

# Recording Cover Sheet

AN ORDINANCE APPROVING A SPECIAL USE  
PERMIT (901 NORTH SMITH ROAD / CITY OF  
URBANA – PLAN CASE 2365-SU-18)  
[ORDINANCE NO. 2019-01-008]

\*ORDINANCE

\*MAP

**2019R01184**

REC ON: 01/25/2019 12:42:52 PM

CHAMPAIGN COUNTY

**MARK SHELDEN**

REC FEE: 51.00

RHSPS Fee:

REV FEE:

PAGES 10

PLAT ACT: 0 PLAT PAGE:

Prepared for recording by:

Wendy M. Hundley, Deputy City Clerk

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400 S. Vine St., Urbana, IL 61801

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Return to:

Charles A. Smyth, City Clerk  
City of Urbana  
400 S. Vine Street  
Urbana, IL 61801



City of Urbana  
400 South Vine Street  
Urbana, IL 61801

### CLERK'S CERTIFICATE

STATE OF ILLINOIS        )  
                                      )  
COUNTY OF CHAMPAIGN)        SS

I, CHARLES A. SMYTH, City Clerk of the City of Urbana, Illinois, and keeper of the records, files and seal of said City, do hereby certify that the foregoing is a true and exact copy of an ordinance entitled:

**AN ORDINANCE APPROVING A SPECIAL USE PERMIT (901 NORTH SMITH ROAD / CITY OF URBANA – PLAN CASE 2365-SU-18) [ORD. 2019-01-008].**

approved by the City Council of the City of Urbana, Illinois, on the 22<sup>nd</sup> day of January, AD, 2019, as it appears in the records and files in my office remaining.

Given under my hand and seal of said City of Urbana, Illinois, this 25<sup>th</sup> day of January, AD, 2019.



*Charles A. Smyth*

Charles A. Smyth, City Clerk



**ORDINANCE NO. 2019-01-008**

**An Ordinance Approving a Special Use Permit**

**(901 North Smith Road / City of Urbana – Plan Case 2365-SU-18)**

**WHEREAS**, the City of Urbana has petitioned the City for approval of a Special Use Permit to allow SunPower Corporation to construct, operate, and maintain a Solar Energy System in the AG, Agriculture Zoning District; and

**WHEREAS**, the Urbana Zoning Ordinance does not specifically mention Solar Energy System as a use; and

**WHEREAS**, the Urbana Zoning Administrator has determined a Solar Energy System to be similar to an Electrical Substation, which is permitted in the AG, Agriculture zoning district with a Special Use Permit; and

**WHEREAS**, the proposed use is conducive to the public convenience at this location because it would redevelop the closed municipal landfill while creating very little impact on transportation and other infrastructure; and

**WHEREAS**, the proposed use is designed, located, and proposed to be operated so that it will not be unreasonably injurious or detrimental to the AG, Agriculture zoning district in which it shall be located, or otherwise injurious to the public welfare; and

**WHEREAS**, the proposed development is consistent with the development regulations for properties in the AG, Agriculture Zoning District and preserves the essential character of the district in which it shall be located; and

**WHEREAS**, after due publication, the Urbana Plan Commission held a public hearing on January 10, 2019, and voted with six (6) ayes and zero (0) nays to forward Plan Case 2365-SU-18 to the Urbana City Council with a recommendation to approve the request for a Special use Permit, subject to certain conditions; and

**WHEREAS**, approval of the Special Use Permit, with the conditions set forth below, is consistent with the requirements of Section XIII-1 of the Urbana Zoning Ordinance, Special Use Permit Procedures, and with the general intent of that Section of the Ordinance; and

**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 Solar Energy System in the AG, Agriculture Zoning District with the following conditions:

1. The use generally conforms to the site plan submitted in the application as shown in Ordinance Attachment A – Site Plan, including a minimum 500-foot buffer to the Saline Branch Drainage Ditch, except where modified to meet City regulation; and
2. Solar Energy System structures would be limited to a maximum 15-foot height.

