

ORDINANCE NO. 2009-02-006

AN ORDINANCE APPROVING A SPECIAL USE PERMIT

**(To Allow the Construction of a Recycling Center
in the IN, Industrial Zoning District - Plan Case 2093-SU-08,
3008 North Cunningham Avenue, Mervis Industries)**

WHEREAS, Mervis Industries proposes to establish a Recycling Center at 3008 North Cunningham Avenue on a property totaling 10.08 acres in the IN, Industrial Zoning District; and

WHEREAS, the Urbana Zoning Ordinance Table of Uses (Table V-1) requires a Special Use Permit to allow for a Recycling Center use in the IN, Industrial Zoning District; and

WHEREAS, Mervis Industries has submitted a petition under Plan Case 2093-SU-08 for a Special Use Permit to construct the Recycling Center; and

WHEREAS, after due publication, the Urbana Plan Commission on January 22, 2009 held a public hearing concerning the petition and voted 8 ayes and 0 nays to forward the case to the Urbana City Council with a recommendation to approve the Special Use Permit application with five conditions; 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 approval of the Special Use Permit, with the conditions set forth herein, is consistent with the requirements of Section VII-4 of the Urbana Zoning Ordinance, Special Use Procedures, and with the general intent of that Section of the Ordinance; and

WHEREAS, the conditions placed on the approval in Section 1 herein should minimize the impact of the proposed Recycling Center on the surrounding properties.

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

Section 1. A Special Use Permit is hereby approved to allow the construction of a Recycling Center at 3008 North Cunningham Avenue in the IN, Industrial Zoning District with the following conditions:

1. The layout and operation shall conform to the attached Site Plan, as shown in Exhibit D, along with any minor changes that may be necessary for the project to comply with City regulations including building, fire, and site development codes.
2. An engineered Stormwater Management Plan and an Erosion and Sedimentation Control Plan shall be prepared and implemented consistent with the requirements of the Urbana Subdivision and Land Development Code.
3. The development shall meet requirements for screening and landscaping in Article VI of the Zoning Ordinance, as illustratively shown in the Landscape Plan.
4. Final traffic layouts shall be subject to the approval of the Illinois Department of Transportation and City Engineer.
5. The facility shall be required to comply with all applicable federal and state environmental regulations. All runoff, noise levels, odors, dust or other emissions shall meet standards set forth by the Illinois Environmental Protection Agency.

LEGAL DESCRIPTION:

The North 10 acres of that part of the Southwest Quarter of the Southeast Quarter of Section 33, Township 20 North, Range 9 East of the Third Principle Meridian which lies East of U.S. Route #45, in Champaign County, Illinois.

PERMANENT PARCEL #: 91-21-05-427-017

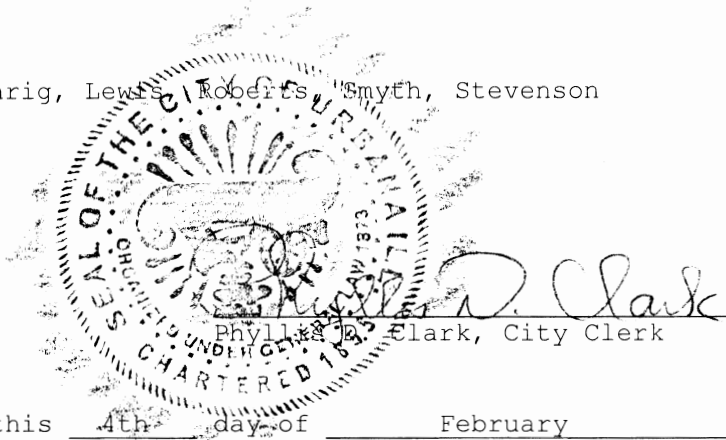
Section 2. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the Corporate Authorities. This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Chapter 65, Section 1-2-4 of the Illinois Compiled Statutes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

PASSED by the City Council this 2nd day of February,
2009 .

AYES: Barnes, Gehrig, Lewis, Roberts, Smyth, Stevenson

NAYS:

ABSTAINS: Bowersox



Phyllis A. Clark
Phyllis A. Clark, City Clerk

APPROVED by the Mayor this 4th day of February,
2009 .

Laurel Lunt Prussing
Laurel Lunt Prussing, Mayor