



# CITY OF URBANA ZONING BOARD OF APPEALS SPECIAL MEETING

**DATE:** Wednesday, December 13, 2023  
**TIME:** 7:00 PM  
**PLACE:** 400 South Vine Street, Urbana, IL 61801

## AGENDA

**A. Written Communications**

**B. Changes to the Agenda**

**C. Approval of Minutes of Previous Meeting**

[Minutes](#) of the November 15, 2023 Regular Meeting

**D. Continued Public Hearings**

[ZBA-2023-C-05](#) - A request by Wes Taylor, on behalf of P.K. Elledge Development, LLC, for a Conditional Use Permit to allow a self-storage facility at 205 North High Cross Road, in the B-3 (General Business) District.

**E. New Public Hearings**

**F. Unfinished Business**

**G. New Business**

**H. Public Input**

**I. Staff Report**

**J. Study Session**

**K. Adjournment**

## PUBLIC INPUT

The City of Urbana welcomes Public Input during open meetings of the City Council, the City Council's Committee of the Whole, City Boards and Commissions and other City-sponsored meetings. Our goal is to foster respect for the meeting process, and respect for all people participating as members of the public body, city staff, and general public. The City is required to conduct all business during public meetings. The presiding officer is responsible for conducting those meetings in an orderly and efficient manner.

Public Input will be taken in the following ways:

### **Email Input**

In order to be incorporated into the record, emailed public comments must be received prior to 5:00 pm on the day preceding the meeting and sent to the following email address: [Planning@urbanillinois.us](mailto:Planning@urbanillinois.us). The subject line of the email must include the words “ZONING BOARD OF APPEALS - PUBLIC INPUT” and the meeting date. Emailed public comments labeled as such will be incorporated into the public meeting record, with personal identifying information redacted.

### **Written Input**

Any member of the public may submit their comments addressed to the members of the public body in writing. If a person wishes their written comments to be included in the record of Public Input for the meeting, the writing should so state. Written comments must be received prior to the closing of the meeting record (at the time of adjournment unless otherwise noted).

### **Public Hearing**

Any person desiring to appear at the public hearing and present testimony may speak during each public hearing at the time they appear on the agenda. This shall not count towards regular Public Input for the meeting. The Public Hearing is an opportunity for comments and questions to be addressed specific to each case. Board or Commission members are permitted to respond and engage during this time and/or the Chairperson may direct the applicant to respond during rebuttal. Comments unrelated to any of the public hearings listed on an agenda should be shared during the Public Input portion of the meeting where Verbal Input guidelines shall apply.

### **Verbal Input**

Protocol for Public Input is one of respect for the process of addressing the business of the City. Obscene or profane language, or other conduct that threatens to impede the orderly progress of the business conducted at the meeting is unacceptable.

Public comment shall be limited to no more than five (5) minutes per person. The Public Input portion of the meeting shall total no more than one (1) hour, unless otherwise shortened or extended by majority vote of the public body members present. The presiding officer or the city clerk or their designee, shall monitor each speaker's use of time and shall notify the speaker when the allotted time has expired. A person may participate and provide Public Input once during a meeting and may not cede time to another person, or split their time if Public Input is held at two (2) or more different times during a meeting.

The presiding officer or public body members shall not enter into a dialogue with citizens. Questions from the public body members shall be for clarification purposes only. Public Input shall not be used as a time for problem solving or reacting to comments made but, rather, for hearing citizens for informational purposes only.

In order to maintain the efficient and orderly conduct and progress of the public meeting, the presiding officer of the meeting shall have the authority to raise a point of order and provide a verbal warning to

a speaker who engages in the conduct or behavior proscribed under “Verbal Input”. Any member of the public body participating in the meeting may also raise a point of order with the presiding officer and request that they provide a verbal warning to a speaker. If the speaker refuses to cease such conduct or behavior after being warned by the presiding officer, the presiding officer shall have the authority to mute the speaker’s microphone and/or video presence at the meeting. The presiding officer will inform the speaker that they may send the remainder of their remarks via e-mail to the public body for inclusion in the meeting record.

### **Accommodation**

If an accommodation is needed to participate in a City meeting, please contact the City at least 48 hours in advance using one of the following methods:

Phone: 217.384.2455

Email: [hro@urbanailinois.us](mailto:hro@urbanailinois.us)

### **Watching the Meeting via Streaming Services**

All City meetings are broadcast on Urbana Public Television and live-streamed on the web. Details on how to watch are found on the UPTV webpage located at <https://urbanailinois.us/uptv>.

## MINUTES OF A REGULAR MEETING

### URBANA ZONING BOARD OF APPEALS

**DRAFT**

**DATE:** November 15, 2023

**TIME:** 7:00 P.M.

**PLACE:** Council Chambers, City Building, 400 South Vine Street, Urbana, Illinois

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**MEMBERS ATTENDING:** Joanne Chester, Ashlee McLaughlin, Adam Rusch, Nancy Uchtman, Charles Warmbrunn

**MEMBERS EXCUSED:** Matt Cho, Harvey Welch

**STAFF PRESENT:** Kimberly Smith, Director of Community Development Services; Kevin Garcia, Principal Planner and Zoning Administrator; Nick Olsen, Planner I; David Wesner, City Attorney; UPTV Camera Operator

**PUBLIC PRESENT:** Mehedi Bakht; Geoff Bant; Nancy Barenberg; Joanne Budde; Sr Karen Carlson; Holly Clemens; Bryce Davis; Rose Daward; Kyle Emkes; Jess Firmand; Barbara Franzen; Grace Giorgio Harshbarger; Jeff Harshbarger; Deb Hissong; Rich Hissong; Mary Johnson; Adam Martinsek; Lorelei Martinsek; Mark Panno; Alyx Parker; R. Janice Sherbert; Wes Taylor; Vicki Trimble; Cindy Tsai; Jim Tucker; Marla Tucker; Eddie Tsai; Fred Wakefeldo; Rene Wakefeldo; Peter Yau; Rittchell Yau; Venkatesh Yekkirala

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#### **A. CALL TO ORDER and ROLL CALL**

Charles Warmbrunn called the meeting to order at 7:00 p.m. Roll call was taken, and he declared a quorum of the members present.

In the absence of Chair Welch, Mr. Rusch nominated Charles Warmbrunn to serve as Acting Chair. Ms. Uchtman seconded the motion. The motion passed by unanimous voice vote.

#### **B. CHANGES TO THE AGENDA**

There were none.

#### **C. APPROVAL OF MINUTES of PREVIOUS MEETING**

The minutes of the October 18, 2023 regular meeting were presented for approval. Ms. Uchtman moved that the Zoning Board of Appeals approve the minutes as written. Ms. McLaughlin seconded the motion. The minutes were approved by unanimous voice vote.



## **D. WRITTEN COMMUNICATIONS**

### **Memorandum from City Attorney David B. Wesner Re: ZBA-2023-C-05, Conditional Use Permit – 205 North High Cross Road**

Acting Chair Warmbrunn opened this item on the agenda.

David Wesner, City Attorney, presented the background for and reviewed his written memorandum. He talked about Robert's Rules of Order being used to facilitate meetings, but not necessarily being aimed at administrative hearings. He stated his understanding of applying Robert's Rules of Order to the previous meeting on October 18, 2023 regarding Case No. ZBA-2023-C-05 -- since there were no findings of fact stated for the denial of the case, the case should be continued to the point where it was left off before the vote to allow the Zoning Board of Appeals members to declare findings-of-fact. He added that no new evidence or testimony should be received by the board, as that, in his opinion, would be considered ex parte communications.

Mr. Wesner stated that he did not believe it is a good mechanism to reconsider the vote for the case. He mentioned that the Beringer Home Owners Association (HOA) have hired an attorney who has a very different opinion of what the Zoning Ordinance does and does not require. They have an opinion about what occurred at the public hearing on October 18, 2023 and whether or not it was sufficient.

Mr. Wesner recommended that the Zoning Board of Appeals schedule a special meeting to allow the attorneys of the parties involved (himself for the City, the HOA's attorney, and the applicant's attorney) to make their arguments over the result or the effect of what the October meeting was in relation to the ultimate decision. Does the decision stand? Or is it still suggestive of the Zoning Ordinance that leads to a next step by the Zoning Board of Appeals? He stated that it is up to the Zoning Board of Appeals to determine how to proceed.

Ms. Chester stated that it makes her uncomfortable to hear the attorneys declare their interpretations of the legal ramifications of the October 18<sup>th</sup> meetings proceedings, and then the Zoning Board of Appeals having to make a decision about it. This is not what the Zoning Board of Appeals generally does. Mr. Wesner stated that the Board is subject to the Zoning Ordinance language, and there are opposing opinions of what that language means.

Mr. Rusch stated his opinion as a board member is that the Zoning Board did not finish their job at the previous meeting, and so logically they have unfinished business to address at this meeting. He moved that Case No. ZBA-2023-C-05 be denied for reasons that there is not sufficient justification that the proposed use will be conducive to the public convenience and that the application does not prove that the proposed use would not be unnecessarily detrimental to the district in which it shall be located. Ms. Chester seconded the motion.

Mr. Rusch explained his reason for the motion by stating that he believes the Board has unfinished business from the previous meeting, so his motion is to finish that unfinished business. The Board had a vote, which did not have justification to approve the case or to deny the case. There was discussion on how to proceed.

Acting Chair Warmbrunn felt that to proceed he believed that he and Ms. Uchtmann needed to justify that they have read the minutes and watched the video of the previous meeting. Mr. Wesner agreed and added that they should have read all of the written material that was provided relative to

this case as well as indicate that they have a sufficient basis to entertain the discussion and ultimate decision.

Mr. Warmbrunn declared that he reviewed the record including the video of the October 18<sup>th</sup> hearing as a basis for participation in this discussion and vote. Ms. Uchtmann stated that she read the minutes; however, she had difficulty hearing the video on her computer.

Ms. Uchtmann stated that she has questions to ask the applicant and the HOA which were not covered in the minutes of the last meeting. Mr. Warmbrunn explained that there is a motion on the floor to deny the case. If a member feels they need more information, then they should vote to deny the motion; and if a member feels there is adequate information to deny, then they should vote to approve the motion. Mr. Rusch added that if the other Board members feel that the Board should reopen the public hearing to gather new evidence, then he would be willing to do a friendly withdrawal of his motion. He stated that he feels the Board had enough evidence and would be willing to move forward.

Acting Chair Warmbrunn stated that he did not feel there was enough evidence. He did not feel that the Board talked to the applicant about whether he is willing to adjust some of his positions involving lighting, hours of operation, providing more trees, and other things that could cut down the noise and other issues. He stated that he did not believe some of the things said at the previous meeting to be true, and the meeting got carried away with additional rounds of public participation which the Board normally does not allow. He stated that he would be in favor of reopening the public hearing. He mentioned that the key is to have an odd number of Zoning Board members present at the meeting to avoid a tie vote.

Ms. McLaughlin stated that she is fine with either voting on the motion or the Board reopening the public hearing. Mr. Rusch withdrew his motion to deny because he did not want to be railroading the case past the members who were not present at the previous meeting.

The Zoning Board members discussed how to proceed. Mr. Rusch stated that he felt if they open the case up for the attorneys to discuss, then why not open the case for everyone else as well. Mr. Wesner stated that the Board can reopen the case. His position is to provide legal guidance; his suggestion to hold a special meeting for the attorneys involved to present their legal interpretations is not mandatory. The Zoning Board of Appeals has the option to reopen the hearing and accept new evidence and testimony.

There was discussion on whether they should hold a special meeting or continue the case to the next regular meeting. Mr. Wesner stated that staff would need to give notice of the date and time of a future meeting. The Zoning Board of Appeals members generally agreed to reopen the case at a special meeting with the date to be determined by the members' availability.

Mr. Rusch moved that the Zoning Board of Appeals reopen Case No. ZBA-2023-C-05 for consideration, to receive new evidence, and hear from interested parties and that the case be continued to a special meeting that shall be facilitated by the City staff at a later date. Ms. McLaughlin seconded the motion.

Ms. Chester	-	Yes	Mr. Warmbrunn	-	Yes
Ms. Uchtmann	-	Yes	Ms. McLaughlin	-	Yes
Mr. Rusch	-	Yes			

The motion passed by unanimous vote.

Acting Chair Warmbrunn encouraged the members of the Zoning Board to respond to City staff as soon as possible with their availability for future dates to hold the special meeting. Mr. Garcia noted that the earliest date they could hold a special meeting would be December 6, 2023 and still be able to meet the notification requirements.

**E. CONTINUED PUBLIC HEARINGS**

There were none.

**F. NEW PUBLIC HEARINGS**

There were none.

**G. UNFINISHED BUSINESS**

**ZBA-2023-C-05 – A request by Wes Taylor, on behalf of Taylor Construction and Design, LLC, for a conditional use permit to allow a self-storage facility at 205 North High Cross Road in the B-3 (General Business) Zoning District.**

[Since the Board voted to reopen and continue the case to a special meeting during Written Communications, there was no further action taken at this point on the agenda.]

**H. NEW BUSINESS**

There was none.

**I. PUBLIC INPUT**

Acting Chair Warmbrunn summarized the rules for public input.

Kenton McHenry approached the Zoning Board of Appeals members to encourage them to visit Beringer Commons. He stated that no number of trees will change the way the proposed project would look from Beringer Commons. Beringer Commons is a high-class neighborhood with custom houses.

**J. STAFF REPORT**

There was none.

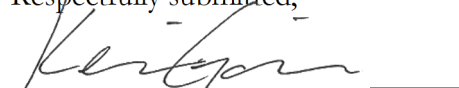
**K. STUDY SESSION**

There was none.

**L. ADJOURNMENT OF MEETING**

The meeting was adjourned at 7:48 p.m.

Respectfully submitted,



Kevin Garcia, Secretary  
Zoning Board of Appeals



## DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

*Planning Division*

### m e m o r a n d u m

**TO:** Urbana Zoning Board of Appeals  
**FROM:** Nick Olsen, Planner I  
**DATE:** December 6, 2023  
**SUBJECT:** **Continuation of ZBA-2023-C-05:** A request by Wes Taylor, on behalf of P.K. Elledge Development, LLC, for a conditional use permit to allow a self-storage facility at 205 North High Cross Road, in the B-3 (General Business) district.

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### Introduction

The Zoning Board of Appeals (“ZBA”) initially reviewed an application for a conditional use permit to allow a self-storage facility at 205 North High Cross Road at a public hearing on October 18, 2023.<sup>1</sup> At that meeting, a motion to approve the case failed. However, as findings of fact were not presented with the vote, the decision was deemed legally insufficient by the City Attorney, as discussed at the November 15, 2023, ZBA meeting. At the November 15 meeting, the ZBA moved to reopen the case for further discussion at a special meeting on December 13, 2023.

Reopening of the case allows additional communications that have been received, including a valid written protest of the request, to be entered into the record.<sup>2</sup> In accordance with Section XI-11 of the Urbana Zoning Ordinance, following submission of a valid written protest, approval of the conditional use permit will require a favorable vote of two-thirds of the members of the ZBA.

The ZBA may vote to approve, approve with conditions, or deny the application, and must articulate findings based on the criteria specified in Section VII-2.A of the Urbana Zoning Ordinance.

Staff continue to find that the criteria for a conditional use permit have been met based on the reasoning articulated in the initial staff report. In addition, based on the public input received to date, staff recommend the ZBA consider certain conditions to address concerns that have been expressed to date. Staff’s complete recommendation is detailed at the end of this memo.

### Summary of Case History to Date

At the initial October 18, 2023 hearing for the request, following a staff report, statements by the applicant, and public input, the ZBA voted with two ayes and two nays on a motion to approve the request with the conditions articulated in the staff report. That motion failed, lacking a simple majority in favor.

Following the October 18, 2023 hearing, the applicant’s legal counsel contacted the City Attorney requesting an appeal of the decision, stating that the Board failed to articulate findings of fact with its

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<sup>1</sup> See Exhibits A and B.

<sup>2</sup> See Exhibit F.

decision. (*The position of the applicant and their legal counsel is articulated in a memorandum included as Exhibit E in this staff report.*)

The City Attorney, David Wesner, provided the Zoning Board of Appeals with a memorandum outlining his position on the October 18, 2023 meeting in advance of the November 15, 2023 ZBA meeting (Exhibit D). The memorandum states that the ZBA is required to state findings of fact with its decision<sup>3</sup>, and that the October 18 vote was legally insufficient. Because the Zoning Ordinance does not allow for a formal appeals process of ZBA decisions, the memorandum recommended that the ZBA instead move to reconsider the case based on the existing October 18 hearing record, so that findings of fact on the case could be articulated.

At the November 15, 2023 meeting, the City Attorney explained that, due to changing circumstances, including *ex parte* communication to ZBA members following the initial hearing, and a difference of opinion from the attorney representing the Beringer Commons Homeowners Association regarding the validity of the initial vote (Exhibit F), he would be revising his recommendation of a motion to reconsider. Instead, he recommended a motion for a special meeting to discuss the validity of the initial decision.

After discussion, the ZBA voted unanimously (five ayes, zero nays) to reopen the case and hold a special meeting to consider new evidence and testimony and discuss the case further. Staff subsequently scheduled the special meeting for December 13, 2023.

## Discussion

The initial staff report for the case (Exhibit A) contains a detailed analysis of the request as it relates to the conditional use permit criteria. For this current memo, this section focuses on concerns raised in public communications regarding the request, and potential conditions that staff recommend the ZBA consider to address concerns where necessary.

The public has raised concerns about the proposal related to stormwater, lighting, noise, traffic, security, lack of on-site staff, dumping, effects on property values, and incompatibility of a self-storage use near residential areas.

Regarding stormwater and lighting, the regulations in the Land Development Code and the Zoning Ordinance should be sufficient to mitigate potential issues in those areas (see below); additional conditions should not be necessary for either of these items.

The applicant would be required to provide a stormwater management plan, prepared by a licensed engineer, which would then be reviewed and approved by a City Engineer prior to construction. Such a plan would ensure that stormwater is handled adequately on site, and will cause no issues for surrounding properties.

Section VI-8 of the Urbana Zoning Ordinance contains outdoor lighting regulations, which would limit lighting levels in this case to no more than 0.2 footcandles as measured at a point six feet beyond the property line, and would also require that security lighting after business hours be limited to no more than 33 percent of total light output on the lot. In addition, Section VI-8.D. states that “lighting shall be aimed or shielded so as not to cause a nuisance to the public or nearby properties,” and Section VI-8.E. states that “outdoor lighting shall have fixtures that shield residential areas from direct light.” These standards apply City-wide, and staff rarely receive complaints about lighting.

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<sup>3</sup> Per Sections Section VII-2.D. and VII-2.G. of the Urbana Zoning Ordinance.

City Ordinance Chapter 16 regulates noise-related nuisances, and apply to all properties in Urbana. That chapter prohibits loud and raucous noise, prohibits outdoor construction and maintenance noise between 8:00 p.m. and 7:00 a.m., and prohibits mechanical noise greater than fifty-five decibels between 10:00 p.m. and 7:00 a.m.

The applicant's initial proposal included operating hours of between 7:00 a.m. and 10:00 p.m. Staff recommend that the ZBA consider limiting the proposed facility's business hours to between 7:00 a.m. and 8:00 p.m. to directly align with the adjacent Aldi grocery store's closing time and to ensure that any noise associated with the use more closely falls within the timeframe of business activities in the immediate area. An earlier closing time would also mean that lighting would be reduced to after-hours security levels earlier in the evening.

As articulated in the initial staff report, a self-storage use would be unlikely to generate more traffic than other business uses that would be permitted by right on the lot. With access off High Cross Road, there would be no additional traffic through Beringer Commons as a result of the development.

The applicant has previously stated that they will install security cameras on the premises and that access to the facility would be restricted by a gate and fencing around the entirety of the property's perimeter. The existing six-foot wall along the property's north and west sides – which was installed as a condition of Aldi's development to shield Beringer Commons from any future business uses on the site – provides screening and separation from adjacent residences. The applicant would also build new fencing along the south and east sides of the property. The presence of security cameras and restricted access to the property should mitigate security or dumping issues associated with the use. The applicant also plans to explicitly prohibit dumping in leasing contracts.

Staff recommend that installation of security cameras, new fencing along the south and east sides of the property, and prohibition of dumping in customer leasing contracts be made conditions of approval.

While no on-site staff would be present, local, off-site staff would be available to address issues as necessary during business hours. Staff recommend that posting of a customer service phone number on the property and availability of staff during business hours be made a condition of approval.

While some communications staff have received have expressed concern about the impact of a self-storage use diminishing adjacent property values, staff have found no evidence in their research, and have not been presented with conclusive evidence, to indicate that self-storage uses negatively affect adjacent property values.

Some members of the public have also stated that they feel a self-storage use is incompatible with nearby residential uses, and that there are no other local self-storage uses near residential areas in Urbana. However, there are at least seven self-storage facilities in Urbana that are directly adjacent to residential uses at the following locations: 1602 East University Avenue, 1808 South Philo Road, 2006 South Philo Road, 2010 South Philo Road, 1710 North Cunningham Avenue, 608 Kerr Avenue, and 602 South Glover Avenue (Exhibit I).

Further, the uses permitted by zoning district and the mapping of the zoning districts are the purview of the City Council. Self-storage is a use authorized in the B-3 with a conditional use permit, and the subject site is zoned B-3, adjacent to R-4. There is nothing unique or unusual about that juxtaposition.

## Options

The Zoning Board of Appeals has the following options in Case No. ZBA-2023-C-05:

1. **Approve** the conditional use as submitted; or
2. **Approve the conditional use along with any additional conditions and requirements** as are appropriate or necessary for the public health, safety, and welfare, and to carry out the purposes of the Zoning Ordinance; or
3. **Deny** the conditional use as submitted.

As articulated by the City Attorney in the attached memorandum, and as required by the Zoning Ordinance and Zoning Board of Appeals By-laws, the Board's decision should state findings of fact with its vote. In the event of a denial, those findings of fact would need to articulate why the proposed conditions are insufficient to address the concerns raised by the opponents

Staff have received a valid written protest of the conditional use permit request in accordance with Section XI-11 of the Urbana Zoning Ordinance. Therefore, a two-thirds favorable vote is necessary to approve the request.

## Recommendation

Based on the evidence presented in the discussion above, and without the benefit of considering additional evidence that may be presented at the public hearing, staff recommends that the Zoning Board of Appeals **APPROVE** the proposed conditional use in case ZBA-2023-C-05, with the following conditions:

1. The self-storage facility shall generally conform to the submitted site plan.
2. The self-storage facility's operating hours shall be between the hours of 7:00 a.m. and 8:00 p.m.
3. The self-storage facility shall be monitored by security cameras.
4. The applicant shall install fencing along the south and east sides of the property.
5. The self-storage facility shall include language in its customer contracts prohibiting unauthorized dumping of materials on the property.
6. The self-storage facility shall have a customer service phone number posted in a clearly visible location on the property, which shall be monitored by on-call staff during business hours.

Attachments: Exhibit A: 10/18/2023 Staff Report and Exhibits  
Exhibit B: Additional 10/18/2023 Hearing Public Input (Received After Packet Publication)  
Exhibit C: 10/18/2023 ZBA Meeting Minutes  
Exhibit D: Memorandum from City Attorney  
Exhibit E: Memorandum from Applicant Attorney  
Exhibit F: Letter from Beringer Commons Homeowners Association Attorney, including a Valid Written Protest

Exhibit G: Public Input Received After 10/18/2023 Hearing<sup>4</sup>  
Exhibit H: Communications Sent Directly to Zoning Board of Appeals Members  
Exhibit I: List of Self-Storage Facilities Currently in Urbana

cc: P.K. Elledge Development, LLC, Applicant

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<sup>4</sup> Some members of the public sent multiple email comments in advance of the different meetings related to this case, or to individual Zoning Board of Appeals members. In cases where the content of separate emails from any one individual or household were identical, one copy of the comments has been included. In cases where multiple comments from the same individual or household were substantially different, multiple comments have been included.



# Exhibit A



## DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

*Planning Division*

### m e m o r a n d u m

**TO:** Urbana Zoning Board of Appeals  
**FROM:** Nick Olsen, Planner I  
**DATE:** October 13, 2023  
**SUBJECT:** **ZBA-2023-C-05:** A request by Wes Taylor, on behalf of Taylor Construction and Design, LLC, for a conditional use permit to allow a self-storage facility at 205 North High Cross Road, in the B-3 (General Business) district.

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### Introduction

Taylor Construction and Design, LCC requests a conditional use permit to build a self-storage facility at 205 North High Cross Road. Self-storage facilities are allowed by conditional use permit in the B-3 (General Business) district.

The Zoning Board of Appeals must review the conditional use permit application and hold a public hearing. The Board may vote to approve, approve with conditions, or deny the application. Staff recommend the ZBA approve the conditional use permit, finding that the conditional use criteria have been met.

### Background

The property at the corner of University Avenue and High Cross Road was annexed into Urbana in 1991 as part of the Beringer Commons subdivision and was zoned B-1 (Neighborhood Business) at that time. Aldi later purchased the lot, and in 2004 subdivided it into two lots: the south lot for the Aldi grocery store, and the north lot (the subject property) to be sold for another business use.

In 2020, City Council approved a rezoning<sup>1</sup> of the parcel from B-1 to B-3 (General Business) and a special use permit<sup>2</sup> for OSF Healthcare to build a clinic at the location. The plans for a clinic were never realized, and Taylor Construction and Design, LLC is now under contract to purchase the property for a proposed self-storage use.

### Description of Site and Area

The site is approximately 632,000 square feet, or 2.2 acres, and is located on High Cross Road, north of University Avenue. There is existing access off High Cross Road at the northeast corner of the property (see Exhibit D). The property is currently vacant.

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

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<sup>1</sup> Ordinance No. 2020-04-023

<sup>2</sup> Ordinance No. 2020-04-025

Direction	Zoning	Existing Land Use	Future Land Use
Site	B-3 (General Business)	Vacant	Community Business
North	R-4 (Medium Density Multi-Family Residential)	Common-Lot-Line Dwellings	Residential
East	County AG-2 (Agriculture)	Mobile Home Park and Farmland	Community Business
South	B-1 (Neighborhood Business)	Grocery Store	Residential
West	R-4 (Medium Density Multi-Family Residential)	Common-Lot-Line Dwellings	Residential

Table 1. Zoning and Land Use

## Discussion

The applicant's proposed self-storage facility would consist of five one-story warehouse buildings containing a total of approximately 300 units with a mixture of climate-controlled and standard options. The facility would be automated and have access hours similar to nearby businesses.<sup>3</sup> Off-site staff would be available for assistance during business hours.

There is a six-foot, opaque wall between the site and adjacent residential properties to the north and west, which was required by the 2004 Ordinance approving the Special Use Permit for the adjacent Aldi grocery store, who also owned the subject property at the time.<sup>4</sup> The applicant would construct additional fencing along the south and east property lines, as shown on the preliminary site plan (Exhibit D).

Prior to any construction, the applicant would be required by the Land Development Code to go through the Minor Development process, due to the increase in impervious surface area. The Minor Development process would require a plat and stormwater management plan to be submitted for review by City staff. There is some existing stormwater infrastructure on the site in the form of a drainage ditch running along the High Cross Road frontage. The Minor Development process would also require the applicant to build a sidewalk along High Cross Road, connecting to existing sidewalks to the north and south.

The preliminary site plan generally conforms to Urbana's zoning regulations<sup>5</sup>, and, as no variances are being requested, any issues would need to be addressed in the final site plans, which would be reviewed for zoning and building code compliance prior to construction.

<sup>3</sup> The applicant states that the facility would have operating hours between 7:00 a.m. and 10:00 p.m. A 2004 Special Use Permit (Plan Case 1909-SU-04) limited the hours of the grocery store to the south to between 7:00 a.m. and 8:00 p.m., and prohibited deliveries between 12:00 a.m. and 6:00 a.m.

<sup>4</sup> Ordinance No. 2004-12-152

<sup>5</sup> The preliminary site plan does not show 3 parking spaces that would be required for the proposed facility. The

## Requirements for a Conditional Use Permit

According to § VII-2 of the Urbana Zoning Ordinance, an application for a conditional use permit shall demonstrate the following requirements shown in italics.

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

Without a formal market study, it is difficult to evaluate the general demand for self-storage in the area. Earlier this year, the ZBA approved a conditional use permit for an expansion of a self-storage facility on Philo Road<sup>6</sup>, where the owner reported operating at capacity prior to the expansion. The area surrounding 205 North High Cross Road includes a variety of housing types, where residents may find nearby storage useful.

