

**ORDINANCE NO. 2021-03-011**

**2021R06924**

REC ON: 03/26/2021 11:11:45 AM

**AN ORDINANCE APPROVING A SPECIAL USE PERMIT**

**MIKE INGRAM**

**(701 E. Florida Avenue / Plan Case 2415-SU-21 – Trinity Lutheran Church)**

REC FEE: 51.00

RHSPS Fee:

STATE TAX:

COUNTY TAX:

PLAT FEE:

PAGES 6

**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**, Trinity Lutheran Church has petitioned the City for approval of a special use permit to bring the existing Church use at 701 East Florida Avenue into legal conformity with the R-2, Single-Family Residential, Zoning District; and

**WHEREAS**, the conformity attained by the granting of the requested special use permit would allow reconstruction of the existing fellowship hall and expansion of the existing parking lot; and

**WHEREAS**, the church opened in 1954 outside City corporation limits, and later annexed into the City as a permitted use in the R-1, Single- and Two-Family Residential, Zoning District; and

**WHEREAS**, zoning amendments adopted in 1979 changed the zoning to R-2, Single-Family Residential, and made church a special use in this district, rendering it a legally-nonconforming use, unable to be expanded, repaired beyond ordinary maintenance, or reconstructed; and

**WHEREAS**, the expanded church use would continue to be conducive to the public convenience at this location – where it has operated since 1954 – due to its easy access by car, bicycle, mass transit, or by walking; and

**WHEREAS**, the proposed expansion would not be injurious or detrimental to the R-2, Single-Family Residential, Zoning District or to the general public, as the building expansion is reasonable and the parking lot expansion fulfills the minimum parking requirement for the existing church and will reduce on-street parking demand; and

**WHEREAS**, the requested special use permit would bring the existing legally-nonconforming church into full legal conformity, and the proposed expansion would conform to the regulations and standards of, and preserve the essential character of, the R-2, Single-Family Residential Zoning District; and

**WHEREAS**, after due publication, the Urbana Plan Commission held a public hearing on March 4, 2021, and voted with four (4) ayes, and zero (0) nays to forward Plan Case 2415-SU-21 to the Urbana City Council with a recommendation to approve the request for a special use permit, subject to the conditions specified in Section 1 herein; and

**WHEREAS**, approval of the special use permit, with the conditions set forth below, is consistent with the requirements of Section VII-4 of the Urbana Zoning Ordinance, Special Use Procedures, and with the general intent of that section of the Ordinance.

**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 a church in the R-2, Single-Family Residential, Zoning District with the following conditions:

- Construction must be in general conformance with Ordinance Attachment 1 entitled “Trinity Lutheran Church, 701 East Florida Avenue, Urbana, IL, 61801, Preliminary Site Plan,” dated 3/9/21.
- Combine the existing four tax parcels into a single tax parcel prior to issuance of a Certificate of Occupancy.
- Install a sidewalk along East Sunnycrest Drive prior to issuance of the Certificate of Occupancy.
- Redesign and construct the Florida Avenue access to provide only right-in, right-out traffic.

**Legal Description:**

1. Lots 14 & 15 of Sunnycrest, Inc. Second Subdivision in the NW ¼ NW ¼ of Sec 21  
T19N R9E, Champaign County  
P.I.N. 93-21-21-101-001                      Commonly known as 701 East Florida Avenue

2. Lot 1 of Sunnycrest, Inc., First Subdivision to the County of Champaign, State of Illinois as per Plat recorded in Plat Book "K" at page 99, situated in the City of Urbana, Champaign County, Illinois.

P.I.N. 93-21-21-101-002

Commonly known as 705 East Florida Avenue

3. Lot 65 of Sunnycrest, Inc., Tenth Subdivision in Champaign County, Illinois, as per plat recorded in book "M" of Plats at page 93, situated in Champaign County, Illinois.

P.I.N. 93-21-21-101-015

Commonly known as 706 Sunnycrest Drive

4. Lot 66 of Sunnycrest, Inc., Tenth Subdivision, Champaign County, Illinois, as per plat recorded in book "M" of Plats at page 93, situated in Champaign County, Illinois.

P.I.N. 93-21-21-101-016

Commonly known as 708 Sunnycrest Drive

**Section 2.**

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. 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.

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 22<sup>nd</sup> day of March, 2021.

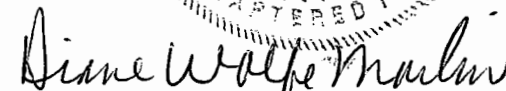
AYES: Brown, Colbrook, Hursey, Miller, Roberts, Sacks, Wu

NAYS:

ABSTENTIONS:

