

RESOLUTION NO. 8283-R 20

A RESOLUTION OF PROTEST

WHEREAS, Kerasotes Rialto Theatre Corporation has petitioned and applied under the provisions of the Zoning Ordinance of Champaign County to permit the construction of an additional movie screen in the AG-2 (Agriculture Zoning District) on the following described property, to-wit:

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 Principal Meridian that lies East of U.S. Route 45 in Champaign County, Illinois.

Commonly known as The Widescreen Drive-In on Route 45, North of Urbana, Illinois; and

WHEREAS, the said proposed special use is being considered by the Champaign County Zoning Board of Appeals under the style and name of Case No. CCZBA 456-S-82; and

WHEREAS, after consideration of the petition for the said special use by the Urbana Plan Commission and the said body forwarded its recommendation to the Urbana City Council; and

WHEREAS, the Urbana City Council, having duly considered all matters pertaining thereto, finds and determines that the said Urbana City Council should protest the granting of the aforesaid special use permit. This protest being made not as a protest against development on the said site per se but in an effort to emphasize the concern of the Urbana City Council for the best interests of both the petitioner herein and the adjacent landowner, Frasca Field. The Urbana City Council requests that the Champaign County Zoning Board of Appeals give their most professional, detailed study of all pertinent information, including the safety of aircraft utilizing the said Frasca Field, in an effort to accommodate the interests, if possible, of both of the parties.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

1. This City Council finds and determines that the facts contained in the above recitations are true.

**FILED**

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*Rennis L. Brigg*  
COUNTY CLERK

2. That the Urbana City Council, on behalf of the said City, hereby resolves that the City of Urbana should and hereby does protest the proposed special use as set forth in Champaign County Zoning Board of Appeals Case No. 456-S-82 for the reasons set forth above.

3. The City Clerk of the City of Urbana is authorized and directed to file a certified copy of this Resolution of Protest with the County Clerk of the County of Champaign, and to mail a certified copy of this Resolution to the aforesaid Kerosotes Rialto Theatre Corporation, 104 N. 6th Street, Springfield, Illinois 62701, and Vance I. Kepley, Reno, O. Byrne & Kepley, P.O. Box 693, Champaign, Illinois 61820, as Attorney for the Petitioner by certified mail at their respective addresses as shown above.

PASSED by the City Council this 4<sup>th</sup> day of October, 1982.

  
Ruth S. Brookens  
Ruth S. Brookens, City Clerk

APPROVED by the Mayor this 11<sup>th</sup> day of October, 1982.

Jeffrey T. Markland  
Jeffrey T. Markland, Mayor

**FILED**

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Dennis L. Brigg  
COUNTY CLERK