Legal Description for the land commonly known as 901 North Smith Road:

TRACT I (PIN: 91-21-10-151-006):

Beginning at an iron pipe monument at the southwest corner of the northwest quarter of Section 10, Township 19 North, Range 9 East of the Third Principal Meridian; thence North 00 degrees 34 minutes 46 seconds West along the West line of the northwest quarter of said Section 10, 1,326.21 feet to the northwest corner of the southwest quarter of the northwest quarter of said Section 10, said point also being the northwest corner of Lot 6 of the Truman Estates Subdivision of the northwest quarter of said Section 10; thence North 89 degrees 09 minutes 56 seconds East along the North line of the southwest quarter of the northwest quarter of said Section 10 and North line of said Lot 6, 330.00 feet to an iron pipe monument on the East line of the West 330.00 feet of Lots 5 and 6 of said Truman Estates Subdivision; thence South 00 degrees 34 minutes 46 seconds East along said East line, 235.35 feet to a point on the North line of the South 1,091.00 feet of said Lots 5 and 6; thence North 89 degrees 11 minutes 23 seconds East along said North line, 547.00 feet to a

point on the East line of the West 877.00 feet of said Lots 5 and 6; thence South 00 degrees 34 minutes 46 seconds East along said East line, 1,091.00 feet to an iron pipe monument on the South line of the northwest quarter of said Section 10; thence South 89 degrees 11 minutes 23 seconds West along said South line, 877.00 feet to the point of beginning, containing 23.747 acres, more or less, all situated in Champaign County, Illinois.

And also:

TRACT II (PIN: 91-21-10-151-007):

Commencing at an iron pipe monument at the southwest corner of the northwest quarter of Section 10, Township 19 North, Range 9 East of the Third Principal Meridian; thence North 00 degrees 34 minutes 46 seconds West along the West line of the northwest quarter of said Section 10, 1,326.21 feet to the southwest corner of the northwest quarter of the northwest quarter of said Section 10, said point also being the northwest corner of Lot 6 of the Truman Estates Subdivision of the northwest quarter of said Section 10, said point also being the true point of beginning; thence North 00 degrees 34 minutes 46 seconds West along the West line of the northwest quarter of the northwest quarter of said Section 10, 535.23 feet to a point on the centerline of the Saline Branch Drainage Ditch; thence North 50 degrees 05 minutes 03 seconds East along said centerline, 49.37 feet to a point on the southwesterly right-of-way line of F.A.I. Route 5 (Interstate 74); thence South 39 degrees 55 minutes 14 seconds East along said southwesterly right-of-way line, 222.08 feet to an iron pipe monument at a point of curvature; thence southeasterly along said southwesterly right-of-way line along a curve to the left, convex to the southwest, with a radius of 5,245.51 feet, for a distance of 380.68 feet to an iron pipe monument; thence North 45 degrees 55 minutes 17 seconds East along said southwesterly right-of-way line, 80.00 feet to an iron pipe monument; thence southeasterly along said southwesterly right-of-way line along a curve to the left, convex to the southwest, with a radius of 5,165.51 feet and an initial tangent bearing of South 44 degrees 04 minutes 43 seconds East, for a distance of 825.04 feet to an iron pipe monument; thence South 48

degrees 12 minutes 49 seconds East along said southwesterly right-of-way line, 298.13 feet to an iron pipe monument on the East line of the West half of the northwest quarter of said Section 10, said point being on the West line of Lot 3 of the Truman Estates Subdivision of the northwest quarter of said Section 10; thence South 00 degrees 36 minutes 27 seconds East along said West line, 137.23 feet to an iron pipe monument on the South line of said Lot 3; thence North 89 degrees 11 minutes 31 seconds East along said South line, 20.00 feet to an iron pipe monument on the East line of the West 20.00 feet of Lot 4 of said Truman Estates Subdivision, said point being the northwest corner of Lot 8 of Buel S. Brown's Subdivision of said Lot 4; thence South 00 degrees 36 minutes 27 seconds East along said East line and West line of said Lot 8, 596.53 feet to an iron pipe monument on the South line of the northwest quarter of said Section 10; thence South 89 degrees 11 minutes 23 seconds West along said South line 465.63 feet to an iron pipe monument on the East line of the West 877.00 feet of Lots 5 and 6 of said Truman Estates Subdivision; thence North 00 degrees 34 minutes 46 seconds West along said East line, 1,091.00 feet to a point on the North line of the South 1,091.00 feet of Lots 5 and 6 of said Truman Estates Subdivision; thence South 89 degrees 11 minutes 23 seconds West along said North line, 547.00 feet to a point on the East line of the West 330.00 feet of Lots 5 and 6 of said Truman Estates Subdivision; thence North 00 degrees 34 minutes 46 seconds West along said East line 235.35 feet to an iron pipe monument on the South line of the northwest quarter of the northwest quarter of said Section 10 and the North line of Lot 6 of said Truman Estates Subdivision; thence South 89 degrees 09 minutes 56 seconds West along said South line, 330.00 feet to the point of beginning, containing 16.132 acres, more or less, all situated in Champaign County, Illinois.

