



## DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

*Planning Division*

m e m o r a n d u m

**TO:** The Urbana Plan Commission

**FROM:** Marcus Ricci, AICP, Planner II

**DATE:** May 13, 2022

**SUBJECT:** **Plan Case 2447-SU-22:** A request by Andrew Fell on behalf of BWC Tundra LLC for a Special Use Permit to allow operation and expansion of a Towing Service at 810 East Perkins Road and 1002 East Perkins Road in the B-3, General Business, Zoning District.

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### Introduction

BWC Tundra LLC, represented by Andrew Fell, requests a special use permit to construct a towing service building, parking area, and access drive at its property at 810 and 1002 Perkins Road in the B-3, General Business, Zoning District. The existing business – Tatman’s Towing – currently stores its service vehicles outside on a gravel parking area. The proposed building would allow it to maintain and store them inside, as well as pave much of the gravel parking area around the building. Section V-1.A.3 and Table V-1 of the Urbana Zoning Ordinance allow a Towing Service in the B-3 district with a special use permit.

The Plan Commission must review the special use permit application, hold a public hearing, and make a recommendation to the City Council. The City Council must then approve, approve with certain conditions, or deny the request. Staff recommends that the Plan Commission forward the case to City Council with a recommendation of approval, with the condition included in the staff report.

### Background

#### Introduction

Tatman’s Towing has operated at this location since before the property’s annexation into the City of Urbana in 1977. In 2005, Robert Myers, Urbana’s Planning Manager, issued a “Notice of Proper Zoning” acknowledging that the existing towing service was a legally-conforming use, allowing it to continue operation.<sup>1</sup> The requested special use permit would allow expansion of the existing special use.

#### Description of the Site and Surrounding Properties

The towing service currently operates on the west side of the zoning lot comprised of 810 and 1002 Perkins Road, on the north side of Perkins Road, east of Cunningham Avenue (Exhibit A). Access to the site is varied: one concrete access at the west end is shared with the adjacent Fifth Dimension collision and repair facility. A second gravel access in the middle of the property is the primary access; and a third unpaved/informal access is at the east end of the zoning lot. Other nearby uses include Dust & Son Auto Supplies, Hickory River Smokehouse and StorQuest Economy Storage to the north,

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<sup>1</sup> Zoning Notice, Robert Myers (2005) with attached 7677-R57 Resolution and Annexation Agreement.

Willow Springs Condo Subdivision to the east (unincorporated), and one residence (unincorporated) and a multi-business contractor building to the south. Table 1 summarizes the current zoning, existing land uses, and 2005 Comprehensive Plan future land use designations of the site and surrounding land (Exhibits B and C).

**Table 1. Zoning, Existing Land Use, Future Land Use Designation**

	<b>Zoning</b>	<b>Existing Land Use</b>	<b>Future Land Use</b>
<b>Site</b>	City B-3, General Business	Towing Service (legally nonconforming)	Community Business
<b>North</b>	City B-3, General Business	Restaurant, Auto Supplies, Self-Storage	Community Business
<b>East</b>	County R-3, Two-Family Residence	Condominiums	Multifamily
<b>South</b>	County AG-1, Agriculture & City B-3, General Business	Single-Family Residence, Commercial Contractors	Multifamily & Community Business
<b>West</b>	City B-3, General Business	Auto Collision and Repair	Community Business

### Existing Use

The business dispatches tow service vehicles to relocate clients’ vehicles back to the property or to other sites. Dispatch and tow service maintenance activities are conducted in the existing 4,723-square-foot building in the northwest corner of the property (Exhibit D – Site Plan). Both tow service vehicles and relocated (towed) vehicles are stored outside in the north and east portions of the property, inside a partially-screened chain-link fence. All parking areas are currently gravel, with the access drives being concrete (west), gravel (middle), and unimproved (east).

### Proposed Use

The proposed 8,593-square-foot building (80 feet by 108 feet) would provide additional space to service the towing vehicles and to store them indoors (Exhibit E – Building Plans, Sheet A1). The main vehicle service area (80 feet by 73 feet) has six bay doors and is two stories. The main floor includes a second garage (39 feet x 73 feet), entry room, break room, restrooms, and storage. The second floor over the support areas provides light storage space.

The existing six-foot-high chain-link fence around the relocated vehicle storage area would be removed. Most of the existing gravel parking area on three sides of the building (155 feet x 160 feet) would be topped with asphalt millings. The paved area would continue onto an access lane leading east to a new concrete access drive out to Perkins Road. The new parking area includes 15 new parking spaces, augmenting the existing 19 parking spaces to fulfill the minimum parking requirement. A new six-foot high chain-link fence is proposed to be installed east of the new access drive, also enclosing a large unpaved area: parking would not be permitted on this area.

Screening would be required for several reasons. First: the County R-3 residential district to the east and the residential use to the south of the B-3-zoned subject property requires the applicant to install a six-foot-high solid wood or masonry fence.<sup>2</sup> Second: the areas of off-street parking of tow service, visitor, and employee vehicles must be screened from the residential districts and uses to the south and east with either landscaping or a solid fence or wall four to six feet in height.<sup>3</sup> Third: the requirement to screen outdoor storage from all public rights-of-way and adjacent residential uses or

<sup>2</sup> Urbana Zoning Ordinance: Section VI-6.A.2.b – Buffer & Landscape Yards – Landscaping Buffer.

<sup>3</sup> Urbana Zoning Ordinance: Section VI-6.B.1.a – Screening of Off-Street Parking and Storage Areas.

districts applies to the towed vehicles of a Towing Service.<sup>4</sup> Screening can be a six-to-eight-foot-high solid fence, berm, or wall. Walls and fences longer than 40 feet require additional landscaping of one tree and three shrubs every forty feet. This screening would be required along the south and east sides of the property around the storage area.