There is currently one other self-storage facility located nearby, on Tatman Court to the south. Urbana's other self-storage options are farther away, with one business on East University Avenue and multiple businesses located along South Philo Road and North Cunningham Avenue.

As the property is currently vacant, a self-storage business on the parcel would generate more tax revenue for the City. As part of the Minor Development process, the owner would also be required to build a sidewalk along High Cross Road, connecting to existing sidewalks to the north and south, which would benefit people in the area, especially those walking from homes to north down to Aldi or Walmart.

Staff find this criteria met.

*2. That the proposed use is designed, located, and proposed to be operated so that it will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious to the public welfare.*

The proposed self-storage facility would have business hours between 7:00 a.m. and 10:00 p.m. Due to the nature of a self-storage business, where customers visit units relatively infrequently to deposit or retrieve items, staff do not anticipate a significant increase in traffic relative to the existing grocery store immediately to the south, other businesses on High Cross Road, or many of the business uses permitted by right in the B-3 district. The existing curb cut at the northeast corner of the property is already at an optimal location, being as far as possible from the intersection of High Cross Road and University Avenue to the south.

The property has existing screening from adjacent residential properties. The proposed self-storage buildings would all be a single story. Because the B-3 district has no explicit building height maximum, the proposed building heights should be considered minimal when compared with other buildings that could be built by right.

Stormwater, lighting, and building plans would all be reviewed for code compliance prior to a building permit being issued.

Staff find this criteria met.

---

applicant has been informed of this, and spaces would be included on the final site plan. The preliminary plan conforms with all other zoning regulations.

<sup>6</sup> ZBA-2023-C-02

3. *That the proposed use conforms to the applicable regulations and standards of, and preserves the essential character of, the district in which it shall be located, except where such regulations and standards are modified by § VII-3.*

The applicant has requested no additional special permits or variances, and the proposal will conform to all other development requirements and regulations for the district.

Illinois Route 130 is a north-south state highway that turns into High Cross Road within Urbana's municipal boundary. The road and surrounding area contain a variety of business, office, and industrial uses serving nearby residential areas. Tatman Court, a nearby IN-1 (Light Industrial) zoned office park off High Cross Road to the south, contains an existing self-storage facility.

Staff find the proposed use to be generally compatible with the character of the surrounding land uses and find this criteria met.

## **Consideration**

According to Zoning Ordinance § XII-2, the Zoning Board of Appeals shall determine whether the reasons set forth in the application, and the evidence adduced during the public hearing, justify the granting of the conditional use permit, and whether the proposed use will be in harmony with the general purpose and intent of the Zoning Ordinance, and will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious or detrimental to the public welfare.

In addition, the Zoning Board of Appeals may also impose such additional conditions and requirements on the operation of the proposed use as are appropriate or necessary for the public health, safety, and welfare, and to carry out the purposes of the Ordinance, including but not limited to the following:

1. Regulate the location, extent, and intensity of such use;
2. Require the screening of such use by means of fences walls or vegetation;
3. Regulate vehicular access and volume;
4. Require conformance to health, safety, and sanitation requirements as necessary;
5. Any other conditions deemed necessary to affect the purposes of this Ordinance.

## **Summary of Findings**

1. The proposal would be conducive to the public convenience because it would be located in an area of Urbana that currently has limited self-storage options and would improve connectivity and pedestrian infrastructure by installing a sidewalk along High Cross Road.
2. The proposal would not be a detriment to the district because it would be unlikely to generate significantly more traffic than existing businesses in the area, operating hours would be similar to existing area businesses, and screening would be provided in accordance with City regulations.
3. The proposed use would be compatible with existing land uses in the area and comply with regulations for B-3 properties as laid out in the Zoning Ordinance.

## Options

The Zoning Board of Appeals has the following options in Case No. ZBA-2023-C-05:

1. **Approve** the conditional use as submitted; or
2. **Approve the conditional use along with any additional conditions and requirements** as are appropriate or necessary for the public health, safety, and welfare, and to carry out the purposes of the Zoning Ordinance; or
3. **Deny** the conditional use as submitted.

## Recommendation

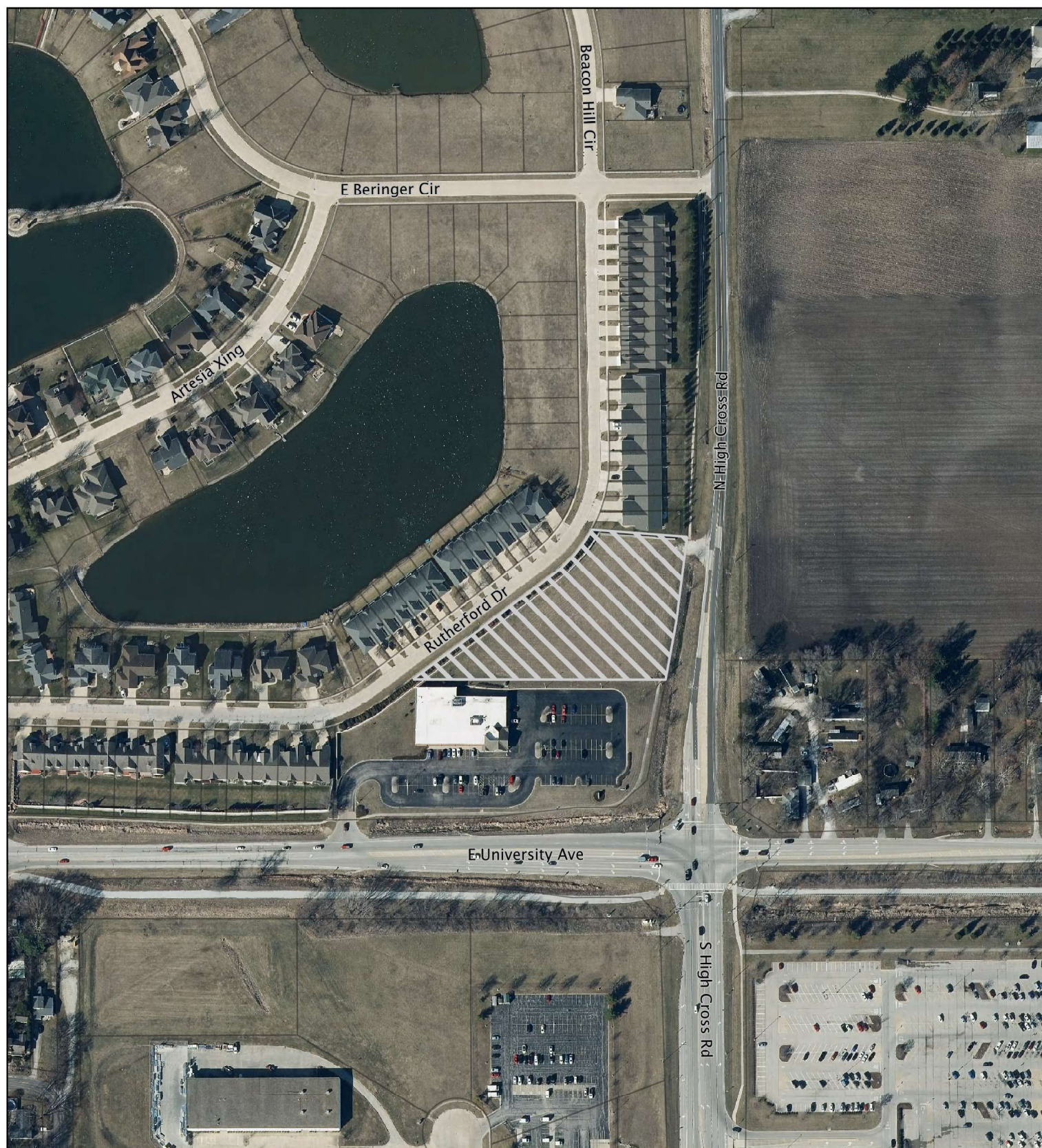
Based on the evidence presented in the discussion above, and without the benefit of considering additional evidence that may be presented at the public hearing, staff recommends that the Zoning Board of Appeals **APPROVE** the proposed conditional use in case ZBA-2023-C-05, with the following conditions:

1. The self-storage facility shall generally conform to the attached site plan.
2. The self-storage facility's operating hours shall be between the hours of 7:00 a.m. and 10:00 p.m.

Attachments: Exhibit A: Location Map  
Exhibit B: Zoning Map  
Exhibit C: Future Land Use Map  
Exhibit D: Site Plan  
Exhibit E: Building Rendering and Site Photos  
Exhibit F: Conditional Use Permit Application  
Exhibit G: Public Input

cc: Taylor Construction and Design, LLC, Applicant

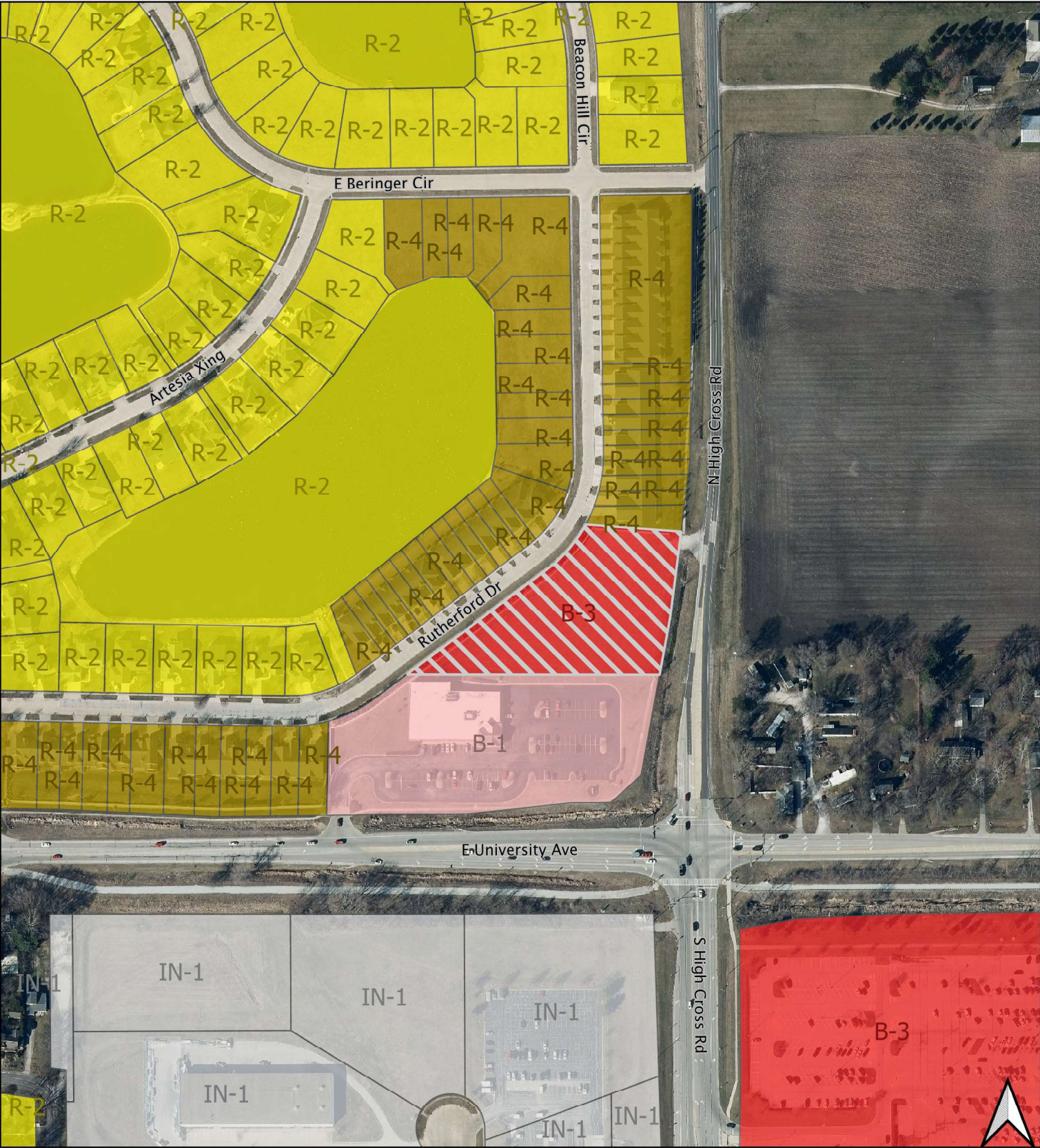




Case: ZBA-2023-C-05  
Subject: Conditional Use Permit for Self-Storage Facility  
Location: 205 North High Cross Road  
Applicant: Taylor Construction and Design, LLC

 Subject Property





Case: ZBA-2023-C-05  
Subject: Conditional Use Permit for Self-Storage Facility  
Location: 205 North High Cross Road  
Applicant: Taylor Construction and Design, LLC

- Subject Property
- B-1
- B-3
- R-2
- R-4



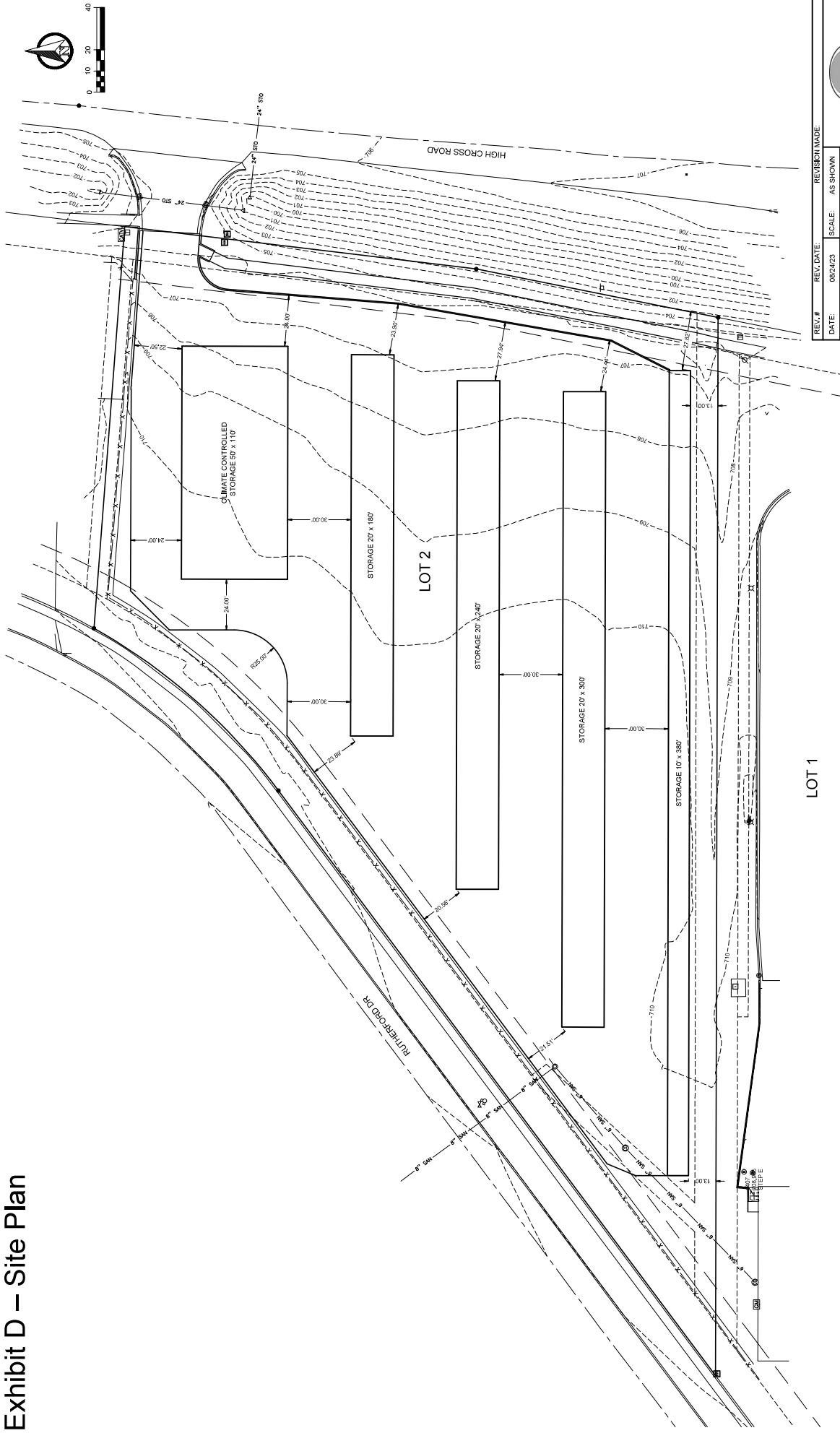


Case: ZBA-2023-C-05  
Subject: Conditional Use Permit for Self-Storage Facility  
Location: 205 North High Cross Road  
Applicant: Taylor Construction and Design, LLC

- Subject Property
- Community Business
- Light Industrial
- Regional Business
- Residential



# Exhibit D – Site Plan

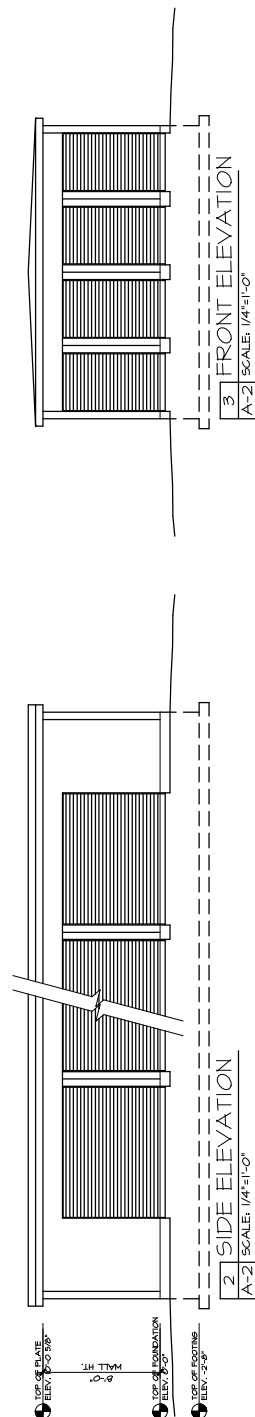


REV. #	REV. DATE	SCALE	REVISION MADE
DATE	06/24/23	AS SHOWN	
FIELD BOOK	47p. 59	DRAWN BY: MAM	
CHECKED BY:	MEI		
PRELIMINARY SITE PLAN			
PRECISION ENGINEERING GROUP, INC. P.O. BOX 784, CHAMPAIGN, IL 61824-0784 PHONE: 317.232.8049 FAX: 317.232.8048 C.E. ENGINEERING INC. LICENSE: DESIGN PROFESSIONAL NO. 14007258			
LOT 2 OF ALDI URBANA SUBDIVISION PART OF SEC. 10, T.19 N., R. 9 E., 3rd P.M. URBANA, ILLINOIS			
SHEET			41123001
1 OF 1			

TAYLOR CONSTRUCTION  
 ADDRESS: 205 N. HIGHCROSS ROAD  
 URBANA, IL 61802

**GALLIVANS**  
**DRAFTING & DESIGN**  
42 COUNTY ROAD 300 NORTH  
IVESDALE, IL 61851  
(217) 202-5998

**NOTE:** THESE DRAWINGS REPRESENT ONLY GUIDELINES, SUGGESTIONS AND REFERENCE FOR THIS PROJECT. EVERY ATTEMPT HAS BEEN MADE IN THE PREPARATION OF THESE DRAWINGS TO AVOID ERROR, HOWEVER BECAUSE OF THE GREAT VARIANCE IN BUILDING CODE REQUIREMENTS, CONSTRUCTION PRACTICES AND ENVIRONMENTAL CONDITIONS NO RESPONSIBILITY IS ASSAIED OR IMPLIED FOR ANY DAMAGES, INCLUDING STRUCTURAL FAILURE, DUE TO ANY DIFFERENCES OMISSIONS OR ERRORS.



## Exhibit E – Building Rendering and Site Photos



*Figure 1. Rendering of proposed self-storage building*





*Figure 2. Subject property, looking southwest from northeast corner.*



*Figure 3. Existing drainage ditch along High Cross Road.*





*Figure 4. Existing screening along north and west sides of the property.*



*Figure 5. Existing curb cut at northeast corner of property.*



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## VIEW PERMIT

[Home](#) / [Services](#) / [Development Permits](#) / [View Permit](#)

Make a payment

Request an inspection

Upload documents

Leave message

**Permit #:** CUP23-000005

**Project #:** 23-002766

**Status:** Online Application Received

**Balance Due:** \$0.00

**Address:** 205 North High Cross Road

**Description:** Self storage complex



[Permit](#) [Reviews](#) [Documents](#) [Inspections](#)

**Permit #:**

**CUP23-000005**

Permit Type:

Conditional Use Permit

Sub Type:

Conditional Use

Issue Date:

Expiration Date:

The application fee must be paid when submitting the application. For the current fee amount, please refer to the most recent version of the City's

'Schedule of Fees - Excluding Liquor License Fees', which can be found at <https://www.urbanailinois.us/fees> (<https://www.urbanailinois.us/fees>) . The applicant is also responsible for paying the cost of the legal ad publication fees. The News-Gazette will bill the applicant directly. Legal ad publication fees vary from \$75.00 and up. If you need assistance completing this form, please contact the Planning Department at [Planning@urbanailinois.us](mailto:Planning@urbanailinois.us) or (217) 384-2440.

### PROPOSED USE

Describe the proposed use and its activities. In other words, what do you plan to do? Are there existing buildings you will use, change, or demolish? Will you build new buildings? What activities will take place on site, and where? If you are planning a business, what will your hours of operation be?

Current Land Use:

Vacant

Proposed Use:

I would like to build an automated self storage complex

#### PROPERTY LEGAL DESCRIPTION

A legal description is the geographical description of a real estate property for the purpose of identifying the property for legal transactions such as deeds, mortgages and other legal documents. A legal description will refer to the name of the subdivision and the lot number.

If your legal description is long, please type "See Attached Legal Description," in the Legal Description Provided by Applicant field and upload a separate document with legal description.

Legal Description Provided by Applicant:

Legal Description attachment:

#### PERMIT INFORMATION

Number of Applicants:

1

Applicant Name:

P.K elledge development LLC

#### OWNER INFORMATION

If the applicant is not the sole owner, please attach documentation for contact information including **name**, **email** and **phone numbers** of every owner.:

#### CONSULTANT INFORMATION

If you are working with an architect, engineer, surveyor, site planner, or attorney, please fill in their information below.

Architect Name:

Mini systems inc.

Engineer Name:

Merle ingersoll Precision engineering

Surveyor Name:

Merle ingersoll Precision engineering

Site Planner Name:

Merle ingersoll Precision engineering

Attorney Name:

Kyle emkes Maatuka emkes al heeti

## REASONS FOR CONDITIONAL USE PERMIT

Below are the criteria that the Zoning Board of Appeals will base their decision on. Your answers should be as detailed as possible.

**Explain how the proposed use is conducive to the public convenience at the location of the property.** In other words, why is this a good location for what you are proposing, for the overall good of the community and for people coming to the property? Is it easy to get to? Does it fill a need that is missing in the neighborhood? Are there other similar or complementary uses nearby?:

This is a good location for a self storage complex as it is tucked out of the way between aldis super market and the condos at Beringer commons subdivision. The access is away from the main intersection and is already on the property. The south east section of Urbana is serviced by mainly one storage complex, which is not large enough to accommodate the demand. Also, The location in Urbana in which we wish to build is already made up of a mix of supermarkets and warehouse type buildings.

**Explain how the proposed use is designed, located and proposed to be operated, so that it will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious or detrimental to the public welfare.** In other words, how will the building and site design, and the operation of the proposed use be done so they do not cause a nuisance to the neighborhood and the community in general? Will it operate at hours similar to surrounding uses? Will it generate excessive noise, light, odor, waste, or traffic, and if so, how do you plan to deal with it?:

Our plan is to construct a development of pre engineered steel warehouses, comprised of a mix of unit sizes, and finished in an attractive color scheme that will be a compliment to the neighborhood. They will be automated, but will be operated in a range of hours similar to the surrounding businesses. There will be enough lights to create security for our users but will not be a nuisance to the surrounding areas. There will be no on-site staff, and no waste, or trash kept on premises. In our estimation, we will generate much less traffic than the surrounding businesses. In addition to this, there is already a privacy wall that segregates our property from the surrounding residential neighborhood.

**Explain how the proposed use conforms to the applicable regulations and standards of, and preserves the essential character of, the district in which it shall be located.** In other words, how well will the proposed use fit into the neighborhood? Will buildings be similar in size and scale to others in the area? Does the site layout (e.g. location of buildings and parking areas) fit in with surrounding properties?:

Yes. Our development fits in to the area as it is primarily comprised of commercial/ industrial type services and buildings.

## ATTACHMENTS

Please include any attachments relevant to your conditional use permit request: supporting documents, site plans, photos, etc.:



fit into the neighborhood? Will buildings be similar in size and scale to others in the area? Does the site layout (e.g. location of buildings and parking areas) fit in with surrounding properties?:

Yes. Our development fits in to the area as it is primarily comprised of commercial/ industrial type services and buildings.

#### ATTACHMENTS

Please include any attachments relevant to your conditional use permit request: supporting documents, site plans, photos, etc.:

---

#### CERTIFICATION

I am:

1. The property owner.

I certify all the information contained in this application form or any attachment(s), document(s) or plan(s) submitted herewith are true to the best of my knowledge and belief.

Agree:

Yes

I further acknowledge that my electronic or digital signature on this application has the full legal effect as that of my written signature.

Agree:

Yes

I grant permission for City staff to post a temporary yard sign on the subject property announcing the public hearing to be held for my request.

Agree:

Yes

Applicant Signature Upload:

signature.png

Signer Name:

Wes Taylor

## Exhibit G - Public Input

**From:** [Jim Tucker](#)  
**To:** [Olsen, Nicholas](#)  
**Subject:** ZBA-2023-C-05, 205 N High Cross Rd conditional use permit  
**Date:** Thursday, October 5, 2023 1:51:31 PM

---

\*\*\* Email From An External Source \*\*\*

Use caution when clicking on links or opening attachments.

Dear Mr. Olsen,

We strongly object to the issuance of a conditional use permit for the purpose of a self storage facility at 205 N High Cross Rd. Although an Aldi store facing University Ave. occupies a parcel on that corner, the addition of a storage facility next to it will greatly increase noise, traffic, and lighting activity virtually yards in front of our residence on Rutherford Dr. It will without a doubt lower the value of our property, as well as all our neighbors.

Other than the neighborhood Aldi store, the entire northeast corner of High Cross Rd and University Ave. is a quiet residential neighborhood. Please help us keep it that way!

Thank you.

Jim & Marla Tucker

Urbana IL 61802

Sent from my iPad

## Olsen, Nicholas

---

**From:** Adam Martinsek [REDACTED]  
**Sent:** Friday, October 6, 2023 10:53 AM  
**To:** Olsen, Nicholas  
**Subject:** Comments on proposed self-storage facility at 205 N High Cross Rd

**\*\*\* Email From An External Source \*\*\***

Use caution when clicking on links or opening attachments.

We write to oppose the granting of a conditional use permit for a self-storage facility at 205 North High Cross Road.

We live on [REDACTED] adjacent to the proposed site. The proposed facility would bring extra traffic and noise to our neighborhood at all hours of the day and night, disrupting the peace and quiet that we now enjoy. It would also potentially increase the crime rate in the area. The mere presence of such a facility would likely have an adverse effect on the property values of nearby homes.

Please do not grant the conditional use permit.

Sincerely,  
Adam and Lori Martinsek

**From:** [Deb Newell](#)  
**To:** [Olsen, Nicholas](#)  
**Subject:** Self-storage facility  
**Date:** Monday, October 9, 2023 5:59:57 PM

---

\*\*\* Email From An External Source \*\*\*

Use caution when clicking on links or opening attachments.

Mr. Olsen-

I wish to go on record that I am adamantly opposed to a company receiving a conditional variance in order for them to construct a self-storage facility at 205 North High Cross Road.

Debra Newell  
Beringer Commons  


Urbana, IL

Sent from my iPhone

## Olsen, Nicholas

---

**From:** Gwain Zarbuck [REDACTED]  
**Sent:** Tuesday, October 10, 2023 12:44 PM  
**To:** Olsen, Nicholas  
**Subject:** Board Of Review Meeting 10/18/23

**\*\*\* Email From An External Source \*\*\***

Use caution when clicking on links or opening attachments.

