

**AN ORDINANCE APPROVING A SPECIAL USE PERMIT**

**(To increase the size of two freestanding shopping center signs from 75 sq. ft. to 150 sq. ft. in the B-3, General Business Zoning District, located at 520 North Cunningham Avenue and 306 East University Avenue (Five Points Plaza) - Plan Case No. 1978-SU-06)**

WHEREAS, James Burch has petitioned the Urbana Plan Commission in Case No. 1978-SU-06 for a Special Use Permit to construct two freestanding shopping center signs of 150 square feet each at 520 N Cunningham Avenue and 306 E University Avenue; and

WHEREAS, subject property is located in Urbana's B-3, General Business Zoning District; and

WHEREAS, Table IX-9. of the Zoning Ordinance of the City of Urbana, Illinois states that convenience shopping center signs may be increased from 75 to 150 square feet in area in B-3, General Business zoning districts under Special Use Permit review; and

WHEREAS, the conditions placed on the approval in Section 1 herein will insure that the proposed use will not be unreasonably injurious or detrimental to the district or to the public welfare, and that it will preserve the essential character of the district in which it is located; and

WHEREAS, after due publication, a public hearing was held by the Urbana Plan Commission on February 9, 2006 concerning the petition filed by the petitioner in Plan Case No. 1978-SU-06; and

WHEREAS, on February 9, 2006, the Urbana Plan Commission voted 7 ayes and 0 nays to forward the case to the Urbana City Council with a recommendation to approve the request for a Special Use Permit, subject to the conditions as outlined in Section 1 herein; and

WHEREAS, the approval of the Special Use Permit, with the conditions set forth below, is consistent with the requirements of Section VII-6 of the



Urbana Zoning Ordinance, Special Use Permit Procedures, and with the general intent of that Section of the Ordinance; and

WHEREAS, the findings of the Plan Commission indicate that approval of the special use permit would promote the general health, safety, morals, and general welfare of the public.

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

Section 1. A Special Use Permit is hereby approved to allow the installation of two freestanding shopping center signs of up to 150 square feet in area, as illustrated in Exhibit G (attached), in the B-3, General Business Zoning District with the following conditions upon approval:

1. Written approval by the owner of the carwash shall be submitted to the City to locate any Five Points Plaza sign on the carwash property. Additionally, any Five Points Plaza sign on the carwash property shall only be permitted following recordation of a permanent and binding sign easement between the owners of the two properties.
2. The applicants shall submit a copy of their overall signage plan to the City for the entire Five Points Plaza property showing that tenants must conform to their coordinated sign standards.
3. The Director of Community Development shall be authorized to allow minor modifications to sign locations and design as shown in Exhibits A and G. Major changes shall be resubmitted for review and approval by the Plan Commission and City Council.

LEGAL DESCRIPTION:

Lots 102 and 103 of the Replat of Five Points Northeast Subdivision, a part of the Southeast Quarter of Section 8, Township 19 North, Range 9 East, 3<sup>rd</sup> P.M., Champaign County, Illinois; and



A property known and numbered as 306 E. University Avenue (Permanent Parcel No. 91-21-08-427-005), beginning at the northeast corner of Lot 35 of Hiram Shephard's Addition to the City of Urbana, Illinois, as per plat recorded in Deed Record 32 at page 240 in Champaign County, Illinois; thence South 00 degrees 05 minutes 57 seconds East a distance of 29 feet, more or less, to a point on the north right-of-way line of SBI Route 10 (University Avenue); thence running southeasterly along the said north right-of-way line a distance of 263.96 feet, more or less, to a point; thence North 00 degrees 00 minutes 30 seconds East a distance of 142.20 feet, more or less, to the South property line of Lot 103 of the Replat of Five Points Northeast Subdivision; thence running South 89 degrees 47 minutes 37 seconds West a distance of 272.00 feet, more or less, to a point at the southwest corner of said Lot 103; thence running South 00 degrees 05 minutes 57 seconds East a distance of 78.56 feet, more or less, along the east boundary of Lot 34 of Hiram Shephard's Addition to the point of beginning; all a part of the Southeast Quarter of Section 8, Township 19 North, Range 9 East, 3<sup>rd</sup> P.M., Champaign County, Illinois.

Section 2. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the Corporate Authorities. This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Chapter 65, Section 1-2-4 of the Illinois Compiled Statutes (65 ILCS 5/1-2-4).


PASSED by the City Council this 20th day of February,  
2006.

AYES: Bowersox, Lewis, Roberts, Smyth, Stevenson

NAYS:

ABSTAINS:

APPROVED by the Mayor this 24th day of February,  
2006.



*Phyllis D. Clark*  
Phyllis D. Clark, City Clerk

*Laurel Lunt Prussing*  
Laurel Lunt Prussing, Mayor