The proposed six-foot-high solid wood fence and boxwood shrubs along the south property line would fulfill all three requirements for this side of the property. Changing the six-foot-high chain-link fence proposed along the east property line to a six-foot-high solid wood or masonry fence with added landscaping would fulfill the requirement for the south property line. Existing landscaping on the subject property may be used to fulfill screening requirements that allow landscaping as an option; landscaping must be replaced when it no longer provides screening. Only the Off-Street Parking requirement allows landscaping as an option; both Landscaping Buffer and Outdoor Storage screening require a solid fence or wall, and the latter requires additional landscaping if longer than 40 feet. Staff have determined that changing the proposed six-foot-high chain-link fence to a six-foot-high solid wood or masonry fence *and* filling the gaps along the east side of the property in accordance with Section VI-6.E would fulfill all three screening requirements for that side of the property.

## **Public Input**

Operators of two neighboring businesses have submitted letters of support for the request: Dust and Son Auto Supplies and Hickory River Smokehouse (Exhibit G – Communications).

## **Discussion**

### **Requirements for a Special Use Permit**

According to Section VII-4.A of the Urbana Zoning Ordinance, an application for a special use permit shall demonstrate the following:

*1. That the proposed use is conducive to the public convenience at that location.*

The towing service has operated at this location since at least 1977, which is when the property was annexed into the city: it is an established piece of the fabric of the neighborhood. The property is convenient to the public because of its location near Cunningham Avenue – a five-lane state route – and Interstate 74, allowing tow service vehicles to use main roads designed for heavy-duty vehicles, as well as for customers and employees to reach the facility. There are sidewalks up to the property and across the street and CUMTD bus stops just west of the property.

*2. That the proposed use is designed, located, and proposed to be operated so that it will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious to the public welfare.*

The towing service would continue to be operated so as not to be injurious or detrimental to the B-3 zoning district, or injurious to the general public. This development is intended to house existing business vehicles and provide better facilities to maintain those vehicles: it is not intended to expand the business or its hours or scope of operations. No expansions to vehicle feet or staff are planned. The proposed asphalt milling parking area and concrete access drive will eliminate gravel parking and

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<sup>4</sup> Urbana Zoning Ordinance: Section VI-6.E – Outdoor Storage Screening.

access areas, reducing gravel migration and dust. (Exhibit D – Site Plan, Sheet A2). The added screening will make the outdoor parking and storage areas less visible from the adjacent residential areas.

*3. That the proposed use conforms to the applicable regulations and standards of, and preserves the essential character of, the district in which it shall be located, except where such regulations and standards are modified by Section VII-7.*

The special use permit would allow the existing towing service to expand and maintain legal conformity. The proposed building and parking area are being reviewed by City staff through building and engineering review, including zoning compliance. The preliminary site plan has been proposed for review by Plan Commission: minimal changes are likely to be needed to meet full compliance with City and other regulations. The project would conform to the regulations and standards of, and preserve the essential character of, the B-3, General Business, zoning district.

## **Overview**

In response to the requirements in Section VII-4.A of the Zoning Ordinance, the Plan Commission shall make a recommendation to the City Council for or against the proposed special use, and may also recommend such additional conditions and requirements on the operation of the proposed use as are appropriate or necessary for the public health, safety, and welfare, and to carry out the purposes of this Ordinance, including but not limited to conditions that:

1. Regulate the location, extent, and intensity of such use;
2. Require adherence to an approved site plan;
3. Require landscaping and the screening of such use by means of fences, walls, or vegetation;
4. Stipulate a required minimum lot size or yards, and maximum height of buildings and structures;
5. Regulate vehicular access and volume, and the design and location of parking and loading areas and structures;
6. Require conformance to health, safety, and sanitation requirements as necessary;
7. Regulate signs and outdoor lighting; and
8. Any other conditions deemed necessary to affect the purposes of the Zoning Ordinance.

## **Summary of Findings**

1. BWC Tundra LLC, represented by Andrew Fell, requests a special use permit to construct a towing service building, parking area, and access drive at its property at 810 and 1002 Perkins Road in the B-3, General Business, Zoning District. Section V-1.A.3 and Table V-1 of the Urbana Zoning Ordinance allow a Towing Service in the B-3 district with a special use permit.
2. Tatman's Towing has operated at this site since before the property's annexation into the City of Urbana in 1977. The towing service stores its service vehicles outside on a gravel parking area and the proposed building would allow it to maintain and store them inside, as well as improve most of the gravel parking area around the building.
3. The proposed expansion would continue to be conducive to the public at this location, where it has operated since 1977, as the towing service is accessed easily by car and mass transit.

4. The proposed expansion would not be injurious or detrimental to the B-3 zoning district, or injurious to the general public, as the proposed project would reduce the amount of outdoor parking, and gravel parking and access.
5. The requested special use permit would allow the existing towing service to expand and maintain legal conformity with the standards and regulations of, while preserving the essential character of, the B-3 zoning district.

## Options

The Plan Commission has the following options in Plan Case 2447-SU-22:

1. Recommend approval of the special use permit to City Council without any additional conditions.
2. Recommend approval of the special use permit to City Council with any conditions deemed appropriate or necessary for the public health, safety, and welfare, and to carry out the purposes of the City's municipal code.
3. Recommend denial of the special use permit to City Council. If the Plan Commission elects to do so, it should articulate the findings supporting its denial.

