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

I, RUTH A. SCOTT, do hereby certify that I am the duly appointed Deputy City Clerk of the City of DeKalb, DeKalb County, Illinois, and as such officer, I am the keeper of the records and files of the City Council of said City.

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

ORDINANCE 2018-067

AUTHORIZING A SPECIAL USE PERMIT FOR A CHURCH IN ORDER TO APPROVE A WAIVER TO ARTICLE 13.03.9 OF THE UNIFIED DEVELOPMENT ORDINANCE TO ALLOW AN ELECTRONIC CHANGEABLE COPY SIGN (DIGITAL DISPLAY SIGN) AT 1515 N. 1ST STREET (HILLCREST COVENANT CHURCH).

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois, on the 8th day of October, 2018, and the original is now on file at the City of DeKalb Municipal Building.

WITNESS my hand and the official seal of said City this 17th day of October, 2018.

RUTH A. SCOTT, Deputy City Clerk

Prepared by:  
Deputy City Clerk Ruth Scott  
City of DeKalb  
200 South Fourth Street  
DeKalb, IL 60115
ORDINANCE 2018-067

AUTHORIZING A SPECIAL USE PERMIT FOR A CHURCH IN ORDER TO APPROVE A WAIVER TO ARTICLE 13.03.9 OF THE UNIFIED DEVELOPMENT ORDINANCE TO ALLOW AN ELECTRONIC CHANGEABLE COPY SIGN (DIGITAL DISPLAY SIGN) AT 1515 N. 1ST STREET (HILLCREST COVENANT CHURCH).

WHEREAS, the City of DeKalb is a home rule municipality with the power and authority conferred upon it by the Illinois Municipal Code and the Constitution of the State of Illinois; and

WHEREAS, Hillcrest Covenant Church (herein referred to as "Petitioner") owner of property located at 1515 North 1st Street, DeKalb, Illinois, (herein referred to as "Subject Property"), has petitioned the City of DeKalb for approval of a special use permit for a church in the "SFR2" Single-Family Residential District and to approve a waiver to Article 13.03.9 of the Unified Development Ordinance to allow an electronic changeable copy sign (digital display sign); and

WHEREAS, pursuant to proper legal notice, a public hearing was conducted by the Planning and Zoning Commission on September 19, 2018; and

WHEREAS, the City and Petitioner have conducted all required public hearings before the Planning and Zoning Commission of the City of DeKalb 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.

The church has been located on the subject property since 1969. The subject property is zoned "SFR2" Single-Family Residential, which requires a special use for churches. 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 churches 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 church has existed on the site since 1969 along with associated signage. The proposed electronic readerboard sign proposed at the southwest corner of Ridge Drive and North 1st Street will not be in close proximity to any homes, will only take up 58% of the total sign area and will have the same operational limitations as other digital display signs recently permitted in the City. In addition, the proposed sign will be the same size and height as the existing sign.

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 single-family residential uses and the church has existed on the site since 1969 along with associated signage. The electronic readerboard sign will be about 120 feet away from the nearest home and will have operational limitations similar to other recently approved digital display signs.

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. The proposed sign will replace an existing sign and will be the same size. The sign will be visually compatible with the permitted uses in the surrounding area and will promote 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 1515 N. 1st Street, DeKalb, Illinois 60115, and encompasses Parcel Identification Number ("PIN") 08-14-153-011 and PIN 08-14-153-012 and is shown on the attached Exhibit A.

Section 3. A special use permit for a church in order to approve a waiver to Article 13.03.9 of the Unified Development Ordinance to allow an electronic changeable copy sign (digital display sign) is hereby granted for the Subject Property subject to the following conditions:

1. The electronic changeable copy sign (digital display sign) shall conform to the following operational limitations at all times:
   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 Community Development Director, or in compliance with the sign regulations of the Unified Development Ordinance.

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 designee shall record a copy of this Ordinance included herein after execution of this Ordinance.

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois at a Regular meeting thereof held on the 8th day of October, 2018, and approved by me as Mayor on the same day. Passed on First Reading by an 8-0 roll call vote. Aye: Jacobson, Finucane, Marquardt, Fagan, Noreiko, Verbic, Faivre, Smith. Nay: None. Second Reading waived by an 8-0 roll call vote. Aye: Jacobson, Finucane, Marquardt, Fagan, Noreiko, Verbic, Faivre, Smith. Nay: None.

ATTEST:

LYNN A. FAZEKAS, City Clerk

JERRY SMITH, Mayor
Existing sign is a 49" tall x 90" wide double sided internally lit sign with 2 lines of changeable copy and a clear vandal cover.
Reconfigure sign cabinet to include an electronic message center.

Face of sign is to become a routed aluminum face. Solid aluminum background with letters and emblem routed out and backed with acrylic. The lettering and emblem will light up at night. (currently the entire background lights up).
31" tall x 81" wide 2 view (double sided) 15.85mm amber (orange) electronic message center.
EXHIBIT A

RIDGE DRIVE

SIGN IS 21' 1" FROM RIDGE DR SIDEWALK
11' 7" FROM FIRST ST. SIDEWALK

N. FIRST STREET
September 24, 2018

The Honorable Jerry Smith
Mayor, City of DeKalb
200 Fourth Street
DeKalb, IL 60115

Re: Request to Waive Second Reading of Ordinance

Dear Mayor Smith and City Council:

The DeKalb Planning and Zoning Commission approved on Wednesday, September 19, 2018, the Hillcrest Covenant Church’s request for a Special Use Permit for replacement signage at our Church facility located at 1515 N. First Street in DeKalb, IL. (The vote was 4-1 approving the request, with the lone dissent not opposing the requested sign replacement, but of the opinion that the sign should be turned off from 11 p.m. to 6 a.m. daily.) Hillcrest Covenant Church respectfully requests that the DeKalb City Council waive the second reading requirement and approve the Special Use Permit at the October 8, 2018 City Council meeting.

We appreciate your and the Council’s consideration of this request. If you have any questions, please do not hesitate to contact one of us.

Sincerely,

Rev. Jen Zerby
Pastor

Bruce P. Bickner
Co-Chair, Board of Trustees

1515 N. First Street    DeKalb, IL 60115    815.756.5508    hccdekalb@gmail.com    www.hccdekalb.org