**Section 2.** The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the City Council. 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 Council of the City of Urbana, Illinois, at a meeting of said Council.

**PASSED BY THE CITY COUNCIL** this 22<sup>nd</sup> day of January, 2019.

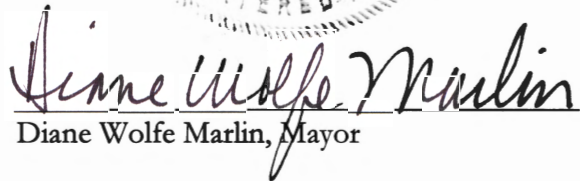
AYES: Brown, Hazen, Hursey, Jakobsson, Miller, Wu

NAYS:

ABSTENTIONS:

  
Charles A. Smyth, City Clerk

**APPROVED BY THE MAYOR** this 23<sup>th</sup> day of January, 2019.

  
Diane Wolfe Marlin, Mayor

## CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

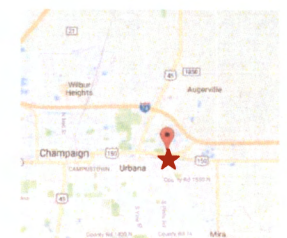
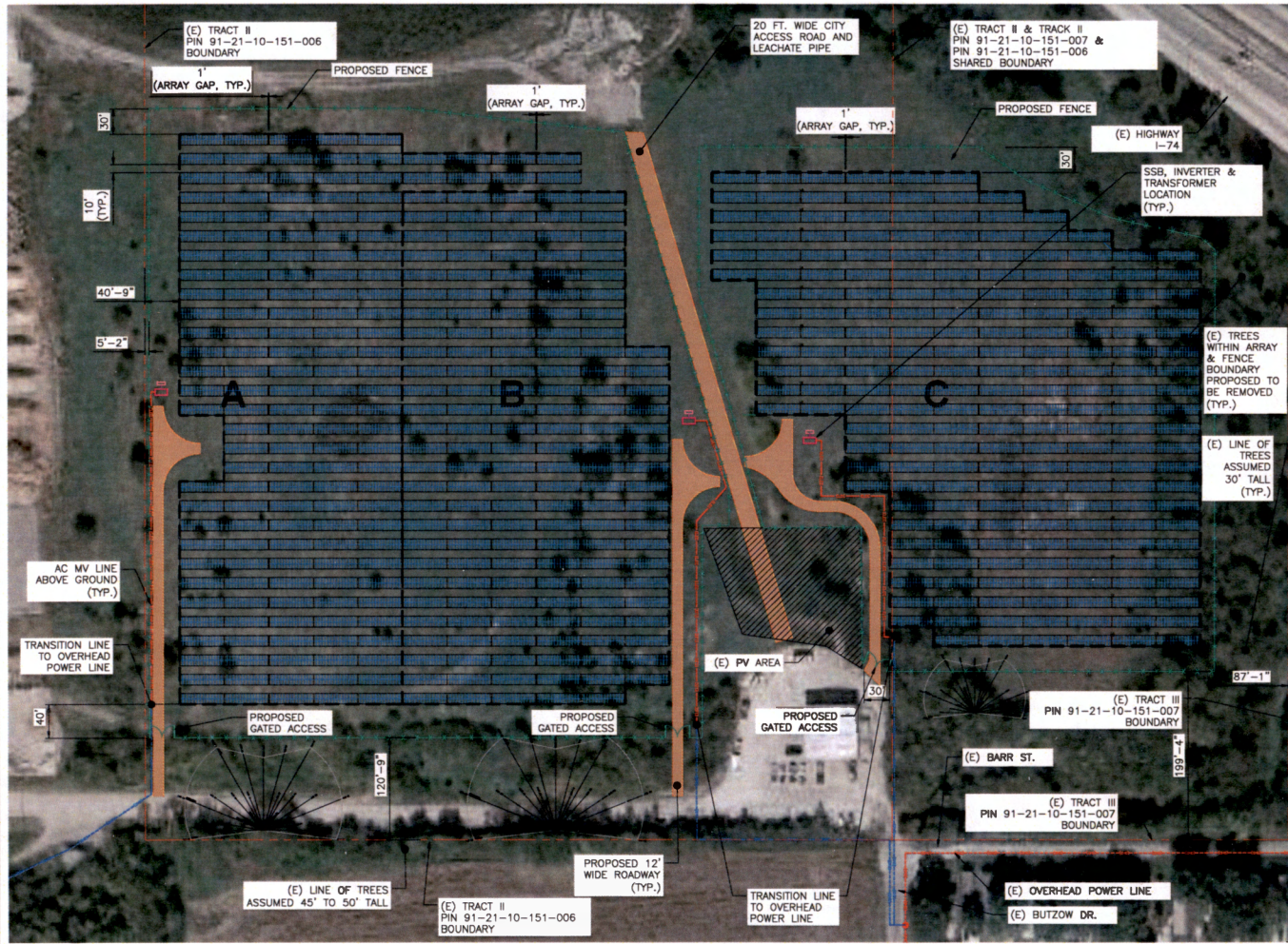
I, Charles A. Smyth, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois.