## Recommendation

Based on the evidence presented in the discussion above, and without the benefit of considering additional evidence that may be presented at the public hearing, staff recommends that the Plan Commission recommend **APPROVAL** of the proposed special use permit in Plan Case No. 2447-SU-22, with the following condition:

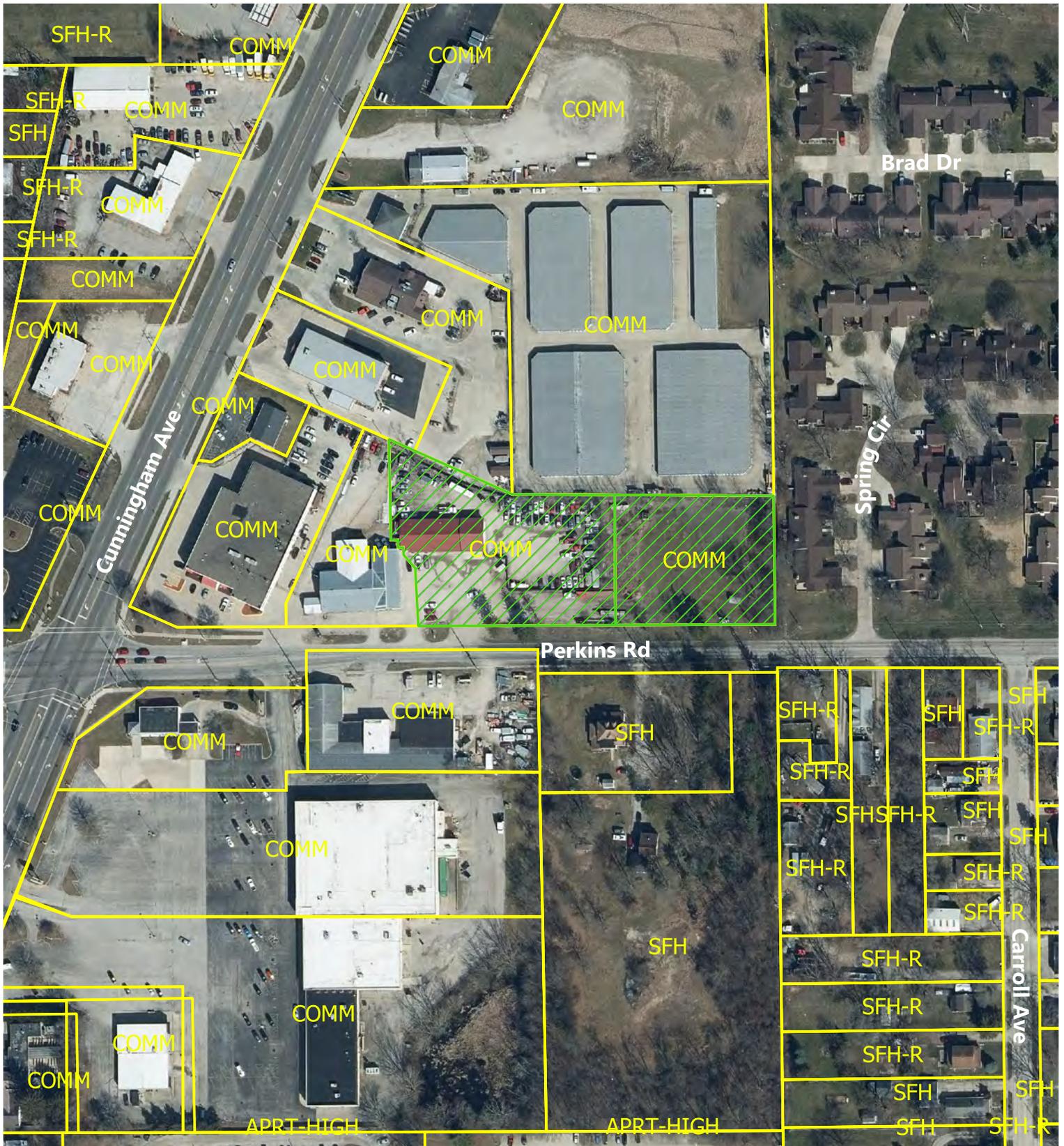
- Construction must be in general conformance with the attached site plan entitled "Tatman's Towing, New Construction, 810 East Perkins Road, Urbana, IL, Sheet A2 – Site Plan" dated 4/21/2022 (Exhibit D).

Attachments:

- Exhibit A: Location & Land Use Map
- Exhibit B: Zoning Map
- Exhibit C: Future Land Use Map
- Exhibit D: Application for Special Use Permit
- Exhibit E: Building Plans (Excerpt)
- Exhibit F: Photos
- Exhibit G: Communications

cc: Andrew Fell, Applicant

# Exhibit A - Location & Land Use



Case: 2447-SU-22  
 Subject: Special Use Permit - Towing Service  
 Location: 810 & 1002 Perkins Road  
 Applicant: Andrew Fell for BWC Tundra, LLC

