

**AN ORDINANCE APPROVING A SPECIAL USE PERMIT**

**(To Allow for the Expansion of the Urbana & Champaign Sanitary District's Wastewater Treatment Facility in the CRE, Conservation-Education-Recreation Zoning District, Located at 1100 E. University Avenue - Plan Case No. 1846-SU-02)**

WHEREAS, the subject property is zoned CRE, Conservation-Recreation-Education, and a sewage treatment plant or lagoon is allowed only as a Special Use in the CRE zone; and

WHEREAS, the Urbana and Champaign Sanitary District has petitioned the Urbana Plan Commission in Case No. 1846-SU-02 to consider a request for a special use permit to allow for the expansion of the wastewater treatment facility at 1100 E. University Avenue; and

WHEREAS, after due publication, a public hearing was held by the Urbana Plan Commission on January 9, 2003 concerning the petition filed by the petitioner in Plan Case No. 1846-SU-02; and

WHEREAS, on January 9, 2003, the Urbana Plan Commission voted 8 ayes and 0 nays to forward the case to the Urbana City Council with a recommendation to approve the request for a Special Use Permit, subject to the conditions that staff check and verify that "Tract 006" is modified to be included if necessary and that the proposed improvements generally conform to the Site Plan, shown as Exhibit G in the January 2, 2003 staff memorandum (Exhibit "1" of this Ordinance); and

WHEREAS, the approval of the Special Use Permit, with the 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; and

WHEREAS, the findings of the Plan Commission indicate that approval of the special use permit would promote the general health, safety, morals, and general welfare of the public; and

WHEREAS, the Special Use Permit is consistent with the long-range treatment facilities plan presented to the Urbana City Council and approved on September 4, 2001 as City Ordinance number 2001-09-026R; and

WHEREAS, the Special Use Permit is consistent with the amendment to the agreement between the Urbana and Champaign Sanitary District and the City of Urbana concerning improvements to the Woodland Park Neighborhood, approved on November 5, 2001 as City Ordinance number 2001-11-137; and

WHEREAS, portions of the proposed driveway expansion would be located outside the boundaries of the Special Use Permit request, but the proposed use of the property as a driveway is immaterial and would not require a Special Use Permit. Any other sanitary treatment facility use in this area would require an additional Special Use Permit.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. A Special Use Permit is hereby approved to allow for the expansion of the Urbana & Champaign Sanitary District's wastewater treatment facility at 1100 E. University Avenue in the CRE, Conservation-Education-Recreation Zoning District - Plan Case No. 1846-SU-02 with the condition that the proposed improvements generally conform to the Site Plan, attached as Exhibit A of this Ordinance.

LEGAL DESCRIPTION:

Parcel #1

Lot "A" of a Subdivision of all of that portion of the E ½ of SW ¼ of Sec. 9, Twp. 19 N. R. 9 East of the 3<sup>rd</sup> P. M. which lies North of the right of way of the C.C.C. & St. Louis Railway Company. Said Lot "A" containing 13.68 acres of land as shown by plat of same recorded in Plat Record A, page 305, except highway right-of-way conveyed in Book 229, Page 538, in the Recorder's Office of Champaign County, Illinois, described as follows to-wit:

(From the Southwest corner of Lot 1 Block 1 of E. Barr's Subdivision of Lots 4 and 5 of a subdivision of W ½ SW ¼ Sec.9, Twp. 19 N. R. 9 East of the 3<sup>rd</sup> P. M. Champaign County, Illinois, measure South 30 feet thence South 89 degrees 46 minutes East 1055.7 feet thence South 71 degrees 26 minutes East 278.2 feet to place of beginning A.

From the place of beginning A measure North 42.2 feet to point B thence South 71 degrees 26 minutes East 17.4 feet to point C thence South 84.4 feet to point D thence North 71 degrees 26 minutes West 17.4 feet to point E thence North 42.2 feet to place of beginning A.

The above described tract of land is a part of Lot A of a Subdivision of the E ½ SW ¼ Sec. 9, Twp. 19 N. R. 9 East of the 3<sup>rd</sup> P. M. Champaign County, Illinois, and containing 0.03 acres more or less.)

