



## DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

*Planning Division*

m e m o r a n d u m

**TO:** Mayor Diane Wolfe Marlin and City Council Members  
**FROM:** Lorrie Pearson, AICP, Community Development Services Director  
Marcus Ricci, AICP, Planner II  
**DATE:** June 10, 2021  
**SUBJECT:** **An Ordinance Approving a Major Variance** (201 East Green Street/Plan Case ZBA-2021-MAJ-04)

---

### Introduction

James Webster, on behalf of New Lincoln Square, LLC, requests a major variance to increase the message change frequency for electronic message boards (e-boards) at 201 East Green Street in the B-4, Central Business District. Section IX-4.C.2 of the Urbana Zoning Ordinance sets a maximum message change frequency for an electronic message board at one message per three minutes. The applicant would like to increase the message frequency to one message per minute. The applicant owns the sign and e-boards at the location, as well as the Lincoln Square shopping center that it advertises. The sign itself is located in City Lot 10-X, owned by the City of Urbana, and managed by the applicant via a series of parking agreements. The City has given the applicant permission to apply for the variance.

At its May 19, 2021, meeting, the Zoning Board of Appeals voted to forward the case to City Council with a recommendation to **APPROVE** the request with one condition (five ayes, zero nays). Staff recommended the Board **APPROVE** the request with that one condition, and recommends that City Council **APPROVE** the request.

### Background

Lincoln Square was built in 1964. There are two shopping center signs, one at the southeast corner of East Illinois and South Vine Streets, and one at the east entrance at East Green and South Vine Streets (Exhibit A). The former sign is the subject of this variance request. When the shopping center was built, the subject sign was constructed as a three-sided free-standing sign with three letterboards (Exhibit E). Around 1995, the letterboards on the southeast and northeast sides were converted to e-board. These e-boards stopped working many years ago, and the applicant would like to replace them with new e-boards inside the existing frames. According to the applicant, “the message center is intended to create more awareness about activities, events, and most importantly, the Malls’ tenants. In order to maximize the usefulness of the sign, the number or amount of messages is dependent upon the length of time each message may be displayed. The current ordinance...states that the frequency of display must be [no faster than] three minutes. This condition will reduce the effectiveness of the sign, thus, not assist in promotion of the tenants to the extent it could with greater frequency” (Exhibit D). To maximize the e-boards’ effectiveness, the applicant wants to increase the message change frequency to one message per minute.

### Site Description, Land Use and Zoning

The sign is located at the northwest corner of East Illinois and South Vine Streets, in the southeast corner of City Lot 10-X. The site is bounded by City Lot 10-F, Lincoln Square, and City Lot 10-A South (Exhibit A).

Nearby uses include the Urbana City Building and Fire Department (east), Omni Prosthetics (southeast), City Lot 24, a drycleaner, and a former gas station lot (south), and City Lot 10-E (west). Table 1. below summarizes the current zoning, existing land uses, and 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>	B-4, Central Business	Parking	Central Business
<b>North</b>	B-4, Central Business	Parking	Central Business
<b>East</b>	B-4, Central Business; R-6, High Density Multiple-Family Residential	Government Office; Open Space	Institutional
<b>South</b>	B-4, Central Business	Parking; Gas Station; Cleaners	Central Business
<b>West</b>	B-4, Central Business	Parking	Central Business

## Discussion

The applicant wants to increase the e-boards’ message change frequency from a maximum of one message per three minutes to a maximum of one message per minute, to increase the number of messages displayed in a given period of time. All other regulations would remain, including illumination standards and the prohibition on animation. The purpose of the frequency cap is to reduce the distraction to drivers passing by.

The primary question is: would increasing the message frequency result in drivers being more distracted? Currently, a driver would most likely see only one message as they drove by, even if they were stopped for the full 50 seconds at a red light with a turn arrow. It is possible they might see two messages if they passed by as one three-minute message transitioned to the next three-minute message. If the rate was increased to one message per minute, a driver is *more likely* to drive by during a transition, as there are three times as many transitions occurring as before. This means they are more likely to see two messages instead of one, but are still not likely to see three messages unless they were stopped at the signal for multiple traffic light cycles. One message per minute should not distract a driver, as long as all other e-board regulations are followed.