Dear Mr. Olsen

We are residents/property owners at [REDACTED] Our property backs up to High Cross Road and are concerned about the proposed development at 205 N. High Cross Rd. We and multiple fellow senior citizens, who are also nearby condo owners, are opposed to granting approval to the development of self storage units at that location. My wife and I feel that this type of commercial business proximal to us would not fit into the ascetics of the Berringer community. Looking at other self-storage sites in the city of Urbana, none are found on the same block, let alone adjacent, to residential housing. Since we have one nearby (across from the post office) there isn't a lack of availability in our area of town. Touring the streets of Urbana shows many available sites.

If the High Cross Road location is chosen, against our best wishes, there are several concerns which we would like addressed:

- 1) Hours of operation to be limited to 8:00AM to 8:00PM
- 2) Security cameras monitoring 24/7 the entire site
- 3) Locked gate into development when it is closed which renters can't unlock
- 4) Sidewalk that ends north of 205 N. High Cross to be completed up to intersection with University/150

Thank You for your consideration of our concerns

Dr. Gwain and Cindy Zarbuck

[REDACTED]  
Urbana IL 61802  
[REDACTED]

Sent from [Mail](#) for Windows

## Olsen, Nicholas

---

**From:** Sandra Meier [REDACTED]  
**Sent:** Wednesday, October 11, 2023 3:39 PM  
**To:** Olsen, Nicholas  
**Subject:** 205 N. High Cross Rd property up for a conditional use permit for a self-storage facility

**\*\*\* Email From An External Source \*\*\***

Use caution when clicking on links or opening attachments.

We live at [REDACTED] in Beringer Subdivision and are opposed to this property being given a permit to build a self-storage facility. Thank you for your consideration for our request.

Derald and Sandra Meier

[REDACTED]  
Urbana, IL 61802

## Olsen, Nicholas

---

**From:** Kent Brown [REDACTED]  
**Sent:** Wednesday, October 11, 2023 6:46 PM  
**To:** Olsen, Nicholas  
**Subject:** Against Storage Facility on High Cross Rd

\*\*\* Email From An External Source \*\*\*

Use caution when clicking on links or opening attachments.

Hello, Nick. I am Kent Brown, homeowner at [REDACTED] Urbana, in the Beringer Commons subdivision. It has come to our attention that a submission has been made to construct a self-storage facility on High Cross Road, just north of Aldi's and adjacent to Beringer Commons. We are vehemently against the possible construction so close to one of the highest paying property tax areas in Urbana. If this were approved, we would expect a major drop in our tax bill since this would clearly drive down the value of the homes and property in this area. We would certainly hope there are other properties inside the city limits where this would be a better fit. Please feel free to contact me if you want to discuss further. Thank you.

Kent Brown  
[REDACTED]

Sent from Kent  
Brown's iPhone

## Olsen, Nicholas

---

**From:** Lori Choquette [REDACTED]  
**Sent:** Wednesday, October 11, 2023 10:09 PM  
**To:** Olsen, Nicholas  
**Subject:** Zoning change ZBA-2023-C-05

\*\*\* Email From An External Source \*\*\*

Use caution when clicking on links or opening attachments.

Hi

We were notified about an upcoming zoning change for the plot next to Aldi in Urbana. This request ZBA-2023-C-05 from Wes Taylor to build a storage facility should not be approved. This really isn't the right area for that and there is currently a storage facility only quarter mile south of here next to the Urbana Post Office. This kind of facility should not be built next to Beringer Commons, a higher end housing neighborhood, but rather next to other commercial areas. There is plenty of land near the Walmart or even near the other storage facility that is already located off of Tatman Dr and High Cross Rd.

Please do not approve the request for a zoning change for this location at 205 N High Cross Road in Urbana.

Thank you — Kent & Lori Choquette

[REDACTED]  
Urbana, IL 61802



## Olsen, Nicholas

---

**From:** Jo Ann Jackson [REDACTED]  
**Sent:** Wednesday, October 11, 2023 10:39 PM  
**To:** Olsen, Nicholas  
**Cc:** Marlin, Diane  
**Subject:** Opinion for the Zoning Board of Appeals

\*\*\* Email From An External Source \*\*\*

Use caution when clicking on links or opening attachments.

Dear Mr. Olsen,

My husband and I lived in the Beringer Commons development in Urbana for six years before moving away to New Jersey for work reasons. After almost twenty years and the death of my husband, I decided to return to this area because I remember the lovely neighborhoods and friendly atmosphere of Beringer Commons. Change has happened to this community and this is a good thing. I now live in one of the condominiums in this development. Beringer Commons still has the charm and well-planned neighborhoods that I remember.

I am opposed to the proposed construction of self-storage units being considered on the land beside the Aldi's grocery store. There are self-storage units across from the local post office in our area. Adding more of the same in this location may not help the continued increase in the quality of our neighborhood development. I am concerned for our neighborhood safety and security as well as increased traffic in our area that might come with this building venture.

**Again, I vote NO on the construction of self-storage units on the lot beside Aldi's grocery store.**

Ms. Jo Ann Jackson

[REDACTED]

Urbana, IL 61802

[REDACTED]

## Olsen, Nicholas

---

**From:** Andrea Turner [REDACTED]  
**Sent:** Wednesday, October 11, 2023 7:09 PM  
**To:** Olsen, Nicholas  
**Subject:** Please do not allow Conditional use permit

\*\*\* Email From An External Source \*\*\*

Use caution when clicking on links or opening attachments.

Mr. Olsen,

Please do not allow the conditional use permit for self-storage near the Aldi near Beringer Commons subdivision (letters with details attached). There is already a lot of commercial space nearby where this could be built and this project does not fit with or enhance the neighborhood residential feel. This will result in decreased character of the area and impact my property value. Also, the additional concrete of these types of places will make more run off of storm water for the overflowing ditches and increased lightning and will which is bad for the environment. This will increase traffic, noise and security problems. I believe that this contractor has an unfinished (abandoned?) house project in our neighborhood that looks terrible. Furthermore, we live at [REDACTED] and experience a lot of mice after harvest of the farm across the street and the mice will definitely invade any self storage units. This is not in the best interest of this area of Urbana.

Thank you,

Andrea Turner

[REDACTED]  
Urbana, IL 61802  
[REDACTED]

## Olsen, Nicholas

---

**From:** Ted Turner [REDACTED]  
**Sent:** Thursday, October 12, 2023 8:00 AM  
**To:** Olsen, Nicholas  
**Subject:** ZBA-2023-C-05

**\*\*\* Email From An External Source \*\*\***

Use caution when clicking on links or opening attachments.

Nick,

I am not certain I would be available to be at the Oct - 18th meeting regarding the ZBA-2023-C-05 proposal for Self-Storage near Beringer Commons and the Aldi so I am submitting an email.

I live at [REDACTED] Urbana, IL 61802 and would be opposed to allowing the self-storage unit from being set up next to Aldi. It is not an attractive business and would not improve the aesthetics of the neighborhood. It would likely decrease in property value and cause an excess of random people coming and going near the neighborhood at any hour of the day. There are already self-storage units almost across the street and a location around that more commercial space would be more appropriate.

Again, I am opposed to allowing the zoning of the area next to Aldi for self-storage.

Ted Turner

--

Ted

# PUBLIC INPUT

**Zoning Board of Appeals October 18, 2023**

**Received after packet publication**

**Case No.**

**ZBA-2023-C-05**

Communications Received from:

- \*Christy Donovan (*email dated 10-13-2023 @ 10:38 pm*)
- \*Doris and Gary Gebauer (*email dated 10-17-2023 @ 8:18 am*)
- \*Scott Glassman (*email dated 10-14-2023 @ 12:03 pm*)
- \*Grace Giorgio, Grace and Jeff Harshbarger (*email dated 10-13-2023 @ 10:14 am*)
- \*Rich and Deb Hissong (*email dated 10-18-2023 @ 7:18 am*)
- \*Foster and Theresa Hoffman (*email dated 10-15-2023 @ 11:23 am*)
- \*Mary Johnson (*email dated 10-13-2023 @ 1:52 pm*)
- \*Igor Kalnin (*email dated 10-14-2023 @ 1:39 pm*)
- \*Vicki Trimble (*email dated 10-13-2023 @ 9:37 am*)
- \*Bob Withers (*email dated 10-13-2023 @ 10:13 am*)
- \*Venkatesh Yekkirala (*email dated 10-13-2023 @ 9:11 am*)

## Olsen, Nicholas

---

**From:** Christy Donovan [REDACTED]  
**Sent:** Friday, October 13, 2023 10:38 PM  
**To:** Olsen, Nicholas  
**Subject:** Wed Oct 18, 2023

**\*\*\* Email From An External Source \*\*\***

Use caution when clicking on links or opening attachments.

Dear Mr. Olsen,

I am a homeowner in Beringer Commons and would like to express my disapproval of rezoning of the parcel at 205 North High Cross Road in Urbana, IL. Please consider that the rezoning would introduce an unpleasant intrusion to the residential neighborhood of Beringer Commons. The addition of a commercial enterprise in close proximity to the residential neighborhood of Beringer Commons would be a disruption to include:

- increased lighting to the area, which is a quiet, residential community
- increased traffic, which would contribute to noise & congestion on the roads
- increased developed / cement pavement, which would increase rain runoff
- unattractive visual effect to the residential neighborhood

Please do not approve this request to build a commercial enterprise in this residential neighborhood.

Sincerely,

Christy Donovan  
[REDACTED]

Urbana, IL 61802

## Olsen, Nicholas

---

**From:** Doris Gebauer [REDACTED]  
**Sent:** Tuesday, October 17, 2023 8:18 AM  
**To:** Olsen, Nicholas  
**Subject:** Zoning meeting 10-18

**\*\*\* Email From An External Source \*\*\***

Use caution when clicking on links or opening attachments.

We are opposed to the variance to allow self storage facilities on the proposed site on HighCross Road for the follow reasons:

1. There are more than enough self storage units in Urbana. Some of the locations have many many units. On top of that, there are plenty of units in Champaign.
  2. Potential 24 hour lighting will affect the homes in proximity to the units. It will be a huge annoyance.
  3. 24/7 access will affect security for adjoining and nearby properties.
  4. Urbana has such few nice upscale neighborhoods- self storage facilities will adversely affect the home values in our neighborhood. Why would you do that to our tax base?
  5. 24/7 access could potentially produce a lot of noise in the adjoining neighborhood; no one would move to Berlinger Commons
- Expecting constant noise at all hours of the day

Please vote no to this variance request

Doris and Gary Gebauer

[REDACTED] Urbana, IL 61802

## Olsen, Nicholas

---

**From:** Scott Glassman [REDACTED]  
**Sent:** Saturday, October 14, 2023 12:03 PM  
**To:** Olsen, Nicholas  
**Subject:** Proposed Self Storage Units On High Cross

**\*\*\* Email From An External Source \*\*\***

Use caution when clicking on links or opening attachments.

Mr. Olsen,

I am a resident of Beringer Commons and have just learned of the proposed self storage units that may be built on High Cross road. I strenuously urge you and the City of Urbana to reject this proposal. Constructing a self storage unit directly adjacent to our neighborhood would introduce a number of negative factors, including noise, potential security issues, light pollution, and most importantly, decreasing our property values. Self Storage is simply not a good fit and poses too many negative aspects to our neighborhood. I am sure there are plenty of other options to locate this business.

I urge you and the City of Urbana to reject this proposal.

Thank you for your time,

Scott Glassman

## Olsen, Nicholas

---

**From:** Grace Giorgio [REDACTED]  
**Sent:** Friday, October 13, 2023 10:14 AM  
**To:** Olsen, Nicholas  
**Cc:** [REDACTED]  
**Subject:**  
**Attachments:** Self-storage facility.docx

\*\*\* Email From An External Source \*\*\*

Use caution when clicking on links or opening attachments.

Dear Mr. Olsen,

It has come to our attention that Taylor Construction and Design, LLC is requesting a conditional use permit to build a self-storage facility at 205 North High Cross Road.

We oppose this proposal on several grounds: A self-storage facility would be disruptive to our long established, upscale subdivision, Beringer Commons for which we pay high property taxes to live in relative quiet and peace. A self-storage facility would be out of character with our well-designed subdivision. Moreover, such a facility would be too close to the condos that house single families and too close to our own home. We recently moved from rural Piatt County to Beringer Commons as we understood that the neighborhood is quiet, lacks light pollution (and thus we can see stars at night), and is safe. A self-storage facility would bring additional noise, excessive lighting, and the possibility of security issues since people who do not live in the area would be coming and going all hours of the day. A self-storage facility will increase traffic and disrupt our safety and the everyday lifestyle activities we enjoy here such as walking our dogs in peace. We can recall when Walmart was built in 2003 and the runoff from the parking lot damaged people's homes. We are concerned the same could happen with a proposed self-storage facility.

We appreciate your consideration of our concerns and will see you at 7pm on Wednesday evening October 18th.

Sincerely,

Grace and Jeff Harshbarger

[REDACTED]  
Urbana, IL 61802



## Olsen, Nicholas

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**From:** Rich Hissong [REDACTED]  
**Sent:** Wednesday,  
**To:** Olsen, Nicholas  
**Subject:** Proposed Self Storage Unit on High Cross Road near Aldi

**\*\*\* Email From An External Source \*\*\***

Use caution when clicking on links or opening attachments.

Mr. Olsen

I am writing with some concerns about the proposed variance for this project. We live at the west end of the area where this project is being proposed. Our concerns are as follows:

Lighting. We understand security lighting would be needed but we are concerned with the excess light pollution causing a disturbance to the neighborhood.

Security. A possible increased criminal activity of the neighborhood with the possibility of these units being vulnerable to theft.

Aesthetics. This is a premier neighborhood where residents take pride in the appearance of their property and am concerned that it may not be maintained at the level expected in this neighborhood.

Rich & Deb Hissong  
[REDACTED]

Urbana, IL

## Olsen, Nicholas

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**From:** Theresa Hoffman [REDACTED]  
**Sent:** Sunday, October 15, 2023 11:23 AM  
**To:** Olsen, Nicholas  
**Subject:** ZBA-2023-C-05:

**\*\*\* Email From An External Source \*\*\***

Use caution when clicking on links or opening attachments.

I am sending this email in opposition of this application. I am a resident of Beringer Commons. The area in which the proposed construction is not zoned for this use and should not be even considered since this is a residential area. The negative impact on the character of the area include: increased lighting, more traffic, more pavement for rain runoff. This will reduce buyer appeal for this neighborhood. Please consider this email in reviewing the application. Thank you.

Foster & Theresa Hoffman

## Olsen, Nicholas

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**From:** Mary Johnson [REDACTED]  
**Sent:** Friday, October 13, 2023 1:52 PM  
**To:** Olsen, Nicholas  
**Subject:** Beringer Commons

**\*\*\* Email From An External Source \*\*\***

Use caution when clicking on links or opening attachments.

Hi Nick,

Twenty years ago my husband and I built a house in Beringer Commons. We followed all of the city of Urbana's rules, and Beringer Commons rules. We were told that the empty corner at High Cross and University Ave was zoned for a high class restaurant, coffee shop (like Starbucks), or/and a store. Aldi's is not exactly high class, but I don't have any problems with it being there.

Across University Ave is industrial type buildings, the Post Office, carpet store, etc and I **think** there is already a self storage business hidden a ways back from High Cross road. I do not understand why this area would need a second self storage business, and why it would choose a location so close to people's homes. Maybe they could build it next door to their home. I would not want to live in the condos near that corner.

I would assume a self storage business would have night lighting. That would interfere with people trying to sleep. I've seen people working on their cars, etc. At the self storage units on route 45 and Airport road. I think some people use their unit as a workshop. Those uses would cause noise pollution and dirt. There could be chemicals and paint and other items that could burn easily and/or produce unhealthy fumes.

I've also been told personally by some down on their luck individuals that they have slept in their unit when they did not have a home, or car to sleep in.

The storage units, the concrete parking, and roads would cause drainage problems that could cause flooding in Beringer Commons.

There are so many more problems that you have probably already heard, traffic backup, theft, etc.

Thank you for reading my letter and considering the problems a self storage business could cause our neighborhood.

Mary Johnson  
[REDACTED]

Urbana, IL 61802

## Olsen, Nicholas

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**From:** Igor Kalnin [REDACTED]  
**Sent:** Saturday, October 14, 2023 1:39 PM  
**To:** Olsen, Nicholas  
**Subject:** Concern about self-storage units on High Cross Road

**\*\*\* Email From An External Source \*\*\***

Use caution when clicking on links or opening attachments.

Dear Mr. Olsen,

My name is Igor Kalnin; I live at [REDACTED] Urbana, IL 61802 with my wife Rochelle Sennet. We recently learned about the proposal to build self-storage units at 205 North High Cross Road, right behind the condos in Beringer Commons.

I am writing to express our concerns regarding such developments, and we respectfully ask the Board to reconsider the zoning request so the storage units could be moved to a different location. We live in a peaceful, quiet subdivision, with minimal light pollution and noise, and it was one of the reasons we moved to this neighborhood. We are worried that the increased traffic, noise and lights (possibly at night) will negatively affect the well-being and property value of the Beringer Commons residents. We would be very grateful if our request to move the self-storage units to a different location will be considered.

Sincerely,  
Igor Kalnin

--

Igor Kalnin, D.M.A.  
[REDACTED]

**Olsen, Nicholas**

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**From:** Trimble, Vicki L [REDACTED]  
**Sent:** Friday, October 13, 2023 9:37 AM  
**To:** Olsen, Nicholas  
**Subject:** Storage Units Opposition

**\*\*\* Email From An External Source \*\*\***

Use caution when clicking on links or opening attachments.

Dear Mr. Olsen...

I live in Beringer Commons, and it has come to our attention that the zoning board is looking at redesigning where commercial space can be placed thus allowing a storage facility to be put by the Aldi's just outside of the Beringer property.

This is a terrible idea for many reasons.

As a homeowner and a taxpayer of \$15,000 a year, this will definitely depreciate the value of my home. And I'm guessing you're not prepared to lower my taxes when that happens???

It will be a terrible eyesore for our properties that are located right next to those facilities. Security issues will occur, there will be lighting overnight, noise levels will increase, the runoff from their drives could become a terrible problem...this is definitely not something that should be placed next to a high end residential subdivision.

Please do not allow such a situation to occur.

A storage facility should be tucked into or behind an already existing industrial-business type area, and not high end residential areas.

There's so much other space around Champaign County that would be much more appropriate for such a facility.

I understand there's a meeting next Wednesday that I will be attending.

If you'd like to talk with me further about this, my number is [REDACTED] I live [REDACTED]

Please do not allow a storage, container facility to be built next to Beringer Commons property.

Thank you...Vicki Trimble

Sent from my iPhone

## Olsen, Nicholas

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**From:** Bob Withers [REDACTED]  
**Sent:** Friday, October 13, 2023 10:13 AM  
**To:** Olsen, Nicholas  
**Subject:** Rezoning

**\*\*\* Email From An External Source \*\*\***

Use caution when clicking on links or opening attachments.

Mr. Olsen,

I am writing in objection to the conditional permit for 205 High Cross Road. I live the Beringer Commons subdivision and am concerned about this building being out of character with upscale subdivision, close proximity to condos, light, noise, and security issues. I also questioned whether the runoff from a parking lot could be handled by the present drainage ditches. There may possibly be security lights on at night which would disturb our residents.

Please take this under consideration in making your decision.

Thank you,

Bob Withers  
[REDACTED]  
Urbana, IL

## Olsen, Nicholas

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**From:** Venkatesh Yekkirala [REDACTED]  
**Sent:** Friday, October 13, 2023 9:11 AM  
**To:** Olsen, Nicholas  
**Subject:** [\*\*\* SPAM \*\*\*] PROPOSED SELF STORAGE UNIT ON HIGHCROSS

**Importance:** Low

**\*\*\* Email From An External Source \*\*\***

Use caution when clicking on links or opening attachments.

Hello Mr. Olsen,

I reside at [REDACTED] Urbana, IL 61802, which is behind Aldi and in close proximity to the location of the proposed storage units.

I am writing to express my opposition to the proposed Storage Units by Aldi on Highcross. The reasons are that this would be out of character with the upscale subdivision Beringer Commons, where we have paid high taxes on high assessed values for over 2 decades, close proximity to condos, light, noise, and security issues. Some are also questioning whether the runoff from a parking lot could be handled by the present drainage ditches. There may possibly be security lights on at night which would disturb our residents.

Thanks,

Venkatesh Yekkirala

## MINUTES OF A REGULAR MEETING

### URBANA ZONING BOARD OF APPEALS

### APPROVED

**DATE:** October 18, 2023

**TIME:** 7:00 P.M.

**PLACE:** Council Chambers, City Building, 400 South Vine Street, Urbana, Illinois

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**MEMBERS ATTENDING:** Joanne Chester, Ashlee McLaughlin, Adam Rusch, Harvey Welch

**MEMBERS EXCUSED:** Matt Cho, Nancy Uchtmann, Charles Warmbrunn

**STAFF PRESENT:** Kimberly Smith, Director of Community Development Services; Nick Olsen, Planner I; Marcus Ricci, Planner II; UPTV Camera Operator

**PUBLIC PRESENT:** Joanne Budde, Barbara Franzen, Gary & Doris Gebauer, Jeff & Grace Harshbarger, Lori Martinsek, Joseph Nuckolls, Wes Taylor, Vicki Trimble, Jim & Marla Tucker

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#### 1. CALL TO ORDER and ROLL CALL

Chair Welch called the meeting to order at 7:01 p.m. Roll call was taken, and he declared a quorum of the members present.

#### 2. CHANGES TO THE AGENDA

There were none.

#### 3. APPROVAL OF MINUTES of PREVIOUS MEETING

The minutes of the July 19, 2023 regular meeting were presented for approval. Ms. Chester moved that the Zoning Board of Appeals approve the minutes as written. Mr. Rusch seconded the motion. The minutes were approved by unanimous voice vote.

#### 4. CONTINUED PUBLIC HEARINGS

There were none.

**NOTE:** Chair Welch swore in members of the audience who wished to speak during a public hearing.



## 5. NEW PUBLIC HEARINGS

### **ZBA-2023-C-05 – A request by Wes Taylor, on behalf of Taylor Construction and Design, LLC, for a conditional use permit to allow a self-storage facility at 205 North High Cross Road in the B-3 (General Business) Zoning District.**

Chair Welch opened the public hearing for Case No. ZBA-2023-C-05. Nick Olsen, Planner I, began by noting that the applicant is P.K. Elledge, LLC, although the application was submitted online by Wes Taylor on behalf of the applicant. He stated that he received many communications in objection to the proposed self-storage use. He reviewed the written staff report and reviewed the criteria for a conditional use permit according to Section VII-2 of the Urbana Zoning Ordinance. He stated the options of the Zoning Board of Appeals and presented staff's recommendation for approval with the following conditions:

1. The self-storage facility shall generally conform to the site plan submitted as part of the application.
2. The self-storage facility's operating hours shall be between the hours of 7:00 a.m. and 10:00 p.m.

Chair Welch asked if any members of the Zoning Board of Appeals had questions for City staff.

Ms. Chester inquired about conditional use permits. Mr. Olsen explained the purpose of conditional use permits to be for uses that may be compatible with the zoning district but require individual consideration depending on the context.

Mr. Rusch asked if U-Haul wanted to build a truck rental on the proposed site, then would they be allowed to build it by right? Mr. Olsen said if truck rental use is on the list of permitted uses, then that is correct.

With there being no further questions for City staff, Chair Welch invited the applicant to approach the Board to speak on behalf of his request.

Wes Taylor approached the Zoning Board of Appeals to speak on behalf of P.K. Elledge, LLC. He stated that there are several permitted uses in this zoning district that would have greater impact on the community that surrounds the proposed site. He mentioned that they planned to have limited hours of operation, security in place, and a gate.

Joanne Budde approached the Zoning Board of Appeals to speak in opposition of the proposed request. She stated that she is not opposed to business, just this type of business being constructed in her back yard. She feels it will lower property values of the neighboring property owners. She talked about the history of the zoning of the subject property and stated that she would like to see it be rezoned back to B-1 (Neighborhood Business). She talked about how there are other vacant lots that would be more appropriate for this type of use. She stated that a self-storage facility would not preserve the essential character of Beringer Commons Subdivision. She expressed concern about the hours of operation, no staff being present on the site, and no trash receptacles.

Vicki Trimble approached the Zoning Board of Appeals to speak in opposition. She stated that Beringer Commons is a higher-end subdivision. She expressed concern about her property's value

decreasing if the proposed use is allowed and stated that the residents in the neighborhood want a business use that would complement and be low-impact on the surrounding neighborhood.

Gary Gebauer approached the Zoning Board of Appeals to speak in opposition. He noted other businesses located on High Cross Road and stated that there are six other storage facilities located in Urbana. He said that there are 280 taxpayers who each pay \$15,000 or more in property taxes every year, and he did not feel that the City would find too many favorable votes of the proposed use.

Jeff Harshbarger approached the Zoning Board of Appeals to speak in opposition. He noted his background and stated that the subject property is not a good location for a self-storage facility.

James Tucker, President of HOA 453 – Secondary Homeowner’s Association of Beringer Commons, approached the Zoning Board of Appeals to speak in opposition. He talked about a vacant property located at 3001 Rutherford Drive, which is currently for sale. This property is located 20 feet from where the proposed self-storage facility would be constructed. He felt the use is wrong for the neighborhood, and it is wrong for the Zoning Board of Appeals to already have made their decision without hearing the opinions of the adjacent neighborhood.

Wes Taylor reapproached the Zoning Board to respond to the neighbors’ concerns. He stated that he values their input and gave examples of some of the uses that would be allowed by right that would have a negative impact on the neighborhood: an adult entertainment store, a cannabis dispensary, a liquor store, a tavern/nightclub, a mortuary, or a gaming hall. If he lived in a neighborhood such as Beringer Commons, he would be outraged about the possibility of one of these permitted uses being allowed without any input or review.

With regards to security, Mr. Taylor noted that they plan to provide security and lighting. Traffic would be accessed from IL Route 130 (North High Cross Road), and there is no reason for traffic to enter through Beringer Commons. He pointed out that they also plan to construct a sidewalk to connect the existing sidewalks to provide a thoroughfare for pedestrians. He mentioned that he is not aware of any studies or research that shows that self-storage complexes adversely affect property values of surrounding properties. They intend to build something nice and would not allow anything that would be unsightly or an eye sore for the community, the neighbors, or anyone else.

Mr. Rusch asked about the rezoning of the subject property in 2020. Mr. Olsen explained that the rezoning was prompted by OSF Healthcare’s purchase of the land, and their plans to construct a clinic on the site.

Mr. Rusch asked if Aldi’s lot was still zoned B-1. Mr. Olsen said yes.

Mr. Rusch asked if the Aldi lot and the proposed lot would be part of the Beringer Commons HOA. Mr. Taylor stated that they received confirmation that they would not need approval from Aldi or the Beringer Commons HOA for the proposed use.

Mr. Gebauer reapproached the Zoning Board of Appeals. He asked how they could go about getting the subject property rezoned back to B-1, so that more fitting uses could go in there. Ms. Budde added that the uses that Mr. Taylor mentioned might be allowed under a B-3 zoning but they would not be allowed in B-1.

Mr. Harshbarger reapproached the Zoning Board of Appeals. He stated that it seemed everyone wanted economic development, but what about the citizens and community development. Ms. Trimble stated that she agreed, and it seemed like they were being punished.

Mr. Rusch asked if the Beringer Commons HOA had looked into purchasing the property.

Ms. McLaughlin stated that she never would like to hear that the residents would be unhappy in any neighborhood. However, considering the qualifications that they have to consider, it seemed to her to be a good site for the proposed use. The entry points will not be through Beringer Commons neighborhood. There is already screening. There is highway access. The property is already zoned appropriately. Therefore, it seems difficult for her to not approve the request. It would be hard to prove that the proposed use would lower property values. In her research, she could not find complaints of the impact of other storage units on surrounding neighborhoods.

Mr. Trimble reapproached the Zoning Board of Appeals. He mentioned that the Beringer Commons HOA does not allow the residents of Beringer Commons to install certain types of sheds because it would devalue their properties. The proposed buildings would be like big machine sheds being located just outside a fence. The applicant does not intend to provide any staff, so who would police or enforce rules and regulations on the site? She alleged that once it is built and the applicant is raking in the money, he won't care, and he says he will care because he wants to get approval for his proposed use. He is worried that people will discard and dump belongings right outside the entrance to their subdivision. Ms. McLaughlin replied that that is outside of the HOA's control and on the other side of a wall. She stated that as much as she would like to control the properties around her, it is not a reality we have.