Parcel #2

Lot B of a Subdivision of the E ½ SW ¼ Sec. 9, Twp. 19 N. R. 9 East of the 3<sup>rd</sup> P. M. Champaign County, Illinois, except highway right-of-way conveyed in Book 229, Page 350, in the Recorder's Office Champaign County, Illinois, described as follows, to-wit:

(From the Southeast corner of Sec. 9, Twp. 19 N. R. 9 East of the 3<sup>rd</sup> P. M. Champaign County, Illinois, measure North 655.1 feet thence North 67 degrees 09 minutes West 658.7 feet thence North 86 degrees 46 minutes West 203 feet thence North 17 feet to place of beginning A.

From the place of beginning A measure North 86 degrees 46 minutes West 1320.0 feet to the point B thence North 121.4 feet to the point C thence South 71 degrees 26 minutes East 124.2 feet to point D thence around a curve to the left having a radius of 1389.5 feet and tangent at D to the last described Course C-D for 492.2 feet to point E thence South 86 degrees 46 minutes East 721.4 feet to the point "F" thence South 23 feet to place of beginning.

The above described tract is a part of the S ½ Lot B of a Subdivision of the E ½ SW ¼ Sec. 9, Twp. 19 N. R. 9 East of the 3<sup>rd</sup> P. M. Champaign County, Illinois, and containing 0.91 acres more or less.)

Parcel #3

The North Nine and Forty-one Hundredths Acres (9.41) of Lot Five (5), (except the South Five Hundred Twenty-two (522) feet of the East Fifteen (15) Feet of the North Nine and Forty-one Hundredths (9.41) acres of Lot Five (5)), of a Subdivision of the West Half (W ½) of the Southwest Quarter (SW ¼) of Section Nine (9), Township Nineteen (19) North, Range Nine (9) East of the Third Principal Meridian, being a Subdivision of the Estate of William T. Webber, deceased, as shown by Old Letter Book "A", page 244 of the Records of Champaign County, Illinois, situated in the City of Urbana, in Champaign County, Illinois.

Parcel #4

All that part of Lot Six (6) of a sub-division of the West Half (W ½) of the Southwest Quarter (SW ¼) of Section Nine (9), Township Nineteen (19) North, Range Nine (9) East of the Third Principal Meridian (except the West 140.5 feet more or less thereof) lying North of a line 420 feet North of and parallel to the North line of the alley in Cowley's Second Addition to the City of Urbana,

Parcel #5

The West 3 acres of the North 932 feet excepting the South 620 feet thereof of Lot 6 of a Subdivision of the West Half of the Southwest Quarter of Section 9, Township 19 North, Range 9 East of the Third Principal Meridian as made by the commissioners appointed to divide the estate of William T. Webber, deceased, being the West 3 acres of that part of Lot 6 lying North of Cowley's Second Addition to Urbana, all situated in the Southwest Quarter of Section 9, Township 19 North, Range 9 East of the Third Principal Meridian,

Parcel #6

West 30 feet of the South 151 feet of the North 478 feet of Lot 6 of a Subdivision of the West Half (W ½) of the Southwest Quarter (SW ¼) of Section 9, Township 19 North, Range 9 East of the 3<sup>rd</sup> Principal

Meridian, being a subdivision of the Estate of William T. Webber, Deceased, as shown in Old Letter Book A, page 244, in the Recorder's Office of Champaign County, Illinois; and also the North 53 feet of the South 522 feet of the East 15 feet of the North 9.41 Acres of Lot 5 of a Subdivision of the West Half of the Southwest Quarter of Section 9, Township 19 North, Range 9 East of the 3<sup>rd</sup> Principal Meridian, being a subdivision of the Estate of William T. Webber, Deceased, as shown in Old Letter Book A, page 244, of the Record of Champaign County, Illinois.

All situated in Champaign County, Illinois.

It is recited that Ernest G. Brown is one and the same person as Ernest Brown, the grantee, in Documents No. 764737 and 764738 recorded in the Office of the Recorder of Deeds, Champaign County, Illinois.