I certify that on the 22<sup>nd</sup> day of January 2019, the City Council of the City of Urbana passed and approved Ordinance No. 2019-01-008, entitled “An Ordinance Approving a Special Use Permit (901 North Smith Road / City of Urbana – Plan Case 2365-SU-18)” which provided by its terms that it should be published in pamphlet form. The pamphlet form of Ordinance No. 2019-01-008 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 24<sup>th</sup> day of January 2019, 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 23<sup>rd</sup> day of January 2019.



**ORDINANCE ATTACHMENT A - SITE PLAN**



VICINITY MAP:  
 LATITUDE: 40.116335°  
 LONGITUDE: -88.189043°

- LEGEND:**
- PROPOSED AC RUN SSB TO POI
  - PROPOSED AC RUN SPB TO SSB
  - PROPOSED AC RUN INV TO SPB
  - PROPOSED COMBINER BOX LOCATION
  - PROPOSED EQUIPMENT PAD
  - PROPOSED POINT OF INTERCONNECTION



**1 ARRAY LAYOUT**  
 SCALE: 1/64" = 1'

- NOTES:**
- THIS DESIGN ASSUMES THAT THE SITE WILL BE GRADED AND OTHERWISE PREPARED AS REQUIRED TO MEET ALL TOLERANCES OF THE PROPOSED GROUND FIXED TILT ARRAY (SLOPE <9%). REQUIRED GRADING IS NOT SHOWN ON THIS PLAN.
  - 105 MPH WIND ZONE (ASCE 7-10 RISK CATEGORY I), EXPOSURE C, 20 PSF SNOW LOAD AT ZERO ELEVATION.
  - ARRAY SHOWN ON AERIAL IMAGE

**PROPOSED SYSTEM SPECIFICATIONS**  
 ARRAY A, B, C:  
 6,759.90kWp ≈ 5,550 MWAC  
 E-SERIES (435W) MODULES  
 15 MODULES/STRING  
 GCR=0.56  
 AZIMUTH ANGLE: 0°  
 TILT: 20°  
 ROW TO ROW SPACING: 10'

**NOTE:** THE PROPOSED ARRAY LAYOUT SHOWN IS DESIGNED TO FIT EXISTING CONDITIONS AS THEY ARE DESCRIBED ON THIS DRAWING. KWP AND MODULE QUANTITY, TYPE AND LAYOUT ARE SUBJECT TO CHANGE, BASED ON SUNPOWER VERIFICATION OF ACTUAL SITE CONDITIONS, AS WELL AS ON MODULE AVAILABILITY AT THE DATE OF ORDER.