Shannon Beranek, Civil Engineer for the City of Urbana, reported that the National Cooperative Highway Research Program recommends that variable message systems – including electronic message boards – limit the frequency of message changes to four messages per minute. The proposed request of one message per minute would be well below this recommended threshold.

## Variance Criteria

Section XI-3 of the Urbana Zoning Ordinance requires the Zoning Board of Appeals to make findings based on variance criteria. The following is a review of the variance criteria as they pertain to this case:

1. *The proposed variance will not serve as a special privilege because the variance requested is necessary due to special circumstances relating to the land or structure involved or to be used for occupancy thereof, which is not generally applicable to other lands or structures in the same district.*

There are no special circumstances related to the sign or the property on which it is located that are not generally applicable to other e-boards in the B-4, Central Business District.

2. *The variance request is not the result of a situation or condition having been knowingly or deliberately created by the Petitioner.*

This request is not the result of any situation created by the applicant. They simply want to replace two

broken e-boards and to program them to change messages at a rate of one per minute rather than one per three minutes. According to the applicant, the increase in the number of messages displayed would positively affect economic development at Lincoln Square.

3. *The variance will not alter the essential character of the neighborhood.*

The neighborhood is a mix of commercial, institutional, and residential uses. The shopping center has been an integral part of the neighborhood for over fifty years, and the signs and e-boards themselves have been there for over twenty-five years. The replacement e-boards will be the same size and would not change any previous contribution to the character of the neighborhood.

4. *The variance will not cause a nuisance to the adjacent property.*

There is no record of a nuisance created by the original e-boards, e.g., light pollution, or contributions to vehicle crashes or cited offenses. The replacement e-boards would not cause a nuisance to the adjacent property, provided they follow all other regulations.

5. *The variance generally represents the minimum deviation from requirements of the Zoning Ordinance necessary to accommodate the request.*

The applicant wants to maximize the effectiveness of the sign to create more awareness about activities, events and tenants at the shopping center. The proposed increase in message change frequency is a smaller deviation from the Zoning Ordinance than other options – such as increasing the e-boards’ size, or brightness, or allowing animations – that would likely be more distracting to passing drivers.

6. *The variance requested is the result of practical difficulties or particular hardship in the way of carrying out the strict letter of the Zoning Ordinance relating to the use, construction, or alteration of buildings or structures or the use of land.*

The practical difficulty in carrying out the Zoning Ordinance is that the small size of, and the short approach time to, the e-boards results in a very high likelihood that potential shoppers and visitors would see only one message as they drove by. Increasing the rate of message change frequency to one minute would increase the number of messages likely to be viewed from one to two messages, which would still not be a distraction to drivers.

### **Zoning Board of Appeals**

At its May 19, 2021, meeting, the Board voted to forward the case to City Council with a recommendation to approve the request, with one condition (five ayes, zero nays). Staff had added a recommendation that the existing signs on the exterior of Lincoln Square, including the Illinois and Green Street shopping signs, be in compliance with City regulations prior to installation of the replacement electronic message boards. Discussion focused on current exceptions to the three-minute message frequency cap. Staff reported that the shopping center e-board at The Pines Shopping Center was granted a major variance in 2009 to be allowed to change messages up to once per ten seconds. James Webster stated that they are focusing on creating more exposure for the nearly 40 tenants at the mall, and that the e-boards would include event and community messages. There were no questions for the applicant, and no public input. The Board voted unanimously to recommend approval of the request with the recommended condition.

### **Summary of Staff Findings**

1. James Webster, on behalf of New Lincoln Square, LLC, requests a major variance to increase the message change frequency for electronic message boards (e-boards) to one message per minute, up from one message per three minutes as required by Section IX-4.C.2 of the Urbana Zoning Ordinance,

at 201 East Green Street in the B-4, Central Business District.