  
Phyllis D. Clark, City Clerk

**APPROVED BY THE MAYOR** this 23<sup>rd</sup> day of March, 2021.

  
Diane Wolfe Marlin, Mayor

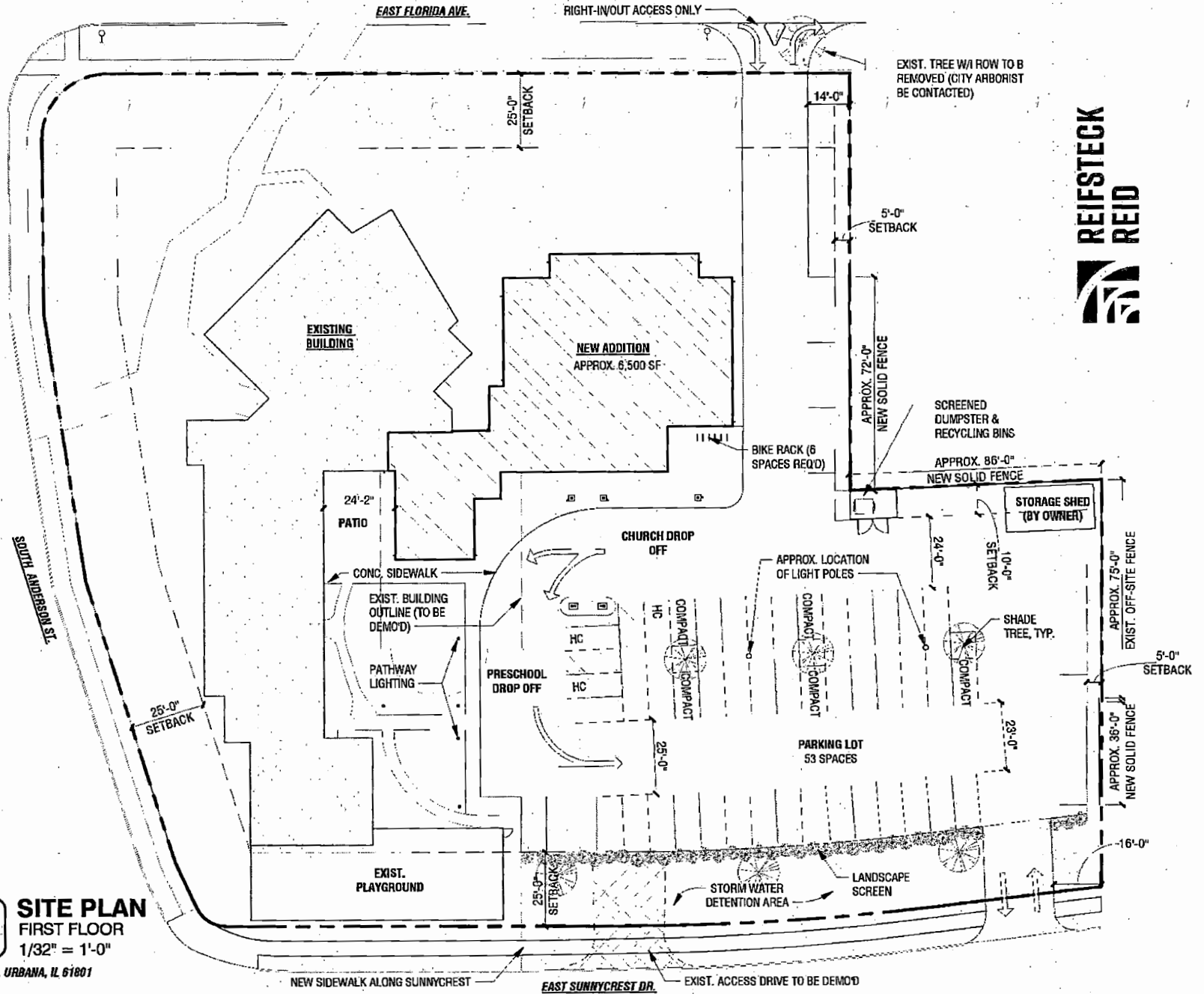
ATTACHMENT 1



1  
G005

**SITE PLAN**  
FIRST FLOOR  
1/32" = 1'-0"

701 E FLORIDA AVE. URBANA, IL 61801  
EDITED 3/9/21



**REIFSTECK  
REID**



City of Urbana  
400 South Vine Street  
Urbana, IL 61801

## CLERK'S CERTIFICATE

STATE OF ILLINOIS            )  
  )    SS  
COUNTY OF CHAMPAIGN    )

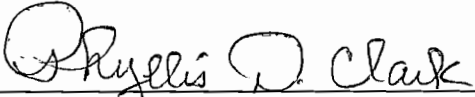
I, Phyllis D. Clark, City Clerk of the City of Urbana, Illinois, and keeper of the records, files and seal of said City, do hereby certify that the foregoing is a true and exact copy of an Ordinance entitled:

**AN ORDINANCE APPROVING A SPECIAL USE PERMIT (701 EAST FLORIDA AVENUE / PLAN CASE 2415-SU-21 – TRINITY LUTHERAN CHURCH)  
[ORDINANCE NO. 2021-03-011]**

Adopted by the City Council of the City of Urbana, Illinois, on the 22<sup>nd</sup> day of March, AD, 2021, 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 23<sup>rd</sup> day of March, AD, 2021.



  
\_\_\_\_\_  
Phyllis D. Clark, City Clerk





## CERTIFICATE OF PUBLICATION IN PAMPHLET FORM



I, Phyllis D. Clark, certify that I am the duly appointed and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois. I certify that on the 22<sup>nd</sup> day of March, 2021, the City Council of the City of Urbana passed and approved Ordinance No. 2021-03-011, entitled:

**AN ORDINANCE APPROVING A SPECIAL USE PERMIT (702 EAST FLORIDA AVENUE / PLAN CASE 2415-27-21 – TRINITY LUTHERAN CHURCH)**

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

The pamphlet form of Ordinance No. 2021-03-011 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 23<sup>rd</sup> day of March, 2021, 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 23<sup>rd</sup> Day of March, 2021.



  
\_\_\_\_\_  
Phyllis D. Clark, City Clerk