Mr. Harshbarger reapproached to reiterate the need for community development over economic development.

Ms. Budde reapproached the Board to suggest that if the Zoning Board approves the request, that they also consider how it will look from the street.

Mr. Gebauer reapproached the Board to say that the City should rezone the property back to B-1. He mentioned that there is already a large storage facility across East University Avenue, just south of the Urbana Post Office.

Mr. Rusch stated that the Zoning Board of Appeals is not qualified nor empowered to make the decision of whether the subject property should be zoned B-1 or B-3. A rezoning decision is up to the Plan Commission and City Council. The Zoning Board of Appeals only considers whether requests for variances or conditional use permits meet the criteria in the Zoning Ordinance.

Ms. Trimble reapproached the Zoning Board of Appeals to ask if the Board members would table this case to allow the HOA time to get the property rezoned or figure out a way to purchase the property. The neighborhood did not know this was an issue until the proposed conditional use permit popped up. Marcus Ricci, Planner II, stated that the property is privately owned. The owner is able to sell the property to whomever they would like. The applicant has submitted a request for a conditional use permit to construct a self-storage facility. It would be inappropriate and unfair for the City to table his request to allow someone else to purchase the property.

As for rezoning the subject property, Mr. Ricci explained that it would be the purview of the owner, someone acting on behalf of the owner, the Plan Commission, or City Council to request rezoning of a property. The City would not table a standing request to allow someone else to rezone the property. Mr. Olsen noted that the rezoning that occurred in 2020 required a mailed notification to property owners within 250 feet of the subject property. City staff also posted a sign on the subject property and a legal notice in the News Gazette.

Members of the audience freely argued with City staff about the notification process.

Ms. Budde reapproached the Zoning Board of Appeals to inquire what the process is for approving a conditional use permit when there is opposition from the surrounding neighborhood. Mr. Ricci explained that the Zoning Board of Appeals reviews written comments and listens to comments that the public make during the public hearing. The Zoning Board of Appeals then makes a determination.

With there being no additional input from the audience, Chair Welch closed the public input portion of the hearing and opened it for discussion and/or motion(s) of the Board.

Ms. Chester stated that she was opposed to the proposed request. She did not believe that it was an appropriate use for the subject property.

There was an open discussion about the required vote. Not everyone involved was using a microphone so not all of the conversation could be transcribed. Mr. Olsen read the vote requirements from the Zoning Ordinance, which requires a simple majority of the board unless a valid written protest was filed with the Secretary of the Zoning Board of Appeals; then a 2/3 majority vote in favor would be required to approve a conditional use permit.

Chair Welch brought the meeting back to order. He stated that it is clear the audience is in opposition to the proposed request.

Ms. McLaughlin moved that the Zoning Board of Appeals approve Case No. ZBA-2023-C-05 with the following conditions:

1. The self-storage facility shall generally conform to the site plan submitted as part of the application.
2. The self-storage facility's operating hours shall be between the hours of 7:00 a.m. and 10:00 p.m.

Mr. Rusch seconded the motion. Roll call on the motion was as follows:

Ms. McLaughlin	-	Yes	Mr. Rusch	-	Yes
Mr. Welch	-	No	Ms. Chester	-	No

The motion failed due to the lack of a simple majority vote.

**6. UNFINISHED BUSINESS**

There was none.

**7. NEW BUSINESS**

There was none.

**8. PUBLIC INPUT**

Communications received regarding Case No. ZBA-2023-C-05:

- Email from Christy Donovan
- Email from Gary & Doris Gebauer
- Email from Scott Glassman
- Email from Jeff and Grace Harshbarger
- Email from Rich & Deb Hissong
- Email from Foster & Theresa Hoffman
- Email from Mary Johnson
- Email from Igor Kalnin
- Email from Vicki Trimble
- Email from Bob Withers
- Email from Venkatesh Yekkiral

**9. STAFF REPORT**

There was none.

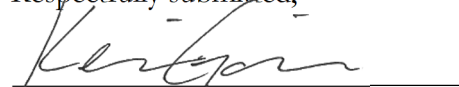
**10. STUDY SESSION**

There was none.

**11. ADJOURNMENT OF MEETING**

The meeting was adjourned at 7:57 p.m.

Respectfully submitted,



Kevin Garcia, Secretary  
Zoning Board of Appeals



# Exhibit D

## MEMORANDUM

Date: October 27, 2023

To: Carol Mitten, City Administrator  
Kimberly Smith, Community Development Services Director  
Kevin Garcia, Principal Planner/Zoning Administrator  
Nick Olsen, Planner I

From: David B. Wesner, City Attorney

Re: ZBA-2023-C-5, Conditional Use Permit - 205 N. High Cross Road

I received a phone call from the attorney for the applicant in the above-referenced ZBA case. I also received a letter from the attorney explaining the position of the applicant with regard to the hearing and decision of the ZBA. I have also met with you to discuss the hearing and decision. I have had a chance to review the material regarding the case, the letter from the attorney and the City's Zoning Code. This memo is to outline my opinion concerning the case and the decision made by the ZBA.

The letter from the attorney indicated that it was a request for appeal of the decision. The letter cited Article XI-3.D as the basis for an appeal as of right. The pertinent language of that Article provides: "The following shall govern for all appeals from any order, requirement, decision or determination made by the Zoning Administrator under this ordinance." Article XI-7 provides that the Zoning Administrator is designated by the Community Development Services Director. Based upon the language of Article XI-3.D, appeals are from actions taken by the Zoning Administrator and not the Zoning Board of Appeals. Therefore, I disagree that Article XI-3.D provides an appeal as of right from the decisions of the Zoning Board of Appeals. Section XI-3.B.9 provides: "Except for the Board's recommendation on a major variance, no decision of the Board shall be subject to review, modification, or reversal by the City Council or any City Official, but shall be subject to judicial review pursuant to the provisions of the Illinois Administrative Review Act." Based upon Section XI-3.B.9, I do not find any right to administratively appeal the decision of the ZBA concerning the application for conditional use. Section XI-3.B.9 clearly indicates that the sole remedy for a party aggrieved by a decision of the ZBA concerning a conditional use permit is to seek judicial review.

Although I do not find a right to administratively appeal the decision made by the ZBA on the applicant's request for a conditional use permit, I do find that the decision is not legally sufficient under the City's Zoning Code. Section VIII-2 provides the procedures for requests for conditional uses. Section VIII-2.D

provides: “The Zoning Board of Appeals shall determine whether the reasons set forth in the application, and the evidence adduced during the public hearing, justify the granting of the conditional use based upon the criteria specified in Section VII-2.A.” Section VII-2.G provides: “The Secretary to the Zoning Board of Appeals shall prepare a decision sheet that states the Board’s findings of fact and decision concerning the requested conditional use for the Board Chair’s signature.” At the conclusion of the hearing, the ZBA did not make findings of fact pursuant to Section VIII-2.D and Section VIII-2.G. Due to the ZBA not establishing any findings of fact, the Secretary of the Board is not able to prepare a decision sheet with the required information. Therefore, I find the original discussion and vote of the ZBA on this application legally insufficient. As such, the ZBA will need to re-address its original discussion and resulting vote in order to more fully discuss the requirements of the Zoning Code, make findings of fact and conduct a vote based upon those findings of fact in order to comply with the requirements of the Zoning Code. I believe this can be accomplished through a motion to reconsider. The motion to reconsider will need to be made by a member whose original vote was on the prevailing side. Approval of the motion to reconsider will allow the discussion and vote to be re-opened such that relevant findings of fact based upon the criteria and requirements of the Zoning Code can be articulated in order to comply with the Zoning Code requirements for a legally sufficient decision. Please note that the motion to reconsider will NOT result in a re-hearing of the application. No new evidence would be submitted, no new testimony would be given, and no new questions to staff or the applicant concerning the application would be allowed. The ZBA would only be continuing their discussion on the case, establishing findings of fact, and conducting a vote based upon the record already created from the hearing in order to have a legally sufficient decision based upon the requirements of the Zoning Code. If the members of the ZBA who were absent during the meeting at which the hearing was conducted are present for the continuing discussion of this case, those members would be able to participate in the discussion and vote if they have reviewed the record, including the video of the hearing. Those members should state on the record that they have conducted that review as a basis for their participation in the discussion and vote.

The need to have a legally sufficient decision stands on its own based upon the Zoning Code requirements, but it is especially important in light of the only appeal recourse being judicial review.

If you have any questions or need assistance from me in delineating what would constitute legally sufficient findings of fact that the ZBA would need to make, please let me know and I can address those in a separate memo.

*David B. Wesner*

# Exhibit E

## MEMORANDUM

To: City of Urbana Zoning Board of Appeals

From: Kyle J. Emkes, Attorney for PK Elledge Development LLC

Date: November 15, 2023

Re: Conditional Use Permit (ZBA-2023-C-5) For Self-Storage Facility at 205 North High Cross Road, in the B-3 (General Business) District

### Preface

PK Elledge Development LLC (“Applicant”) timely submitted an application for a Conditional Use Permit for a proposed self-storage facility at 205 North High Cross Road, Urbana, IL. Although, Applicant satisfied all three criteria established by the City of Urbana for Conditional Use Permits, Applicant’s Conditional Use Permit was not approved at the last ZBA regular meeting, held on October 18, 2023. The decision of the ZBA not to approve Applicant’s Conditional Use Permit was legally insufficient under the requirements of the Zoning Code. As such, the ZBA has chosen to reconsider the case for additional discussion and vote. Any reconsideration by the ZBA must include a discussion and determination pursuant to the requirements of the Zoning Code, whereby the ZBA makes findings of fact regarding the application as a basis for a decision.

The purpose of this Memorandum is to serve as a review of record and reiteration of evidence established at the last ZBA regular meeting, on October 18, 2023. This Memorandum will affirm that Applicant satisfied all three criteria at the last ZBA regular meeting and that Applicant has the approval of the City of Urbana Planning Commission Staff, who agree that all three criteria have been met.

### **Conditional Use Permit Criteria**

Applicant has proven that their application for a Conditional Use Permit (ZBA-2023-C-5) satisfies all three established criteria. The City of Urbana has established three criteria when determining whether to approve a Conditional Use Permit:

1. That the proposed use is conducive to the public convenience at that location;
2. That the proposed use is designed, located, and proposed to be operated so that it will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious or detrimental to the public welfare; and
3. That the proposed use conforms to the applicable regulations and standards of, and preserves the essential character of, the district in which it shall be located, except where such regulations and standards are modified by Section VII-6 of the Ordinance.

Applicant satisfied the first criteria by establishing the community's need for a self-storage facility. Earlier this year, the ZBA approved a Conditional Use Permit for an expansion of another self-storage facility in Urbana, IL, which serves as evidence that self-storage facility providers are operating at capacity and, therefore, are seeking expansion to accommodate public demand. Currently, the area surrounding 205 North High Cross Road, Urbana, IL, only has one other self-storage facility. Approval of this Conditional Use Permit would allow the community greater options and convenience when seeking self-storage facilities. Furthermore, approval of this Conditional Use Permit would allow for a sidewalk to be constructed for the benefit of the public. In sum, Applicant's use would be conducive to the public convenience at that location.

Applicant satisfied the second criteria by showing that the building of the proposed self-storage facility is unlikely to increase traffic or noise in the area. Currently, there are other B-3 area businesses surrounding the area. It is unlikely that the proposed self-storage facility would cause an increase in traffic, noise, or other detrimental impact. In

addition, Applicant expressed a willingness to limit business hours, operating only from 7:00 am to 10:00 pm, to ensure minimal injurious or detrimental impact to the public. Applicant also ensured that they did not intend to permit large vehicles or unsightly fixtures to be present at the self-storage facility. Furthermore, the proposed self-storage facility is surrounded by a mix of businesses, offices, agricultural uses and industrial uses. The nearest residences are divided off from the proposed self-storage facility either by a wall or highway. In sum, Applicant's use would not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious or detrimental to the public welfare.

Applicant satisfied the third, and final, criteria because they established that the use would comply with all applicable B-3 area regulations and standards. Applicant has not requested any variances, and fully intends to comply with existing regulations and standards. Applicant has shown that the proposed self-storage facility would be compatible with the already existing, neighboring B-3 businesses. Applicant's proposed self-storage facility conforms to the applicable regulations and standards of, and preserves the essential character of, the district in which it shall be located.

#### **City of Urbana Planning Commission Staff Recommendation**

During the last ZBA regular meeting, held on October 18, 2023, the City of Urbana Planning Commission Staff recommended that the ZBA approve Applicant's Conditional Use Permit, with the following conditions:

1. The self-storage facility shall generally conform to the site plan.
2. The self-storage facility's operating hours shall be between the hours of 7:00 am and 10:00 pm.

Nick Olson, on behalf of the City of Urbana Planning Commission Staff, prepared a statement in support of the Conditional Use Permit. Mr. Olson also emphasized that the criteria for a Conditional Use Permit have been met by Applicant.

### **Conclusion**

As mentioned, any reconsideration by the ZBA must include a discussion and determination pursuant to the requirements of the Zoning Code, whereby the ZBA makes findings of fact regarding the application as a basis for a decision.

Applicant's application for a Conditional Use Permit (ZBA-2023-C-5) satisfies all three criteria established by the City of Urbana for Conditional Use Permits. There is no evidence that proves that any of the aforementioned criteria have not been met. Furthermore, Applicant has the approval of the City of Urbana Planning Commission Staff, who agree that all three criteria have been met.

November 14, 2023

**By hand delivery**

**To:** Kimberly Smith, City of Urbana Community Development Services Director and Secretary of the Urbana Zoning Board of Appeals

**From:** Beringer Commons Homeowner's Association, Inc. ("Beringer Commons HOA"), by and through its Attorneys, Meyer Capel, *A Professional Corporation*, by Alyx J. Parker

**Re:** **ZBA-2023-C-5, Conditional Use Permit – 205 N. High Cross Road**

Dear Ms. Smith:

My firm represents Beringer Commons HOA with respect to the above-referenced conditional use permit application before the Urbana Zoning Board of Appeals ("ZBA").

As described below, the ZBA is not required to include a decision sheet for its October 18, 2023 vote on the application to be legally sufficient, and the allowed time period for a motion for reconsideration has passed. Therefore, the applicant's remedies are to either 1) refile its application, or 2) seek judicial review in a court of law.

Although the ZBA held a public hearing on the application and voted on the matter at its October 18, 2023 meeting, the residents in the area surrounding the subject property received a letter from Mr. Kevin Garcia, dated November 1, 2023, informing them the ZBA would be voting on the matter again.

In that letter the residents were informed that it was the opinion of the City Attorney that the vote was legally insufficient and, accordingly, the City Attorney recommended the ZBA "'reconsider' the case and present findings of fact" on the application. The letter further stated that the ZBA could make a motion to reconsider, and if that motion passed, the ZBA would continue its discussion "so that legally sufficient findings of fact . . . may be presented with the deciding vote." Significantly, the letter stated that this process would not be a rehearing of the case and would not involve presentation of new evidence or testimony.

Included with the ZBA packet for the upcoming November 15, 2023, meeting, is a memorandum from the City Attorney in which he outlines his support for the process presented in Mr. Garcia's letter. The City Attorney's reading of the City's ordinance is inaccurate and misapplied to the above-captioned application. Therefore, it is imperative that the ZBA is aware of the following three points.



**1. The ZBA's October 18, 2023, "No" Vote Does Not Require a Decision Sheet to be Legally Sufficient.**

Section VII-2 does not require a decision sheet for a ZBA "no" vote to be legally sufficient. Section VII-2, entitled "Conditional Use Procedures", begins with the following:

"Except as otherwise provided herein, the Zoning Administrator shall not permit a conditional use until expressly authorized by the Zoning Board of Appeals and the following procedure is completed:"

That Section then presents eight subsections with requirements lettered A through H that must be completed in order for the Zoning Administrator to permit the conditional use. Subsection E provides that the ZBA shall authorize or deny the requested conditional use, and Subsection G provides that the ZBA Secretary shall prepare a decision sheet stating the ZBA's findings of fact.

These two subsections are independent of one another. The vote under Subsection E is not contingent upon Subsection G in any way. Therefore, Subsection G has no bearing on the legal sufficiency of the vote by the ZBA under Subsection E.

Furthermore, in the event of a "no" vote (as was rendered by the ZBA on the application at the October 18, 2023, meeting) a decision sheet becomes unnecessary because the Zoning Administrator has not been authorized by the ZBA to permit a conditional use, irrespective of a decision sheet. Notably, the language of Subsection H supports this conclusion where it states that the Secretary shall record a copy of the decision sheet and forward a copy to the applicant "if the Board approves the conditional use." If the ZBA's vote (provided for in Subsection E) denies the conditional use, then these steps in Subsection H are not needed.

Thus, the lack of a decision sheet did not render the ZBA's October 18, 2023, vote on the application legally insufficient and there is no need to "reconsider" the case for the ZBA's October 18, 2023, decision to be valid and final.

**2. A Motion to Reconsider is Improper.**

Moreover, the time for a motion to reconsider has passed. Neither the Urbana Zoning Ordinance nor the City of Urbana Rules of Procedure for the Zoning Board of Appeals provide for a motion to reconsider. The Board's Rules of Procedure do, however, in Article III, Section 7, state that "Robert's Rules of Order shall be the official rules of the Zoning Board of Appeals except when they conflict with the officially adopted Rules of Procedure, in which case, the Rules of Procedure, shall govern."

Section 37 of the current edition of Robert's Rules of Order (12th ed.) governs motions to reconsider. The City Attorney, in his memorandum, notes that the motion to reconsider must be made by a member of the prevailing side of the vote in question. This requirement is found in subsection 37:8 (a) of Robert's Rules of Order. Importantly, the very next sentence of Robert's Rules of Order, subsection 37:8 (b) states that a motion to reconsider

*must be moved either on the same day the original vote was taken or on the next succeeding day within the same session on which a business meeting is held.*

Seeing as the original vote for subject Conditional Use Permit application was taken on October 18, 2023, the time for a motion to reconsider expired, at the very latest, on the next succeeding day, that being October 19, 2023. Therefore, a motion to reconsider the October 18, 2023, vote on the application would be untimely and improper at the upcoming November 15, 2023, ZBA meeting.

**3. Beringer Commons HOA is Entitled to File a Valid Written Protest Ahead of the November 15, 2023, Meeting.**

Finally, alternatively and in the event the ZBA continues on with its improper reconsideration of the October 18, 2023, meeting with additional voting, Beringer Commons HOA is allowed to submit a valid written protest under the Urbana Zoning Code. Section XI-11 outlines protest procedures. The second paragraph of Section XI-11 states that a valid written protest against a proposed conditional use permit "shall be filed with the Secretary of the Zoning Board of Appeals *prior to the commencement* of the meeting at which a vote of the proposed conditional use permit is taken" (emphasis added).

According to Mr. Garcia's letter and the City Attorney's memorandum, a vote on the application is contemplated for November 15, 2023. Section XI-11's *only* timing requirement for a written protest to be valid is that it be filed prior to the commencement of the meeting at which a vote is taken. Thus, because a vote is contemplated at the November 15, 2023, meeting, any protest filed prior to the commencement of that date would be valid with respect to a vote on the application at that meeting.

Consequently, included with this letter is a written protest signed by owners of greater than 40% of the lots within the protest area. The lots within the protest area were provided to Beringer Commons HOA by Mr. Garcia in a spreadsheet and represented as the lots satisfying Section XI-11's 250-foot requirement. The written protest includes the common street addresses of those signing the document and identifies the properties within the protest area each signatory owns.

Accordingly, upon receipt of this letter and the attached written protest, in the event the ZBA continues on with its improper reconsideration of the October 18, 2023, meeting with additional voting at the November 15, 2023, meeting, such voting to approve Case No. ZBA-2023-C-05 will require a 2/3 "yes" vote to approve, as stated in Article III, Section 6 of the ZBA's Rules of Procedure.

Sincerely,  
Meyer Capel, A Professional Corporation

By:

  
Alyx J. Parker, One of Its Attorneys

**By electronic mail**

Cc: David B. Wesner, City Attorney - ([dwesner@efbclaw.com](mailto:dwesner@efbclaw.com))  
Carol Mitten, City Administrator - ([cjmitten@urbanaillinois.us](mailto:cjmitten@urbanaillinois.us))

Kevin Garcia, City of Urbana Principal Planner  
& Zoning Administrator - ([kjgarcia@urbanaillinois.us](mailto:kjgarcia@urbanaillinois.us))

Nick Olsen, Planner 1 - ([njolsen@urbanaillinois.us](mailto:njolsen@urbanaillinois.us))

Kimberly Smith, City of Urbana Director of the Community Development Services and  
Secretary of the City of Urbana Zoning Board of Appeals - ([kismith@urbanaillinois.us](mailto:kismith@urbanaillinois.us))

Written protest against City of Urbana Zoning Board of Appeals  
Case No. **ZBA-2023-C-05**: A request by Wes Taylor, on behalf of Taylor Construction and Design, LLC, for a conditional use permit to allow a self-storage facility at 205 North High Cross Road, in the B-3 (General Business) district.

The list of properties in this table was provided by the City of Urbana as the list of owners within 250 feet of the subject property in Urbana Zoning Board of Appeals Case No. ZBA-2023-C-05.

Each property owned by a signatory of the petition presented on subsequent pages of this written protest is assigned a number in the "SIGNED" column of this table.

34 total properties

40% of 34 = 13.6 (14 signatures required for valid written protest)

PIN	NAME	ADDRESS	ADDRESS2	CITY	STATE	ZIP	SIGNED
912110407021	ALDI INC	RYAN TAX COMPLIANCE SERVICES LLC	PO BOX 460049	HOUSTON	TX	77056-8049	
912110406023	BERINGER COMMONS HOME OWNERS ASSOC C/O BERINGER ASSOC	401 BERINGER		URBANA	IL	61802	1
912110407050	BLAS, ANTONI LEON B & MCBRIDE, DONALD C & MYUNG HEE	3011 RUTHERFORD DRIVE		URBANA	IL	61802	
912110407020	BOLTON JIMMIE D	2823 RUTHERFORD DR		URBANA	IL	61802-8401	
912110406027	CONNOLLY PATRICK & CYNTHIA	2832 RUTHERFORD DR		URBANA	IL	61802-8402	2
912110407049	DONOVAN CHRISTY	3013 RUTHERFORD DRIVE		URBANA	IL	61802	3
912110406030	FRANZEN RONALD & BARBRA	2838 RUTHERFORD		URBANA	IL	61802	4
912110407048	GERDES LARRY	3019 RUTHERFORD DRIVE		URBANA	IL	61802	
912110407054	HEADLEY, LYNDON B & HEADLEY, ALICE M & HEADLEY, BRIAN L	3003 RUTHERFORD DRIVE		URBANA	IL	61802	5
912110407019	HISSENG RICHARD & DEBORAH	2821 RUTHERFORD DR		URBANA	IL	61802-8401	6
302111351002	JGP HOUSING DEVELOPMENT	921 W WOODLAWN ROAD		NEW LENOX	IL	60451-3338	
912110406025	JOHNSON KENNETH E & BETTY J	PO BOX 176		ANNA MARIA	FL	34218	7
912110406028	MARTINEK ADAM & LORELEI	2834 RUTHERFORD DR		URBANA	IL	61802-8402	8
912110407018	MATEJKOWSKI DALE & LYNDA TRUSTEES	2919 E RUTHERFORD DRIVE		URBANA	IL	61802	9
912110406026	MEIER BRIAN	960 STATE ROUTE 25		OSWEGO	IL	60543	
912110406029	NAPA BALASUBRAMANYAN & ESWARI	2836 RUTHERFORD DR		URBANA	IL	61802	
912110406031	NUCKOLLS IDA JEANETTE TRUSTEE	2840 RUTHERFORD DR		URBANA	IL	61802	
912110406036	ONEILL COLLEEN M	2848 RUTHERFORD DR		URBANA	IL	61802-8402	10
912110407022	OSF HEALTHCARE SYSTEM	800 NE GLEN OAK AVE		PEORIA	IL	61603	
912110406011	REIFSTECK PATSY & BYERS GWENDOLYN	2822 E RUTHERFORD		URBANA	IL	61802	11
912110407055	REINHART MARY JEAN & GREGORY T	3001 RUTHERFORD DR		URBANA	IL	61802	
912110407053	RICHARDSON BECK LP	1608 WILLOW VIEW RD STE 1A		URBANA	IL	61802-7446	
912110406038	RICHARDSON IVAN	2882 RUTHERFORD DR		URBANA	IL	61802-8402	12
912110407052	ROGERS JILMALA D	3007 RUTHERFORD DR		URBANA	IL	61802	13
912110406034	ROGERS, JON A & BROWNFIELD, KRISTI A	2848 RUTHERFORD DR		URBANA	IL	61802	14
302111351001	SCHLORFF LARRY	2805 RUTHERFORD DR		URBANA	IL	61802-8401	15
912110406032	STANNARD ALBERT C & DIANE L	2842 RUTHERFORD DR		URBANA	IL	61802	16
912110406033	TUCKER JAMES L & MARLA D	2844 RUTHERFORD DR		URBANA	IL	61802	17
912110407048	VEAL BEN & JACKQUELINE	3015 RUTHERFORD DRIVE		URBANA	IL	61801	
912110407047	VEAL CHRISTOPHER BENJAMIN VEAL	3017 RUTHERFORD DR		URBANA	IL	61802	
912110406024	WAHLFELDT FREDERICK W & IRENE K	3017 RUTHERFORD DR		URBANA	IL	61802	18
912110407051	WEINZIERL RICHARD & JANELLE	409 N ABBEY ROAD		URBANA	IL	61802	
912110406036	WERRMEYER AMMIE LYNN	2860 E RUTHERFORD DR		URBANA	IL	61802	19
912110406012	YEKKIRALA VENKATESH SRI	2824 RUTHERFORD DR		URBANA	IL	61802-8402	20

# PETITION

## PROTEST TO A CONDITIONAL USE PERMIT, A SPECIAL USE PERMIT OR ANY TYPE OF VARIANCE FOR THE PURPOSE OF A SELF-STORAGE FACILITY AT 205 N. HIGH CROSS ROAD, URBANA, IL.

We, the undersigned, are strongly opposed to, and protest the issuance of a conditional use permit, a special use permit or any type of variance for the purpose of a self-storage facility on the property located at 205 N. High Cross Road, Urbana, IL.

We further believe that the B-3 zoning for this site is incorrect because many of the permitted uses of a B-3 lot are inappropriate for that area (e.g. adult entertainment, gas station, tavern) because it is immediately adjacent to single family homes and condominiums.

The reasons we are opposed are listed at the end of this petition. One of the primary reasons for our protest is that the proposed use does NOT preserve the essential character of the district in which it shall be located.

NAME

ADDRESS

Annula Wilkins	3029 Rutland Dr Urbana
Alce M. Wilkins	3029 Rutland Dr Urbana
Ilene Rogers	3007 Rutland Drive Urbana
Christy A. Moran	3013 Rutland Dr. Urbana
Mike Thomas	3021 RUTHERFORD DR URBANA
Lizbeth Rider	3023 Rutland Urbana
Delores Staeger	3031 Rutland Urbana
Patricia Hymen	3033 Rutland, Urbana
Linda C. Miller	3037 Rutland Urbana
Mike Pk	3011 Rutland Urbana
Deborah Hising	2921 Rutland Dr. Urb.
Wale MATKOWSKI	2919 Rutland Dr. Urb.

①

# PETITION

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NAME	ADDRESS
(VENKATESH YEKKIRALA)	2924 RUTHERFORD DR, URBANA, IL 61802
Fred Wahlfeldt	2926 RUTHERFORD DR " "
Adam T. Martinak	2934 Rutherford Dr Urbana IL 61802
Diane Stammen	2942 Rutherford Dr Urbana, 61802
Jim J. J. J.	2944 Rutherford Dr Urbana 61802
Mr. A. Rogers	2946 Rutherford Dr Urbana 61802
Colleen O'Neill	2948 E. Rutherford Dr. Urbana 61802
Holly Clemons	2911 Artesia Crossing Urbana 61802
Barbara Gatsche	2915 E. Rutherford Urbana 61802
Dale & Becky Crane	2901 Rutherford Dr. Urbana, IL 61802
Laura Waite	2702 E. Coddington Cir, Urbana, IL 61802
Ruth Connolly	2932 E. Rutherford Dr. Urbana IL 61802

(2)



# PETITION

## PROTEST TO A CONDITIONAL USE PERMIT, A SPECIAL USE PERMIT OR ANY TYPE OF VARIANCE FOR THE PURPOSE OF A SELF-STORAGE FACILITY AT 205 N. HIGH CROSS ROAD, URBANA, IL.