2. The variance should grant relief from a situation not created by the petitioner and, according to the applicant, the increase in the number of messages displayed would positively affect economic development at Lincoln Square.
3. The variance would not alter the essential character of the neighborhood nor cause a nuisance to adjacent properties, as the e-boards have been in use for over twenty-five years, and there is no record of a nuisance created by the original e-boards.
4. The variance is the minimum deviation from the requirements of the Zoning Ordinance, as other options would likely be more distracting to passing drivers.

## Options

The Urbana City Council has the following options in case ZBA-2021-MAJ-04:

1. Approve the Ordinance; or
2. Approve the Ordinance with certain terms and conditions; or
3. Deny the Ordinance.

## Recommendation

At the May 19, 2021, meeting, the ZBA voted unanimously (five ayes, zero nays) to forward this case to City Council with a recommendation to APPROVE the request with the following condition:

- Existing signs on the exterior of Lincoln Square, including the Illinois and Green Street shopping center signs, must be in compliance with City regulations prior to installation of the replacement electronic message boards.

Staff concurs with the ZBA recommendation.

Attachments:           Exhibit A: Location Map  
                              Exhibit B: Zoning Map  
                              Exhibit C: Future Land Use Map  
                              Exhibit D: Major Variance Application  
                              Exhibit E: Site Photos  
                              Exhibit F: DRAFT Minutes of ZBA Meeting of May 19, 2021

**ORDINANCE NO. 2021-06-021**

**AN ORDINANCE APPROVING A MAJOR VARIANCE**

**(201 E. Green St. / Case ZBA-2021-MAJ-04 – New Lincoln Square, LLC)**

**WHEREAS**, the City of Urbana (City) is a home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution, 1970, and may exercise any power and perform any function pertaining to its government and affairs, and the passage of this Ordinance constitutes an exercise of the City's home rule powers and functions as granted in the Illinois Constitution, 1970; and

**WHEREAS**, the Urbana Zoning Ordinance provides for a major variance procedure to permit the Zoning Board of Appeals and the Corporate Authorities to consider applications for a major variance where there is a special circumstance or condition with a parcel of land or a structure; and

**WHEREAS**, New Lincoln Square, LLC, has petitioned the City for a major variance to increase the message change frequency for electronic messages boards (e-boards) from one message per three minutes to one message per minute, to allow faster message changes for two e-boards at 201 East Green Street, in the B-4, Central Business, Zoning District; and

**WHEREAS**, the Zoning Board of Appeals held a public hearing on such petition at 7:00 p.m. on May 19, 2021, in ZBA Case No. 2021-MAJ-04; and

**WHEREAS**, in accordance with Urbana Zoning Ordinance Section XI-10, due and proper notice of such public hearing was given by publication in The News-Gazette, a newspaper having a general circulation within the City, on a date at least 15 days but no more than 30 days before the time of the public hearing, and by posting a sign containing such notice on the real property identified herein; and

**WHEREAS**, the Zoning Board of Appeals voted five (5) ayes and zero (0) nays to forward the case to the Urbana City Council with a recommendation to approve the requested variance with one condition; and

**WHEREAS**, the City Council finds that the requested variance conforms with the major variance procedures in Article XI, Section XI-3(C)(2)(d), of the Urbana Zoning Ordinance; and

**WHEREAS**, the City Council has considered the variance criteria established in the Urbana Zoning Ordinance and has made the following findings of fact:

1. The property is zoned B-4, Central Business, Zoning District.
2. James Webster, on behalf of New Lincoln Square, LLC, requests a major variance to increase the message change frequency for electronic message boards (e-boards) to one message per minute, up from one message per three minutes as required by Section IX-4.C.2 of the Urbana Zoning Ordinance, at 201 East Green Street in the B-4, Central Business District.
3. The variance should grant relief from a situation not created by the petitioner and, according to the applicant, the increase in the number of messages displayed would positively affect economic development at Lincoln Square.
4. The variance would not alter the essential character of the neighborhood nor cause a nuisance to adjacent properties, as the e-boards have been in use for over twenty-five years, and there is no record of a nuisance created by the original e-boards.
5. The variance is the minimum deviation from the requirements of the Zoning Ordinance, as other options would likely be more distracting to passing drivers.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Urbana, Illinois, as follows:

**Section 1.**

In ZBA Case No. 2021-MAJ-04, the major variance requested by New Lincoln Square, LLC, to increase the message change frequency for e-boards from one message per three minutes to one message per minute for two e-boards is hereby approved in the manner proposed in the application with the following condition: existing signs on the exterior of Lincoln Square, including the Illinois and Green Street shopping center signs, must be in compliance with City regulations prior to installation of the replacement electronic message boards.

Legal Description:

Lot 3 of the Replat of Lot 5 of the Central Business Addition, City of Urbana, Cunningham Township,  
Champaign County, Illinois

P.I.N.: 92-21-17-212-022

Address: 201 East Green Street, Urbana, Illinois

**Section 2.**

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 Section 1-2-4 of the Illinois Municipal Code. Upon approval of this Ordinance, the City Clerk is directed to record a certified copy of this Ordinance with the Champaign County Office of Recorder of Deeds.

This Ordinance is hereby passed by the affirmative vote, the “ayes” and “nays” being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

**PASSED BY THE CITY COUNCIL** this date day of Month, Year.

AYES:

NAYS:

ABSTENTIONS:

---

Phyllis D. Clark, City Clerk

**APPROVED BY THE MAYOR** this date day of Month, Year.

---

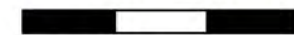
Diane Wolfe Marlin, Mayor

# Exhibit A - Location & Land Use



Case: ZBA-2021-MAJ-04  
 Subject: Major Variance - Message Freq.  
 Location: 201 East Green Street  
 Applicant: New Lincoln Square, LLC