Parcel #7

Beginning at a point 454 feet North of the Southwest Corner of the West 3 acres of the North 932 feet of Lot 6 of a Subdivision of the W  $\frac{1}{2}$  of the SW  $\frac{1}{4}$  of Section 9, Township 19 N, R 9 East of the 3<sup>rd</sup> P. M., as made by the Commissioners in the Estate of William T. Webber, thence East 140 feet, thence North 166 feet, thence West 140 feet, thence South 166 feet to the place of beginning except the following described three tracts:

Beginning at a point in the West line of the West 3 acres of the North 932 feet of Lot 6 of a Subdivision of the W  $\frac{1}{2}$  of the SW  $\frac{1}{4}$  of Section 9, Township 19 N, R 9 East of the 3<sup>rd</sup> P. M. as made by the Commissioners in the Estate of William T. Webber 469 feet North of the Southwest corner of said tract, thence North 50 feet, thence East 30 feet, thence South 50 feet, thence 30 feet to the point of beginning, situated in Champaign County, Illinois.

Beginning 463 feet South of the Northwest corner of Lot 6 of a subdivision of the W  $\frac{1}{2}$  of the SW  $\frac{1}{4}$  of Section 9, Township 19 N, R 9 East of the 3<sup>rd</sup> P. M., as made by the Commissioners in the Estate of

William T. Webber; thence 60 feet east to the true point of beginning thence North 50 feet, thence East 20 feet to the West line of property sold to Clarence Tatman, Jr., thence South along the West line of said property 50 feet, thence West 20 feet to the to the true point of Beginning.

Also a right of way across the South 15 feet of the North 478 feet of the West 80 ½ feet of said Lot 6 for ingress and egress to said premises, situated in Champaign County, Illinois, except the South 151 feet of the East 60 feet, situated in Champaign County, Illinois.

Parcel #8

A part of Lot 6 of Wm. T. Webber Est. Sub. being in the Southwest Quarter (SW ¼) of Section Nine (9), Township Nineteen (19) North, Range Nine (9) East of the Third Principal Meridian, in the City of Urbana, Champaign County, Illinois, more particularly described as follows:

Commencing at the Northeast Corner, Northwest Quarter (NW ¼), Southwest Quarter (SW ¼), Section Nine (9), Township Nineteen (19) North, Range Nine (9) East, also being the Northeast Corner of Said Lot Six (6); thence running Southerly along the East Line of Lot Six (6) of said Wm. T. Webber Est. Sub., a distance of 503.77 feet to the True Point of Beginning; thence continuing Southerly along the East Line of Said Lot Six (6), a distance of 100.00 feet thence Westerly along a Line parallel with and 320.00 feet North of the South Line of Said Lot Six (6) to a point on the West Line of Said Lot Six (6); thence Northerly along the West Line of Said Lot Six (6), a distance of 100.00 feet, thence Easterly along a Line being the North Line of a tract of land deeded to Theodore J. Burgin, Jr., Said Line being parallel to and 420.00 feet North of the South Line of Said Lot Six (6), a distance of 300.49 feet to the True Point of Beginning. Containing 0.69 acres, more or less.

PERMANENT PARCEL #s: 91-21-09-301-002, 91-21-09-306-001, 91-21-09-306-002, 91-21-09-306-003, 91-21-09-306-004, 91-21-09-306-005, 91-21-09-326-001, 91-21-09-326-002

LOCATED AT: 1100 East University Avenue, Urbana, Illinois.

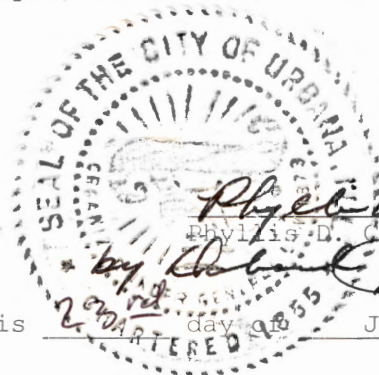
Section 2. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities. This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Chapter 65, Section 1-2-4 of the Illinois Compiled Statutes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

PASSED by the City Council this 21st day of January,  
2003.

AYES: Chynoweth, Hayes, Huth, Patt, Whelan, Wyman

NAYS:

ABSTAINS:



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

*Robert J. Roberts*  
Deputy Clerk

APPROVED by the Mayor this 20th day of January,

2003.

*Tod Satterthwaite*  
Tod Satterthwaite, Mayor