



City of Urbana
400 South Vine Street
Urbana, IL 61801

2019R16898
REC ON: 10/09/2019 01:23:49 PM
CHAMPAIGN COUNTY
MARK SHELDEN
REC FEE: 51.00
RHSPS Fee:
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PAGES 7
PLAT ACT: PLAT PAGE:

CLERK'S CERTIFICATE

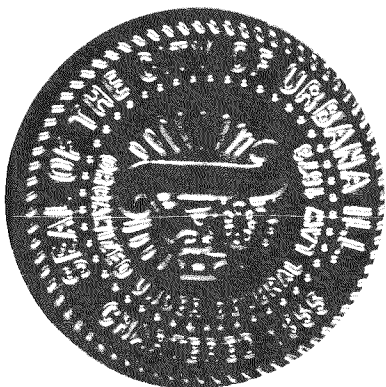
STATE OF ILLINOIS)
)
COUNTY OF CHAMPAIGN) SS

I, CHARLES A. SMYTH, City Clerk of the City of Urbana, Illinois, and keeper of the records, files and seal of said City, do hereby certify that the foregoing is a true and exact copy of an ordinance entitled:

**AN ORDINANCE APPROVING A MAJOR VARIANCE
(304 S. RACE ST. / ZBA CASE NO. 2019-MAJ-11) [ORD. 2019-10-053].**

approved by the City Council of the City of Urbana, Illinois, on the 7th day of October, AD, 2019, as it appears in the records and files in my office remaining.

Given under my hand and seal of said City of Urbana, Illinois, this 8th day of October, AD, 2019.



Charles A. Smyth by
Charles A. Smyth, City Clerk
Wendy Ann Smith, Deputy Clerk



ORDINANCE NO. 2019-10-053

AN ORDINANCE APPROVING A MAJOR VARIANCE

(304 S. Race St. / ZBA Case No. 2019-MAJ-11)

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, the First United Methodist Church of Urbana (Church) has submitted a petition for a major variance to allow an electronic display on a permitted freestanding sign 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 September 18, 2019, in ZBA Case No. 2019-MAJ-11; 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 seven (7) 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 First United Methodist Church of Urbana requests a major variance to allow an electronic display in the B-4, Central Business, Zoning District.
2. Section IX-4.C. of the Urbana Zoning Ordinance allows non-community event electronic displays only in the B-3, General Business, and CRE, Conservation-Recreation-Education zoning districts.
3. The variance request is due to the special circumstance that the Church is located at the periphery of the B-4, Central Business District, and converting its internally-lit sign to one that incorporates an otherwise conforming electronic display is unlikely to negatively affect the essential character of the downtown business district.
4. The proposed variance is not meant to correct a situation knowingly created by the Petitioner, as the subject site has been zoned "Central Business" since the inception of zoning in Urbana.
5. The proposed variance should not alter the essential character of the neighborhood, as it will be in the same location as the existing sign, which has been in place since 1957.
6. The proposed variance should not cause a nuisance to adjacent properties because the existing sign has not been a nuisance, the proposed electronic display will not face or be within 100 feet of residential districts or uses, and it will comply with all other zoning regulations including brightness, auto-dimming, and how frequently the message changes.
7. The minimum deviation from the requirements of the Zoning Ordinance would be to allow an electronic display in the B-4 district, which is what the variance request is for.
8. The practical difficulty in carrying out the Zoning Ordinance is that the location of the Church at the periphery of the B-4 district reduces the probability of negatively affecting downtown character.

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

Section 1.

In ZBA Case No. 2019-MAJ-11, the major variance requested by the First United Methodist Church of Urbana to allow for the construction of an electronic display as part of a freestanding sign in the B-4, Central Business, Zoning District, is hereby approved in the manner proposed in the application with the following condition: The proposed sign shall generally conform to the site plan and specifications as set forth in Attachment "A," which is attached hereto and incorporated herein by reference.

The major variance described above shall only apply to the property located at 304 South Race Street, more particularly described as follows:

Plat of E. Harkness Addition of Town Lots to the Town of Urbana in said County of Champaign. Situated in the N.E. ¼ of Section No. 17 T. 19 N. of Range 9 East. The length and breadth of each lot are marked on Plat in feet and inches and contain 38 rods & 64/100 each. Corner stone at S.W. corner of lot No. 4 sixty feet north of the N.W. corner of lot No. 6 in Roe's third Addition of Town Lots. Given under my hand and this 4th day of October 1832.

Lot 1, 2, 3, and 4 in the E. Harkness a./k./a. Elisha Harkness Addn.

Commonly known as 304 South Race Street
P.I.N.: 91-21-17-212-005

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 with the Champaign County Office of the Recorder of Deeds and transmit one copy of the recorded Ordinance to the petitioner.

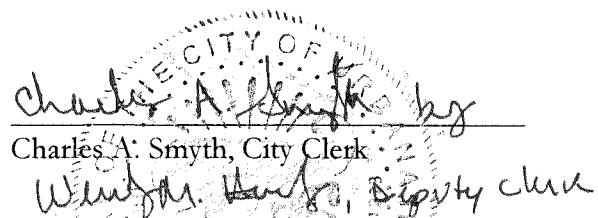
This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

PASSED BY THE CITY COUNCIL this 7th day of October, 2019.