0 100 200 300 ft



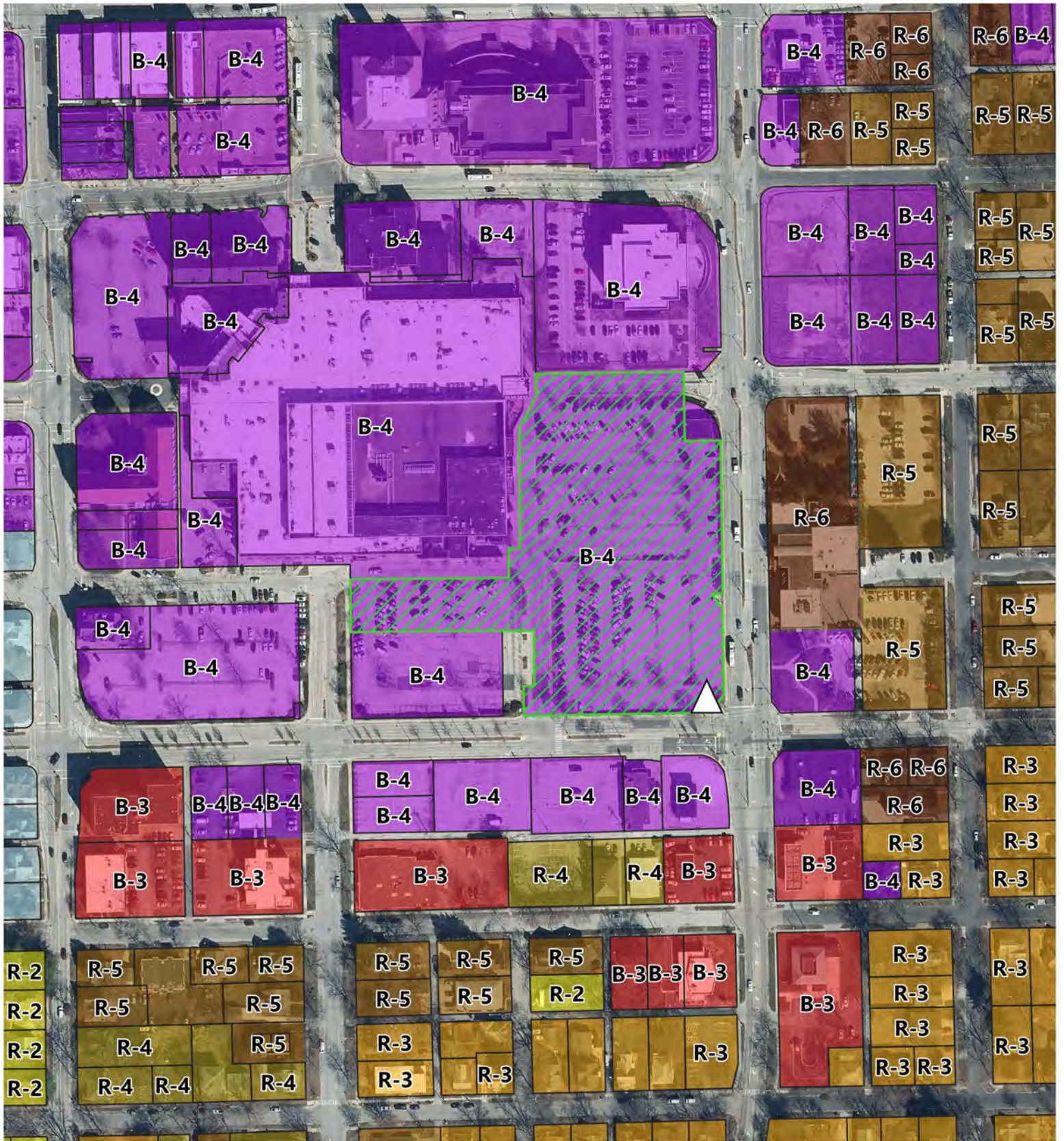
## Legend

-  SUBJECT PROPERTY
-  SIGN LOCATION





# Exhibit B - Current Zoning



Case: ZBA-2021-MAJ-04  
 Subject: Major Variance - Message Freq.  
 Location: 201 East Green Street  
 Applicant: New Lincoln Square, LLC

 SIGN LOCATION

0 100 200 300 ft

## Legend

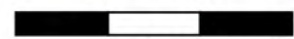
 SUBJECT PROPERTY	 B-4	 R-2	 R-4
	 B-3	 R-5	 R-6
		 R-3	

# Exhibit C - Future Land Use





Case: ZBA-2021-MAJ-04  
Subject: Major Variance - Message Freq.  
Location: 201 East Green Street  
Applicant: New Lincoln Square, LLC

0 100 200 300 ft



## Legend

-  SUBJECT PROPERTY
-  SIGN LOCATION



# Exhibit D - Application



## Application for Variance

## ZONING BOARD OF APPEALS

The application fee must accompany the application when submitted for processing. Please refer to the City's website at <http://www.urbanainllinois.us/fees> for the current fee associated with this application. **The Applicant is also responsible for paying the cost of legal publication fees.** Estimated costs for these fees usually run between \$75.00 and \$225.00. The applicant will be billed separately by the News-Gazette.

### DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY

Date Request Filed 04-05-2021 ZBA Case No. ZBA-2020-  
Fee Paid - Check No. 1398 Amount \$200.0 Date 04/22/202

### PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION

A VARIATION is requested in conformity with the powers vested in the Zoning Board of Appeals to permit the following variation (*Describe the extent of the Variation Requested*)  
**Change electronic message board minimum time change frequency three minutes to one** on the property described below, and in conformity with the plans described on this variance request.