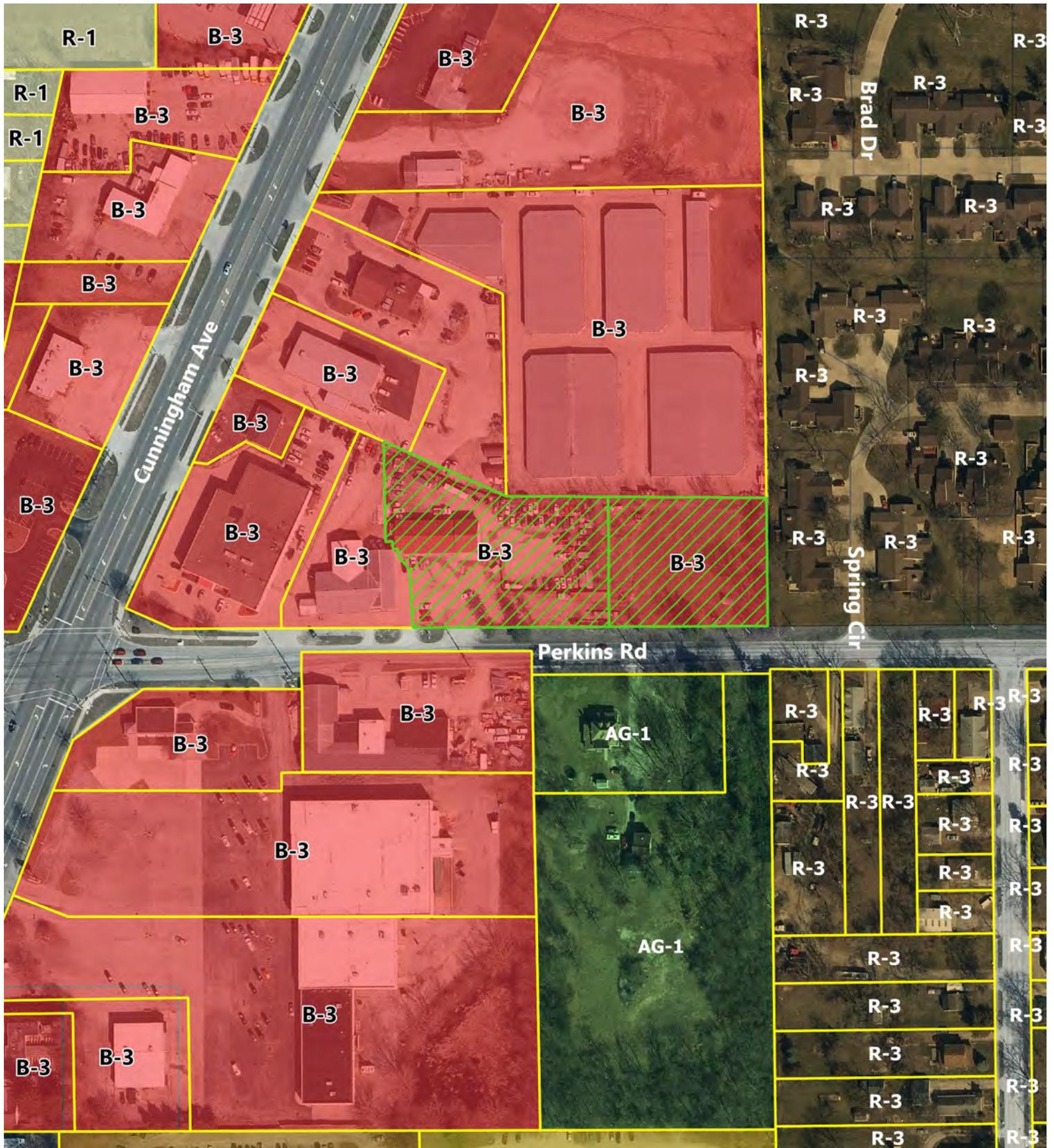


## Legend

 SUBJECT PROPERTY



# Exhibit B - Current Zoning



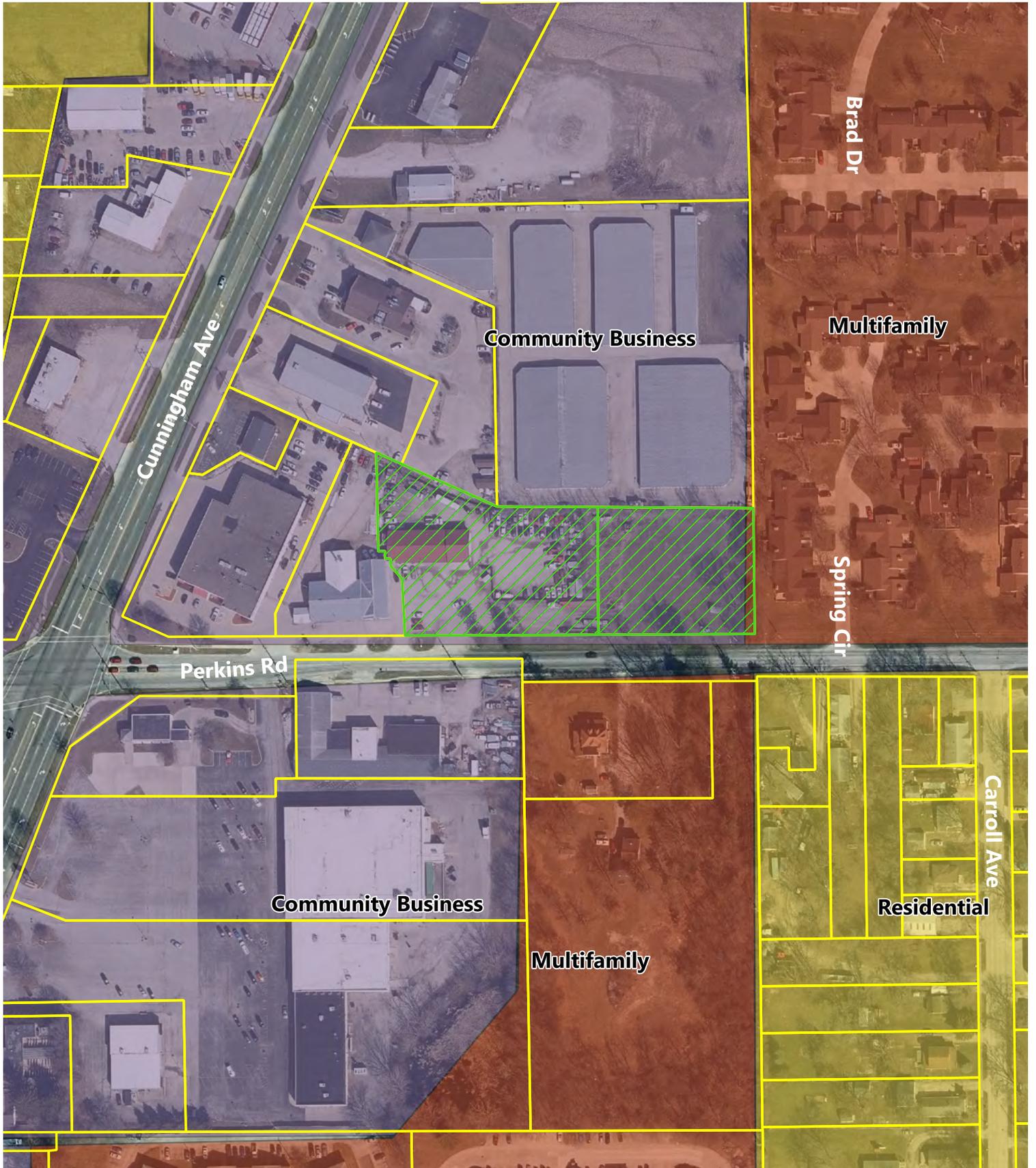
Case: 2447-SU-22  
 Subject: Special Use Permit - Towing Service  
 Location: 810 & 1002 Perkins Road  
 Applicant: Andrew Fell for BWC Tundra, LLC