**TIER 1**

**SUNPOWER**  
 144 HARBOR WAY SOUTH  
 RICHMOND, CA 94804 USA  
 (810) 948-0880

**ENGINEER'S STAMP**  
 CITY OF URBANA  
 CITY OF URBANA LANDFILL  
 1306 E UNIVERSITY AVE  
 URBANA, IL  
 GROUND FIXED TILT  
 ARRAY LAYOUT

REV	DESIGN #	DESCRIPTION	DATE	DR	DC
1	0-000011	UPDATED LAYOUT BASED ON SITE BOUNDARY	12-18-18	RM	TC

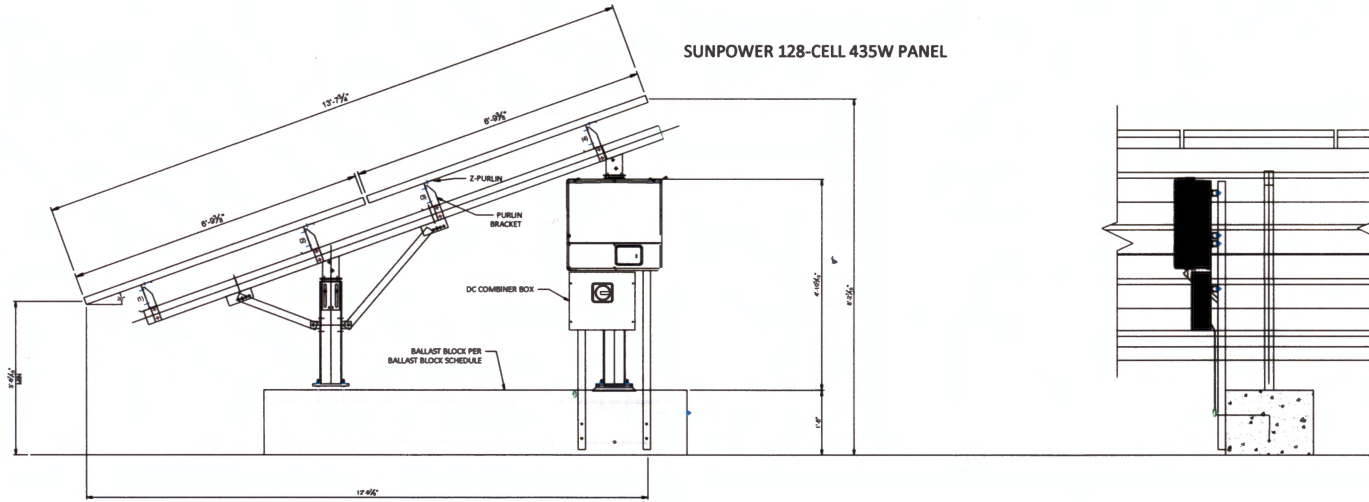
OPPORTUNITY	0001514412
PROJECT	
DATE DRAWN	12-18-18
DRAWN BY	HD
SHEET	1

**ORDINANCE ATTACHMENT A - SITE PLAN**

# PRELIMINARY DRAFT

Components, dimensions, structures and design subject to change

**GENERAL NOTES:**  
 1. THIS IS A CONCEPTUAL DRAWING. DETAIL DRAWING WILL BE PROVIDED AT A LATER TIME.



**SUNPOWER**  
 1411 HARBOR WAY SOUTH  
 REDWOOD, CA 94061 USA  
 (415) 842-0800

ENGINEER'S STAMP

CITY OF URBANA  
 URBANA LANDFILL SOLAR ENERGY SYSTEM  
 PRELIMINARY DRAFT  
 GROUND FIXED TILT ELEVATION

REV	DESIGN #	DATE	BY	CHK
CONCEPTUAL - NOT FOR PERMIT				

OPPORTUNITY 0001514412  
 PROJECT PROJECT NUMBER  
 DATE DRAWN  
 DRAWN BY

0 1/2" = 1'  
 SHEET **G001**



## CERTIFICATE OF PUBLICATION IN PAMPHLET FORM



I, Charles A. Smyth, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois. I certify that on the 22<sup>nd</sup> day of January 2019 the City Council of the City of Urbana passed and approved Ordinance No. 2019-01-008, entitled:

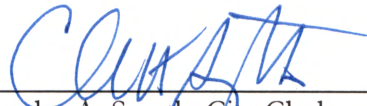
**AN ORDINANCE APPROVING A SPECIAL USE PERMIT(901 NORTH SMITH ROAD / CITY OF URBANA – PLAN CASE 2365-SU-18)**

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Dated at Urbana, Illinois, this 23<sup>th</sup> day of January, 2019.



  
\_\_\_\_\_  
Charles A. Smyth, City Clerk