

**ORDINANCE NO. 9697-92**

**AN ORDINANCE APPROVING A SPECIAL USE PERMIT TO PERMIT USE OF A  
CONCRETE PLANT, ASPHALT PLANT, AND A PETROLEUM STORAGE YARD  
AND DISTRIBUTION CENTER AT 2906 N. OAK STREET**  
**(Plan Case No. 1642-SU-96)**

WHEREAS, Chicago Title Trust Co., as Successor Trustee to First of America, Champaign-Urbana, as Trustee of Land Trust No. 13-10980 and 13-11223 by Roger L. Yarbrough, as agent for all beneficial owners, has petitioned the Urbana Plan Commission in Case No. 1642-SU-96 to consider a request for a special use permit to permit use of a concrete plant, asphalt plant, and a petroleum storage yard and distribution center at 2906 N. Oak Street, Urbana, Illinois; and

WHEREAS, the property is zoned IN Industrial; and

WHEREAS, the Urbana Plan Commission has considered said petition after due notice at a public hearing on January 23, 1997 in Plan Case No. 1642-SU-96; and

WHEREAS, the Plan Commission has recommended authorizing the requested special use permit with the waiver and special conditions set forth in Section 2 below; and

WHEREAS, the authorization of the special use permit, with the waiver and special conditions set forth below, is consistent with the requirements of Section VII-6 of the Urbana Zoning Ordinance, and with the general intent of that Ordinance.

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

Section 1. A special use permit is hereby authorized to permit use of a concrete plant, asphalt plant, and a petroleum storage yard and distribution center at 2906 N. Oak Street, in substantial conformance to the attached site plan, subject to the waiver and special conditions set forth in Section 2 below as recommended by the Urbana Plan Commission. The subject property where the special use is hereby permitted is more particularly described as follows:

Part of Section 31 of T. 20 N., R. 9 E. and part of Section 32 of T. 20N., R. 9 E of the 3rd P.M. in Champaign County, Illinois, the boundary of which is descibed as follows:

Beginning at a steel pipe monument set by surveyor C. S. Danner in the existing east-west Township Road (since vacated) on the south line of Section 31 in the aforementioned Township at a point 2010.31 feet west of a steel pipe accepted by common report as the southeast corner of said Section 31; Thence N. 20° 56' 10"

E., 631.18 feet for a true point of beginning; thence S. 69° 03' 50" E., 180.67 feet, more or less to the centerline of a drainage ditch tributary to the Saline drainage ditch, thence easterly, along the centerline of said drainage ditch tributary to the Saline drainage ditch, 782.0 feet, more or less, to the centerline of said Saline drainage ditch, said centerline of Saline drainage ditch and drainage ditch tributary to the Saline drainage ditch are witnessed by a meander line, all as shown on a plat by C. S. Danner IRLS 1470, dated January 12, 1972; thence northerly, along the centerline of said Saline drainage ditch, 649 feet, more or less, to a point on the west line of Lot 3 of a subdivision known as "Plat of Survey for Illinois Central Railroad Company..." as recorded in Book U, Page 11, in the office of the Recorder of Champaign County, Illinois; thence northerly and northeasterly within the bed of the Saline drainage ditch following the westerly line of the aforementioned subdivision to a point on the northwesterly line of Lot 1 of that subdivision, which point bears S. 65° 38' W., 391.55 feet from the northwest corner of Lot 8 of that subdivision; thence northwesterly 1070 feet, more or less, to a steel pipe monument bearing a yellow plastic cap marked ILS 1462, which pipe is located 781.95 feet easterly perpendicular to the centerline of the Illinois Central-Southbound Main Track and is further described as follows: beginning at an iron pipe set 327.69 feet north from the E 1/4 corner of aforementioned Section 31 and a 3" diameter steel axle 1936.85 feet northerly thereof; thence continuing S. 89° 54' 45" W., 995.55 feet parallel with the east-west 1/4 line of Section 31 to said point; Thence S. 17° 56' 20" W., 1697.86 feet to a steel pipe monument located at the northwest corner of a Tract B as shown by plat filed for record February 8, 1972 as Document 72R1659 in Book X, Page 70 in the office of the Recorder of Champaign County, Illinois; thence S. 18° 49' 10" W., 340.04 feet to a steel pipe monument; thence S. 20° 56' 10" W., 480.39 feet to the place of beginning, containing 38 acres, more or less, all situated in the City of Urbana, Champaign County, Illinois.

