



2019011233

DOUGLAS J. JOHNSON
RECORDER - DEKALB COUNTY, IL
RECORDED: 12/5/2019 09:05 AM
REC FEE: 75.00

STATE OF ILLINOIS)
COUNTY OF DEKALB) SS
CITY OF DEKALB)

PAGES: 8

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CERTIFICATION

I, **RUTH A. SCOTT**, am the duly qualified and appointed Executive Assistant of the City of DeKalb, DeKalb County, Illinois, as authorized by Local Ordinance 2019-059, and as such Executive Assistant, I maintain and am safe-keeper of the records and files of the Mayor and City Council of said City.

I do hereby certify that the attached hereto is a true and correct copy of:

ORDINANCE 2019-082

APPROVING A WAIVER TO ARTICLE 13.03.9 OF THE UNIFIED DEVELOPMENT ORDINANCE AND A SPECIAL USE PERMIT TO ALLOW AN ELECTRONIC CHANGEABLE COPY SIGN (DIGITAL DISPLAY SIGN) AT 650 N. FIRST STREET (CLINTON ROSETTE MIDDLE SCHOOL).

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois, on the 25th day of November 2019. The original document will be kept on file at the City of DeKalb Municipal Building.

WITNESS my hand and the official seal of said City this 4th day of December 2019.

RUTH A. SCOTT, Executive Assistant



Prepared by and Return to:

City of DeKalb
City Manager's Office
Attention: Ruth A. Scott
200 S. Fourth Street
DeKalb, Illinois 60115

APPROVING A WAIVER TO ARTICLE 13.03.9 OF THE UNIFIED DEVELOPMENT ORDINANCE AND A SPECIAL USE PERMIT TO ALLOW AN ELECTRONIC CHANGEABLE COPY SIGN (DIGITAL DISPLAY SIGN) AT 650 N. FIRST STREET (CLINTON ROSETTE MIDDLE SCHOOL).

WHEREAS, the City of DeKalb (the "City") is a home rule municipality with the power and authority conferred upon it by the Illinois Constitution; and

WHEREAS, DeKalb Community School District #428 (herein referred to as "Petitioner"), the owner of property located at 650 N. First Street (Clinton Rosette Middle School), DeKalb, Illinois (herein referred to as "Subject Property"), has petitioned the City for approval of a special use permit for a school in the "SFR2" Single-Family Residential District and "MFR1" Multi-Family Residential District to approve a waiver to Article 13.03.9 of the Unified Development Ordinance (the "UDO") to allow an electronic changeable copy sign (the "digital display sign"); and

WHEREAS, pursuant to proper legal notice, a public hearing was conducted by the City's Planning and Zoning Commission on November 6, 2019; and

WHEREAS, the City and Petitioner have conducted all required public hearings before the City's Planning and Zoning Commission for the special use permit for the Subject Property, and have otherwise satisfied all conditions precedent to the adoption of this Ordinance; and

WHEREAS, the City Council has reviewed and adopts the following findings of fact of the Planning and Zoning Commission of the City of DeKalb, finds that the proposed special use permit is in conformance with the applicable factors contained therein, and finds that approval of the special use permit for the Subject Property is in the public interest and promotes the public health, safety and welfare;

STANDARDS OF A SPECIAL USE – ARTICLE 14.03.05 (2) OF THE UNIFIED DEVELOPMENT ORDINANCE

1. The proposed special use complies with all provisions of the applicable district regulations.

A school has been located on the subject property for decades and predates the UDO. The subject property is zoned "SFR2" Single-Family Residential and MFR1 Multi-Family Residential, which requires a special use for public schools. Article 13.02.06 of the UDO states that no variance or waiver can be granted for any provision regarding signs except as a condition of a Special Use Permit or a Planned Development Ordinance. The proposed sign will be in compliance with the maximum size and height for ground signs for schools per the UDO.

- 2. The proposed special use will not be unreasonably detrimental to the value of other property in the neighborhood in which it is to be located or to the public welfare at large.**

The proposed special use will not have a detrimental effect on the adjacent properties or land uses. The proposed electronic readerboard sign proposed along N. First Street will not be in close proximity to any homes, will only take up about 50% of the total sign area and will have the same operational limitations as other digital display signs recently approved by the City. The proposed sign will be approximately 400 feet away from the nearest single-family home.

- 3. The location and size of the special use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the special use will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations.**

The special use will not dominate the immediate area and will not prevent development on the neighboring properties. The surrounding area is already developed with commercial uses, multi-family and single-family residential uses, a church and cemetery. The electronic readerboard sign will be about 400 feet away from the nearest home and will have operational limitations similar to other recently approved digital display signs in the City.

