

ORDINANCE NO. 9394-52

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT  
(To Allow [REDACTED] Lester Johnson to Locate a Parking Lot On Abandoned  
Railroad Right-of-Way Between McCullough and Orchard Streets)**

WHEREAS, Lester Johnson has requested the Plan Commission consider a Special Use to allow a parking lot on abandoned railroad right-of-way between McCullough and Orchard Streets; and

WHEREAS, the Urbana Plan Commission has considered the said petition after due notice and held a public hearing thereon on October 21 and November 4, 1993 as Plan Case No. 1515-SU-93; and

WHEREAS, the Urbana Plan Commission has recommended denial of the requested Special Use Permit; and

WHEREAS, the Urbana City Council has determined that requested Special Use Permit is in the best interests of the City of Urbana.

NOW, THEREFORE, BE IT ORDAINED BY THE URBANA CITY COUNCIL that:

Section 1. A Special Use Permit is hereby granted to the petitioner, Lester Johnson to use the abandoned railroad right-of-way between McCullough and Orchard Streets as described herein as a parking lot in conformance with the attached site plan, the said property being legally described as follows:

The westerly 380 feet of the following described tract:

A part of the SE 1/4 of the SW 1/4 of Section 8, Township 19N, Range 9E of the Third Principal Meridian and located in the city of Urbana, more particularly described as follows:

A parcel of land beginning at the point of intersection of the East line of Orchard Street, in said City of Urbana,

with the Southerly line of the right-of-way conveyed to the predecessors of Peoria and Eastern Railway Company, now Consolidated Rail Corporation, which right-of-way line is thirty (30) feet Southerly by rectangle measurement from the center line of the original main track of said Peoria and Eastern Railway, and eleven and six tenths (11.6) feet Northerly by rectangular measurement from the center line of the main track of the former Champaign and Southeastern Railway Company, now Wabash Railroad Company; thence Easterly on a line parallel with and thirty (30) feet Southerly by rectangular measurement from the aforesaid center line of Peoria and Eastern Railway Company's original main track to its intersection with the West line of West Avenue produced North; thence South on the West line of said West Avenue produced, to a point fifty (50) feet by rectangular measurement from aforesaid center line of Peoria and Eastern Railway Company's original main track; thence Easterly on a line fifty (50) feet Southerly by rectangular measurement from the last mentioned center line of track to a point on the East line of West Avenue produced; thence South on East line of West avenue to a point twenty (20) feet Southerly by rectangle measurement from the center line of the main track of the former Champaign and Southeastern Railway Company, now Wabash Railroad Company, as located and established; thence Northwesterly on a line which is twenty (20) feet Southerly by rectangle measurement from the center line of the main track of the former Champaign and Southeastern Railway Company, now Wabash Railroad Company, main track to a point on the East line of Orchard Street; thence North along the East line of Orchard Street to the Point of Beginning.

Section 2. The City Council does hereby waive the following requirements of Section VII-6 of the Urbana Zoning

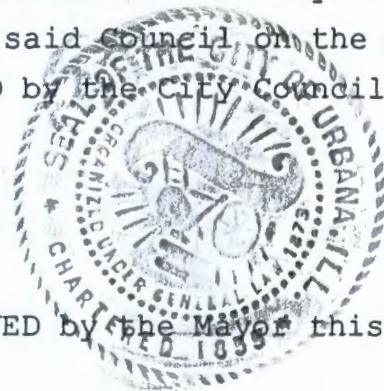
Ordinance:

1. That the minimum lot size for this Special Use must be one (1) acre.
2. That the Special Use must be enclosed by a wire mesh fence of no less than six (6) feet in height.
3. That the side and rear yards must be twenty-five (25) feet.

Section 3. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the Corporate Authorities, and this Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Section 1-2-4 of the Illinois Municipal Code.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the members of the City Council of the City of Urbana, Illinois, at a regular meeting of said council on the 6th day of December, 1993.

PASSED by the City Council on this 6th day of December, 1993.



Phyllis D. Clark  
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this 10th day of December, 1993.

Tod Satterthwaite  
Tod Satterthwaite, Mayor

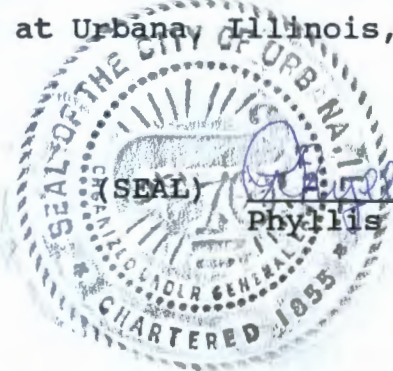
**CERTIFICATE OF PUBLICATION IN PAMPHLET FORM**

I, Phyllis D. Clark, certify that I am duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois.

I certify that on the 6th day of December, 1993, the Corporate Authorities of the City of Urbana passed and approved Ordinance No. 9394-52, entitled AN ORDINANCE GRANTING A SPECIAL USE PERMIT (To allow Lester Johnson to Locate a Parking Lot on an Abandoned Railroad Right-of-Way Between McCullough and Orchard Streets), which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 9394-52 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 22nd day of December, 1993, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request of at the Office of the City Clerk.

DATED at Urbana, Illinois, this 4th day of January, 1994.



Phyllis D. Clark  
Phyllis D. Clark, City Clerk