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NAME

ADDRESS

• Annmarie Werne Meyer 2950 Rutherford Drive Urbana, IL 61807  
• Jim Schloff 2905 Rutherford Dr. Urbana IL  
• Barla (Mrs. J. J.) 2938 Rutherford Urbana, IL 61802  
• 14 • 12 Norfolk 2940 RUTHERFORD URBANA, IL 61802  
• May R 2952 Rutherford Dr URBANA 61802

• Dianne Burdette, Secretary of the Beringer Commons HOA  
305 BERINGER Circle, Urbana, IL 61802

(3)



## PETITION

**PROTEST TO A CONDITIONAL USE PERMIT, A SPECIAL USE PERMIT OR ANY TYPE OF VARIANCE FOR THE PURPOSE OF A SELF-STORAGE FACILITY AT 205 N. HIGH CROSS ROAD, URBANA, IL.**

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NAME

ADDRESS

① Greg J. Johnson 2938 Rutledge Dr  
Urbana, IL 61802

SECRET  
 10-10-11

④



# PETITION

**PROTEST TO A CONDITIONAL USE PERMIT, A SPECIAL USE PERMIT OR ANY TYPE OF VARIANCE FOR THE PURPOSE OF A SELF-STORAGE FACILITY AT 205 N. HIGH CROSS ROAD, URBANA, IL.**

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NAME

**ADDRESS**

• Kay R Schloß 2405 E Rulenzford Urbana, IL

5

# PETITION

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NAME \_\_\_\_\_

**ADDRESS**

Brin A. Hardy 3003 Rutledge Ln. Ft. Lauderdale, FL 33309

6

## **PETITION**

### **PROTEST TO A CONDITIONAL USE PERMIT, A SPECIAL USE PERMIT OR ANY TYPE OF VARIANCE FOR THE PURPOSE OF A SELF-STORAGE FACILITY AT 205 N. HIGH CROSS ROAD, URBANA, IL.**

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Additional reasons for rejecting a storage facility include:

1. A visit to 12 self-storage facilities in Urbana revealed that there are NO self-storage units immediately adjacent to a residential neighborhood in all of Urbana. The reason is they are often quite disruptive due to increased lighting, traffic, noise, and visual industrial appearance.
2. The applicant states that a self-storage facility would fit into the neighborhood because it is primarily comprised of commercial and industrial type services and buildings. That is NOT true! Aldi's is zoned B-1 – a neighborhood business; and the surrounding area is residential and agricultural. High traffic commercial and industrial area are south of University Avenue.
3. The application does not demonstrate a need for self-storage units in the proposed area. Many of those self-storage units have vacancies and are even offering half price deals to rent the units.
4. That the proposed use does NOT preserve the essential character of the district in which it shall be located. The character of this area (Beringer Commons) is an upscale residential community where home sale prices range from \$250,000 for condominiums to as high as \$700,000 for single family homes. The proposed use would have metal storage units that would be higher than the separating wall, and would be clearly visible from the condominiums on the other side of the wall. This is not the essential character of our neighborhood. In the planning staff report on this, they considered that the proposed use is designed, located, and proposed to be operated so that it will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious to the public welfare.
5. The proposed self-storage facility would be open until 10 P.M. (Aldi's closes at 8 P.M.), and there will be lighting in the facility and the access areas 24/7, but it will be brighter until 10 P.M. every day. There will be no staff on site, and we expect that there will be trash and garbage left in the area, and most likely an occasional sofa or chair placed in the ditch between the facility and the entrance to Beringer Commons. Further, in visiting other storage facilities, we

found homeless people living in units, some people using their units as auto repair shops, some people having gatherings, where food was cooked on the premises, and music was playing. All of these activities associated with self-storage units would be very injurious and detrimental to our neighborhood.

6. In the case of LaSalle National Bank vs County of Cook, the Illinois Supreme Court developed a list of factors that are paramount in evaluating the legal validity of a zoning classification for a particular property, i.e. the extent to which property values are diminished by the zoning ordinance. While assessed property values may not decline, we believe (and have evidence) that the market value and sale-ability of homes and vacant lots will be negatively impacted. We have already seen two offers on a condominium withdrawn with just the prospect of a self-storage facility on the other side of the wall.

# PETITION

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NAME

ADDRESS

Don McBride	3008 Artesia Xing
George Martin	2809 Slayback St.
Wesley Tate	3008 Beringer Cir
Karsheng Pham	2818 Clarion Rd Urbana IL 61802
Lori Choquette	407 Beringer Cir. Urbana, IL 61802
William J. W. W. W.	401 Beringer Cir Urbana, IL 61802
Bob B.	402 Beringer Cir Urbana, IL 61802
Igor Katnig	2908 Artesia Xing, Urbana, IL 61802
Michael Ell	3009 Beringer Urbana IL 61802
Mark W.	2815 Hayden Dr. Urbana IL 61802
Sam B.	2803 SCLATBAIL ST Urbana IL 61802
Isiyanka Shingana	3003 Beringer Cir
Iftikhar Haider	2802 Slayback St



# PETITION

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NAME	ADDRESS
<i>Joey Brooks</i>	2805 CLARION RD, URBANA
<i>Ann Albrecht</i>	2904 Beringer Cir Urbana
<i>Matt Fells</i>	304 BERINGER CIR URBANA
<i>Pat Bell</i>	312 N. ARBEY RD, URBANA
<i>J. J. J.</i>	416 Ber: ngw Cir Urbana, IL
<i>Edith J. J.</i>	2705 E. Grayston St, Urbana, IL
<del><i>Heather Houghton</i></del>	<del>703 E. Dodson Dr. Urbana, IL</del>
<i>Sara McHenry</i>	2809 Clarion Rd Urbana, IL
<i>Ed. J. J.</i>	703 Beacon Hill Circle, URBANA, IL
<i>Lisa L. Pate</i>	3008 Beringer Circle, IL 61802
<i>- Didn't count this as part of total - added owner of 3008 Beringer Circle</i>	

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NAME

ADDRESS

Vicki L. Humble	2909 Beringer Circle Urbana IL
Bob C. Housick	302 N Beringer Cir Urbana IL
Nancy Manning	502 Beringer Cir. Urbana IL
John H. Housick	2901 Beringer Cir - Fred Lofgren
Maye Tarr	503 Beringer Circle URBANA, IL 61802
Gail Van Dyke	2905 Beringer Circle - Gail Van Dyke 61802
Jonathan & Mykeli Jackson	504 N BERINGER CIRCLE URBANA IL 61802
John H. Housick	501 N. Abbey Rd. Urbana, IL 61802
Jay D. Miller	501 n. Abbey Rd Urbana IL 61802
Frank Kuehl	4102 N ABBEY RD, Urb. IL 61802
Gloria Keelcy	2703 E. Graystone Ct Urbana, IL 61802
ATTAPhone Pienfay	2910 Beringer-Cr. Urbana, IL 61802
Laurie J. Cowan	3001 Beringer Urbana, IL 61804

(3)

# PETITION

## PROTEST TO A CONDITIONAL USE PERMIT, A SPECIAL USE PERMIT OR ANY TYPE OF VARIANCE FOR THE PURPOSE OF A SELF-STORAGE FACILITY AT 205 N. HIGH CROSS ROAD, URBANA, IL.

We, the undersigned, are strongly opposed to, and protest the issuance of a conditional use permit, a special use permit or any type of variance for the purpose of a self-storage facility on the property located at 205 N. High Cross Road, Urbana, IL.

We further believe that the B-3 zoning for this site is incorrect because many of the permitted uses of a B-3 lot are inappropriate for that area (e.g. adult entertainment, gas station, tavern) because it is immediately adjacent to single family homes and condominiums.

The reasons we are opposed are listed at the end of this petition. One of the primary reasons for our protest is that the proposed use does NOT preserve the essential character of the district in which it shall be located.

NAME

ADDRESS

Cindy Zerkow	3029 Rutherford Dr Urbana
PATRICIA J. JONES	1912 KATHLEEN DR URBANA
Tom Yarbey	2918 Rutherford, Urbana
Doreen Schuler	2909 Rutherford, Urbana, IL
Jessie	2913 RUTHERFORD, URBANA, IL

(4)

# PETITION

## PROTEST TO A CONDITIONAL USE PERMIT, A SPECIAL USE PERMIT OR ANY TYPE OF VARIANCE FOR THE PURPOSE OF A SELF-STORAGE FACILITY AT 205 N. HIGH CROSS ROAD, URBANA, IL.

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We further believe that the B-3 zoning for this site is incorrect because many of the permitted uses of a B-3 lot are inappropriate for that area (e.g. adult entertainment, gas station, tavern) because it is immediately adjacent to single family homes and condominiums.

The reasons we are opposed are listed at the end of this petition. One of the primary reasons for our protest is that the proposed use does NOT preserve the essential character of the district in which it shall be located.

NAME

ADDRESS

ARON COCHRAN - <del>Arion Cochran</del>	2701 CODDINGTON CIRCLE URBANA, IL 61802
JANNE BUDE <del>JANNE BUDE</del>	3005 BERINGER CIRCLE, URBANA, IL 61802
CELESTE CORVAUGHN-ESTES	2405 E Haydon Dr, Urbana 61802
Star Fries	404 BERINGER CIRCLE URBANA 61802
Julie Yagle - Booth	307 N. Abbey Rd, Urbana 61802
<del>John</del>	406 N Abbey Rd, Urbana 61802
Mary Fitzpatrick	3001 Berenger Cir Urbana 61802
Bob Shindler	3012 BERINGER Cir URBANA 61802
Debra Lee Newell	2908 Haydon Drive, Urbana 61802
Yolanda	309 N. Abbey Rd Urbana, IL 61802
Sammy POK	2740 Coddington Circle 61802
James E. Walker Jr	2711 E CODDINGTON CIRCLE 61802

(5)

# PETITION

## PROTEST TO A CONDITIONAL USE PERMIT, A SPECIAL USE PERMIT OR ANY TYPE OF VARIANCE FOR THE PURPOSE OF A SELF-STORAGE FACILITY AT 205 N. HIGH CROSS ROAD, URBANA, IL.

We, the undersigned, are strongly opposed to, and protest the issuance of a conditional use permit, a special use permit or any type of variance for the purpose of a self-storage facility on the property located at 205 N. High Cross Road, Urbana, IL.

We further believe that the B-3 zoning for this site is incorrect because many of the permitted uses of a B-3 lot are inappropriate for that area (e.g. adult entertainment, gas station, tavern) because it is immediately adjacent to single family homes and condominiums.

The reasons we are opposed are listed at the end of this petition. One of the primary reasons for our protest is that the proposed use does NOT preserve the essential character of the district in which it shall be located.

NAME

ADDRESS

Scott Glassman	2909 Artesia Xing 61802
Sandra Osterman	4101 N. Clarendon Rd. Urbana, IL 61802
Dendra Pfeiffer	206 N. Abbey Rd Urbana 61802
Karishma Muntashin	2807 Clarion Rd, Urbana
Richard <sup>Richard</sup> <del>Lampman</del> Lampman	702 N. Abbey Road, Urbana, IL
Catherine <del>Taylor</del> Taylor	704 N. Abbey Rd. Urbana IL
Malcolm Savarant	2903 Beringer Circle, Urbana, IL
Melanie Manner	2704 E Greystone Ct, Urbana IL 61802
James E. Mjaer	205 Beringer Circle
John M. Ambler	2906 Artesia Xing
Danessa Saville	202 N. Abbey Rd Urbana, IL
Michael Meer	2910 Slaybaker St

(6)

# PETITION

## PROTEST TO A CONDITIONAL USE PERMIT, A SPECIAL USE PERMIT OR ANY TYPE OF VARIANCE FOR THE PURPOSE OF A SELF-STORAGE FACILITY AT 205 N. HIGH CROSS ROAD, URBANA, IL.

We, the undersigned, are strongly opposed to, and protest the issuance of a conditional use permit, a special use permit or any type of variance for the purpose of a self-storage facility on the property located at 205 N. High Cross Road, Urbana, IL.

We further believe that the B-3 zoning for this site is incorrect because many of the permitted uses of a B-3 lot are inappropriate for that area (e.g. adult entertainment, gas station, tavern) because it is immediately adjacent to single family homes and condominiums.

The reasons we are opposed are listed at the end of this petition. One of the primary reasons for our protest is that the proposed use does NOT preserve the essential character of the district in which it shall be located.

NAME

ADDRESS

1 house  
GRACE HARSHBARGER 201 Berenger Circle Urbana, IL 61802  
Jeffrey M Harshbarger 201 Berenger Circle Urbana, IL 61802



## **PETITION**

### **PROTEST TO A CONDITIONAL USE PERMIT, A SPECIAL USE PERMIT OR ANY TYPE OF VARIANCE FOR THE PURPOSE OF A SELF-STORAGE FACILITY AT 205 N. HIGH CROSS ROAD, URBANA, IL.**

We, the undersigned, are strongly opposed to, and protest the issuance of a conditional use permit, a special use permit or any type of variance for the purpose of a self-storage facility on the property located at 205 N. High Cross Road, Urbana, Il. We further believe that the B-3 zoning for this site is incorrect because many of the permitted uses of a B-3 lot are inappropriate for that area (e.g. adult entertainment, gas station, tavern) because it is immediately adjacent to single family homes and condominiums.

Additional reasons for rejecting a storage facility include:

1. A visit to 12 self-storage facilities in Urbana revealed that there are NO self-storage units immediately adjacent to a residential neighborhood in all of Urbana. The reason is they are often quite disruptive due to increased lighting, traffic, noise, and visual industrial appearance.
2. The applicant states that a self-storage facility would fit into the neighborhood because it is primarily comprised of commercial and industrial type services and buildings. That is NOT true! Aldi's is zoned B-1 – a neighborhood business; and the surrounding area is residential and agricultural. High traffic commercial and industrial area are south of University Avenue.
3. The application does not demonstrate a need for self-storage units in the proposed area. Many of those self-storage units have vacancies and are even offering half price deals to rent the units.
4. That the proposed use does NOT preserve the essential character of the district in which it shall be located. The character of this area (Beringer Commons) is an upscale residential community where home sale prices range from \$250,000 for condominiums to as high as \$700,000 for single family homes. The proposed use would have metal storage units that would be higher than the separating wall, and would be clearly visible from the condominiums on the other side of the wall. This is not the essential character of our neighborhood. In the planning staff report on this, they considered that the proposed use is designed, located, and proposed to be operated so that it will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious to the public welfare.
5. The proposed self-storage facility would be open until 10 P.M. (Aldi's closes at 8 P.M.), and there will be lighting in the facility and the access areas 24/7, but it will be brighter until 10 P.M. every day. There will be no staff on site, and we expect that there will be trash and garbage left in the area, and most likely an occasional sofa or chair placed in the ditch between the facility and the entrance to Beringer Commons. Further, in visiting other storage facilities, we



found homeless people living in units, some people using their units as auto repair shops, some people having gatherings, where food was cooked on the premises, and music was playing. All of these activities associated with self-storage units would be very injurious and detrimental to our neighborhood.

6. In the case of LaSalle National Bank vs County of Cook, the Illinois Supreme Court developed a list of factors that are paramount in evaluating the legal validity of a zoning classification for a particular property, i.e. the extent to which property values are diminished by the zoning ordinance. While assessed property values may not decline, we believe (and have evidence) that the market value and sale-ability of homes and vacant lots will be negatively impacted. We have already seen two offers on a condominium withdrawn with just the prospect of a self-storage facility on the other side of the wall.

# PETITION

## PROTEST TO A CONDITIONAL USE PERMIT, A SPECIAL USE PERMIT OR ANY TYPE OF VARIANCE FOR THE PURPOSE OF A SELF-STORAGE FACILITY AT 205 N. HIGH CROSS ROAD, URBANA, IL.

I, the undersigned, am the owner of the lot addresses listed below in Beringer Commons. I am strongly opposed to, and protest the issuance of a conditional use permit, a special use permit or any type of variance for the purpose of a self-storage facility on the property located at 205 N. High Cross Road, Urbana, IL.

I further believe that the B-3 zoning for this site is incorrect because many of the permitted uses of a B-3 lot are inappropriate for that area (e.g. adult entertainment, gas station, tavern) because it is immediately adjacent to single family homes and condominiums.

The reasons I am opposed is listed at the end of this petition. One of the primary reasons for my protest is that the proposed use does NOT preserve the essential character of the district in which it shall be located.

Name

*Mary L. Richardson* 2952 Rutland Dr  
Urbana IL 61802 -

Address

703 Abbey Road, Urbana, IL 61802  
705 Abbey Road, Urbana, IL 61802  
3007 Artesia Xing, Urbana, IL 61802  
3017 Artesia Xing, Urbana, IL 61802  
501 Beacon Hill Circle, Urbana, IL 61802  
505 Beacon Hill Circle, Urbana, IL 61802  
506 Beacon Hill Circle, Urbana, IL 61802  
507 Beacon Hill Circle, Urbana, IL 61802  
508 Beacon Hill Circle, Urbana, IL 61802  
509 Beacon Hill Circle, Urbana, IL 61802  
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707 Beacon Hill Circle, Urbana, IL 61802  
708 Beacon Hill Circle, Urbana, IL 61802  
3004 Beringer Circle, Urbana, IL 61802  
3006 Beringer Circle, Urbana, IL 61802  
3014 Beringer Circle, Urbana, IL 61802  
3016 Beringer Circle, Urbana, IL 61802 ✕  
3017 Beringer Circle, Urbana, IL 61802  
3018 Beringer Circle, Urbana, IL 61802  
3019 Beringer Circle, Urbana, IL 61802  
3020 Beringer Circle, Urbana, IL 61802  
3021 Beringer Circle, Urbana, IL 61802  
3022 Beringer Circle, Urbana, IL 61802  
3023 Beringer Circle, Urbana, IL 61802  
3024 Beringer Circle, Urbana, IL 61802  
3025 Beringer Circle, Urbana, IL 61802  
2803 Clarion Road, Urbana, IL 61802

2804 Clarion Road, Urbana, IL 61802  
2806 Clarion Road, Urbana, IL 61802  
2808 Clarion Road, Urbana, IL 61802

2814 Clarion Road, Urbana, IL 61802  
2816 Clarion Road, Urbana, IL 61802  
2802 Haydon Drive, Urbana, IL 61802  
2804 Haydon Drive, Urbana, IL 61802  
2807 Haydon Drive, Urbana, IL 61802  
2808 Haydon Drive, Urbana, IL 61802  
2812 Haydon Drive, Urbana, IL 61802  
2815 Haydon Drive, Urbana, IL 61802  
2817 Haydon Drive, Urbana, IL 61802  
2818 Haydon Drive, Urbana, IL 61802  
2820 Haydon Drive, Urbana, IL 61802  
2822 Haydon Drive, Urbana, IL 61802  
2901 Haydon Drive, Urbana, IL 61802  
2902 Haydon Drive, Urbana, IL 61802  
2903 Haydon Drive, Urbana, IL 61802  
2904 Haydon Drive, Urbana, IL 61802  
2906 Haydon Drive, Urbana, IL 61802  
2910 Haydon Drive, Urbana, IL 61802  
2912 Haydon Drive, Urbana, IL 61802  
2952 Rutherford Drive, Urbana, IL 61802  
3008 Rutherford Drive, Urbana, IL 61802  
3012 Rutherford Drive, Urbana, IL 61802  
3016 Rutherford Drive, Urbana, IL 61802  
3020 Rutherford Drive, Urbana, IL 61802  
3022 Rutherford Drive, Urbana, IL 61802  
3026 Rutherford Drive, Urbana, IL 61802  
3030 Rutherford Drive, Urbana, IL 61802  
3038 Rutherford Drive, Urbana, IL 61802

**Additional reasons for protesting a storage facility include:**

- 1. A visit to 12 self-storage facilities in Urbana revealed that there are NO self-storage units immediately adjacent to a residential neighborhood in all of Urbana. The reason is they are often quite disruptive due to increased lighting, traffic, noise, and visual industrial appearance.**
- 2. The applicant states that a self-storage facility would fit into the neighborhood because it is primarily comprised of commercial and industrial type services and buildings. That is NOT true! Aldi's is zoned B-1 – a neighborhood business; and the surrounding area is residential and agricultural. High traffic commercial and industrial area are south of University Avenue.**

3. The application does not demonstrate a need for self-storage units in the proposed area. Many of those self-storage units have vacancies and are even offering half price deals to rent the units.
4. That the proposed use does NOT preserve the essential character of the district in which it shall be located. The character of this area (Beringer Commons) is an upscale residential community where home sale prices range from \$250,000 for condominiums to as high as \$700,000 for single family homes. The proposed use would have metal storage units that would be higher than the separating wall, and would be clearly visible from the condominiums on the other side of the wall. This is not the essential character of our neighborhood. In the planning staff report on this, they considered that the proposed use is designed, located, and proposed to be operated so that it will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious to the public welfare.
5. The proposed self-storage facility would be open until 10 P.M. (Aldi's closes at 8 P.M.), and there will be lighting in the facility and the access areas 24/7, but it will be brighter until 10 P.M. every day. There will be no staff on site, and we expect that there will be trash and garbage left in the area, and most likely an occasional sofa or chair placed in the ditch between the facility and the entrance to Beringer Commons. Further, in visiting other storage facilities, we found homeless people living in units, some people using their units as auto repair shops, some people having gatherings, where food was cooked on the premises, and music was playing. All of these activities associated with self-storage units would be very injurious and detrimental to our neighborhood.
6. In the case of LaSalle National Bank vs County of Cook, the Illinois Supreme Court developed a list of factors that are paramount in evaluating the legal validity of a zoning classification for a particular property, i.e. the extent to which property values are diminished by the zoning ordinance. While assessed property values may not decline, we believe (and have evidence) that the market value and sale-ability of homes and vacant lots will be negatively impacted. We have already seen two offers on a condominium withdrawn with just the prospect of a self-storage facility on the other side of the wall.

## PUBLIC INPUT

ZBA-2023-C-05

RECEIVED AFTER INITIAL OCTOBER 18, 2023 HEARING

### Communication Received From:

- Nancy Barenberg (*email dated 12-04-2023 @ 5:01 pm*)
- Kent Brown (*email dated 12-04-2023 @ 3:28 pm*)
- Joanne Budde (*email dated 11-13-2023 @ 5:15 pm*)
- Joanne Budde (*email dated 12-05-2023 @ 9:04 pm*)
- Sr. Karen Carlson (*email dated 12-01-2023 @ 8:31 pm*)
- Kent and Lori Choquette (*email dated 11-29-2023 @ 10:23 am*)
- Holly Clemons (*email dated 11-14-2023 @ 2:58 pm*)
- Doris and Gary Gebauer (*email dated 11-14-2023 @ 3:27 pm*)
- Scott Glassman (*email dated 11-13-2023 @ 5:50 pm*)
- Scott Glassman (*email dated 12-01-2023 @ 1:30 pm*)
- Jeff and Grace Harshbarger (*email dated 11-14-2023 @ 12:33 pm*)
- Mary Johnson (*email dated 10-19-2023 @ 9:26 am*)
- Igor Kalnin (*email dated 11-14-2023 @ 2:30 pm*)
- Dr. Richard Lampman (*email dated 11-02-2023 @ 1:47 pm*)
- Dr. Richard Lampman (*email dated 11-30-2023 @ 10:06 am*)
- Adam and Lorelei Martinsek (*email dated 11-14-2023 @ 11:40 am*)
- Sandra Meier (*email dated 11-13-2023 @ 6:36 pm*)
- Grace Low on behalf of Nancy Murray (*email dated 11-14-2023 @ 4:46 pm*)
- Retha Janice Sherbert (*email dated 11-14-2023 @ 10:05 am*)
- Vicki Trimble (*email dated 11-13-2023 @ 3:47 pm*) with photos
- Jim and Marla Tucker (*email dated 11-13-2023 @ 6:06 pm*)
- Jim and Marla Tucker (*email dated 12-02-2023 @ 9:23 am*)
- Venkatesh and Lalitha Yekkirala (*email dated 12-05-2023 @ 2:10 pm*)
- Dr. Gwain and Cindy Zarbuck (*email dated 12-03-2023 @ 8:46 pm*)

## Olsen, Nicholas

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**From:** Pogue, Nancy J [REDACTED]  
**Sent:** Monday, December 4, 2023 5:01 PM  
**To:** !Planning  
**Cc:** Olsen, Nicholas; !!Zoning Board of Appeals  
**Subject:** "Zoning Board of Appeals - Public Input" December 13, 2023

**Categories:** Nick

**\*\*\* Email From An External Source \*\*\***

Use caution when clicking on links or opening attachments.

Re: Conditional use permit to build a self storage facility at 205 N High Cross Road

Dear Members of the Zoning Board,

I live in Beringer Commons and I am strongly opposed to having a storage facility built next to Beringer Commons. Already there have been two lost sales in Beringer Commons because of the possibility of having storage units built nearby. That is evidence of the detriment to property values for those of us in Beringer Commons.

There are multiple storage units nearby that are not in residential areas - for example: the units by the post office are equally convenient and not an eyesore for Beringer Commons. There is ample room near Walmart if more units are needed that will serve the same population.

Storage units sometimes contain food (and people for that matter) and tend to attract rodents, pests, and animals. The metal storage sheds will be in direct view of those living in Beringer Condo units, lowering their quality of life (as well as home values) - they did not buy condos to look at metal storage units!

Metal storage units do NOT preserve the essential character of our area. We live in a community of custom-built homes that are single family residences. Beringer Commons has 4 lakes with walking paths around them plus features like our lighthouse and fountain that make it an attractive place to live. Building metal storage units nearby will be "detrimental to the district in which it is located".

Please vote against the proposed special permit.

Thank you for your attention and work on this matter.

Sincerely ,  
Nancy Barenberg  
[REDACTED]

## Olsen, Nicholas

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**From:** Kent Brown [REDACTED]  
**Sent:** Monday, December 4, 2023 3:28 PM  
**To:** !Planning  
**Cc:** Olsen, Nicholas; !!Zoning Board of Appeals  
**Subject:** "Zoning Board of Appeals - Public Input" December 13, 2023

**\*\*\* Email From An External Source \*\*\***

Use caution when clicking on links or opening attachments.

Please accept this email as a vehement protest of potential approval for construction of a self-storage facility on High Cross Road, just north of Aldi's and adjacent to Beringer Commons. As a homeowner in the Beringer Commons subdivision, this construction would seriously affect the value of our neighborhood, which is among the highest valued, and highest paying property tax areas in the city of Urbana. This area is obviously should not be zoned for this type of construction. Surely, there is other available space within the city limits for such a facility.

Our neighborhood is solidly against approving this area for the proposed facility.

It's very concerning that the Board may be trying to ignore the opinions and wishes of the neighborhood closest to the proposed site.

Please feel free to contact me if you want to discuss further. Thank you.

Kent Brown  
[REDACTED]

**From:** [Joanne Budde](#)  
**To:** [!Planning](#)  
**Subject:** ZONING BOARD OF APPEALS -PUBLIC INPUT November 15, 2023  
**Date:** Monday, November 13, 2023 5:15:50 PM

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**\*\*\* Email From An External Source \*\*\***

Use caution when clicking on links or opening attachments.

Dear Planners and Zoning Board of Appeals,

I would like to say that I believe the ZBA made the right decision on October 18<sup>th</sup> when they denied the application for a conditional use permit at 205 N. High Cross Road for a self-storage facility.

This does NOT belong next to a residential neighborhood. None of the 12 self-storage facilities I visited were near a residential community - they were all in industrial or commercial zones. It is not appropriate here, and that is why it would need a conditional use permit. In fact, this property should never have been re-zoned to a B-3. This is a residential neighborhood, and any entity that chooses to go into that space should be a B-1 - a NEIGHBORHOOD BUSINESS.

The members who voted NO, gave their reasons:

Joanne Chester said that she did not think it was an appropriate use for the subject property.

Harvey Welch said that it was clear the audience is in opposition to the proposed request.

The recommendation for a reconsideration is a frivolous recommendation, in that the time has passed for a motion to reconsider, since it would have had to have been made on the day or the day after the vote was taken.

There are so many reasons why I oppose this application. My main reasons are that the application does NOT meet any of the requirements for a conditional use permit.

My reasons are detailed below.

**Findings of fact regarding the request for a conditional use permit to allow a self-service storage facility next to Beringer Commons.**

The zoning ordinance identifies three requirements needed for the granting of a conditional use permit.