- 4. Adequate utility, drainage and other such necessary facilities have been or will be provided.**

The appropriate utilities are already provided to the proposed sign.

- 5. The proposed use, where such developments and uses are deemed consistent with good planning practice, or can be operated in a manner that is not detrimental to the permitted developments and uses in the district; can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area; shall in all other respects conform to the applicable regulations of the district in which it is located; and is deemed essential or desirable to preserve and promote the public health, safety and general welfare of the City of DeKalb.**

The proposed sign will not be detrimental to the permitted uses on the site or to the surrounding area and will be about 400 feet away from the nearest home. The sign will also have operational limitations similar to other recently approved digital display signs that will make it visually compatible with the permitted uses in the surrounding area. The proposed sign will allow the school to inform the public of school and district related activities and announcements which promotes the public health, safety and general welfare of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL of the City of DeKalb, Illinois as follows:

SECTION 1: The recitals set forth in the preamble are hereby incorporated herein by reference and made a part of this Ordinance.

SECTION 2: This Ordinance is limited and restricted to the Subject Property described as follows:

The property is commonly described as 650 N. First Street, DeKalb, Illinois 60115, encompasses Parcel Identification Number ("PIN") 08-14-376-020 and is shown on the attached Exhibit A.

SECTION 3: The City's corporate authorities grant a special use permit for the Subject Property for a school to approve a waiver to Article 13.03.9 of the UDO to allow an electronic changeable copy sign (digital display sign), subject to the sign details labeled as Exhibit B and to the following conditions:

1. The electronic changeable copy sign (digital display sign) shall conform to the following operational limitations at all times, unless as otherwise may be formally amended in the UDO:
 - a. Digital displays shall be static in nature and shall not have movement of any kind or the appearance or optical illusion of movement, on any part of the sign.
 - b. Each message on the sign must be displayed for a minimum of 20 seconds or such longer time as may be hereafter enacted by the City in the UDO.
 - c. The change between static messages must be accomplished immediately, with no use of any transitions.
 - d. The sign must include light sensors and dimmer controls that automatically adjust to outdoor lighting levels so that illuminations levels are dimmer at night and on cloudy days than during sunny days. In no instance shall lighting intensity exceed 500 nits.
 - e. The sign shall not contain any "off-site" advertising, except for the dissemination of bona fide emergency public messages issued by a unit of government.
 - f. The sign shall be equipped with an automatic off switch when the sign is malfunctioning or has missing light fields.
2. All signs must comply with regulations of Article 13 "Signs" of the UDO except as provided herein.

SECTION 4: Signs proposed on the Subject Property after the adoption of this Ordinance will not require an amendment to this Ordinance if they are similar in size and materials to the sign approved in this Ordinance, as determined by the City Manager, or in compliance with the sign regulations of the UDO.

SECTION 5: All ordinances or portions thereof in conflict with this ordinance, including the prior versions of the ordinances included above, are hereby repealed.

SECTION 6: Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions will remain in full force and affect the same as if the invalid provision had not been a part of this Ordinance.

SECTION 7: That all provisions of the UDO shall remain in full force and effect and this Ordinance shall take effect upon its passage and approval according to Law. The City Clerk or Executive Assistant shall record a copy of this Ordinance after execution of this Ordinance.

ADOPTED BY THE CITY COUNCIL of the City of DeKalb, Illinois at a Regular meeting thereof held on the 25th day of November 2019 and approved by me as Mayor on the same day. Passed on First Reading by a 7-0-1 roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Faivre, Mayor Smith. Nay: None. Absent: Verbic. Second Reading waived by a 7-0-1 roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Faivre, Mayor Smith. Nay: None. Absent: Verbic.

ATTEST:



Ruth A. Scott



JERRY SMITH, Mayor



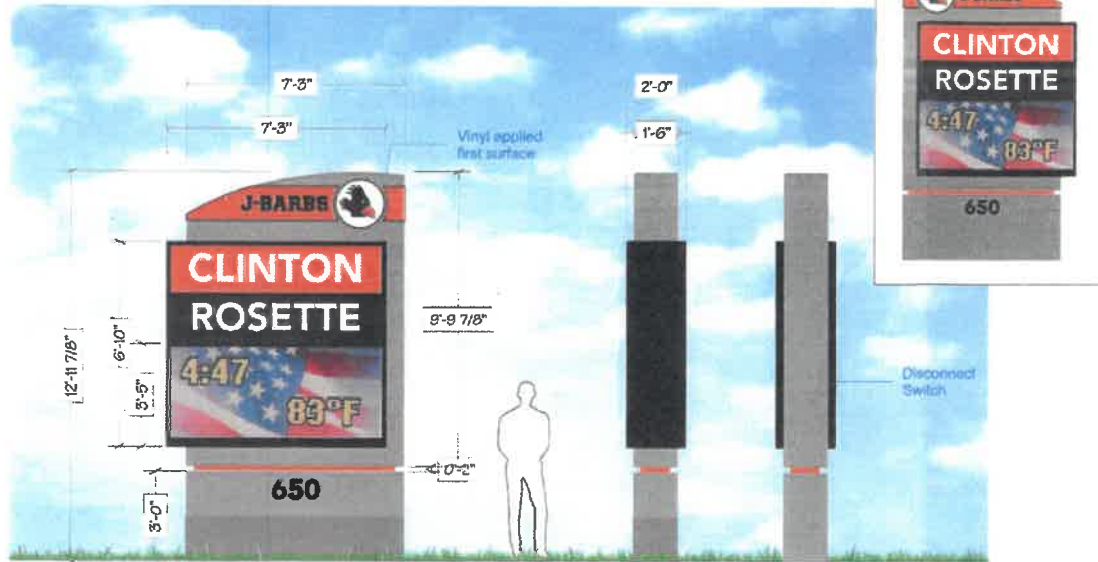


EXHIBIT B

SIGN TO BE UL LISTED

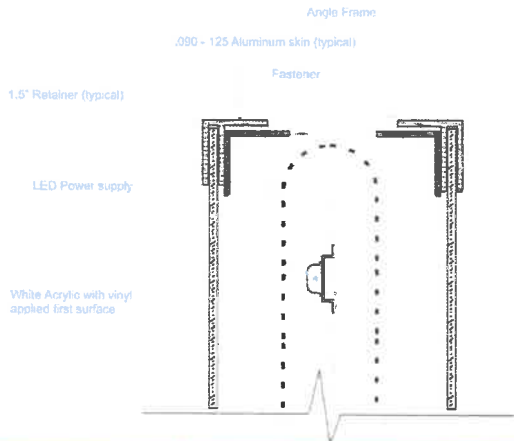
AURORA SIGN CO.

1100 Route 34, Aurora, IL 60503
 630 898 5900 office
 630 898 6091 fax



DOUBLE FACE ILLUMINATED SIGN
 FABRICATE AND INSTALL SIGN OF ALUMINUM AND ACRYLIC.
 SIGN FACE TO ACRYLIC WITH VINYL APPLIED FIRST SURFACE.
 VINYL TO BE APPLIED FIRST SURFACE.
 ALL EXPOSED METAL SURFACES TO BE COATED WITH ACRYLIC POLYURETHANE.
 INTERNAL ILLUMINATION TO BE WHITE LEDS.
 SEE SCHEDULE A FOR MESSAGE UNIT.
 SCALE 1/4"=1'

INSTALLATION INSTRUCTIONS
 REMOVE EXISTING SIGN AND DISPOSE.
 SET 8" STEEL PIPE IN CONCRETE FOOTING TO BE 3'x6'x4' DEEP.
 CONNECT TO ELECTRICAL SERVICE TO BE PROVIDED BY OTHERS PRIOR TO INSTALL.
 EMC UNIT TO HAVE SEPARATE ELECTRICAL SERVICE.



SCHEDULE A
 W16MM COLOR
 PIXEL MATRIX 36X126
 CABINET SIZE 41" H X 7 3/4" L
 VIEWING ARE 36" H X 7" L
 DOUBLE FACE
 CHARACTER SIZE 4 LINES
 1/25 CHARACTERS TYPE



Computer generated colors are not a true match to any PMS, vinyl or paint.
 Rendering shown is for concept only. Actual scale and placement shown are approximate.

1100 Route 34 Aurora, Illinois 60503 JC 630 898 5900 office 630 898 6091 fax	Prepared For: CLINTON ROSETTE MIDDLE SCHOOL	Address: 650 N 1ST ST	Draw: 190863	Sheet: 5	Design Date: 9/18/19	LANDLORD APPROVAL SIGNATURE	TITLE:
	Location Name:	City/State: DEKALB, IL	Rev 1:			PRINT	DATE:
			Rev 2:				

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TITLE: _____
DATE: _____

1100 Route 34
Aurora, Illinois 60503
630 898 5900 office
630 898 6091 fax

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Location Name:	City/State:	Rev 1:			PRINT
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