



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Urbana Zoning Board of Appeals

FROM: Robert Myers, AICP, Planning Manager

DATE: December 16, 2011

SUBJECT: **ZBA Case No. 2011-MAJ-04:** Application by Mike Martin on behalf of the Stone Creek Homeowners Association and The Atkins Group for Major Variances to allow three subdivision signs (one 47 square feet in area) for the Stone Creek Subdivision along E. Windsor Road near its intersection with Stone Creek Boulevard

Introduction & Background

Mike Martin, on behalf of the Stone Creek Homeowners Association and the Atkins Group, has submitted a variance application to allow the installation of three subdivision signs along Windsor Road for the Stone Creek Subdivision. The area of sign installation is zoned R-2, Single Family Residential. Under Table IX-8 of the Zoning Ordinance (Standards for Subdivision Signs) subdivisions may display one sign per major road providing direct access to the subdivision with a maximum size of 25 square feet per sign. The application is to install three subdivision signs: two at the Stone Creek Boulevard entrance and a third west of Muirfield Place. Two signs would be approximately 12 square feet in area, and the third would be 47 square feet in area.

Pursuant to Section XI-3.C.2(d)(1) of the Urbana Zoning Ordinance, in order for a major variance to be approved, the Zoning Board of Appeals must recommend approval by a two-thirds majority and forward to City Council for final review and approval.

Site Description

The 480-acre Stone Creek Subdivision is located in southeast Urbana near the intersection of Windsor Road and High Cross Road. More specifically, the Subdivision fronts on three arterial roads -- Windsor Road, Route 130, and Florida Ave. -- and additionally takes access from Colorado Ave. and Amber Lane. A central feature of Stone Creek Subdivision is Stone Creek Golf Course, a public championship 18-hole golf course. The Golf Course is served by two ancillary facilities: the Stone Creek Golf Club and Kennedy's Restaurant.

Stone Creek Golf Course sets the tone for the entire subdivision. The Subdivision is characterized by its well-landscaped open spaces with miles of paths for walking, jogging, and biking.

In keeping with this established character, The Atkins Group, developers of Stone Creek Subdivision, and the Stone Creek Homeowners Association, are preparing to invest in and upgrade common improvements within the roadway corridors: landscaping and landscape features, outdoor lighting, street lighting, accent lighting, and subdivision signage. As much of these improvements would be located in City street rights-of-way, but maintained by the Homeowners Association, the Association applied for, and the Urbana City Council approved (Resolution No. 2011-10-035R) a License Agreement for Use of Right-of-Way. Per City Code the installation of such facilities within rights-of-way requires a license agreement. Specifically, the Association has been authorized to construct, reconstruct, use, operate, maintain, repair, inspect, and remove specific decorative entryway signage, landscaping and street lighting (facilities) within the rights-of-way of Stone Creek Boulevard, Smith Road and Colorado Avenue within the Stone Creek Subdivision.

New subdivision identification signage will be installed along Windsor Road, Route 130, and Florida Avenue. As the subdivision signs at the last two locations will be installed within the right-of-way, approval has been granted for these through the License Agreement. However, the three subdivision signs along Windsor Road will be located on private property and must comply with the Urbana Zoning Ordinance.

Under Table IX-8 of the Zoning Ordinance (Standards for Subdivision Signs) subdivisions may display one sign per major road providing direct access to the subdivision with a maximum size of 25 square feet per sign. The application is to install three subdivision signs: two at the Stone Creek Blvd. entrance and a third west of Muirfield Place. Two signs would be approximately 12 square feet in area, and the third would be 47 square feet in area.

Two subdivision signs currently existing at Windsor Road entrances would be replaced with two new subdivision signs. The third sign along Windsor, west of Muirfield Place, would be new.