**Criteria 1**



**“That the proposed use is conducive to the public convenience at the location.”**

The applicant states: “...this is a good location for a self-storage complex as it is tucked out of the way between Aldi’s supermarket and the condos at Berringer Commons subdivision.” He also says that “...the location in Urbana in which we wish to build is already made up of a mix of supermarkets and warehouse type buildings.”

This is NOT true.

As the staff pointed out in their review and recommendation, the surrounding areas are zoned B-1, R-4, and AG-2. It is NOT tucked away – it is directly next to our condominiums – in some cases, less than 20 feet away from the condos. It is NOT tucked away - it will be visible from High Cross Road, just a few hundred feet from the entrance to our neighborhood. There are no warehouses on High Cross Road north of University Avenue.

The applicant did not answer the question about whether this would fill a need that is missing in the neighborhood. Because, there has been no study to prove that there is a need.

Champaign county has over 23 storage facilities, and all of the ones we contacted had vacancies, and even offered us ½ price deals. We visited 12 facilities in Urbana, and all were in industrial or commercial zones. None were adjacent to residential neighborhoods.

This facility is not “conducive to public convenience” because there is no documented need for more self-service storage or any public request for such a facility. This will, in fact, be harmful to the public convenience by increasing traffic, water run-off and increased crime and fears of danger due to potentially dangerous misuses of lockers.

**This requirement has not been met.**

**Criteria 2.**

**“That the proposed use is designed, located, and proposed to be operated so that it will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious to the public welfare.”**

This location for a storage facility will be very “injurious and detrimental to the district” and the “public welfare” of residences and citizens bordering the facility. In addition to issues of light, noise, water run-off, unsupervised operation, uninspected stored materials, increased rodent populations, increased traffic, crime, and aesthetic effects there are financial considerations that will be injurious to the district.

The location of this facility will have a detrimental effect on property values and salability of properties. Having an industrial site next to a premier residential neighborhood cannot but lower property values and perhaps lower the real estate tax revenue generated by these 282 homes and

lots, as requests for lower assessments are entertained by the County.

Sales have already been affected by the news of this potential, industrial “neighbor.” Real estate agents have told us that buying decisions, and perhaps sales prices, have already been affected on two recent/potential transactions.

The location of an industrial-oriented facility so close to an established residential community cannot but be “injurious to the public welfare.”

And, from the conditional use permit application, “In other words, how will the building and site design, and the operation of the proposed use be done so they do not cause a nuisance to the neighborhood and the community in general? Will it operate hours similar to surrounding uses? Will it generate excessive noise, light, odor, waste, or traffic, and if so, how do you plan to deal with it?”

The applicant’s response was that he would “construct a development of pre-engineered steel warehouses, comprised of a mix of unit sizes, and finished in an attractive color scheme that will be a compliment (sic) to the neighborhood. They will be automated, but will be operated in a range of hours similar to surrounding businesses. There will be enough lights to create security for our users, but will not be a nuisance to the surrounding areas. There will be no on-site staff, and no waste, or trash kept on premises. In our estimation, we will generate much less traffic than the surrounding businesses. In addition to this, there is already a privacy wall that segregates our property from the surrounding residential neighborhood.”

Everything about this response is problematic:

The units will NOT be a “compliment” to the neighborhood, nor even a complement to the neighborhood. They are metal warehouse buildings with white siding and blue doors and a metal roof. This will not be a complement to the homes in Beringer Commons, or even the neighborhood, as there are no other warehouses in the area north of University Avenue on High Cross Road. The hours will NOT be similar to surrounding businesses. Aldi’s next door (the only business surrounding) is open 9 A.M. to 8 P.M. The storage facility is proposing to be open from 7 A.M. to 10 P.M., with lighting on 24/7.

There will be no on-site staff, so no one will be on-site to observe what activities are taking place in these units, or the amount of trash that is left behind.

Attached to this e-mail is a list of some of the problems that have been associated with self-storage facilities, demonstrating how this type of facility could prove injurious to the public welfare, especially those residents in Beringer Commons.

And despite what the applicant may feel about waste and trash, there WILL be trash. As people clean out their units, they will dispose of items they no longer want, and don’t want to move. If no trash receptacles are provided, they will leave the items in the aisles. For bigger items such as couches or chairs, they might end up in the ditch outside the storage area.

Since one of the events that frequently occurs in storage facilities is a social gathering, using the unit as a faux man-cave, people will gather, BBQ, play music and they WILL leave trash.

Another problem with storage units is that some people actually live in their units, bringing food in that attracts animals and pests.

Storage units are known to attract vermin, because some renters keep food in their units, and the trash left behind will attract animals. These rodents or other animals will find their way into Beringer Commons, and carry infections with them. This will be detrimental to the public welfare. And, the privacy wall he references is only 4 ½ feet high in some areas, and in areas where it is 6 feet high, it is still not high enough to block the view of these units from our homeowners. And, of the five units the applicant is proposing to build (or roll in), one will be a climate-controlled unit. That means it will have some way to generate heat and air conditioning. This climate-controlled unit will be the one closest to the wall and our condominiums. Residents will most certainly be able to hear the buzz of HVAC equipment.

**For these reasons, this facility does not meet the requirement.**

### **Criteria 3.**

**“That the proposed use conforms to the applicable regulations and standards of, and preserves the essential character of the district in which it shall be located except where such regulations and standards are modified. By sec. V11-3.”**

The staff, in their report, chooses to determine the “essential character of the district” to be stores and industrial uses in the area far to the south of the proposed facility. They totally ignore the “essential character of the district” immediately adjoining, and closest to, the proposed facility.

This district is totally residential with some of the largest and most costly homes in Urbana. The area is very well maintained and presents a beautiful appearance.

We are not opposed to business near us. Many of our residents own or operate businesses in Urbana and Champaign. Aldi’s has been a good neighbor, but before opening, in response to neighborhood concerns, they were required to limit their hours from 9 A.M. to 8 P.M. They built a wall to separate their store from our homes directly adjacent, and they planted trees to help block the view, to help diminish noise and to beautify the neighborhood.

The location of a storage facility will be inappropriate and will have a very detrimental effect on “the character of our district,”—the closest district to this proposed facility.

The applicant is saying his hours will be 7 am to 10 pm, with 24/7 lighting, and there is no mention of any trees or anything else to block the view from our homes, which, in some cases will be only 20 feet away from the facility, and residents will have a view of metal machine-shed like buildings. We have a wall between our neighborhood and the proposed facility, but in some cases, it is only 4 ½ feet tall, and the facility will be at least 10 ½ feet tall. Our residents will be looking at these units and their metal roofs and listening to the loud hum of A/C and heating equipment immediately outside their windows. In a B-3 zone, there is no height limit for buildings, so the applicant could, at a later point, build onto these units by building up.

Self-storage facilities are more appropriate in an industrial zone (IN-1 Light Industrial/Office)

or (IN-2 Heavy Industrial) where they are listed as a permissible use. This is where all the other storage facilities in Champaign-Urbana are located. Our tour of 12 storage facilities in Urbana revealed that NONE were next to residential areas.

**This requirement to preserve the essential character of the district has NOT been met.**

Thank you for your time and consideration,

Joanne Budde



## Olsen, Nicholas

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**From:** Joanne Budde [REDACTED]  
**Sent:** Tuesday, December 5, 2023 9:04 AM  
**To:** Garcia, Kevin; !Planning; Olsen, Nicholas; !!Zoning Board of Appeals  
**Subject:** "ZONING BOARD OF APPEALS-PUBLIC INPUT" December 13, 2023

**\*\*\* Email From An External Source \*\*\***

Use caution when clicking on links or opening attachments.

RE: ZBA-2023-C-05

This is for inclusion in the information provided to Zoning Board of Appeals members prior to the December 13, 2023 meeting.

I hope this e-mail IS included in their information, since many of us in Beringer Commons sent e-mails for public input per the agenda instructions prior to the November 15<sup>th</sup> meeting, and those e-mails were acknowledged by Nick Olsen as received, and yet, at the meeting, Kevin Garcia, Zoning Administrator, told the ZBA that no new public comments had been received other than what was already in their packets, so I don't know why our comments were not provided to the ZBA members.

I am writing to protest the conditional use permit application for a self-storage facility at 205 N. High Cross Road.

My reasons for protesting this are that the application does NOT meet any of the criteria required under the Ordinance:

**Criteria 1:**

**That the proposed use is conducive to the public convenience at the location."**

The applicant states: "...this is a good location for a self-storage complex as it is tucked out of the way between Aldi's supermarket and the condos at Berringer Commons subdivision." He also says that "...the location in Urbana in which we wish to build is already made up of a mix of supermarkets and warehouse type buildings."

This is NOT true.

As the staff pointed out in their review and recommendation, the surrounding areas are zoned B-1, R-4, and AG-2. It is NOT tucked away – it is directly next to our condominiums – in some cases, less than 20 feet away from the condos. It is NOT tucked away - it will be visible from High Cross Road, just a few hundred feet from the entrance to our neighborhood.

The applicant did not answer the question about whether this would fill a need that is missing in the neighborhood. Because, there has been no study to prove that there is a need.

Champaign county has over 23 storage facilities, and all of the ones we contacted had vacancies, and even offered us ½ price deals. We visited 12 facilities in the area and none were adjacent to residential neighborhoods. A search, online, looking for vacant storage units to rent, resulted in 153 vacancies in just 9 of the 23 facilities in the county.

This facility is not “conducive to public convenience” because there is no documented need for more self-service storage or any public request for such a facility in this neighborhood. This will, in fact, be harmful to the public convenience by increasing traffic, water run-off and increased crime and fears of danger due to potentially dangerous misuses of lockers. There are plenty of vacant lots in Urbana where a self-storage facility would be more appropriate.

**This criterion has not been met.**

**Criteria 2:**

**That the proposed use is designed, located, and proposed to be operated so that it will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious to the public welfare.”**

This location for a storage facility will be very “injurious and detrimental to the district” and the “public welfare” of residences and citizens bordering the facility. In addition to issues of light, noise, water run-off, unsupervised operation, uninspected stored materials, increased rodent populations, increased traffic, crime, and aesthetic effects there are financial considerations that will be injurious to the district.

The location of this facility will have a detrimental effect on property values and salability of properties. Having an industrial site next to a residential neighborhood cannot but lower property values and perhaps lower the real estate tax revenue generated by these 282 homes and lots, as requests for lower assessments are entertained by the County.

Sales have already been affected by the news of this potential, industrial “neighbor.” Real estate agents have told us that buying decisions, and perhaps sales prices, have already been affected on two recent potential transactions.

The location of an industrial-oriented facility so close to an established residential community cannot but be “injurious to the public welfare.”

And, from the conditional use permit application, “In other words, how will the building and site design, and the operation of the proposed use be done so they do not cause a nuisance to the neighborhood and the community in general? Will it operate hours similar to surrounding uses? Will it generate excessive noise, light, odor, waste, or traffic, and if so, how do you plan to deal with it?”

The applicant’s response was that he would “construct a development of pre-engineered steel warehouses, comprised of a mix of unit sizes, and finished in an attractive color scheme that will be a compliment (sic) to the neighborhood. They will be automated, but will be operated in a range of hours similar to surrounding businesses. There will be enough lights to create security for our users, but will not be a nuisance to the surrounding areas. There will be no on-site staff, and no waste, or trash kept on premises. In our estimation, we will generate much less traffic than the surrounding businesses. In addition to this, there is already a privacy wall that segregates our property from the surrounding residential neighborhood.”

Everything about this response is problematic:

The units will NOT be a complement to the neighborhood. They are metal warehouse buildings with white siding and blue doors and a metal roof. This will not be a complement to the homes in Beringer Commons, or

even the neighborhood, as there are no other warehouses in the area north of University Avenue on High Cross Road.

The hours will NOT be similar to surrounding businesses. Aldi's next door (the only business surrounding) is open 9 A.M. to 8 P.M. The storage facility is proposing to be open from 7 A.M. to 10 P.M., with lighting on 24/7.

We were initially concerned about his proposed hours because they differed from Aldi's. But upon closer examination of his application, I believe he is talking "similar businesses" to be the E-Z Lock Self-Storage located on Tatman Court to the south. That facility has access 24/7. So, when Wes Taylor says his hours will be similar - he is talking about competing self-storage facilities. Mr. Taylor, in his application, never states what his exact hours would be - only that they will be "operated in a range of hours similar to the surrounding businesses." The only mention of specific hours is in the summary of the application by the city staff, in which they say ...the facility would have "access hours" similar to nearby businesses, and ... off-site staff would be available for assistance during "business hours." When he says the business hours will be 7 am to 10 pm - those are the hours that someone can be reached by phone if there is a problem. Most likely, the "access hours" will be different, or else he would not be able to compete with other self-storage facilities.

There will be no on-site staff, so no one will be on-site to observe what activities are taking place in these units, or the amount of trash that is left behind.

And despite what the applicant may feel about waste and trash, there WILL be trash. As people clean out their units, they will dispose of items they no longer want, and don't want to move. If no trash receptacles are provided, they will leave the items in the aisles. For bigger items such as couches or chairs, they might end up in the ditch outside the storage area (next to our entrance).

Since one of the events that frequently occurs in storage facilities is a social gathering, using the unit as a faux man-cave, people will gather, BBQ, play music and they WILL leave trash.

Another problem with storage units is that some people actually live in their units, bringing food in that attracts animals and pests.

Storage units are known to attract vermin, because some renters keep food in their units, and the trash left behind will attract animals. These rodents or other animals will find their way into Beringer Commons, and carry infections with them. This will be detrimental to the public welfare.

And, the privacy wall he references is only 4 ½ feet high in some areas, and in areas where it is 6 feet high, it is still not high enough to block the view of these units from our homeowners.

And, of the five units the applicant is proposing to build (or roll in), one will be a climate-controlled unit. That means it will have some way to generate heat and air conditioning. This climate-controlled unit will be the one closest to the wall and our condominiums. Residents might be able to hear the buzz of HVAC equipment.

**For these reasons, this facility does not meet the requirement.**

### **Criteria 3.**

**That the proposed use conforms to the applicable regulations and standards of, and preserves the essential character of the district in which it shall be located except where such regulations and standards are modified. By sec. V11-3.**

The staff, in their report, chooses to determine the "essential character of the district" to be stores and industrial uses in the area far to the south of the proposed facility. They totally ignore the "essential character of the district" immediately adjoining, and closest to, the proposed facility. The "stores and industrial uses" are not as close as the homes of Beringer Commons.

This district is residential (and neighborhood business - Aldi's; and agriculture to the east). The area is very well maintained and presents a beautiful appearance. Beringer Commons is a community of custom-built homes, four lakes, several walking paths, and wide streets. Homeowners take pride in their homes and their lawns and they are well-maintained.

The industrial uses and stores (and another storage facility) are 2,000 feet away. Two thousand feet, per google maps would encompass all of Beringer Commons in each direction. So, if the applicant wants to include the E-Z Lock Self Storage on Tatman Court as part of the "neighborhood", he would also have to include all of Beringer Commons - which is 100% residential.

The location of a storage facility will be inappropriate and will have a very detrimental effect on "the character of our district,"—the closest district to this proposed facility.

The applicant is saying his hours will be 7 am to 10 pm, with 24/7 lighting, and there is no mention of any trees or anything else to block the view from our homes, which, in some cases will be only 20 feet away from the facility, and residents will have a view of metal machine-shed like buildings. We have a wall between our neighborhood and the proposed facility, but in some cases, it is only 4 ½ feet tall, and the facility will be at least 10 ½ feet tall. Our residents will be looking at these units and their metal roofs and listening to the loud hum of A/C and heating equipment immediately outside their windows. In a B-3 zone, there is no height limit for buildings, so the applicant could, at a later point, build onto these units by building up, or replacing them with multi-story storage units.

Metal machine-shed type buildings do not belong in a residential neighborhood.

**This requirement to preserve the essential character of the neighborhood has not been met.**

Self-storage facilities are more appropriate in an industrial zone (IN-1 Light Industrial/Office) or (IN-2 Heavy Industrial) where they are listed as a permissible use.

Since the October 18<sup>th</sup> hearing, 61% of the homeowners living within 250 feet of the proposed facility have signed a petition protesting this self-storage facility. (The requirement is 40%). Additionally, nearly 60% of ALL homeowners and lot owners in Beringer Commons have signed a petition, protesting this self-storage facility.

We did not have the petition signed in time for the October 18<sup>th</sup> meeting because the planning staff misled us and told us there was nothing we could do to stop this application, other than send e-mails, or show up at the meeting. At the meeting, we learned that e-mails were not considered a valid protest, and we should have gotten a petition. Staff never mentioned anything about the need for a petition, even when they were directly asked, "Is there anything we can do to stop it?" At the October 18<sup>th</sup> meeting, where we were told we needed a petition signed, we asked how we could know that? Marcus Ricci told us we could read the ordinance or we could ask a staff member. We DID ask a staff member and were told that it was a done deal.

We respectfully request that you vote against this application for a "commercial" self-storage facility in our "residential" neighborhood.

Thank you for your time and consideration,

Joanne Budde  
[REDACTED]





## Olsen, Nicholas

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**From:** Karen Carlson [REDACTED]  
**Sent:** Friday, December 1, 2023 8:31 PM  
**To:** !Planning  
**Subject:** "Zoning Board of Appeals -Public Input"

\*\*\* Email From An External Source \*\*\*

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I oppose the building of a Self Storage Facility at the corner of High Cross and University. Beyond the fact that it's an eyesore it would be the fourth one within two square miles. With a large U-Haul Storage facility on Philo; one behind the Post Office on Tatman and one on East University near Guardian another one seems like an overkill.

Please don't pass this request for another storage facility.

Respectfully  
Sr. Karen Carlson  
[REDACTED]

Sent from my iPhone

**From:** [Lori Choquette](#)  
**To:** [!Planning](#)  
**Cc:** [Olsen, Nicholas](#); [!!Zoning Board of Appeals](#)  
**Subject:** "Zoning Board of Appeals - Public Input" December 13, 2023  
**Date:** Wednesday, November 29, 2023 10:23:08 AM

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**\*\*\* Email From An External Source \*\*\***

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Hi

We were notified about a conditional use permit for the plot next to Aldi in Urbana. This request ZBA-2023-C-05 from Wes Taylor to build a storage facility should not be approved. This really isn't the right area for that and there is currently a storage facility only quarter mile south of here next to the Urbana Post Office. This kind of facility should not be built next to Beringer Commons, a higher end housing neighborhood with some of the more expensive houses in the city of Urbana, but rather next to other commercial areas. There is plenty of land near the Walmart or even near the other storage facility that is already located off of Tatman Dr and High Cross Rd.

These types of units are normally restricted to industrial areas and the Planning Staff incorrectly states the storage facility fits into the character of the vacant lot at High Cross and University (within feet of residents in Beringer). Has the staff actually visited this area? This is not an industrial area, but rather a nice housing development. These units would be right up against the yards of the people who live in the condos within our development. Self-storage facilities are more appropriate in an industrial zone (IN-1 Light Industrial/Office) or (IN-2 Heavy Industrial) where they are listed as a permissible use. This is where all the other storage facilities in Champaign-Urbana are located. Other storage facilities in Urbana are not next to residential areas. We don't have street lamps in our neighborhood to cut down on lights that shine in our houses all night, yet a facility like the one proposed would be lit up at all hours of the night with bright lights. We don't want the extra lights, security fences, and associated negatives that come with storage facilities located next to our housing development.

We are not opposed to business near us. Aldi's has been a good neighborhood business, but before opening, in response to neighborhood concerns, they agreed to limit their hours from 9 A.M. to 8 P.M. They built a wall to separate their store from our homes directly adjacent, and they planted trees to help block the view, to help diminish noise and to beautify the neighborhood. The proposed self-storage facility would have business hours between 7:00 a.m. and 10:00 p.m, with lighting on 24/7. The builder will no do anything else to block the view from our homes, which, in some cases will be only 20 feet away from the facility, and residents will have a view of metal machine-shed like buildings. We have a wall between our neighborhood and the proposed facility, but in some cases, it is only 4 ½ feet tall, and the facility will be at least 10 ½ feet tall. Our residents will be looking at these units and their metal roofs and listening to the loud hum of A/C and heating equipment immediately outside their

windows. In a B-3 zone, there is no height limit for buildings, so the applicant could, at a later point, build onto these units by building up.

This will invariably lower the salability of our homes and lower our property values, which in the long run could lead to lower property tax revenue collected by the city for this area when those of us living here start calling for reassessments. Sales have already been affected by the news of this potential, industrial “neighbor.” Real estate agents have informed our HOA that buying decisions, and perhaps sales prices, have already been affected on two recent/potential transactions.

We also feel that the zoning designation for this area needs to be reverted back to a B-1 designation which our Alderperson, Grace Wilken, has already introduced to the City Council to prevent issues like this from occurring again in the future with development of this area.

Many of our neighbors attended the earlier meeting to oppose this development, yet it seems that against the neighborhood wishes there is a continued push for this to move forward. It should also be noted that many of us sent in letters prior to the earlier deadline and yet when the Board asked if there was any written public input they were told that there was none. It really feels like this board is ignoring the wishes of the neighborhood to favor a single developer.

Please do not approve the request for this location at 205 N High Cross Road in Urbana.

Thank you — Kent & Lori Choquette

[REDACTED]  
Urbana, IL 61802

**From:** [H Clemons](#)  
**To:** [!Planning](#)  
**Subject:** ZONING BOARD OF APPEALS - PUBLIC INPUT November 15, 2023  
**Date:** Tuesday, November 14, 2023 2:58:07 PM

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**\*\*\* Email From An External Source \*\*\***

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To Whom It May Concern:

I strenuously object to allowing a storage facility to be built in my neighborhood near the Aldi's outparcel.

I have lived in Beringer Commons since 1995 and love it. It is a safe, diverse, friendly, and beautiful neighborhood. I believe that it is the type of subdivision that the City of Urbana should aspire to. However, apparently, the nature of our peaceful and happy community is now threatened.

I am extremely concerned about the nature of the business that is being considered for that parcel for these reasons:

1. The business is completely inconsistent with the "essential character of the district" in which it will be located. I am extremely concerned about security issues that may ensue. I am a retired judge who has faced a death threat and other physical threats as a result of my position. I have grave concerns about the nefarious activities that may occur there because it will be unsupervised and unmonitored.
2. The proposed storage facility will be "injurious and detrimental to the district" for several reasons. We will not know if toxic chemicals are being stored (with the possibility of leaks) or if vermin will overrun the place because food items are stored there.

I heard many stories over the years from Ivan Richardson (developer of Beringer Commons who also owned Own Your Own Storage in Urbana) about people living in those storage units without bathroom facilities or people running businesses out of their units. This certainly is completely inconsistent with the nature of our subdivision. The proposed storage units are directly next to our subdivision. I also remind you of the significant fire that occurred at Own Your Own Storage last year.

4. Finally, I am also concerned about the property value of my home decreasing significantly if this storage facility is allowed to proceed. While I would love to see Urbana new business grow, it should not come at the expense of its existing and future homeowners in a stable neighborhood. There are certainly plenty of other businesses that would be suitable in a neighborhood setting.

I urge you to allow us to maintain the integrity, safety and beauty of my neighborhood. Please deny the request to allow a storage facility in my backyard.

Sincerely,  
Holly Clemons

**From:** [Doris Gebauer](#)  
**To:** [!Planning](#)  
**Subject:** ZONING BOARD OF APPEALS - PUBLIC INPUT November 15,2023  
**Date:** Tuesday, November 14, 2023 3:27:20 PM

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**\*\*\* Email From An External Source \*\*\***

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My husband and I are writing again to express our disapproval of the allowance for self storage units to be built on property adjacent to Beringer Commons Subdivision.

Beringer is an upscale subdivision ( one of very few) in Urbana, IL. These units have the potential to decrease property values in our subdivision. These units should be built in an industrial zone. There are more than enough self storage units in Urbana and in the total Champaign - Urbana area. If this builder feels we need more, then build more adjacent to the post office which already has some and must be an industrial zone.

The units will not be a complement to our neighborhood. They are metal buildings with a metal roof - they don't look at all like the homes in our neighborhood. Lighting will be on 24/7 affecting the homes in the vicinity. They will be open from 7am to 10pm. There will be no one on sight to observe the activities in this area or to monitor that trash is not left behind.

I really doubt if anyone living in Urbana in a residential area would want self storage metal garage type units next to their neighborhood.

Please do not approve this special use permit.

Thanks for listening!

Doris and Gary Gebauer

[REDACTED]

Urbana, IL

## Olsen, Nicholas

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**From:** Scott Glassman [REDACTED]  
**Sent:** Monday, November 13, 2023 5:50 PM  
**To:** !Planning  
**Subject:** ZONING BOARD OF APPEALS - PUBLIC INPUT November 15, 2023

**Categories:** Nick

**\*\*\* Email From An External Source \*\*\***

Use caution when clicking on links or opening attachments.

To whom it may concern;

I writing you concerning the proposed self storage facility on High Cross Rd next to Beringer Commons. I live in Beringer Commons on [REDACTED], so this is going to affect me. Allowing a storage facility so close to my neighborhood is a terrible idea. Aside from it being an eye sore and it's safety issues and noise / light pollution, this will *significantly* lower the property values in my neighborhood. I have already heard of house and lot sales falling through due to just the potential development of this storage facility.

I'm sure there are plenty of other suitable locations for this development. It doesn't need to be on top of my neighborhood, or anyone else's for that matter. A storage facility can literally be anywhere as it does not depend on foot or car traffic exposure. Having owned a local Urbana business for 19 years, I am not anti-business at all. But it's just not a suitable business for the proposed location and will have seriously harmful effects to our property values.

Please, I urge you to do what you can to put an end to this proposed facility at this location.

Thank you for your time,

Scott Glassman

**From:** [Scott Glassman](#)  
**To:** [!!Zoning Board of Appeals](#)  
**Cc:** [!Planning](#); [Olsen, Nicholas](#); [! Wilken, Grace](#)  
**Subject:** "Zoning Board of Appeals - Public Input" December 13, 2023  
**Date:** Friday, December 1, 2023 1:30:56 PM

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**\*\*\* Email From An External Source \*\*\***

Use caution when clicking on links or opening attachments.

To whom it may concern;

I'm writing you concerning the proposed self storage facility on High Cross Rd next to Beringer Commons. I live in Beringer Commons on [REDACTED], so this will affect me if this project moves forward. Allowing a storage facility so close to this neighborhood is a terrible idea. Aside from it being an eye sore and it's safety issues and noise / light pollution, this will *significantly* lower the property values in my neighborhood. I have already heard of house and lot sales falling through due to just the potential development of this storage facility.

I'm sure there are plenty of other suitable locations for this development. It doesn't need to be on top of my neighborhood, or anyone else's for that matter. A storage facility can literally be anywhere as it does not depend on foot or car traffic exposure. Having owned a local Urbana business for 19 years, I am not anti-business at all, I definitely encourage it. But in this case it's just not a suitable business for the proposed location and will have seriously harmful effects to our property values and neighborhood.

There is a very good reason this location was zoned B1 in the first place, this should never have been changed and it should be changed back.

Please, I urge you to do what you can to put an end to this proposed facility at this location and revert the zoning for this location back to B1 as it was originally intended.

Thank you for your time,

Scott Glassman



**From:** [Jeff Harshbarger](#)  
**To:** [!Planning](#)  
**Cc:** [! Wilken, Grace](#)  
**Subject:** ZONING BOARD OF APPEALS - PUBLIC INPUT November 15, 2023  
**Date:** Tuesday, November 14, 2023 12:33:28 PM

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**\*\*\* Email From An External Source \*\*\***


Use caution when clicking on links or opening attachments.

This email is in response to the proposed self-storage warehouse facility proposed to be located at 205 N. High Cross Road. We protest this proposed project for many reasons.

We are new home owners to Beringer Commons (just over a year ago) after moving from rural Piatt County where we lived for more than 20 years. The Piatt County Zoning Board did to us what Urbana's zoning board is proposing to do to the neighborhood of Beringer Commons. As I said when I spoke at the last meeting, anything, anywhere, anytime might be a good trucking company motto but it certainly shouldn't be the mindset of ANY zoning board or board of appeals.

We had to sell our 12.25 acre farmstead that had been in my family for over 150 years. We were forced out by unruly neighbors that were allowed to erect a very large metal "party barn / man cave" 15 feet from our side yard. Not a call, text, email, or any notice to us that this was to be erected so close to our property lines. Unruly parties, constant noise, additional lighting all followed. It got worse when we finally picked up the phone and called to complain. We were told by the Piatt County zoning officer that our options were to call an attorney or call a realtor. So here we are today with the same basic issue we faced in Piatt County.