Said description includes the following Permanent Parcel Numbers:

25-15-31-400-021  
part of 25-15-31-400-022  
25-15-31-400-024  
25-15-31-400-025  
25-15-31-400-026

Section 2. The City Council does hereby waive the requirements of Section VII-6 of the Urbana Zoning Ordinance that the site be enclosed with a wire mesh fence having a height of at least six feet. In addition, the special use permit shall be valid only under the following conditions:

1. The petitioner must comply with all regulations of the Environmental Protection Agency for the uses on this site.

2. The petitioner must have an approved Noxious Odor Abatement Plan implemented according to the standards of the applicable City of Urbana building codes.
3. The uses authorized by the special use permit must be established within two years after the date that this ordinance is passed by the Council, as evidenced by issuance of a building permit or by a Certificate of Occupancy if no building permit is required.

Section 3. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities. This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Chapter 65, Section 1-2-4 of the Illinois Compiled Statutes (65 ILCS 5/1-2-4).

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 17th day of February, 1997.

PASSED by the City Council on this 17th day of February, 1997.

AYES: Hayes, Kearns, Patt, Pollock, Ryan, Taylor, Whelan

NAYS:

ABSTAINED:



*Phyllis D. Clark*  
 \_\_\_\_\_  
 Phyllis D. Clark, City Clerk

*Robert J. Roberts*  
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 Robert J. Roberts, Deputy Clerk

APPROVED by the Mayor this 24th day of February, 1997.

*Tod Satterthwaite*  
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 Tod Satterthwaite, Mayor

