the construction and use of a BMX track on the Fairgrounds.

SUBJECT TO THE FOLLOWING SPECIAL CONDITIONS:

- A. BMX track events shall be scheduled such that adequate parking is available on the Fairgrounds site.**
- B. No overnight camping shall be allowed on the Fairgrounds related to BMX track events.**
- C. Use of the BMX track must be supervised at all times. Adequate security shall be provided, including enclosing the BMX track in a minimum 6 feet tall security fence with locked gates.**
- D. Use of the BMX track shall be limited to daytime hours and no artificial lighting shall be used.**
- E. If a valid complaint is received about fugitive dust and/ or erosion on and from the proposed BMX Track surface, the Zoning Administrator shall require that the petitioner and/or the Champaign County Fair Association apply water to control dust and, if necessary, SOILTAC soil stabilizer and dust control agent may be applied per the manufacturer's directions to minimize fugitive dust and to stabilize the Track surface or any other reasonable control to minimize fugitive dust and/ or erosion**
- F. Sound amplification shall be minimized and used only as absolutely necessary during use of the BMX track.**
- G. Construction and operation of the proposed BMX Track shall abide by the erosion and sedimentation controls summarized in the handout titled Special Use Permit Case 886-S-17 Erosion and Sedimentation Control Plan Requirements DRAFT February 13, 2018, so as to prevent sedimentation and pollution in the storm water runoff entering the storm drain system.**
- H. A screen planting of tall native grasses shall be established between the proposed BMX Track and the east property line as follows:**

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- (1) The screen planting shall be as proposed by Pheasants Forever in a letter dated February 12, 2018, and as referred to in the January 22, 2018, email from Derek Liebert with the Urbana Park District.**
 - (2) The screen planting shall occupy an approximate 150 feet by 50 feet area between the proposed BMX Track and the east property line.**
 - (3) The screen planting shall be seeded and/or planted prior to any actual shaping and grading of the proposed BMX Track and shall be maintained in perpetuity as long as the BMX Track exists.**
 - (4) If for whatever reason the screen planting of tall native grasses does not achieve or maintain an adequate density of growth of 40% land cover even with repeated plantings and with all recommended maintenance, the tall grasses may be replaced with a screen planting of evergreen plants a minimum of 4 feet tall at time of planting and planting at a spaced that will provide a 50% screen within 2 years and if necessary to achieve the 50% screen within 2 years the plantings shall be in staggered rows.**
- I. No motorized vehicles shall be allowed to use the BMX track, and a sign stating this shall be posted on the security fence surrounding the track.**
 - J. The Zoning Administrator shall not issue a Zoning Use Permit or a Zoning Compliance Certificate for the proposed BMX Track until the petitioner has demonstrated that the proposed Special Use complies with the Illinois Accessibility Code.**
 - K. The proposed BMX Track and all ground surface in the vicinity of the proposed BMX Track shall be maintained at all times so as to ensure the control and/or eradication of noxious weeds consistent with the Illinois Noxious Weed Law (505 ILCS 100/1 et seq).**

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

SIGNED:

ATTEST:

Catherine Capel, Chair
Champaign County Zoning Board of Appeals

Secretary to the Zoning Board of Appeals

Date