

ORDINANCE NO. 2009-09-105

**AN ORDINANCE APPROVING A SPECIAL USE PERMIT**

**(To Expand an Existing Wastewater Treatment Plant  
in the CRE, Conservation-Education-Recreation, Zoning District,  
Plan Case No. 2117-SU-09 / 1100 East University Avenue,  
Urbana-Champaign Sanitary District)**

WHEREAS, in 2001, the Urbana & Champaign Sanitary District (UCSD) adopted a Long Range Facilities Plan which was formally endorsed by the Urbana City Council through Resolution No. 2001-09-026R; and

WHEREAS, In 2001, the Urbana & Champaign Sanitary District (UCSD) adopted a Long Range Facilities Plan which was formally endorsed by the Urbana City Council on September 4, 2001 through Resolution No. 2001-09-026R; and

WHEREAS, On January 21, 2003, the Urbana City Council through Ordinance No. 2003-01-005 approved a Special Use Permit for the Urbana Champaign Sanitary District to construct improvements to their sewage treatment plant; and

WHEREAS, On August 6, 2009, UCSD applied for a Special Use Permit to construct additional improvements to their sewage treatment plant and specified in their approved Long Range Facilities Plan as Phases IIIIB and IV; and

WHEREAS, the subject property is located in the CRE, Conservation-Recreation-Education Zoning District, and Table V-1 of the Urbana Zoning Ordinance permits a "sewage treatment plant or lagoon" in CRE districts with a Special Use Permit; and

WHEREAS, the proposed wastewater treatment plant improvements at this location are conducive to the public convenience; and

WHEREAS, the proposed improvements should not pose a detriment to the district in which it is proposed to be located. The proposed improvements

are compatible with the existing land use pattern and are furthermore designed to reduce existing noise levels and eliminate odor potential; and

WHEREAS, the proposed improvements conform to the applicable regulations and standards of, and preserves the essential character of, the CRE district in which it shall be located; and

WHEREAS, the proposed addition is consistent with the 2005 Comprehensive Plan's future land use designation of "Institutional", as well as the plan's goals and objectives; and

WHEREAS, following a public hearing, the Urbana Plan Commission on September 10, 2009 recommended by a vote of 7-yes and 0-no that the Urbana City Council approve the Special Use Permit application.

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 a sewage treatment plant to be located in the CRE, Conservation-Education-Recreation Zoning District with the following condition upon approval:

1. That the layout of the facility shall closely resemble the submitted site development plan attached as Exhibit 1. Any significant deviation from the approved site development plan will require an amendment to the Special Use Permit, including further review by the Urbana Plan Commission and approval by the Urbana City Council.

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 3rd 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 3rd 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 3rd 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 3rd 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 3rd 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 3rd 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, Illinois.

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 3rd 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 3rd 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 ½ of the SW ¼ of Section 9, Township 19 N, R 9 East of the 3rd 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 ½ of the SW ¼ of Section 9, Township 19 N, R 9 East of the 3rd 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 ½ of the SW ¼ of Section 9, Township 19 N, R 9 East of the 3rd 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  $\frac{1}{4}$ ), Southwest Quarter (SW  $\frac{1}{4}$ ), 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.

Parcel #9

The West 3 acres of the North 932 feet excepting the South 620 feet thereof and also excepting the North 312 feet and the West 180  $\frac{1}{2}$  feet of the South 166 feet of the North 478 feet thereof of Lots 6 of a Subdivision of the West One-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; and the tract hereby sold having a North and South dimension of approximately 166 feet and an East and West Dimension of approximately 60 feet.

Parcel #10

Beginning at a point 354 feet North of the Southwest corner of the tract of land described as follows: The West 3 acres of the North 932 feet 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, in Champaign County, Illinois, as made by the Commissioners appointed to divide the Estate of William T. Webber, deceased, being the West 3 acres of that part of said Lot 6 lying North of Cowley's Second Addition to Urbana; for a point of beginning, and running thence East 140.5 feet more or less to the East line of said 3 acre tract, thence North 100 feet, thence West 140.5 feet more or less to the West line of said 3 acre tract and thence South a distance of 100 feet to a point of beginning, situated in the City of Urbana, Champaign County, Illinois.

PERMANENT PARCEL Nos.: 91-21-09-326-001, 91-21-09-326-002, 91-21-09-301-002, 91-21-09-306-001, 91-21-09-306-005, 91-21-09-306-006, and 91-21-09-306-017.

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 September,  
2009.

AYES: Bowersox, Gehrig, Lewis, Marlin, Roberts, Stevenson

NAYS:

ABSTAINS:

APPROVED by the Mayor this 30th day of September

2009.

*Phyllis D. Clark*  
Phyllis D. Clark, City Clerk  
*by Laurel Lunt Prussing*  
Laurel Lunt Prussing, Mayor  
