

ORDINANCE NO. 9596-85

AN ORDINANCE GRANTING A SPECIAL USE PERMIT

To Allow Schnuck's Markets, Inc. To develop a Planned Unit Development General Shopping Center

(Plan Case #1610-SU-96)

WHEREAS, the Schnuck's Markets, Inc. requested the Plan Commission consider a Special Use to allow a Planned Unit Development General Shopping Center on the property generally bounded by the Conrail Railroad right-of-way, Maple Street, Main Street, and Vine Street in Urbana; and

WHEREAS, the Urbana City Council has rezoned the property to B-4E Central Business Expansion District; and

WHEREAS, the Urbana Plan Commission has considered the said petition after due notice and held a public hearing thereon on March 7, 1996 as Plan Case No. 1610-SU-96; and

WHEREAS, the Urbana Plan Commission has recommended approval of the requested Special Use Permit, subject to certain conditions.

NOW, THEREFORE, BE IT ORDAINED BY THE URBANA CITY COUNCIL that:

Section 1. A Special Use Permit is hereby granted to the petitioner, Schnuck's Markets, Inc. to develop the following described property as a Planned Unit Development General Shopping Center, subject to the conditions set forth in Section 2 below, the said property being legally described as follows:

A portion of the Southeast Quarter of Section 8, and a portion of the Northeast Quarter of Section 17, both being located in Township 19 North, Range 9 East of the Third Principal Meridian in the City of Urbana, Illinois, more particularly described as follows:

Beginning at the intersection of the South Right-of-Way line of the Consolidated Rail Corporation (Conrail) and the East Right-of-Way line of Vine Street, said point lying 50.00 feet South of the centerline of Conrail and 75.00 feet East of the centerline of Vine Street; thence South 83° 09' 21" East (an assumed bearing) along the South Right-of-Way line of Conrail, said line lying 50.00 feet South of and parallel to the centerline of Conrail, for

THIS ORDINANCE CONSISTS OF 4 PAGES.

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a distance of 638.06 feet to a point lying on the West Right-of-Way line of Maple Street; thence South 03° 34' 09" West along the West Right-of-Way line of Maple Street for a distance of 435.34 feet; thence South 35° 23' 55" East along the West Right-of-Way line of Maple Street for a distance of 199.19 feet to a point lying on the North Right-of-Way line of Main Street; thence South 80° 58' 46" West along the North Right-of-Way line of Main Street for a distance of 201.96 feet; thence South 82° 16' 29" West along the North Right-of-Way line of Main Street for a distance of 304.23 feet; thence North 87° 22' 57" West along the North Right-of-Way line of Main Street for a distance of 281.07 feet to a point lying on the East Right-of-Way line of Vine Street; thence North 43° 17' 19" West along the East Right-of-Way line of Vine Street for a distance of 21.93 feet; thence North 21° 57' 12" West along the East Right-of-Way line of Vine Street for a distance of 6.23 feet; thence North 01° 25' 08" East along the East Right-of-Way line of Vine Street for a distance of 118.05 feet to a point lying 33.00 feet East of the centerline of Vine Street; thence North 03° 07' 04" East along the East Right-of-Way line of Vine Street, said line lying 33.00 feet East of and parallel to the centerline of Vine Street, for a distance of 42.10 feet; thence South 86° 52' 56" East along the East Right-of-Way line of Vine Street, said line being perpendicular to the centerline of Vine Street, for a distance of 2.00 feet; thence North 03° 07' 04" East along the East Right-of-Way line of Vine Street, said line lying 35.00 feet East of and parallel to the centerline of Vine Street, for a distance of 3.00 feet; thence North 86° 52' 56" West along the East Right-of-Way line of Vine Street, said line being perpendicular to the centerline of Vine Street, for a distance of 2.00 feet; thence North 03° 07' 04" East along the East Right-of-Way line of Vine Street, said line lying 33.00 feet East of and parallel to the centerline of Vine Street, for a distance of 126.03 feet to a point lying on the South line of Outlot 4 of the Original Outlots to the Town (now City) of Urbana, said South line being the South Right-of-Way line of Water Street; thence South 87° 22' 57" East along the East Right-of-Way line of Vine Street, said line also being the South Right-of-Way line of Water Street, for a distance of 42.00 feet to a point lying 75.00 feet East of the centerline of Vine Street; thence North 03° 07' 04" East

along the East Right-of-Way line of Vine Street, said line lying 75.00 feet East of and parallel to the centerline of Vine Street, for a distance of 424.54 feet to the Point of Beginning, containing 10.613 acres, more or less, and all being situated in the City of Urbana, Champaign County, Illinois.

Section 2. The Special Use Permit is granted subject to the following conditions:

a. The property will be final platted in accordance with the City of Urbana's Subdivision and Land Development Code.

b. The subject property be developed in substantial conformance to the attached site plan, but subject to minor modifications needed as a result of final engineering design.

Section 3. The City Council does hereby waive the following requirements of Section VII-6 of the Urbana Zoning Ordinance:

1. That the minimum lot size be one (1) acre.

2. That the Special Use must be enclosed by a wire mesh fence of no less than six (6) feet in height.

3. That the side and rear yards must be twenty-five (25) feet.

4. The waiver of any requirement to post construction, maintenance or performance bonds given the City's participation in the cost of site redevelopment and public improvements;

Section 4. Any conditions associated with special use permits or conditional use permits granted for this site are null and void and replaced with the conditions contained herein.

Section 5. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the Corporate Authorities, and this Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Section 1-2-4 of the Illinois Municipal Code.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the members of the City Council of the City of Urbana, Illinois, at a regular

meeting of said Council on the 18th day of March, 1996.

PASSED by the City Council on this 18th day of March, 1996.

AYES: Hayes, Kearns, Patt, Pollock, Ryan, Taylor, Whelan

NAYS:

ABSTAINED:

Phyllis D. Clark by
Phyllis D. Clark, City Clerk

Robert J. Roberts, Deputy Clerk

APPROVED by the Mayor this 25th day of March, 1996.

Tod Satterthwaite

Tod Satterthwaite, Mayor



CERTIFICATE OF PUBLICATION
IN PAMPHLET FORM



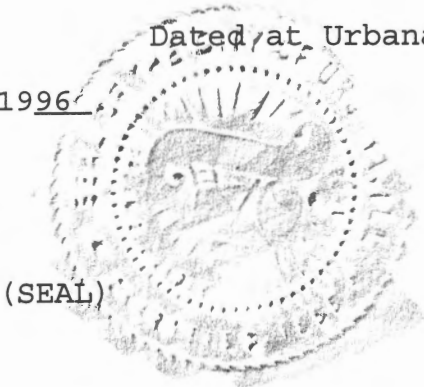
I, PHYLLIS D. CLARK, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois.

I certify that on the 18th day of March, 1996, the corporate authorities of the City of Urbana passed and approved Ordinance No. 9596-85, entitled "AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO ALLOW SCHNUCK'S MARKETS, INC. TO DEVELOP A PLANNED UNIT DEVELOPMENT GENERAL SHOPPING CENTER (PLAN CASE #1610-SU-96)"

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 9596-85 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the ~~26th~~^{29th OK} day of March, 1996, 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 ~~26th~~^{29th OK} day of March, 1996



Phyllis D. Clark by
Phyllis D. Clark, City Clerk
Deborah J. Roberts, Deputy Clerk