SUBJECT PROPERTY

City Zoning	County Zoning
B-3	AG-1
	R-3



# Exhibit C - Future Land Use



Case: 2447-SU-22  
Subject: Special Use Permit - Towing Service  
Location: 810 & 1002 Perkins Road  
Applicant: Andrew Fell for BWC Tundra, LLC



## Legend

 SUBJECT PROPERTY





# Exhibit D - Application for Special Use Permit

## 3. CONSULTANT INFORMATION

**Name of Architect(s):** Andrew Fell Architecture and Design Phone: 217-363-2890

Address (*street/city/state/zip code*): 515 N Hickory, Suite 101, Champaign, Illinois 61820

Email Address: [permits@andrewfell.com](mailto:permits@andrewfell.com)

**Name of Engineers(s):** BKB (Bryan Bradshaw) Phone: 215-531-2971

Address (*street/city/state/zip code*): 301 N Neil, Suite 400, Champaign, IL 61820

Email Address: [bbradshaw@bkbeng.com](mailto:bbradshaw@bkbeng.com)

**Name of Surveyor(s):** BKB Engineering Phone:

Address (*street/city/state/zip code*):

Email Address:

**Name of Professional Site Planner(s):** BKB Engineering Phone:

Address (*street/city/state/zip code*):

Email Address:

**Name of Attorney(s):** Phone:

Address (*street/city/state/zip code*):

Email Address:

## 4. REASONS FOR SPECIAL USE PERMIT

Explain how the proposed use will serve the public convenience at the location of the property.

**See Attached**

Explain how the proposed use is designed, located and proposed to be operated, so that it will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious or detrimental to the public welfare.

**See Attached**

Explain how the proposed use conforms to the applicable regulations and standards of and preserves the essential character of the district in which it shall be located.

**See Attached**

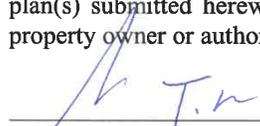
# Exhibit D - Application for Special Use Permit

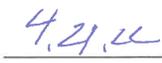
**NOTE:** *If additional space is needed to accurately answer any question, please attach extra pages to the application.*

**By submitting this application, you are granting permission for City staff to post on the property a temporary yard sign announcing the public hearing to be held for your request.**

## **CERTIFICATION BY THE APPLICANT**

I certify all the information contained in this application form or any attachment(s), document(s) or plan(s) submitted herewith are true to the best of my knowledge and belief, and that I am either the property owner or authorized to make this application on the owner's behalf.

  
\_\_\_\_\_  
Applicant's Signature

  
\_\_\_\_\_  
Date

## **PLEASE RETURN THIS FORM ONCE COMPLETED TO:**

City of Urbana  
Community Development Department Services  
Planning Division  
400 South Vine Street, Urbana, IL 61801  
Phone: (217) 384-2440  
Fax: (217) 384-2367

# Exhibit D - Application for Special Use Permit

## SPECIAL USE PERMIT APPLICATION

810 East Perkins Road  
Urbana, Illinois 61802

### 4. REASONS FOR SPECIAL USE PERMIT

Explain how the proposed use is conducive to the public convenience at the location of the property.

This is a continuation of an existing use. The success of the business is a cause for expansion. Currently the commercial vehicles used in the business are parked outside, as are some vehicles that are temporarily located at the property due to being towed, or because of an accident, etc. As a result there are now always vehicles visible outside in some quantity, with many of them in states of disrepair or unsalvageable. There are occasionally damaged trucks, busses, cars, etc. in the tow yard that are used by local emergency responders for training purposes.