#### 1. APPLICANT CONTACT INFORMATION

Name of Applicant(s): **New Lincoln Square, LLC. James H. Webster** Phone: **217-344-0973**  
Address (street/city/state/zip code): **104 W University Ave, Suite B. Urbana, IL 61801**  
Email Address: **jlm@websterappraisals.com**  
Property interest of Applicant(s) (*Owner, Contract Buyer, etc.*): **Owner**

#### 2. OWNER INFORMATION

Name of Owner(s): **City of Urbana, c/o Planning Division** Phone: **217-384-2440**  
Address (street/city/state/zip code): **400 South Vine Street, Urbana, IL 61801**  
Email Address: **Planning@Urbanainllinois.us**

Is this property owned by a Land Trust?  Yes  No  
*If yes, please attach a list of all individuals holding an interest in said Trust.*

#### 3. PROPERTY INFORMATION

Location of Subject Site: **201 E. Green Street, northwest corner of South Vine & East Illinois Streets, Urbana, IL, 61801**  
PIN # of Location: **92-21-17-212-022**  
Lot Size: **Lot Size: 4.28 acres or 186,278 square feet**

# Exhibit D - Application

Current Zoning Designation: **B-4**

Current Land Use (*vacant, residence, grocery, factory, etc.*): **Shopping center parking lot**

Proposed Land Use: **Shopping center parking lot**

Legal Description (*If additional space is needed, please submit on separate sheet of paper*):

**Lot 3 of the Replat of Lot 5 of the Central Business Addition, City of Urbana,  
Cunningham Township, Champaign County, Illinois**

**P.I.N.: 92-21-17-212-022**

**Commonly known as 201 East Green Street, Urbana, Illinois**

## 4. CONSULTANT INFORMATION

**Name of Architect(s):** American Dowell Sign Company Phone: 217-359-6696

Address (*street/city/state/zip code*): 4812 N Cunningham Ave. Urbana, IL 61802

Email Address: sales@americandowell.com

**Name of Engineers(s):** Mack Kite, Chip Childress Phone: 217-359-6696

Address (*street/city/state/zip code*): 4812 N Cunningham Ave. Urbana, IL 61802

Email Address: mkite@americandowell.com, cchildress@americandowell.com

**Name of Surveyor(s):** n/a Phone: n/a

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

Email Address: n/a

**Name of Professional Site Planner(s):** n/a Phone: n/a

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

Email Address: n/a

**Name of Attorney(s):** n/a Phone: n/a

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

Email Address: n/a

## 5. REASONS FOR VARIATION

Identify and explain any special circumstances or practical difficulties in carrying out the strict application of the Zoning Ordinance with respect to the subject parcel.

The message center is intended to create more awareness about activities, events, and most importantly, the Malls' tenants. In order to maximize the usefulness of the sign, the number or amount of messages is dependant upon the length of time each message may be displayed. The current ordinance, Section IX, General Sign Allowances, Category C, paragraph 2 states that the frequency of display must be three minutes. This condition will reduce the effectiveness of the sign, thus, not assist in promotion of the tenants to the extent it could with greater frequency.

# Exhibit D - Application

Explain how the variance is necessary due to special conditions relating to the land or structure involved which are not generally applicable to other property in the same district.

**A variance allowing messages to be displayed each minute would allow three times the messages allowed by the current ordinance. This would have a positive impact on economic development at Lincoln Square.**

Explain how the variance is not the result of a situation or condition that was knowingly or deliberately created by you (the Petitioner).

**The message center will replace two prior message center panels which are defective.**

Explain why the variance will not alter the essential character of the neighborhood.

**The neighborhood is a mix of commercial and governmental uses. It is part of the Downtown and it will not cause a nuisance to the neighborhood.**

Explain why the variance will not cause a nuisance to adjacent property.

**The sign has existed since the Mall was constructed in 1965. The sign was converted into a message center in approximately 1995. It adjoins the City of Urbana municipal building to the east, Lincoln Square to the north and west, along with three commercial uses to the south.**

Does the variance represent the minimum deviation necessary from the requirements of the Zoning Ordinance? Explain.