At 70 years old I thought moving back to Urbana, where I grew up as a child, would be a safer place to live, especially in a high end neighborhood like Beringer Commons with high property taxes, H.O.A. rules and neighbors that seem helpful and friendly to us newcomers. But here we are again having to speak up about more metal sheds in a place that they don't belong for a whole lot of reasons our neighbors have outlined, I don't need to repeat them, you know what they are. We picked Beringer Commons as the place to call our new home. Please reject this special use permit and then return the lot to B-1 zoning where it was before being rezoned, unknowingly to most Beringer residents, during the pandemic.

Jeff and Grace Harshbarger  


**From:** [Mary Johnson](#)  
**To:** [Olsen, Nicholas](#)  
**Subject:** Zoning  
**Date:** Thursday, October 19, 2023 9:26:47 AM

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**\*\*\* Email From An External Source \*\*\***

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Good morning Nick,

I was unable to attend last nights meeting. I was surprised to hear about the zoning next to Aldi's was changed from B1 to B3 in 2020. I have lived in Beringer Commons for 20 years. I never received a notice of the zoning change. I never saw a sign on the property about a zoning change.

I do not want a self storage business being built in that area. Even though I do not live next door to that lot I support my neighbors. Isn't that what this world needs, people being considerate to their neighbors? Do unto others as you would like them to do unto you.

Mary Johnson



Urbana, Illinois

**From:** [Igor Kalnin](#)  
**To:** [!Planning](#)  
**Subject:** ZONING BOARD OF APPEALS - PUBLIC INPUT November 15, 2023  
**Date:** Tuesday, November 14, 2023 2:30:18 PM

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**\*\*\* Email From An External Source \*\*\***

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Dear Board,

My name is Igor Kalnin; I live at [REDACTED] Urbana, IL 61802 with my wife Rochelle Sennet. I am writing to express our concerns regarding the proposal to build self-storage units at 205 North High Cross Road, right behind the condos in Beringer Commons.

We live in a peaceful, quiet subdivision, with minimal light pollution and noise, and it was one of the reasons we moved to this neighborhood. We are worried that the self-storage unit will increase traffic, noise, and lights (possibly at night), and that it will negatively affect the well-being and property value of the Beringer Commons residents. The metal warehouse building will also affect the visual appearance of our subdivision; this industrial-looking structure will look out of place. Usually, self-storage businesses are not built in such close proximity to residential areas. We would be very grateful if our request to move the self-storage units to a different location will be considered.

In closing, we also wanted to respectfully ask the board to rezone this area back to B-1, so we wouldn't need to go through the same process again in the future. It will save a lot of time and effort for us and for the Board. We definitely support businesses in Urbana, but we feel that this location should be protected for the well-being of the residents.

Sincerely,  
Igor Kalnin

--

Igor Kalnin, D.M.A.  
[REDACTED]

**From:** [Richard Lampman](#)  
**To:** [Olsen, Nicholas](#)  
**Cc:** [Joanne Budde](#); [Randy Roberts](#); [Bob Withers](#); [dave price](#); [Vicki Trimble](#); [Brian Richardson](#)  
**Subject:** Re: 205 North High Cross Road - Conditional Use Permit Request Update  
**Date:** Thursday, November 2, 2023 1:47:21 PM

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**\*\*\* Email From An External Source \*\*\***

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Mr. Olsen,

It is extremely objectionable that the notice will not allow for new testimony or new evidence, particularly as the prior notice failed to alert the public on the correct manner of entering a petition from those homeowners directly involved.

I do not understand why a conditional use is being promoted that radically differs from past precedence established by the City of Urbana, namely placement in the immediate vicinity of a major housing Subdivision. Furthermore, of the staff's statements in the original proposal were either vague or without factual support.

I urge you to vote against reconsidering the proposal or voting for it.

Reasons for rejecting a storage facility include:

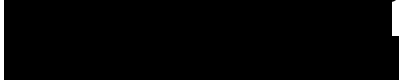
1. A visit to 12 self-storage facilities in Urbana revealed that there are NO self-storage units immediately adjacent to a residential neighborhood in all of Urbana. The reason is they are often quite disruptive due to increased lighting, traffic, noise, and visual industrial appearance.
2. The applicant states that a self-storage facility would fit into the neighborhood because it is primarily comprised of commercial and industrial type services and buildings. That is NOT true! Aldi's is zoned B-1 – a neighborhood business; and the surrounding area is residential and agricultural. High traffic commercial and industrial area are south of University Avenue.
3. The application does not demonstrate a need for self-storage units in the proposed area. Many of those self-storage units have vacancies and are even offering half price deals to rent the units.
4. The proposed use does NOT preserve the essential character of the district in which it shall be located. The character of this area (Beringer Commons) is an upscale residential community where home sale prices range from \$250,000 for condominiums to as high as \$700,000 for single family homes. The proposed use would have metal storage units that would be higher than the separating wall, and would be clearly visible from the condominiums on the other side of the wall. This is not the essential character of our neighborhood.
5. The proposed self-storage facility would be open until 10 P.M. (Aldi's closes at 8 P.M.), and there will be lighting in the facility and the access areas 24/7, but it will be brighter until 10 P.M. every day. There will be no staff on site, and we expect that there will be trash and garbage left in the area, and most

likely an occasional sofa or chair placed in the ditch between the facility and the entrance to Beringer Commons. Further, in visiting other storage facilities, we found homeless people living in units, some people using their units as auto repair shops, some people having gatherings, where food was cooked on the premises, and music was playing. All of these activities associated with self-storage units would be very injurious and detrimental to our neighborhood.

6. While assessed property values may not decline, we believe (and have evidence) that the market value and sale-ability of homes and vacant lots will be negatively impacted. We have already seen two offers on a condominium withdrawn with just the prospect of a self-storage facility on the other side of the wall.

Thank you

Dr. Richard Lampman, Beringer CommonsHOA President



## Olsen, Nicholas

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**From:** Richard Lampman <[REDACTED]>  
**Sent:** Thursday, November 30, 2023 10:06 AM  
**To:** !Planning  
**Cc:** Olsen, Nicholas; !!Zoning Board of Appeals  
**Subject:** "Zoning Board of Appeals - Public Input" December 13, 2023

**Categories:** Complete, Nick

\*\*\* Email From An External Source \*\*\*

Use caution when clicking on links or opening attachments.

To whom it may concern,

A conditional use permit is required for building a self-storage facility at 205 High Cross Road because it is an atypical use for a B3 zoned area. Storage facilities are normally in industrial or highly commercial areas, such as the nearby ones on Tatman Drive and University Ave and the multitude as long Philo Road.

It is abundantly clear that the applicant did not meet the burden of proof and the application misrepresents facts regarding the need for the facility, its fitting into the surrounding area, the potential negative impacts on the surrounding lots, and how present structures isolate the facility from adjacent residences.

First, the applicant implies there is a need for the facility in Urbana. In reality, the city has an over abundance of storage facilities, over a dozen in southeast Urbana and two within one-half mile of the proposed lot. None of these are at capacity. In fact, Urbana has essentially created a "Super-Storage Facility Corridor" along Philo Road. A factual need for the facility was not demonstrated by applicant. Another storage facility is not needed in Urbana considering the excessive number already in operation and below capacity.

Second, the area is not "commercial/industrial" as the applicant implies. The lot is surrounded by R2, R4, B1, and agricultural lots. The industrial areas are south of University Avenue and completely different from the area north of University Ave. The applicant seems to purposefully mislead the Zoning Board, probably due to the fact self-storage facilities are most often in industrial areas. The facility as described will have an industrial appearance with security fencing and extra lighting. This fundamentally changes the character of the area. Furthermore, being unmanned there is no way to know whether hazardous materials are being stored in the area. This facility does not fit into the surrounding uses.

Third, the applicant implies a privacy fence will shield residents in Beringer Commons from any negative impact. The suggestion that a 6 foot wall will hide the buildings, fences, lighting, and any associated noise is ludicrous. The negative impact on the surrounding lots was not addressed by the applicant. In contrast, ALDI (a B1 zoned business) compromised on several conditions in order to minimize neighborhood impact by building the privacy wall and lining the other side with vegetation. The applicant incorrectly assumes the low separating wall is all that is needed.

Finally, the area was only zoned B3 because OSF had planned to build a medical facility on the site. When that condition was not met, the rezoning should have reverted back to B1. In other words, the area is zoned B3 only because of a misrepresentation by the originbuyer of the lot from ALDI. Now the residents of Beringer Commons are being forced to potentially accept development not normally placed within feet of residential areas.

I implore you to look at the facts of the situation and vote “no” on allowing an undesirable business expansion into a residential area. There is no lack of self storage facilities in Urbana; they tend to not blend into residential areas, they have several potential negative impacts, and they diminish the desirability of the area.

It is difficult to understand why the City would support this application.

Thank you.

Dr. Richard Lampman,  
Beringer Commons HOA President



**Olsen, Nicholas**

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**From:** Adam Martinsek [REDACTED]  
**Sent:** Tuesday, November 14, 2023 11:40 AM  
**To:** !Planning  
**Subject:** ZONING BOARD OF APPEALS - PUBLIC INPUT November 15, 2023

**\*\*\* Email From An External Source \*\*\***

Use caution when clicking on links or opening attachments.

We live on [REDACTED], just across the street from the proposed self-storage facility. We are opposed to the granting of a conditional use permit for the facility.

Locating a facility of this type next to a residential area is completely inappropriate. It would not preserve the essential character of the surrounding area; in fact, its closest neighbors would be a large upscale residential area and a relatively small grocery store. There would be lighting issues, noise issues, and potential problems with what is stored in the units themselves (there have been instances of people actually living in self storage units in Urbana, both now and in the past).

It is likely that the facility would become a site for the dumping of trash, when customers decided that they no longer wanted some of their stored possessions, especially upon vacating a unit.

There would also be potential drainage issues given the large increase in paved surface that the facility would require.

It is very likely that the proposed facility would have a negative impact on property values and the salability of homes in Beringer Commons, which would in turn decrease tax revenue over time.

On a personal level, looking out at what is in essence a series of industrial-looking buildings would greatly diminish the our ability to enjoy living in a home and neighborhood that we love.

For all of these reasons, we urge the Zoning Board of Appeals to reject the request for a conditional use permit.

Sincerely,  
Adam and Lorelei Martinsek



## Olsen, Nicholas

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**From:** Sandra Meier [REDACTED]  
**Sent:** Monday, November 13, 2023 6:36 PM  
**To:** !Planning  
**Subject:** proposed storage units next to Beringer Commons subdivision  
**Categories:** Nick

**\*\*\* Email From An External Source \*\*\***

Use caution when clicking on links or opening attachments.

I strongly oppose the building of the proposed storage units next to Beringer Commons. As a resident of Beringer Commons, I believe that allowing these storage units to be built will lower our property values and have a negative influence on our community. There has been no demonstrated demand for such storage units. If such a demand should be demonstrated in the future, a more appropriate location should be found.

Sandra Meier  
[REDACTED]  
Urbana, Illinois 61802

**From:** [Grace Low](#)  
**To:** [!Planning](#)  
**Subject:** ZONING BOARD OF APPEALS - Public Input November 15, 2023  
**Date:** Tuesday, November 14, 2023 4:46:01 PM

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\*\*\* Email From An External Source \*\*\*

Use caution when clicking on links or opening attachments.

Sending on behalf of Nancy Murray

[REDACTED]

I have lived here for 23 years. I do not want the storage unit in our neighborhood for the following reasons:

Self storage is more appropriate for industrial zoning.

We would be bothered by the light pollution.

The proposed self-storage unit would be injurious to the public welfare.

Signed,

Nancy Murray

**Olsen, Nicholas**

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**From:** J Sherbert [REDACTED]  
**Sent:** Tuesday, November 14, 2023 10:05 AM  
**To:** !Planning  
**Cc:** Marlin, Diane; [REDACTED]; ! Wilken, Grace  
**Subject:** ZONING BOARD OF APPEALS - PUBLIC INPUT November 15, 2023-Child safety

**\*\*\* Email From An External Source \*\*\***

Use caution when clicking on links or opening attachments.

Hello,

I am writing to appeal to the Urbana board for the **safety of our children** in Beringer Commons and our Urbana community .

I appeal to the board to consider that **self-storage facility at 205 N. High Cross Road would pose a danger to the children in our community.** There are statistics that self storage facilities will attract an element of crime as well as health and sanitary issues that will develop.

My great concern is that the board must consider **the safety of children** and predators who can be in the area to "access" storage. This is a documented concern that is real.

I was a teacher at Yankee Ridge for many years and then taught at the University of Illinois in the College of Education. I am very aware of the many issues for the protection and education of children.

I hope you will put the safety of the community first.

Thank you for all your work for the well being of our community in Urbana, Illinois.

Sincerely,

Retha Janice Sherbert

[REDACTED]  
Urbana, Illinois 61802

## Olsen, Nicholas

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**From:** Trimble, Vicki L [REDACTED]  
**Sent:** Monday, November 13, 2023 3:47 PM  
**To:** !Planning  
**Subject:** Zoning Board of Appeals - Public Input November 15, 2023

**Categories:** In Progress, Nick

**\*\*\* Email From An External Source \*\*\***

Use caution when clicking on links or opening attachments.

Dear Zoning Board of Appeals,

I sent an email last month as directed by the CITY through a letter that was sent to my neighbors saying if we had any problems with the building of a storage facility at High Cross Road and University Avenue by Aldi's, we were to write Nick Olsen who would then see that it was properly distributed to the zoning board members.

I did that telling the City and Mr. Olsen I was NOT in favor of having the storage facilities built. Mr. Olsen did respond to my email so I know he received it.

I then attended a meeting last month of the Zoning Board and was one of the Beringer Commons residence to speak up against the building of such a facility that night. It was voted on that night, and voted down by the Zoning Board members.

Now, I understand that our comments via email to Mr. Olsen were NOT sent to the proper place as we were originally told. The email was to be sent to this email address with this particular subject line. How was I supposed to know this after seeing Mr. Olsen's email address and name as the direct contact?

The Zoning Board took a vote that night, and defeated the building of the storage facility units. Now I'm told that there will be a meeting this Wednesday night of the City Council, and they may overturn this vote. I'm also told we are not allowed to voice our opinions at that meeting, that's the reason for this email again.

I sure hope I'm sending it to the correct email address with the proper Subject line and it is given the proper consideration, as with the intent it was written.

I do NOT agree with the building of the storage units by Beringer Commons for a variety of reasons.

Pictured below is an abandoned cushioned chair in the median of University Avenue, right outside of the storage facility that is already built less than five minutes away from this location. These pictures were just taken last week. As I voiced my concerns last month to the Zoning Board, that this is the sort of thing that will happen in the Beringer Commons, roadways, ditches, and possibly common areas.

And not only do we have that storage facility less than five minutes from Beringer Commons but less than two minutes to the south of us off of High Cross Road right behind the USPS is another storage facility. Neither one of these storage facilities are at capacity.

There are 12 self storage facilities in Urbana, and none of them are immediately adjacent to a residential neighborhood in Urbana. They are located in industrial/commercial areas.  
And since they aren't at capacity, a few of them even offered half-price deals.

This facility will NOT have staff on site, therefore, leaving all kinds of opportunity for unnecessary and destructive behavior at the site.

These other 12 storage facilities have found homeless people living in the units. Some people using their units as auto repair shops, some people have gatherings where food is prepared on the premises and music playing. If there's food present, it will definitely draw more insects, rodents and animals to the area who carry disease and infections, as something tells me cleanup will not be done extremely well. And I've discovered that some people store highly flammable chemicals in these facilities.

Beringer Commons is an upscale residential community with home prices ranging from \$250,000 for condominiums to as high as \$700,000 for single-family homes. Does building this facility at this location make any sense to you? If it were being proposed right next to Stone Creek, I guarantee you my neighbors there would not be happy either, and challenging it, just as Beringer Commons is.

The proposal would have metal storage units that would be built higher than the separating wall so the units would be clearly visible from the condominiums in Beringer Commons. I understand the condominiums have lost two sales in the last month once the potential buyers found out about the potential building of these units.

The builder said the storage facility will be open until 10 PM; Aldi's closes at 8 PM and there will be brighter lighting at the facility and people have access 24/7.

There will be increased lighting, traffic, noise, and the visual appearance is definitely not that of some thing that should be built right next-door, in a few cases, only 20-30 feet, from lovely family owned homes.

The builder can make all kinds of promises now, as he is wanting to get the facility built, and start making money off of it. But once it's built, there's no one to make him accountable for all the promises he might make. The City won't help us, so Beringer Commons will then have to deal with all the various issues mentioned above, which we know at least some of them will happen. Perhaps not all, but let's be realistic, many of them will...see photos below. And the Beringer Commons subdivision will be left on its own accord to do whatever we can about it.

That property never should have been rezoned!!!

It was rezoned and Beringer Commons HOA was not notified of this, and it's now allowing several different types of non-desirable businesses to potentially go there. This piece of property needs to be rezoned back as a B-1.

It should be some sort of neighborhood business in that particular corner, and not something that belongs in a commercial or industrial type area.

Aldi's has been a wonderful neighbor to Beringer Commons and we would like to see another wonderful neighbor, such as Aldi's, purchase that property and build. We had no problem when OSF wanted to put a medical facility there. It would've been a lovely building, they would've closed at 5-8 PM, not causing any of the other problems stated above.

Please read this carefully, take into consideration all the various things I've mentioned, and check out the photos below. It just does not make any sense at all to build this facility in that particular corner right next to Beringer Commons.

There are numerous other locations throughout Urbana where this facility could be placed, and not nestled within two or three minutes of two other storage facility units that are not at capacity.

Please help me to know that not all common sense has completely gone out the window in our beautiful Urbana community.

Sincerely yours,  
Vicki Trimble









## Olsen, Nicholas

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**From:** Jim Tucker [REDACTED]  
**Sent:** Monday, November 13, 2023 6:06 PM  
**To:** !Planning  
**Cc:** Marlin, Diane  
**Subject:** ZONING BOARD OF APPEALS-PUBLIC INPUT November 15, 2023

\*\*\* Email From An External Source \*\*\*

Use caution when clicking on links or opening attachments.

To Whom It May Concern:

We wish to once again voice our adamant opposition to the conditional permit for a self-storage facility at 205 N. High Cross Road.

As has been stated by others, this facility does not meet the 3 requirements needed for the granting of the permit.

1. How is it conducive to public convenience when there is already a self-storage facility directly south, on the other side of University Ave, less than a quarter mile away, AND there are at least a dozen other facilities available within Urbana.

2. This facility will indeed have a "detrimental effect" to the area in which it would be located. It will be within mere yards of a residential neighborhood of condos and homes, and will no doubt make those residences in closest proximity of less value and harder to sell, not to mention the bright lights, increased noise and traffic, and some frankly undesirable activities that are often associated with such facilities front and center to our community. Incidentally, the wall that borders the property is only 6' (and less in some areas) high, not 8' as indicated on one of the drawings, leaving us with quite an unattractive view of the other side.

3. The facility will NOT preserve the essential character of our neighborhood. The northwest corner of High Cross Road and University has one B-1 zoned facility (Aldi Grocery) and the rest is residential. The closest commercial/industrial area is south of University in the area of the Post Office, Wal-Mart, self-storage facility, etc.

For the above reasons, 205 High Cross Road is NOT an appropriate location for a self-storage facility.

We moved to Urbana only 2 years ago, but from what we've surmised, this plot of land has been fraught with controversy since 2020 when it was re-zoned to B-3 to accommodate a request by OSF to build a medical facility there. For whatever reason, they decided not to do so. In our opinion, and that of virtually everyone we've spoken to in our neighborhood, the parcel should have at that time been returned to B-1 zoning, and we hope not only that this conditional permit will again be denied, but the parcel will be rezoned back to B-1. Interestingly, Exhibit C in the information provided to the ZBA prior to the October 18th, 2023 meeting (in which the permit was denied) is labeled "Future Land Use." That exhibit shows both sides of High Cross Road north of University labeled "Community Business." We were under the impression that B-3 zoning is not considered community business. Directly across University to the south is labeled "light Industrial." It seems to us that would be the proper area for another self-storage facility.

Thank you for your consideration,  
Jim and Marla Tucker  
[REDACTED]  
Urbana IL 61802



## Olsen, Nicholas

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**From:** Jim Tucker [REDACTED]  
**Sent:** Saturday, December 2, 2023 9:23 AM  
**To:** !Planning  
**Cc:** Olsen, Nicholas  
**Subject:** "Zoning Board of Appeals - Public Input" December 13, 2023

\*\*\* Email From An External Source \*\*\*

Use caution when clicking on links or opening attachments.

To All Whom it May Concern:

We are adamantly opposed to the issuance of a conditional permit for a self-storage facility (ZBA-2023-C-05) at 205 N. High Cross Road in Urbana Illinois.

We do not believe that such a facility meets the 3 criteria needed for the granting of the permit.

#1. It's highly questionable whether it's conducive to public convenience in light of the fact that there is already a self-storage facility directly south of University Avenue, less than a quarter mile away. Additionally, there are at least a dozen other such facilities available within Urbana.

#2. This facility will indeed have a "detrimental effect" to the arrea in which it would be located. It will be within mere yards of a residential neighborhood of condos and homes, and will no doubt make those residences in closest proximity of less value and harder to sell should the need arise. This doesn't even take into consideration the increased lighting, noise and traffic, longer operating hours than the neighboring grocery, and some frankly undesirable activities that are often associated with such facilities. Additionally, it seems there will be no office or managing presence at the site. Please also note that the wall that borders the parcel is 6' in height (and graduates down in some areas), not 8' as indicated on one of the drawings that was included in the original packet, leaving quite an unattractive view of the proposed industrial looking structures on the other side.

#3 The facility will most certainly not preserve the essential character of our neighborhood, which is not in any way connected to or bordered by an existing commercial/industrial area. The northwest corner of High Cross Road and University Ave. has one B-1 zoned facility (Aldi grocery) and the rest is strictly residential. The closest commercial/light industrial area is south of University in the area of the Post Office, Wal-Mart, a self-storage facility, etc.

For the above reasons, 205 High Cross Road is not an appropriate location for another self-storage facility.

One other observation we might make is that Urbana's current THINK program is to encourage new home-building with the incentive of saving on real estate taxes for the first 5 years of occupancy, and no sales tax on construction materials. Beringer Commons currently still has somewhere in the neighborhood of 75+ lots for sale. Allowing the construction of a facility better suited to an industrial site at the very border of the subdivision seems counter-productive in that it will no doubt make the area less appealing for new home buyers/builders.

We believe the Zoning Board of Appeals made the correct decision in denying the conditional use permit at the October meeting, and hope for the same decision at the December 13th meeting.

Thank you for your consideration,  
Jim and Marla Tucker  
[REDACTED]  
Urbana, IL 61802

**From:** Venkatesh Yekkiralala  
**To:** Planning  
**Cc:** Olsen, Nicholas; Garcia, Kevin  
**Subject:** ZONING BOARD OF APPEALS - PUBLIC INPUT- December 13, 2023  
**Date:** Tuesday, December 5, 2023 2:10:38 PM

\*\*\* Email From An External Source \*\*\*  
Use caution when clicking on links or opening attachments.

Hello,

**This is in regard to the proposed storage unit by Aldi store in Urbana, IL. We are residents of [REDACTED] Urbana, IL 61802 diagonally behind Aldi and we are severely negatively impacted by this proposal for the below reasons and hence oppose it.**

**1. This is against the requirement that the proposed use is conducive to the public convenience at the location."**

There has been no market study done to show that there is a need for more self storage facilities in our area, and even if the city has done such a study since November 15th, it does NOT prove that there is a need to build it AT THAT LOCATION!

**2) This is against the requirement that the proposed use is designed, located, and proposed to be operated so that it will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious to the public welfare."**

Self-storage facilities tend to attract rodents, pest, animals (because of units being visited infrequently, and sometimes food being stored in them), and there are lots of reports that people live in them, run businesses out of them, store band equipment in them, and then practice either in the unit or in the aisles outside their units, and anything else you might want to say about it being injurious to the public welfare.

**3) This is against the requirment that the proposed use conforms to the applicable regulations and standards of, and preserves the essential character of the district in which it shall be located except where such regulations and standards are modified. By sec. V11-3."**

I don't think any of us believe that a self-storage facility preserves the essential character of this area. The applicant argues that it is similar to other buildings in the area, which is NOT true. The surrounding area is residential to the west; Aldi's (neighborhood business) to the south; agriculture to the east; and residential to the north. Metal storage sheds do not blend in with the character of our homes or our neighborhood. We have paid higher residential property taxes for 2 decades due to higher valuations consistent with the special character of the area and all those higher taxes paid will have gone a waste due to the area losing its character if a storage unit were to be approved.

Also, the current owners of the plot got the zoning relaxed for constructing a clinic which would have been totally in sync with the character of the area, but now it's untenable that they turn around and try to get approval for a storage unit that would be totally incompatible.

For all the above reasons, I fervently urge the city/county/council/committee to NOT approve the storage unit proposal. I further urge that steps be taken to restore the zoning back to what it was before the current owners purchased it, so any future proposals could be weighed against the more stringent Special Use Permit zoning requirements.

Thank you.

Sincerely,

Venkatesh Yekkiralala [REDACTED]  
Lalitha Yekkiralala

## Olsen, Nicholas

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**From:** Gwain Zarbuck [REDACTED]  
**Sent:** Sunday, December 3, 2023 8:46 PM  
**To:** !Planning  
**Cc:** !!Zoning Board of Appeals; Olsen, Nicholas  
**Subject:** "Zoning Board of Appeals - Public Input" December 13, 2023

**Categories:** Nick, In Progress

**\*\*\* Email From An External Source \*\*\***

Use caution when clicking on links or opening attachments.

We are residents/property owners at [REDACTED]. Our property backs up to High Cross Road and are concerned about the proposed development at 205 N. High Cross Rd. We and multiple fellow senior citizens, who are also nearby condo owners, are opposed to granting approval to the development of self-storage units at that location. My wife and I feel that this type of commercial business proximal to us would not fit into the ascetics of the Berringer community. This development will decrease demand for undeveloped property and the resale of current houses and condos. Looking at other self-storage sites in the city of Urbana, none are found on the same block, let alone adjacent to residential housing. There is already a business of this nature nearby (across from the post office) so there isn't a lack of availability of self-storage in our area of town.

Thank you for your consideration of our concerns.

Dr. Gwain and Cindy Zarbuck

## PUBLIC INPUT

### Communications Sent Directly to Zoning Board of Appeals Members

**Case No.**  
ZBA-2023-C-05

#### Communications Received from:

- \*Joanne Budde (*email dated 11-14-2023 @ 2:37 pm sent to ZBA Member McLaughlin*)
- \*Joanne Budde (*emailed dated 11-13-2023 @ 11:59 am sent to ZBA Member Rusch*)
- \*Doris and Gary Gebauer (*email dated 11-14-2023 @ 3:58 pm sent to ZBA Members*)
- \*Richard Lampman (*email dated 10-23-2023 @ 12:07 pm sent to ZBA Members*)
- \*Vicki Trimble (*email dated 11-13-2023 @ 9:42 pm sent to ZBA Members*)
- \*Jim and Marla Tucker (*email dated 11-13-2023 @ 7:00 pm sent to ZBA Member Welch*)
- \*Jim and Marla Tucker (*email dated 11-13-2023 @ 7:48 pm sent to ZBA Member McLaughlin*)



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**ZBA-2023-C-05 -Application for self-storage facility at 205 N. High Cross Road**

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**Joanne Budde**

Tue, Nov 14, 2023 at 2:37 PM

To: "BC-McLaughlin, Ashlee" &lt;amclaughlin-BC@urbanailinois.us&gt;

\*\*\* Email From An External Source \*\*\*

Use caution when clicking on links or opening attachments.

Ms. McLaughlin,

At the October 18th meeting of the Zoning Board of Appeals, there was a quorum, and you made a motion to approve the application for a conditional use permit for a self-storage facility at 205 N. High Cross Road.

The motion was defeated. Joanne Chester cited her reason for denial was she did not believe it was an appropriate use of the subject property.

Harvey Welch said it was clear that the audience is in opposition to the proposed request.

The City Attorney is saying those reasons (findings of fact) were insufficient and is asking the Zoning Board of Appeals to reconsider this issue.

However, the time has long passed for a reconsideration.