Currently all of these vehicles are parked on either gravel or grass, and all of them are easily seen (cannot be missed) from Perkins Road. There is an area of opaque fencing to conceal a large area of the existing yard, but much of it is visually open to the public

Explain how the proposed use is designed, located and proposed to be operated, so that it will not be unreasonably injurious or detrimental to the district in which it shall be located or otherwise injurious or detrimental to the public welfare.

This project is to gain space to store the business vehicles inside, out of the weather, and to provide a screened area to store vehicles temporarily on site. The purpose is to protect the investment into their machinery, and to screen the sometimes unsightly assemblage of automobiles from the public.

The main intent of this project is to secure expensive machinery and to screen the lot area.

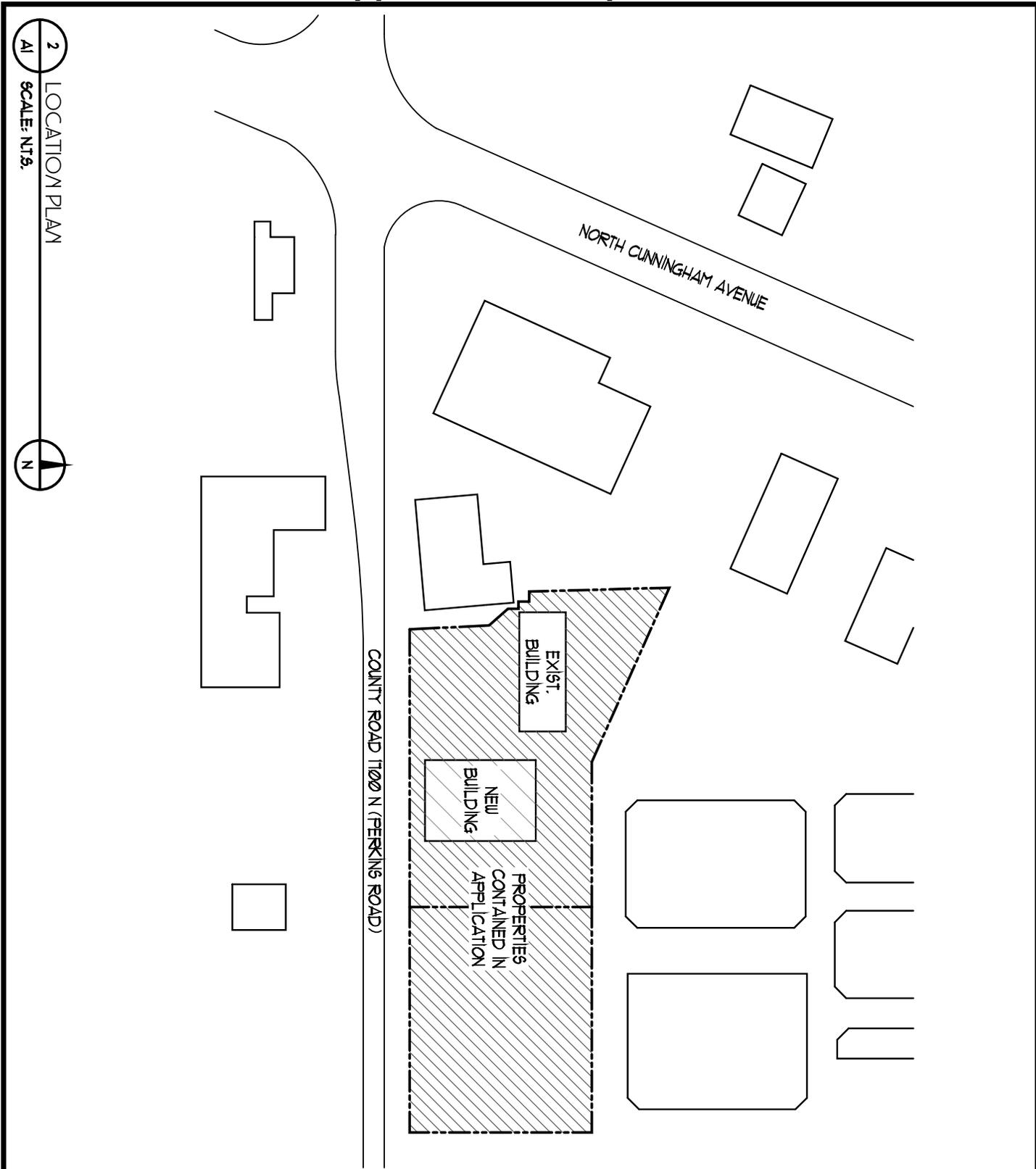
Please note that the building itself is not a vehicle repair garage, or anything associated with the maintenance or repair of any non-business owned vehicle. In other words, no outside cars or trucks are worked on in the facility. The primary purpose of the building is to store tow trucks when not in use, wash those trucks, and occasionally do very minimal work on them – such as changing the oil or rotating tires.

Explain how the proposed use conforms to the applicable regulations and standards of and preserves the essential character of the district in which it shall be located.

The neighborhood is a mixture of businesses with some multi-family to the east (which is to be heavily screened) and a mixture of commercial and one single residential property south, across Perkins Road, with the house being on the east edge of the subject property.

This work will not enlarge, or change, any aspects of the uses in the neighborhood. This simply continues the existing uses and activities, but screens them much more appropriately from the general public.

# Exhibit D - Application for Special Use Permit



2  
A1

LOCATION PLAN  
SCALE: NTS.



1/2" = 1' = 1"

**TATMAN'S TOWING**  
NEW CONSTRUCTION

810 E. PERKINS RD  
URBANA, ILLINOIS

These drawings and specifications are the property and copyright of Andrew Fell, Architecture and Design and shall not be used on any other work except by written agreement with the Architect. Only written dimensions shall be used. Do not scale drawings. Dimensions shall be verified on the job site. Any discrepancy shall be brought to the notice of the Architect prior to the commencement of any work.