# SITE PLAN

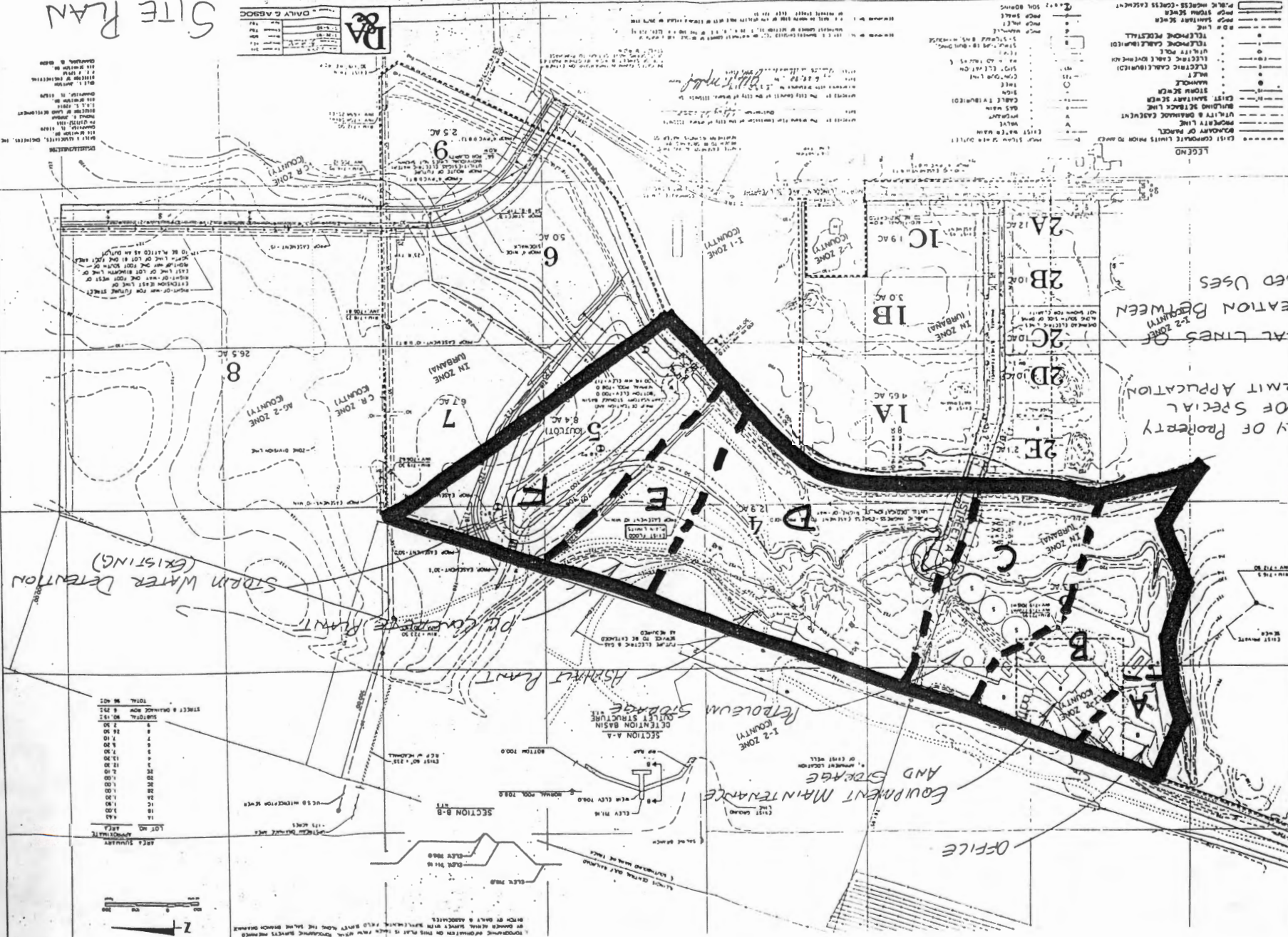
**DA & A**

DAILY E. A. B. C. D. E. F. G. H. I. J. K. L. M. N. O. P. Q. R. S. T. U. V. W. X. Y. Z.

CONSTRUCTION BY OWNER  
 1. ALL UTILITIES TO BE SHOWN  
 2. ALL UTILITIES TO BE SHOWN  
 3. ALL UTILITIES TO BE SHOWN  
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 9. ALL UTILITIES TO BE SHOWN  
 10. ALL UTILITIES TO BE SHOWN

**LEGEND**

---	EXISTING CONCRETE LIMITS PRIOR TO ADDED
---	PROPERTY LINE
---	UTILITY & DISTANCE CASSEMENT
---	BUILDING SETBACK LINE
---	EAST SANITARY SEWER
---	STORM SEWER
---	MANHOLE
---	MULTI
---	ELECTRIC CABLE (UNARMED)
---	UTILITY POLE
---	TELEPHONE CABLE (UNARMED)
---	TELEPHONE CABLE (ARMED)
---	ROAD
---	RAILROAD
---	RAILROAD CROSSING
---	RAILROAD CROSSING CASSEMENT



BOUNDARY OF PROPERTY  
 SUBJECT OF SPECIAL  
 USE PERMIT APPLICATION  
 GENERAL LINES OF  
 DELINEATION BETWEEN  
 PROPOSED USES

TABLE OF DIMENSIONS

SECTION	LENGTH	WIDTH	AREA
SECTION A-A	100.00	100.00	10000.00
SECTION B-B	100.00	100.00	10000.00
SECTION C-C	100.00	100.00	10000.00
SECTION D-D	100.00	100.00	10000.00
SECTION E-E	100.00	100.00	10000.00
SECTION F-F	100.00	100.00	10000.00
TOTAL	600.00	600.00	360000.00



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CERTIFICATE OF PUBLICATION  
IN PAMPHLET FORM



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

I certify that on the 17th day of February, 1997, the corporate authorities of the City of Urbana passed and approved Ordinance No. 9697-92, entitled "AN ORDINANCE APPROVING A SPECIAL USE PERMIT TO PERMIT USE OF A CONCRETE PLANT, ASPHALT PLANT, AND A PETROLEUM STORAGE YARD AND DISTRIBUTION CENTER AT 2906 N. OAK STREET (PLAN CASE NO. 1642-SU-96)", which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 9697-92 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 24th day of February, 1997, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

Dated at Urbana, Illinois, this 24th, day of February, 1997.



Phyllis D. Clark by  
Phyllis D. Clark, City Clerk  
Deborah J. Roberts, Deputy Clerk