According to Robert's Rules of Order:

"36. Reconsider. This motion is peculiar in that the making of the motion has a higher rank than its consideration, and for a certain time prevents anything being done as the result of the vote it is proposed to reconsider. It can be made only on the day the vote to be reconsidered was taken, or on the next succeeding day, a legal holiday or a recess not being counted as a day. It must be made by one who voted with the prevailing side. "

A more appropriate way to document the findings of fact for the record, would be for a member, when the minutes of the October meeting are presented for approval, to suggest a change to the minutes to insert the reasons for denial.

Since the October meeting, we have gotten a petition of protest signed by 61% of the homeowners within 250 feet of the proposed site. We did not have that petition at the October meeting because the planning staff misled us, and when asked directly by a homeowner, if there was anything we could do to stop this (prior to the meeting), the staff member told this homeowner that there was nothing that could be done. It had already been approved. He also said what the homeowner COULD do is send an e-mail or attend the meeting and speak. Had the staff been honest with us and told us about the petition, we could have had it signed by the meeting. In the October meeting, we asked Marcus Ricci how we were supposed to know about the requirement for a petition, and he said we could have read

the ordinance, or we could ask a staff member how to file a valid protest. We DID ask a member of the staff and we were lied to!

Also, since the October meeting, our Alderperson, Grace Wilken, has informed the City Council that she plans to introduce a resolution at the November 20th meeting to have this lot re-zoned back to a B-1, as she believes, as we do, that a B-3 is NOT appropriate for that lot so close to a residential neighborhood.

Self-storage units are typically in industrial zones. When I toured 12 facilities in Urbana, NONE were next to a residential community.

We have also done research on the problems with storage units, and have found a list, nationwide, of misuses of these units. I, personally, know of a someone living in a unit just north of Urbana. He has rigged up heat, and water and lives there during the week, and then visits a friend on the weekend to shower. I am sure he is NOT the only one who lives in a unit.

Because of food kept in units, or people living in units, and keeping food, there is an increased opportunity for vermin, rodents, and other pests. This would be harmful to the public welfare, as they carry their germs across the wall into Beringer Commons.

The appearance of these machine-shed type buildings does NOT fit in with the custom-built homes in Beringer Commons – a community of wide streets, well-manicured lawns, several walking paths, and four lakes.

A storage facility will NOT preserve the essential character of the district. The industrial area of warehouses referenced in the staff summary and in the application are further south – south of University Avenue. There are NO warehouses north of University Avenue.

Typically, self-storage facilities are 10 ½ feet tall – which is taller than the six-foot wall that would be between the condos and this facility. In some cases, the wall is only 4 ½ feet tall, so metal warehouses and metal roofs will be the view from these homeowners' windows. And, in a B-3 zone, there is not height limit, so the applicant COULD expand by building up, if he wished to expand in the future.

This case should NOT be reconsidered. The time has passed, and the decision was made by a quorum.

However, if for any reason, a re-vote is taken, I urge you to respect the original decision, and the sentiments of the nearby homeowners. Since October 18th, 57% of the total homeowners and lot owners in Beringer Commons has signed a petition of protest. While this is not required or even relevant, according to the staff and the ordinance, it IS significant in that so many people realize how damaging this facility could be for our residents, and our property values.

Already, two possible sales of a condominium fell through due to just the possibility of a self-storage facility on the other side of the wall.

I am attaching a list of potential misuses of storage units.

Thank you for your time and consideration,

Joanne Budde

[REDACTED]

[REDACTED]



**Potential misuse of self storage units.docx**

15K

**From:** [Adam Rusch](#)  
**To:** [!Planning](#)  
**Subject:** Fwd: ZBA Case No. ZBA-2023-C-05 - Application for Self-Storage Facility at 205 N. High Cross Road  
**Date:** Tuesday, November 21, 2023 3:21:43 PM  
**Attachments:** [Potential misuse of self storage units.docx](#)

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**\*\*\* Email From An External Source \*\*\***

Use caution when clicking on links or opening attachments.

Begin forwarded message:

**From:** "Joanne Budde" [REDACTED]  
**Subject:** ZBA Case No. ZBA-2023-C-05 - Application for Self-Storage Facility at 205 N. High Cross Road  
**Date:** November 13, 2023 at 11:59:08 AM CST  
**To:** "!BC-Rusch, Adam" <[arusch-BC@urbanailinois.us](mailto:arusch-BC@urbanailinois.us)>  
**Resent-From:** <[arusch-BC@urbanailinois.us](mailto:arusch-BC@urbanailinois.us)>  
**Reply-To:** "Joanne Budde" [REDACTED]

\*\*\* Email From An External Source \*\*\*  
Use caution when clicking on links or opening attachments.

Mr. Rusch,

At the October 18th meeting of the Zoning Board of Appeals, there was a quorum, and a vote was taken on the application for a conditional use permit for a self-storage facility at 205 N. High Cross Road.

The motion was defeated. Joanne Chester cited her reason for denial was she did not believe it was an appropriate use of the subject property.

Harvey Welch said it was clear that the audience is in opposition to the proposed request.

After the meeting, you spoke with our group briefly on your way out, and told us that you would have liked to vote in our favor, but couldn't because the application had "checked all the boxes," i.e. met the zoning ordinance requirements.

I can only surmise you felt that way because the staff, in their summary and recommendation of the application, said that the application met all the criteria.

This is not true.

I ask you to look at the information below, detailing what I (and many others in our neighborhood) believe are the reasons that this application does NOT MEET ANY OF THE REQUIREMENTS for this conditional use permit.



Findings of fact regarding the request for a conditional use permit to allow a self-service storage facility next to Beringer Commons.

The zoning ordinance identifies three requirements needed for the granting of a conditional use permit.

#### Criteria 1

“That the proposed use is conducive to the public convenience at the location.”

The applicant states: “...this is a good location for a self-storage complex as it is tucked out of the way between Aldi’s supermarket and the condos at Berringer Commons subdivision.” He also says that “...the location in Urbana in which we wish to build is already made up of a mix of supermarkets and warehouse type buildings.”

This is NOT true.

As the staff pointed out in their review and recommendation, the surrounding areas are zoned B-1, R-4, and AG-2. It is NOT tucked away – it is directly next to our condominiums – in some cases, less than 20 feet away from the condos. It is NOT tucked away - it will be visible from High Cross Road, just a few hundred feet from the entrance to our neighborhood. There are no warehouses on High Cross Road north of University Avenue.

The applicant did not answer the question about whether this would fill a need that is missing in the neighborhood. Because, there has been no study to prove that there is a need.

Champaign county has over 23 storage facilities, and all of the ones we contacted had vacancies, and even offered us ½ price deals. We visited 12 facilities in Urbana, and all were in industrial or commercial zones. None were adjacent to residential neighborhoods.

This facility is not “conducive to public convenience” because there is no documented need for more self-service storage or any public request for such a facility. This will, in fact, be harmful to the public convenience by increasing traffic, water run-off and increased crime and fears of danger due to potentially dangerous misuses of lockers.

This requirement has not been met.

## Criteria 2.

“That the proposed use is designed, located, and proposed to be operated so that it will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious to the public welfare.”

This location for a storage facility will be very “injurious and detrimental to the district” and the “public welfare” of residences and citizens bordering the facility. In addition to issues of light, noise, water run-off, unsupervised operation, uninspected stored materials, increased rodent populations, increased traffic, crime, and aesthetic effects there are financial considerations that will be injurious to the district.

The location of this facility will have a detrimental effect on property values and salability of properties. Having an industrial site next to a premier residential neighborhood cannot but lower property values and perhaps lower the real estate tax revenue generated by these 282 homes and lots, as requests for lower assessments are entertained by the County.

Sales have already been affected by the news of this potential, industrial “neighbor.” Real estate agents have told us that buying decisions, and perhaps sales prices, have already been affected on two recent/potential transactions.

The location of an industrial-oriented facility so close to an established residential community cannot but be “injurious to the public welfare.”

And, from the conditional use permit application, “In other words, how will the building and site design, and the operation of the proposed use be done so they do not cause a nuisance to the neighborhood and the community in general? Will it operate hours similar to surrounding uses? Will it generate excessive noise, light, odor, waste, or traffic, and if so, how do you plan to deal with it?”

The applicant’s response was that he would “construct a development of pre-engineered steel warehouses, comprised of a mix of unit sizes, and finished in an attractive color scheme that will be a compliment (sic) to the neighborhood. They will be automated, but will be operated in a range of hours similar to surrounding businesses. There will be enough lights to create security for our users, but will not be a nuisance to the surrounding areas. There will be no on-site staff, and no waste, or trash kept on premises. In our estimation, we will generate much less traffic than the surrounding businesses. In addition to this, there is already a privacy wall that segregates our property from the surrounding residential neighborhood.”

Everything about this response is problematic:

The units will NOT be a “compliment” to the neighborhood, nor even a complement to the neighborhood. They are metal warehouse buildings with white siding and blue doors and a metal roof. This will not be a complement to the homes in Beringer Commons, or even the neighborhood, as there are no other warehouses in the area north of University Avenue on High Cross Road.

The hours will NOT be similar to surrounding businesses. Aldi’s next door (the only business surrounding) is open 9 A.M. to 8 P.M. The storage facility is proposing to be open from 7 A.M. to 10 P.M., with lighting on 24/7.

There will be no on-site staff, so no one will be on-site to observe what activities are taking place in these units, or the amount of trash that is left behind.

Attached to this e-mail is a list of some of the problems that have been associated with self-storage facilities, demonstrating how this type of facility could prove injurious to the public welfare, especially those residents in Beringer Commons.

And despite what the applicant may feel about waste and trash, there WILL be trash. As people clean out their units, they will dispose of items they no longer want, and don’t want to move. If no trash receptacles are provided, they will leave the items in the aisles. For bigger items such as couches or chairs, they might end up in the ditch outside the storage area.

Since one of the events that frequently occurs in storage facilities is a social gathering, using the unit as a faux man-cave, people will gather, BBQ, play music and they WILL leave trash.

Another problem with storage units is that some people actually live in their units,

bringing food in that attracts animals and pests.

Storage units are known to attract vermin, because some renters keep food in their units, and the trash left behind will attract animals. These rodents or other animals will find their way into Beringer Commons, and carry infections with them. This will be detrimental to the public welfare.

And, the privacy wall he references is only 4 ½ feet high in some areas, and in areas where it is 6 feet high, it is still not high enough to block the view of these units from our homeowners.

And, of the five units the applicant is proposing to build (or roll in), one will be a climate-controlled unit. That means it will have some way to generate heat and air conditioning. This climate-controlled unit will be the one closest to the wall and our condominiums. Residents will most certainly be able to hear the buzz of HVAC equipment.

For these reasons, this facility does not meet the requirement.

Criteria 3.

“That the proposed use conforms to the applicable regulations and standards of, and preserves the essential character of the district in which it shall be located except where such regulations and standards are modified. By sec. V11-3.”

The staff, in their report, chooses to determine the “essential character of the district” to be stores and industrial uses in the area far to the south of the proposed facility. They totally ignore the “essential character of the district” immediately adjoining, and closest to, the proposed facility.

This district is totally residential with some of the largest and most costly homes in Urbana. The area is very well maintained and presents a beautiful appearance.

We are not opposed to business near us. Many of our residents own or operate businesses in Urbana and Champaign. Aldi’s has been a good neighbor, but before opening, in response to neighborhood concerns, they were required to limit their hours from 9 A.M. to 8 P.M. They built a wall to separate their store from

our homes directly adjacent, and they planted trees to help block the view, to help diminish noise and to beautify the neighborhood.

The location of a storage facility will be inappropriate and will have a very detrimental effect on “the character of our district,”—the closest district to this proposed facility.

The applicant is saying his hours will be 7 am to 10 pm, with 24/7 lighting, and there is no mention of any trees or anything else to block the view from our homes, which, in some cases will be only 20 feet away from the facility, and residents will have a view of metal machine-shed like buildings. We have a wall between our neighborhood and the proposed facility, but in some cases, it is only 4 ½ feet tall, and the facility will be at least 10 ½ feet tall. Our residents will be looking at these units and their metal roofs and listening to the loud hum of A/C and heating equipment immediately outside their windows. In a B-3 zone, there is no height limit for buildings, so the applicant could, at a later point, build onto these units by building up.

Self-storage facilities are more appropriate in an industrial zone (IN-1 Light Industrial/Office) or (IN-2 Heavy Industrial) where they are listed as a permissible use. This is where all the other storage facilities in Champaign-Urbana are located. Our tour of 12 storage facilities in Urbana revealed that NONE were next to residential areas.

This requirement to preserve the essential character of the district has NOT been met.

If, under any circumstances, you are asked to re-vote on this issue, we urge you to vote against this application for the reasons stated above.

## Summary

The application for a conditional use permit does NOT meet any of the requirements per the zoning ordinance.

However, the City Attorney is recommending that the ZBA reconsider this case to insert the findings of fact. There must be another way to insert the findings of

fact, such as amending the minutes as presented for approval at your November 15th meeting, or simply asking the two people who voted No to specify their reasons for the record.

Our attorney has advised the City Attorney that the time for reconsideration is long since passed. According to Robert's Rules of Order, a motion to reconsider "can be made only on the day the vote to be reconsidered was taken, or on the next succeeding day, a legal holiday or a recess not being counted as a day. It must be made by one who voted with the prevailing side."

Thank you, Mr. Rusch, for your time and attention. I apologize for this lengthy email.

Joanne Budde

[REDACTED]

[REDACTED]

[REDACTED]

**From:** [Adam Rusch](#)  
**To:** [!Planning](#)  
**Subject:** Fwd: Zoning Board of Appeals Meeting 11-15-23  
**Date:** Tuesday, November 21, 2023 3:19:41 PM

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**\*\*\* Email From An External Source \*\*\***

Use caution when clicking on links or opening attachments.

Begin forwarded message:

**From:** "Doris Gebauer" [REDACTED]  
**Subject:** Zoning Board of Appeals Meeting 11-15-23  
**Date:** November 14, 2023 at 3:58:35 PM CST  
**To:** "BC-Uchtmann, Nancy" <[nuchtmann-BC@urbanailinois.us](mailto:nuchtmann-BC@urbanailinois.us)>, "BC-Welch, Harvey" <[hwelch-BC@urbanailinois.us](mailto:hwelch-BC@urbanailinois.us)>, "BC-Chester, Joanne" <[jchester-BC@urbanailinois.us](mailto:jchester-BC@urbanailinois.us)>, "BC-Cho, Matt" <[mcho-BC@urbanailinois.us](mailto:mcho-BC@urbanailinois.us)>, "BC-McLaughlin, Ashlee" <[amclaughlin-BC@urbanailinois.us](mailto:amclaughlin-BC@urbanailinois.us)>, "BC-Rusch, Adam" <[arusch-BC@urbanailinois.us](mailto:arusch-BC@urbanailinois.us)>, "BC-Warmbrunn, Charles" <[cwarmbrunn-BC@urbanailinois.us](mailto:cwarmbrunn-BC@urbanailinois.us)>  
**Resent-From:** <[arusch-BC@urbanailinois.us](mailto:arusch-BC@urbanailinois.us)>  
**Reply-To:** "Doris Gebauer" [REDACTED]

\*\*\* Email From An External Source \*\*\*  
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In case the subject comes up, my husband and I are against a special zoning/permit to allow self storage units to be built adjacent to the Beringer Commons subdivision.

This type of facility does NOT belong next to a residential neighborhood - it belongs in an industrial zone where all other storage facilities in town are. It does nothing to enhance our neighborhood. It has the potential to devalue our properties. We have worked long and hard to have the homes we do. We do not want their value to lessen because some employees of the city feel these units are a good thing. And if our property is devalued, so will the amount of property taxes we pay to the city. City employees should be more concerned about this result. The units are metal garages, like a warehouse. This does not preserve the character of the neighborhood - some of these units could be as close as 50 feet to condos in our neighborhood.

I doubt that any of you would want these units next to your homes.

As I understand, lights will be on 24/7 and open from 7am until 10am. The only other business adjacent to our neighborhood is open from 9am till 8pm, and lights are turned out then. Lighting on all hours of the day will affect the homes near the units. Also there will be no one on sight for security.

One must also be concerned as to what might be stored in these units. Also a concern is what trash will be left behind when people move out -

For these and other reasons, please vote against this special permit. I know your employees are recommending it. HOWEVER, don't you think that Urbana citizens and their opinions are just as valid if not more so, than your employees. I wonder if they even live in Urbana.

Supposedly, this was all taken care of in October, and the matter was settled. Prior to the vote, we were told by the employees that yes there was a quorum and this vote would decide it.. Somehow your employees brought it back up again and got it back on the agenda. This does not seem right to my husband and me. I think that that should be looked into.

Hoping my email clarifies our stance on this matter.

Doris and Gary Gebauer







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## Please do not support ZBA-2023-C-05

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Lampman, Richard Lee [REDACTED]

Mon, Oct 23, 2023 at 12:07 PM

To: "Wilken, Grace" [REDACTED]

Cc: "Marlin, Diane" [REDACTED] !!Zoning Board of Appeals <ZoningBoardofAppeals@urbanailinois.us>

\*\*\* Email From An External Source \*\*\*

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Alderman Wilken,

I would like to urge you to vote against any conditional use permit proposal for a self-storage facility at 205 HIGH CROSS ROAD, adjacent to Beringer Commons Subdivision, despite the zoning staff support for approval (ZBA-2023-C-05).

The zoning public hearing on October 18, 2023 resulted in a tied vote for approval and we are concerned the zoning staff are working with the developer Wes Taylor to resubmit the proposal, despite the overwhelming negative public response at the meeting. Furthermore, the zoning staff implied the only valid comments were from residents within 250 ft of the proposed facility. This attitude ignores the obvious broader impact on the entire Subdivision with the addition of an industrial looking self-storage facility.

Beringer Commons is a subdivision that consists of condominiums and homes with upper scale economic value that generate considerable property tax income. As President of the Beringer Commons HOA, I have received multiple negative comments/complaints about the potential addition of self-storage units at the ALDI subplot site owned by OSF. I believe the zoning staff did not accurately reflect the conditions or impact of the project on the surrounding area.

First, most storage units in Urbana are not immediately adjacent (within 200 ft) to single-family residential areas, especially upscale subdivisions like Beringer Commons.

Second, the zoning staff said the units would readily fit with the character of the area and that is categorically incorrect. In fact, the industrial garage looking storage units would negatively alter the appearance of that corner. See attached image and areas north and east of the empty lot north of ALDI.

Third, the staff report says there is an existing wall that would block the view of the self-storage units from the Beringer Commons condominiums and other residents in the subdivision. They seem to ignore the fact that the proposed units are taller than the wall.

Fourth, the drainage ditches in that area are barely able to handle the water runoff from the existing businesses and storm water drains. Rains of one-half inch or more, tend to fill those ditches close to overflowing.

Fifth, during the zoning meeting, the developer presented a veiled threat saying storage units were not as

objectionable as other possibilities, presumably referring to the adult entertainment allowance in B3 zoning. We agree this would be another objectionable use of the lot, but that doesn't diminish how the garage style storage buildings would diminish the area's appearance.

In brief, an area with a unique upscale atmosphere, which generates considerable property tax income, would be negatively impacted by the addition of a self-storage facility.

Thank you. I hope you can support our efforts.

[image0.jpeg]

Richard Lampman,  
President Beringer Commons HOA

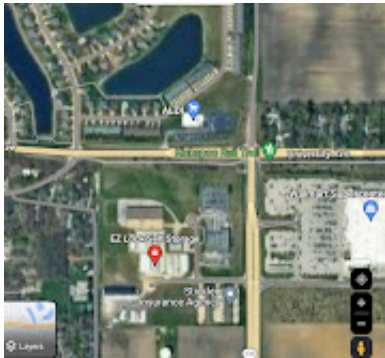


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**From:** [Adam Rusch](#)  
**To:** [!Planning](#)  
**Subject:** Fwd: Storage facility-please reconsider  
**Date:** Tuesday, November 21, 2023 3:20:19 PM

\*\*\* Email From An External Source \*\*\*

Use caution when clicking on links or opening attachments.

Begin forwarded message:

**From:** "Trimble, Vicki L" [REDACTED]  
**Subject:** Storage facility-please reconsider  
**Date:** November 13, 2023 at 9:42:19 PM CST  
**To:** "!BC-Rusch, Adam" <[arusch-BC@urbanailinois.us](mailto:arusch-BC@urbanailinois.us)>  
**Resent-From:** <[arusch-BC@urbanailinois.us](mailto:arusch-BC@urbanailinois.us)>  
**Reply-To:** "Trimble, Vicki L" [REDACTED]

\*\*\* Email From An External Source \*\*\*

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Dear Mr. Rusch,

We met briefly after the October Zoning Board meeting where two of the four members voted against allowing this facility to be built at the corner of Highcross Road and University Avenue.

You told a few of us at that time you were very torn over the situation but you thought that they had met the requirements. Therefore, you voted for it.

I know my neighbor/friend Joanne Budde sent you a very lengthy email regarding all the issues that have occurred since that meeting and what they're attempting to do at this upcoming November 15 meeting.

Therefore I won't send you another very long email basically repeating what Ms. Budde said.

However, you might remember that evening of all the many reasons we were concerned here in Beringer Commons as to why we did not want that storage facility built beside us. One of them being discarded furniture, and other items trashing up our neighborhood.

I took the pictures below just last week on University Avenue less than five minutes away from Beringer Commons where that storage facility is already built, not at capacity, and obviously having a few issues of their own.

There has been so much happened in the last month with the zoning board staff, not board members, but staff trying to cover their tracks, and the builder of this potential facility attempting to find loopholes, a way in the back door, and more, that I just want to make sure you're aware of what's going on.

If you've not already done so, I beg you to read Joanne Budde's email that was sent earlier as she explained everything quite well.

Hopefully not, but should this come back up for a vote again on Wednesday evening, I beg

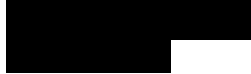
you to change your vote to NOT allow them to build this storage facility in this location.

I submitted an email earlier today to the “planning” email address with all my various reasons as to why this is a bad idea.

Therefore I hope you received a copy of that to also read.

Thank you so much for all of your time and attention to this matter. As you can see, it’s really important to the residents of Beringer Commons not to let this be built .

Respectfully yours,  
Vicki Trimble



[IMG\_3216.jpg]

[IMG\_3217.jpg]

Sent from my iPhone





**From:** [Harvey Welch](#)  
**To:** [!Planning](#)  
**Subject:** Fwd: ZBA-2023-C-05 Conditional Use Permit  
**Date:** Wednesday, November 29, 2023 1:29:19 PM

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**\*\*\* Email From An External Source \*\*\***

Use caution when clicking on links or opening attachments.

Sent from my iPhone

Begin forwarded message:

**From:** Jim Tucker [REDACTED]  
**Date:** November 13, 2023 at 7:00:09 PM CST  
**To:** "!BC-Welch, Harvey" <hwelch-BC@urbanailinois.us>  
**Subject:** ZBA-2023-C-05 Conditional Use Permit

**\*\*\* Email From An External Source \*\*\***

Use caution when clicking on links or opening attachments.

Thank you for your "No" vote on October 18th regarding the subject permit for 205 High Cross Road. We felt as though you agreed with us that a self-storage facility, which will be literally yards from our homes, is simply not appropriate for this particular parcel of land.

We are asking that the permit denial of that meeting be allowed to stand. If the board feels it must review and reconsider the request at the November 15th meeting, we again ask for your "no" vote.

Thank you so much.  
Jim & Marla Tucker  
[REDACTED]





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## ZBA-2023-C-05 Conditional Use Permit

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Jim Tucker [REDACTED]

Mon, Nov 13, 2023 at 7:48 PM

To: "BC-McLaughlin, Ashlee" <amclaughlin-BC@urbanailinois.us>

\*\*\* Email From An External Source \*\*\*

Use caution when clicking on links or opening attachments.

We understand that you may be reviewing and reconsidering the subject permit for a self-storage facility at 205 N. High Cross Road at the November 15th meeting. The permit was denied at the October 18th meeting, and we hope you will reconsider your previous "yes" vote in the applicant's favor.

We do not believe that the 3 requirements needed for the granting of this permit are met.

1. How is it conducive to public convenience when there is already a self-storage facility located directly south of University, just behind the Post Office?
2. It will indeed have a detrimental effect on the surrounding area. It will be within yards of a residential neighborhood of condos and homes, and will no doubt make those residences in closest proximity of less value and harder to sell, not to mention the bright lights, increased noise and traffic, and some frankly undesirable activities that are often associated with such facilities front and center to our community. Incidentally, the wall that borders the property is only 6' (and less in some places) high, not 8' as indicated on one of the drawings, leaving us with quite an unattractive view on the other side.
3. The facility will NOT preserve the essential character of our neighborhood. The northwest corner of High Cross Road and University has one B-1 zoned facility (Aldi Grocery) and the rest is residential. The closest commercial/industrial area is south of University in the area of the Post Office, Wal-Mart, another self-storage facility, etc.

Please know that we are NOT against having a business located on that parcel of land, but we ARE against having a business that is suited to an industrial zoned area located on the parcel, just yards from our homes.

Thank you for your consideration,  
Jim & Marla Tucker  
[REDACTED]

# Exhibit I

## LIST OF SELF-STORAGE FACILITIES CURRENTLY IN URBANA

<b>Urbana Secure Self Storage</b>	<b>1808 Philo Road</b>	<b>B-3</b>
Adjacent to Pinewood Place Apartments		
Special Use Permit to allow Mini-Warehouse Storage Facility		
Approved by City Council on 02-02-2004		
Ordinance No. 2004-02-011		
Conditional Use Permit to allow Expansion of Storage Facility		
Approved by Zoning Board of Appeals on 04-19-2023		
Document No. 2023R05218 – Recorded on 04-27-2023		
<b>StorQuest Economy Self Storage</b>	<b>1710 North Cunningham Avenue</b>	<b>B-3</b>
Adjacent to Willow Springs Condos		
Permitted by Right in B-3 prior to November 1999; Plans for construction were submitted in September 1999		
<b>Park 150 Self Service Storage</b>	<b>1602 East University Avenue</b>	<b>IN-2</b>
Adjacent to Wilson Mobile Home Park		
Conditional Use Permit to allow self-service storage facility in IN District		
Approved by Zoning Board of Appeals on 08-11-1987		
<b>EZ Lock Self Storage</b>	<b>3004 Tatman Court</b>	<b>IN-1</b>
Not adjacent to residential use		
Permitted by right in IN-1 in 2015		
<b>Closet Space Storage</b>	<b>2006 South Philo Road</b>	<b>B-3</b>
Adjacent to Eagle Ridge Subdivision		
Special Use Permit to allow a self-storage facility in B-3		
Approved by City Council on 12-19-2005		
Ordinance No. 2005-12-179		
<b>U-Haul Moving &amp; Storage at Southgate</b>	<b>2010 South Philo Road</b>	<b>B-3</b>
Adjacent to Eagle Ridge Subdivision		
Conditional Use Permit to allow self-storage facility in B-3		
Approved by Zoning Board of Appeals on 12-21-2016		
Document No. 2017R00026 – Recorded on 01-03-2017		
Conditional Use Permit to allow additional mini warehouse buildings		
Approved by Zoning Board of Appeals on 03-21-2018		
Document No. 2018R18858 – Recorded on 11-01-2018		
<b>Kerr Street Storage</b>	<b>608 Kerr Avenue</b>	<b>B-3</b>
Adjacent to CU Independence Apartments		
Permitted by right in B-3 prior to November 1999		
<b>Glover Street Warehouses</b>	<b>602 South Glover Avenue</b>	<b>IN-1</b>
Adjacent to single-family dwellings		
Original Mini-Warehouse Building Permitted by Right in IN prior to November 1999; Built in 1996		
Conditional Use Permit to allow a self-storage warehouse facility in IN District		



Approved by Zoning Board of Appeals on 09-27-2001 addressed as 502 and 504 South Glover Street

<b>Lincolnwood Warehouse Systems</b>	<b>3201 North Lincoln Avenue</b>	IN-2
Not adjacent to a residential use		
Permitted by right in IN prior to November 1999; Storage Facility was constructed prior to 1988		

<b>Hutchcraft Van Service</b>	<b>1614 North Lincoln Avenue</b>	B-3
Located across Lincoln Avenue from One South Apartments		
Permitted by right in B-3 prior to November 1999		

	<b>202 North Maple Street</b>	IN-1
Not adjacent to a residential use		
Conditional Use Permit to allow a warehouse, self-storage in IN District		
Approved by the Zoning Board of Appeals on 02-18-2004		
Document No. 2004R27301 – Recorded on 08-24-2004		