**ANDREW FELL**  
ARCHITECTURE AND DESIGN

515 NORTH HICKORY STREET, SUITE 101  
CHAMPAIGN, ILLINOIS 61820  
PHONE: 217.303.2880  
WWW.ANDREWPELL.COM  
EMAIL: andrewfell@comcast.net

PROJECT # 21042

DATE : 2022.APRIL.21

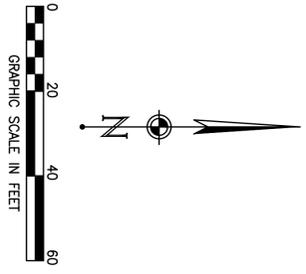
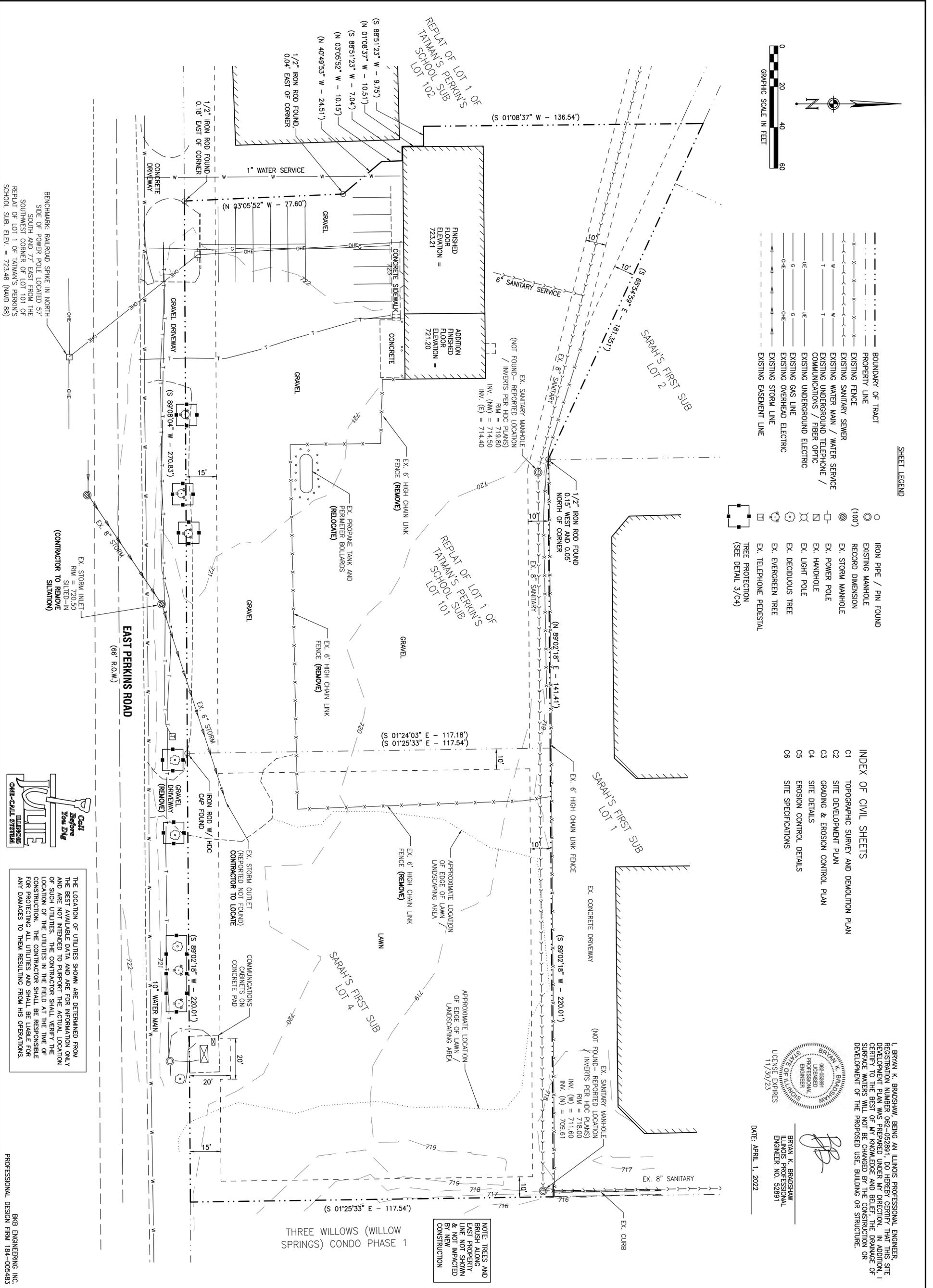
REV./NO./Y :

A1





# Exhibit E - Building Plans (Excerpt)



**SHEET LEGEND**

---X---X---X---	BOUNDARY OF TRACT
---	PROPERTY LINE
-X-X-X-X-X-X-	EXISTING FENCE
-X-X-X-X-X-X-	EXISTING SANITARY SEWER
-X-X-X-X-X-X-	EXISTING WATER MAIN / WATER SERVICE
-X-X-X-X-X-X-	EXISTING UNDERGROUND TELEPHONE / COMMUNICATIONS / FIBER OPTIC
-X-X-X-X-X-X-	EXISTING GAS LINE
-X-X-X-X-X-X-	EXISTING OVERHEAD ELECTRIC
-X-X-X-X-X-X-	EXISTING STORM LINE
-X-X-X-X-X-X-	EXISTING EASEMENT LINE
○	IRON PIPE / PIN FOUND
○	EXISTING MANHOLE
○	RECORD DIMENSION
○	EX. STORM MANHOLE
○	EX. POWER POLE
○	EX. HANDHOLE
○	EX. LIGHT POLE
○	EX. DECIDUOUS TREE
○	EX. EVERGREEN TREE
○	EX. TELEPHONE PEDESTAL
○	TREE PROTECTION (SEE DETAIL 3/C4)