Zoning and Land Use Table

The following is a summary of surrounding zoning and land uses for the subject site:

| Location | Zoning | Existing Land Use | Future Land Use Map |
|-------------------------|--|---|---|
| Subject Property | R-2, Single Family Residential | Residential (golf course and landscape features) | Residential – Suburban Pattern |
| North | R-2, Single Family Residential | Residential (golf course and residences) | Residential – Suburban Pattern |
| South | (unincorporated area) | Undeveloped/Agricultural | Residential – Suburban Pattern |
| East | R-2, Single Family Residential and AG, Agriculture | Residential (golf course) and Utility (electrical substation) | Residential – Suburban Pattern |
| West | R-2, Single Family Residential and R-4, Medium Density Multiple Family Residential | | Residential – Suburban Pattern and Multi-Family |

2005 Comprehensive Plan

Future Land Use Maps 7 & 13 of the 2005 Comprehensive Plan indicate the future land use of this site as “Residential: Suburban Pattern.” Map 13 is further annotated with “Windsor Road Improvement 2008: two lanes to four lanes. Consider design alternatives for Windsor Road to improve aesthetics and safety.”

Discussion

Table IX-8 of the Zoning Ordinance (Standards for Subdivision Signs) limits the number, size, height, and setback of subdivision signs on private property. The application is for variances from limits on the number and maximum size of subdivision signs. First, Table IX-8 allows one subdivision sign per major road providing direct access to the subdivision. The application is to install three signs along the Windsor Road frontage: two at the intersection of Stone Creek Blvd. and Windsor Road, and a third west of Muirfield Place. Second, Table IX-8 allows a maximum subdivision sign area of 25 square feet. Two signs would be approximately 12 square feet in area while the third, to be located approximately 240 feet north of Windsor Road would be 47 square feet in area.

In terms of the number of signs, Stone Creek Subdivision is by far the largest subdivision in Urbana at 480 acres in area and a total perimeter distance of 4.0 miles. And yet transportation access controls limit street access points to no more than one street per quarter mile along both Windsor Road and Route 130. In terms of subdivision signage restrictions, the Urbana Sign Ordinance does not readily take into account such a large subdivision.

In terms of the size of signage, one new entrance sign would be located at the southwest corner of Stone Creek Blvd. and Muirfield Place and oriented toward Windsor Road. Because most of this lot is taken up by a detention pond, this subdivision sign will be 240 feet away from Windsor Road. Thus the lettering size would need to be large enough to be legible to those seeing it from a distance. This sign area would be 47 square feet in area.

Variance Criteria

Section XI-3 of the Urbana Zoning Ordinance requires the Zoning Board of Appeals to make findings based on variance criteria. The following is a review of the criteria as they pertain to this case and the criteria outlined in the ordinance:

1. *Are there special circumstances or special practical difficulties with reference to the parcel concerned, in carrying out the strict application of the ordinance?*

The special circumstances and special practical difficulties are that Stone Creek Subdivision is much larger than any other subdivision in Urbana. The total area is 480 acres, and with a total perimeter frontage of 4.0 liner miles. At the same time, transportation access controls limit streets along Windsor Road and Route 130 to no more than one street (and thus subdivision entrances) per quarter mile. The subdivision sign standards in Table IX-8 of the Urbana Zoning

Ordinance do not anticipate the needs to properly identify such a large subdivision with limits on the number of access points.

2. *The proposed variance will not serve as a special privilege because the variance requested is necessary due to special circumstances relating to the land or structure involved or to be used for occupancy thereof which is not generally applicable to other lands or structures in the same district.*

The proposed variance will not serve as a special privilege because the subdivision sign standards in Table IX-8 of the Urbana Zoning Ordinance do not anticipate the needs to properly identify such a large subdivision. The Stone Creek Subdivision is much larger than any other subdivision in Urbana. The total area is 480 acres, and with a total perimeter frontage of 4.0 liner miles. At the same time, transportation access controls limit the number of streets (and thus subdivision entrances) to more than one per quarter mile along Windsor Road and Route 130.