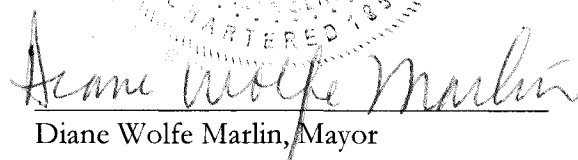
AYES: Brown, Hazen, Hursey, Jakobsson, Miller, Wu, Marlin

NAYS:

ABSTENTIONS:


Charles A. Smyth
Charles A. Smyth, City Clerk

APPROVED BY THE MAYOR this 8th day of October, 2019.

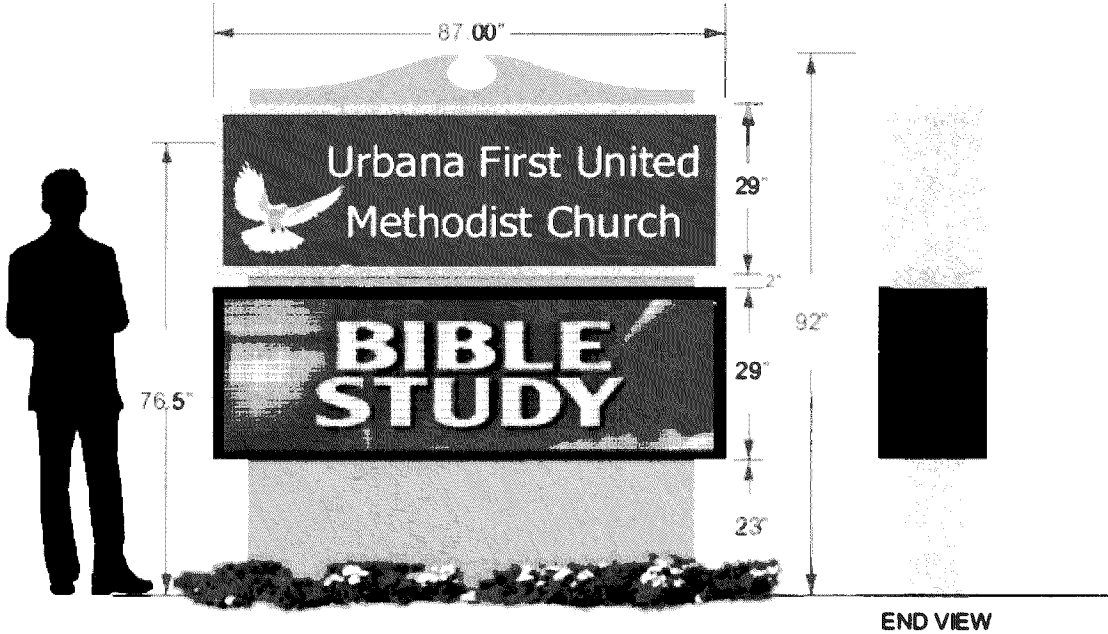

Diane Wolfe Marlin
Diane Wolfe Marlin, Mayor

ATTACHMENT A

Sign Design

Exhibit C: Application & Sign Design

Option: UFUMC-3



END VIEW

SCALE: 1/2" = 1'

Date: 2-04-19

Client:
First United Methodist
Church of Urbana

Project:
Free standing sign.

Notes:
Single sided, free standing
monument sign with
internally LED illuminated
main ID top cabinet.
2' x 7' single sided 16mm
full color EMC (electronic
message center)

Overall size: 92" x 87"

Drawing Location:
FILESERV\Data\mDow2019\4100e,
Drawings\Frst United Methodist
Church of Urbana\FUMCoUrbana

Approval Signature:

Sales & Design:

American Dowell
SIGNS & GRAPHICS
PROUDLY SERVING THE EAST CENTRAL U.S. SINCE 1968
Mark Kite
mkite@americandowell.com
217-359-6696
217-643-2345
4812 N. Cunningham Ave.
Urbana, IL 61802

ATTACHMENT A

Site Plan





CERTIFICATE OF PUBLICATION IN PAMPHLET FORM



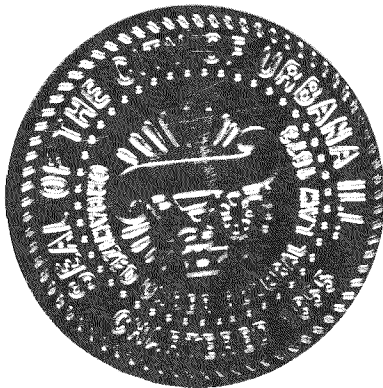
I, Charles A. Smyth, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois. I certify that on the 7th day of October 2019 the City Council of the City of Urbana passed and approved Ordinance No. 2019-10-053, entitled:

AN ORDINANCE APPROVING A MAJOR VARIANCE (304 S. Race St. / ZBA Case No. 2019-MAJ-11)

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

The pamphlet form of Ordinance No. 2019-10-053 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 8th day of October 2019, 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 8th day of October, 2019.



Charles A. Smyth by
Charles A. Smyth, City Clerk

Wendy M. Hunt, Deputy Clerk