**The variance is, in my opinion, a minimum deviation of the Zoning Ordinance. The same or a similar variance was granted to The Atkins Group for their message center at The Pines in Urbana. We are not seeking anything which does not have precedence.**


***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.***

# Exhibit D - Application

**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



Date: 3/16/2021

Client:  
Lincoln Square Mall  
201 Lincoln Square  
Urbana, IL 61801

Project:  
Electronic message center  
(EMC)

Notes:  
Triangular pylon sign on  
south east corner of  
property.

Two (2) full color, 16mm  
EMC's, 2' 8" X 8'.

Drawing Location:  
AD 2021(C) Childress Drawings/Lincoln  
Square EMC Sign/Lincoln Square EMC Sign  
Approval Signature:

**AMERICANDOWELL**  
SIGN COMPANY  
PROUDLY SERVING EAST CENTRAL ILLINOIS OVER 60 YEARS

Chip Childress  
cchildress@americandowell.com  
217-359-6696  
217-643-2345(fax)  
4812 North Cunningham Ave.  
Urbana, IL 61802

SCALE: 1/4"=1'

THIS DRAWING IS PROPERTY OF AMERICAN DOWELL SIGN COMPANY AND ALL RIGHTS FOR REPRODUCTION ARE RESERVED BY AMERICAN DOWELL SIGN COMPANY

# Exhibit E – Site Photos



Figure 1. Subject sign at East Illinois and South Vine Streets.



Figure 2. Looking south from one block north.



Figure 1. Sign at East Green Street entrance.



Figure 2. Looking north from one block south.



# Exhibit F: DRAFT Minutes of ZBA Meeting

## MINUTES OF A REGULAR MEETING

### URBANA ZONING BOARD OF APPEALS

**DATE:** May 19, 2021

**DRAFT**

**TIME:** 7:00 p.m.

**PLACE:** Zoom Webinar

**MEMBERS ATTENDING REMOTELY:** Joanne Chester, Ashlee McLaughlin, Adam Rusch, Charles Warmbrunn

**MEMBER ATTENDING AT CITY BUILDING:** Harvey Welch

**MEMBERS EXCUSED:** Matt Cho, Nancy Uchtmann

**STAFF PRESENT:** Marcus Ricci, Planner II; Katherine Trotter, Planner I; Jason Liggett, UPTV Manager

**OTHERS PRESENT:** Gary Apfelstadt, James Webster

### 1. CALL TO ORDER, ROLL CALL AND DECLARATION OF QUORUM

Chair Welch called the meeting to order at 7:00 p.m. Roll call was taken, and he declared a quorum of the members present.

### 2. CHANGES TO THE AGENDA

There were none.

### 3. APPROVAL OF THE MINUTES

The minutes from the February 18, 2021 rescheduled meeting were presented for approval. Mr. Warmbrunn suggested a correction to the minutes on Page 4, Paragraph 4, 1<sup>st</sup> Sentence. It should read as such, “Mr. Warmbrunn asked how many feet there are between the existing garage and the property line on the east side.”

Mr. Warmbrunn moved that the Zoning Board of Appeals approve the minutes as amended. Ms. Chester seconded the motion. Roll call on the motion was as follows:

Ms. McLaughlin	-	Yes	Ms. Chester	-	Yes
Mr. Warmbrunn	-	Yes	Mr. Rusch	-	Yes
Mr. Welch	-	Yes			

The minutes of the February 18, 2021 rescheduled meeting were approved as amended.

# Exhibit F: DRAFT Minutes of ZBA Meeting

May 19, 2021

## 4. COMMUNICATIONS

Regarding Case No. ZBA-2021-MAJ-02:

- Email from Rae Spooner in support of the major variance
- Email from Michael Fuerst in support of the major variance

## 5. CONTINUED PUBLIC HEARINGS

There were none.

