

**ORDINANCE NO. \_\_\_\_\_-2022**

**AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT  
(1590 1<sup>st</sup> Ave. – McKinley Investors Limited Partnership)**

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**WHEREAS**, the Plan Commission of the City of Ottawa, Illinois, met at a public hearing in the Council Room of the City of Ottawa on July 25, 2022 at 6:00 p.m., pursuant to a notice of the time and place of the hearing by publication in The Times of Ottawa, Illinois, to hear evidence with respect to a petition filed by McKinley Investors Limited Partnership, requesting that certain premises be granted a conditional use permit for Warehouse/Storage in a C-3 special business zoning district in the building located at 1590 1<sup>st</sup> Avenue (South Towne Mall); and

**WHEREAS**, the Plan Commission of the City of Ottawa, Illinois, having heard the evidence produced at such public hearing recommended to the City Council of the City of Ottawa, Illinois, that the Petition be granted and said premises be granted a conditional use permit for warehouse/storage space in the building located at 1590 1<sup>st</sup> Avenue subject to the following stipulations: 1) Business hours are limited to 7:00 a.m. to 5:00 p.m., 2) truck traffic is directed to use Illinois Route 23, 3) no overnight truck parking will be permitted, 4) storage of only the chemicals listed on Exhibit B, which is attached hereto and incorporated herein, 5) no sea container storage, 6) no truck idling, and 7) screening must be completed on the east side of the building within two years; and

**WHEREAS**, the City Council of the City of Ottawa, Illinois finds the granting of a conditional use permit with the listed stipulations would be in the best interest of the public safety, convenience, and general welfare, and would be in harmony with the intent of the Zoning Ordinance and therefore finds that the premises hereinafter described be granted a conditional use permit for warehousing/storage space located at 1590 1<sup>st</sup> Avenue with the following stipulations: 1)

business hours are limited to 7:00 a.m. to 5:00 p.m., 2) truck traffic is directed to use Illinois Route 23, 3) no overnight truck parking will be permitted, 4) storage of only the chemicals listed on Exhibit B, which is attached hereto and incorporated herein , 5) no sea container storage, 6) no truck idling, and 7) screening must be completed on the east side of the building within two years, in conformity with the recommendation of the Plan Commission of the City of Ottawa, Illinois.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OTTAWA, ILLINOIS, AS FOLLOWS:**

**Section One:** The premises, commonly known 1590 1<sup>st</sup> Avenue, Ottawa, Illinois and legally described in Exhibit A, which is attached hereto and incorporated herein, be and the same is hereby granted a conditional use permit for warehouse/storage space in the building located at 1590 1<sup>st</sup> Avenue subject to the following stipulations: 1) business hours are limited to 7:00 a.m. to 5:00 p.m., 2) truck traffic is directed to use Illinois Route 23, 3) no overnight truck parking will be permitted, 4) storage of only the chemicals listed on Exhibit B, which is attached hereto and incorporated herein, 5) no sea container storage, 6) no truck idling, and 7) screening must be completed on the east side of the building within two years, pursuant to Section 118-19(h) and Section 118-6(c)(2) of the City of Ottawa Zoning Ordinance and all amendments thereto.

**Section Two:** The Council finds and determines that the granting of said conditional use permit is consistent with the factors set forth in Section 118-19(h)(4), and the factors are expressly incorporated herein by reference.