**INDEX OF CIVIL SHEETS**

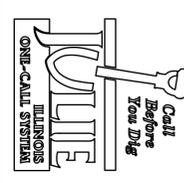
C1	TOPOGRAPHIC SURVEY AND DEMOLITION PLAN
C2	SITE DEVELOPMENT PLAN
C3	GRADING & EROSION CONTROL PLAN
C4	SITE DETAILS
C5	EROSION CONTROL DETAILS
C6	SITE SPECIFICATIONS

I, **BRYAN K. BRADSHAW**, BEING AN ILLINOIS PROFESSIONAL ENGINEER, REGISTRATION NUMBER 062-052891, DO HEREBY CERTIFY THAT THIS SITE DEVELOPMENT PLAN WAS PREPARED UNDER MY DIRECTION. IN ADDITION, I CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE DAMAGE OF SURFACE WATERS WILL NOT BE CHANGED BY THE CONSTRUCTION OR DEVELOPMENT OF THE PROPOSED USE, BUILDING OR STRUCTURE.

**BRYAN K. BRADSHAW**  
ILLINOIS PROFESSIONAL ENGINEER NO. 52891  
DATE: APRIL 1, 2022

**STATE OF ILLINOIS**  
BRYAN K. BRADSHAW  
PROFESSIONAL ENGINEER  
LICENSE EXPIRES 11/30/23

**NOTE: TREES AND BRUSHING ARE TO BE PROTECTED AND NOT REMOVED UNLESS SPECIFICALLY NOTED OTHERWISE. NEW CONSTRUCTION SHALL BE IMPACTED BY NEW CONSTRUCTION.**



THE LOCATION OF UTILITIES SHOWN ARE DETERMINED FROM THE BEST AVAILABLE DATA AND ARE FOR INFORMATION ONLY AND ARE NOT INTENDED TO PURPORT THE ACTUAL LOCATION OF SUCH UTILITIES. THE CONTRACTOR SHALL VERIFY THE LOCATION OF THE UTILITIES IN THE FIELD AT THE TIME OF CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL UTILITIES AND SHALL BE LIABLE FOR ANY DAMAGES TO THEM RESULTING FROM HIS OPERATIONS.

PROJECT:	40-2203
DESIGN BY:	BKB
DRAWN BY:	BKB
DATE:	3/31/22
SHEET:	C1

<p>TOPOGRAPHIC SURVEY AND DEMOLITION PLAN</p> <p>TATMAN'S TOWING 808-1002 E. PERKINS ROAD URBANA, ILLINOIS</p>	<p><b>BKB</b> ENGINEERING</p> <p>301 N. NEIL STREET, SUITE 400   CHAMPAIGN, IL 61820 CELL 217.840.3546   OFFICE 217.531.2971   FAX 217.531.2211</p>	<p>REVISIONS</p> <table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	NO.	DATE	DESCRIPTION						
		NO.	DATE	DESCRIPTION							
<p>PROFESSIONAL DESIGN FIRM 184-005483</p> <p>BKB ENGINEERING, INC.</p>	<p>DATE: APRIL 1, 2022</p>										











# Exhibit F - Photos



Figure 1. Looking northeast from Perkins Road toward project area.



Figure 2. Looking north from Perkins Road toward project area.



Figure 3. Looking east down Perkins Road towards project area.

# Exhibit F - Photos



Figure 4. Aerial looking north.

# Exhibit F - Photos



## Exhibit F - Photos



Figure 6. Google Earth looking east, showing screening and gaps.

# Exhibit F - Photos



Figure 7. CCGIS Aerial map looking north, showing building and parking areas, screening and gaps.

# Exhibit G - Communications

**From:** [Mike Madigan](#)  
**To:** [Ricci, Marcus](#)  
**Subject:** 2447-SU-22 Tatman"s Towing  
**Date:** Monday, May 9, 2022 5:00:21 PM

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**\*\*\* Email From An External Source \*\*\***

Use caution when clicking on links or opening attachments.

Hi,

My wife and I own Hickory River Smokehouse adjacent to the subject property, Tatman's Towing. We have had a very good relationship over the years with owner Jim Hampton as we both have worked to improve our businesses. Jim is a great neighbor and we appreciate his efforts to expand and improve the area. We are in strong support of this request.

Sincerely,  
Michael Madigan, Co-owner  
Hickory River Smokehouse - Urbana

# Exhibit G - Communications

**From:** [Cynthia Vogel](#)  
**To:** [Ricci, Marcus](#)  
**Cc:** [Angie Bierman](#); [Jeffrey Dust](#)  
**Subject:** Public Hearing on May 19  
**Date:** Wednesday, May 11, 2022 12:19:48 PM

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**\*\*\* Email From An External Source \*\*\***

Use caution when clicking on links or opening attachments.

Marcus,  
After review of the "Notice of Public Hearing For a Proposed Special Use Permit", Dust and Son does not have any issues with the proposed special use permit and would support the petition for the expansion of the towing business.

Thanks,

Cynthia Vogel

Dust and Son Auto Supplies, Inc  
PH: (217) 342-2147  
FAX: (217) 347-7373  
CELL: (217) 240-2143

<http://www.dustandson.com>