

AN ORDINANCE APPROVING A SPECIAL USE PERMIT

**(To Allow an Asphalt Blending, Storage, and Distribution Plant
Located at 1001 West Saline Court in the IN, Industrial
Zoning District / Plan Case No. 1952-SU-05, Emulsicoat, Inc.)**

WHEREAS, Emulsicoat, Inc. has submitted an application in Plan Case No. 1952-SU-05 to request a Special Use Permit to allow an asphalt blending, storage, and distribution plant located on a lot to be platted north and west of the current terminus of Saline Court, and to be addressed as 1001 West Saline Court in the IN, Industrial Zoning District; and

WHEREAS, all applicable development regulations are intended to be met by the petitioner, including those involving setbacks, drainage, and vehicular access considerations; and

WHEREAS, after due publication, a public hearing was held by the Urbana Plan Commission on September 8, 2005 concerning the petition filed by the petitioner in Plan Case No. 1952-SU-05; and

WHEREAS, on September 8, 2005, the Urbana Plan Commission voted 7 ayes and 1 nays to forward the case to the Urbana City Council with a recommendation to approve the request for a Special Use Permit; and

WHEREAS, in order to minimize the impact of the proposed development on surrounding properties specific conditions of approval are hereby imposed as permitted under the requirements of the Urbana Zoning Ordinance and identified in Section 1 below; 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, Special Use Permit Procedures, and with the general intent of that Section of the 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.

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 allow an asphalt blending, storage, and distribution plant located on a lot to be platted north and west of the current terminus of Saline Court, and to be addressed as 1001 West Saline Court in the IN, Industrial Zoning District, as described in the legal description and attached map exhibit and with the following conditions upon approval:

1. The Special Use will be in effect only upon the City's approval and recording of a Major Subdivision Final Plat, which will legally create the described Lot 204 in substantial conformity with the attached Draft Final Plat of North Lincoln Avenue Industrial Park #2A.
2. This Special Use Permit shall be applicable only to the confines of Lot 204 as depicted in the attached Site Diagram, and legally described herein.
3. The Special Use Permit is applicable only to the asphalt blending, storage, and distribution plant proposed in the application and depicted in the attached Site Diagram.
4. The layout of the site shall be in substantial conformity with the attached Site Diagram. Any significant deviation from this Site Diagram shall require an amendment to the Special Use Permit and shall include review by the Urbana Plan Commission and approval by the Urbana City Council.
5. The activity allowed by the Special Use Permit on the site shall be limited to the blending, storage, and distribution of liquid asphalt, tar, and emulsion materials as described in the attached Special Use Application / Petition.
6. The Owner agrees that all operations, development, construction, or additions to its asphalt blending, storage and distribution plant on Lot 204 as depicted in the attached Site

Diagram, and legally described herein shall be in conformity with all applicable State and Federal regulations including Illinois Environmental Protection Agency regulations pertaining to chemical emissions, particulate emissions, dust, noise, odor, and ground water protection.

7. The Owner agrees that any new development, construction, or additions on said Lot 204 shall be in conformance with all City of Urbana building, electrical, fire, and plumbing codes, orders or regulations in effect at the time of such construction. The Owner agrees to submit all building construction plans to the City of Urbana for review and further agrees to pay the required permit fees. The Owner further agrees to correct any deficiencies identified in said plan review.

8. The owner agrees to the use of directional lighting design so that site lighting does not extend beyond the property described herein, particularly with respect to residential directions, and that additional screening such as large trees and other plantings be used to minimize light pollution beyond the property.

9. The owner agrees to submit a landscape plan to the zoning administrator for review by the zoning administrator and the city arborist.

10. The owner agrees to apply substantially similar or better odor control measures as at their current operation.

LEGAL DESCRIPTION:

PART OF THE EAST ½ OF SECTION 31, T. 20 N., R. 9 E.
OF THE 3RD P.M., CHAMPAIGN COUNTY, ILLINOIS, MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 201 OF NORTH
LINCOLN AVENUE INDUSTRIAL PARK SUBDIVISION NO. 2,
RECORDED MAY 30, 2002 AS DOCUMENT NUMBER 2002R17213
IN THE OFFICE OF THE RECORDER, CHAMPAIGN COUNTY,
ILLINOIS, SAID CORNER LYING 500.00 FEET NORMAL

DISTANCE EASTERLY OF THE CENTERLINE SOUTHBOUND MAIN TRACK OF THE CN-IC RAILROAD, SAID POINT ALSO LYING ON THE FORMER EASTERLY RIGHT-OF WAY LINE OF SAID RAILROAD; THENCE N. 17°39'30" E., (URBANA HORIZONTAL CONTROL BEARING), ALONG THE EXTENDED WEST LINE OF SAID LOT 201, PARALLEL TO SAID CENTERLINE, 696.40 FEET TO THE SOUTH LINE OF THE NORTH 1311.10 FEET OF THE NE ¼ OF THE NE ¼ OF SECTION 31, T. 20 N., R. 9 E. OF THE 3RD P.M; THENCE N. 89°22'19" E., ALONG SAID SOUTH LINE, 609.12 FEET; THENCE S. 00°13'21" W., 673.45 FEET TO THE NORTHEAST CORNER OF SAID LOT 201; THENCE N. 89°46'39" W., ALONG THE NORTH LINE OF SAID LOT 204, 817.72 FEET TO THE POINT OF BEGINNING, CONTAINING 476,730 SQUARE FEET OR (10.944 ACRES), MORE OR LESS, ALL SITUATED IN CHAMPAIGN COUNTY, ILLINOIS.

PERMANENT PARCEL #s: A part of 91-15-31-200-004

LOCATED AT: 1001 West Saline Court, 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 26th day of September*,
2005.

AYES: Barnes, Bowersox, Chynoweth, Lewis, Roberts, Smyth, Stevenson

NAYS:

ABSTAINS:



Phyllis D. Clark
Phyllis D. Clark, City Clerk

D. Roberts
Deputy Clerk

APPROVED by the Mayor this 30th day of September,
2005.

Laurel Lunt Prussing
Laurel Lunt Prussing, Mayor

*Special meeting