## 6. NEW PUBLIC HEARINGS

[cut for exhibit]

**ZBA-2021-MAJ-04 – A request by New Lincoln Square, LLC, represented by James Webster, for a Major Variance to allow two electronic message boards to change message frequency up to once per minute on an existing shopping center sign at 201 East Green Street in the B-4 (Central Business) Zoning District.**

Chair Welch opened the public hearing for Case No. ZBA-2021-MAJ-04. Marcus Ricci, Planner II, gave the staff report for the case. He began by stating that the proposed major variance request was to allow a change in the message frequency of the Lincoln Square signs from one message per three minutes to one message per minute. He noted the location of the electronic message board signs. He gave a brief history of the signs. He noted the zoning and Future Land Use designation of the property as well as for the adjacent properties. He showed images of the existing sign and of the replacement sign. He explained the traffic light cycle timing and speed limit calculations to explain that a driver is likely to see up to two messages if the frequency is changed to one message per minute. He reviewed the criteria for a variance request. He read the options of the Zoning Board of Appeals and presented staff's recommendation for approval with the following condition: *The existing signs on the exterior of Lincoln Square, including the Illinois and Green Street shopping signs, be in compliance prior to the installation of the replacement electronic message board.* He stated that the applicant was available to answer questions.

Chair Welch asked if any members of the Zoning Board of Appeals had questions for City staff. There were none.

Mr. Welch asked if there were signs with the same frequency elsewhere in the City of Urbana. Mr. Ricci replied no. The electronic message board sign located at the Pines Shopping Center was granted a variance in 2009 to allow a message every ten seconds.

Mr. Rusch asked what the frequency of messages was for the Methodist Church. Mr. Ricci replied one message per three minutes.

Mr. Welch asked if the other signs at Lincoln Square were out of compliance. Mr. Ricci said that City staff would be working with the applicant to make sure that signs advertising tenants that were no longer located in the mall be removed.

Chair Welch opened the hearing for public input. He invited the applicant or the applicant's representative to speak.

Jim Webster, applicant, raised his hand to speak. Mr. Welch swore him in. Mr. Webster stated that he had been involved with the mall for 20 years, and it was challenging with economics and commerce. They were focusing

# Exhibit F: DRAFT Minutes of ZBA Meeting

May 19, 2021

on reinventing the mall and creating more transparency for the tenants. There are nearly 40 tenants at the mall. They also want to display more messages about events at the mall and more community events. The new signs would be from American Dowell, and the signs would be monitored and regularly updated.

With there being no further input from the audience, Chair Welch closed the public input portion of the hearing and opened the hearing for discussion and/or motions by the Zoning Board of Appeals.

Mr. Warmbrunn moved that the Zoning Board of Appeals forward Case No. ZBA-2021-MAJ-04 to the City Council with a recommendation for approval with the following condition: *The existing signs on the exterior of Lincoln Square, including the Illinois and Green Street shopping signs, be in compliance prior to the installation of the replacement electronic message board.* Ms. McLaughlin seconded the motion.

Roll call on the motion was as follows:

Ms. Chester	-	Yes	Ms. McLaughlin	-	Yes
Mr. Rusch	-	Yes	Mr. Warmbrunn	-	Yes
Mr. Welch	-	Yes			

The motion was approved by unanimous vote. Ms. Trotter stated that Case No. ZBA-2021-MAJ-04 would be forwarded to the Urbana City Council on June 14, 2021.

## 7. OLD BUSINESS

There was none.

## 8. NEW BUSINESS

There was none.

## 9. AUDIENCE PARTICIPATION

There was none.

## 10. STAFF REPORT

There was none.

## 11. STUDY SESSION

There was none.

## 12. ADJOURNMENT OF MEETING

Chair Welch adjourned the meeting at 7:44 p.m.

Respectfully submitted,

---

Kevin Garcia, AICP  
Principal Planner  
Secretary, Urbana Zoning Board of Appeals