**Section Three:** All ordinances or parts of ordinances in conflict herewith are repealed.

**Section Four:** This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form.

	<b>Aye</b>	<b>Nay</b>	<b>Absent</b>
Commissioner Eichelkraut	_____	_____	_____
Commissioner Ganiere	_____	_____	_____
Commissioner Pearson	_____	_____	_____
Commissioner Less	_____	_____	_____
Mayor Aussem	_____	_____	_____

**Passed and Approved** this 2<sup>nd</sup> day of August 2022.

\_\_\_\_\_  
**Daniel F. Aussem, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Shelly L. Munks, City Clerk**

**EXHIBIT A**

**LEGAL DESCRIPTION OF THE PROPERTY**

PART OF THE SOUTH 600.00 FEET OF THE NORTH 1040.0 FEET OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 33 NORTH, RANGE 3, EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 24; THENCE SOUTH 0 DEGREES 25 MINUTES 29 SECONDS EAST 440.0 FEET ALONG THE WEST LINE OF SAID NORTHWEST QUARTER SECTION TO THE NORTHWEST CORNER OF SAID SOUTH 600 FEET OF NORTH 1040.0 FEET, THENCE NORTH 89 DEGREES 19 MINUTES 45 SECONDS EAST 62.73 FEET ALONG THE NORTH LINE OF SAID SOUTH 600.0 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT BEING ON THE EAST RIGHT OF WAY LINE OF ILLINOIS ROUTE 23, AS PURCHASED BY THE STATE OF ILLINOIS, DEPARTMENT OF TRANSPORTATION IN DOCUMENT 594359, RECORDED IN THE LASALLE RECORDER'S OFFICE; THENCE CONTINUE NORTH 89 DEGREES 19 MINUTES 45 SECONDS EAST, 700.33 FEET ALONG SAID NORTH LINE OF THE SOUTH 600.0 FEET TO A POINT, THENCE SOUTH 0 DEGREES 31 MINUTES 36 SECONDS EAST, 600.0 FEET ALONG A LINE PARALLEL WITH SAID EAST RIGHT OF WAY LINE OF ILLINOIS ROUTE 23 TO A POINT ON SOUTH LINE OF SAID NORTH 1040.0 FEET OF THE WEST HALF OF NORTHWEST QUARTER SECTION, THENCE SOUTH 89 DEGREES 19 MINUTES 45 SECONDS WEST, 700.33 FEET ALONG SAID SOUTH LINE TO A POINT ON SAID EAST RIGHT OF WAY LINE OF ROUTE 23; THENCE NORTH 0 DEGREES 31 MINUTES 36 SECONDS WEST, 600.0 FEET ALONG SAID EAST RIGHT OF ILLINOIS ROUTE 23 TO THE TRUE POINT OF BEGINNING, EXCEPTING THEREFROM THAT PORTION OF LAND THAT FALLS WITHIN THE FOLLOWING DESCRIBED PARCEL: OUTLOT 1, BEING A SUBDIVISION OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 33 NORTH, RANGE 3, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 21, 1997 AS DOCUMENT R97-06014.

PIN: 22-24-120-000

Commonly known as: 1590 1<sup>st</sup> Ave., Ottawa, IL 61350

## **EXHIBIT B**

### **GOODS**

1. Packaged raw materials used in the Depositor's manufacturing process for produce finished goods. These include but are not limited to:
  - a. Phosphate Salts
  - b. Copper Sulfate
  - c. Soda Ash
  - d. Manganese Sulfate
  - e. Sodium Fluorosilicate (SFS)
  - f. Sodium hexametaphosphate (SHMP)
  - g. Sodium Acid Pyrophosphate (SAPP)
  - h. Mono Sodium Phosphate (MSP)
  - i. Sodium Trimetaphosphate (STPP)
  - j. Zinc Oxide
  
2. Empty packaging for use with finished goods, including but not limited to:
  - a. Domestic and import totes
  - b. Plastic pails and lids
  - c. Plastic and steel drums
  - d. Jerricans
  - e. Super sacks
  
3. Packaged, Finished Goods, including but not limited to:
  - a. Sodium Permanganate of varying concentrations and packages
  - b. Potassium Permanganate in various packages
  - c. Permanganate based catalysts in various packages
  - d. Dry and liquid phosphate products in various packages

Depositor will provide SDS's and other product information as needed for each of these or any additional items to be stored at the warehouse.