3. *The variance requested was not the result of a situation or condition having been knowingly or deliberately created by the Petitioner.*

The requested variances results from a combination of the size and frontage of Stone Creek Subdivision, the limitations of the Urbana Zoning Ordinance in terms of subdivision signs, and transportation access controls.

4. *The variance will not alter the essential character of the neighborhood.*

The variance will not alter the character of the neighborhood. Two existing subdivision signs will be replaced with three. The new subdivision sign located west of Muirfield Place will only be 12 square feet in area. All three subdivision signs will be located within well landscaped common areas.

5. *The variance will not cause a nuisance to the adjacent property.*

The variance will not cause a nuisance to adjacent properties. Two existing subdivision signs will be replaced with three. The new subdivision sign located west of Muirfield Place will only be 12 square feet in area. All three subdivision signs will be located within well landscaped common areas and oriented toward Windsor Road. All three signs are stone monument signs which viewing from behind will appear to be walls. Accent lighting for landscape features, including signage, will not shine toward residences.

6. *The variance represents generally the minimum deviation from requirements of the Zoning Ordinance necessary to accommodate the request.*

The requested variances do no excessively exceed the limitations of Table IX-8 of the Zoning Ordinance given the length of frontage along Windsor Road.

Recommended Findings

1. Mike Martin, on behalf of Stone Creek Homeowners Association and The Atkins Group, has applied for Major Variances to exceed the number and size of subdivision signs limited by Table IX-8 (Standards for Subdivision Signs) of the Urbana Zoning Ordinance. Table IX-8 limits subdivisions to no more than one sign per major road providing direct access to the subdivision, and no larger than 25 square feet each.
2. At 480 acres in area and with a perimeter of 4.0 linear miles, Stone Creek Subdivision is by far the largest residential subdivision in Urbana.
3. Transportation access controls limit the number of street intersections, and thus subdivision entrances, along Windsor Road and Route 130 to no more than one per quarter mile.
4. The Atkins Group and Stone Creek Homeowners Association are currently improving and beautifying the entrances to Stone Creek Subdivision through extensive landscaping and landscape features, street lights, identification signage, and accent lighting. In Resolution 2011-10-035R, the Urbana City Council approved an Agreement for the Use of Right-of-Way to install and maintain these improvements within City rights-of-way. The three subdivision signs in question are part of this larger project but located outside rights-of-way.
5. The proposed variances for additional signage are necessary due to Stone Creek Subdivision's size in conjunction with transportation access controls along Windsor Road and Route 130 which limit the number of subdivision entrances.
6. The proposed variance for increased sign size from 25 to 47 square feet is necessary due to the 240-foot setback from Windsor Road necessitated by a retention pond.

Options

The Zoning Board of Appeals has the following options in this case:

- a. Recommend approval of the application based on the findings outlined in this memo; or
- b. Recommend approval of the application along with certain terms and conditions. If conditions or findings differ from those recommended in the City staff memo, these should be articulated accordingly; or
- c. Deny the application. If the Zoning Board of Appeals elects to do so, the Board should articulate findings supporting its denial.

Staff Recommendation

Based on the analysis and findings presented in the discussion above, and without the benefit of any additional evidence provided at the public hearing, staff recommends that the Zoning Board of Appeals recommend **APPROVAL**, subject to the following condition:

1. That the number and size of subdivision signs along Windsor Road do not exceed those shown in the site plans submitted with the application.
2. That the sign locations along Windsor Road substantially conform to those shown in the site plans submitted with the application.

Attachments: Exhibit A: Location & Land Use Map
 Exhibit B: Zoning Map
 Exhibit C: Future Land Use Map
 Exhibit D: Petition for Major Variances
 Exhibit E: Site Plans

cc: Mike Martin, The Atkins Group, mike@atkinsgroup.com

EXHIBIT A: Location & Existing Land Use Map

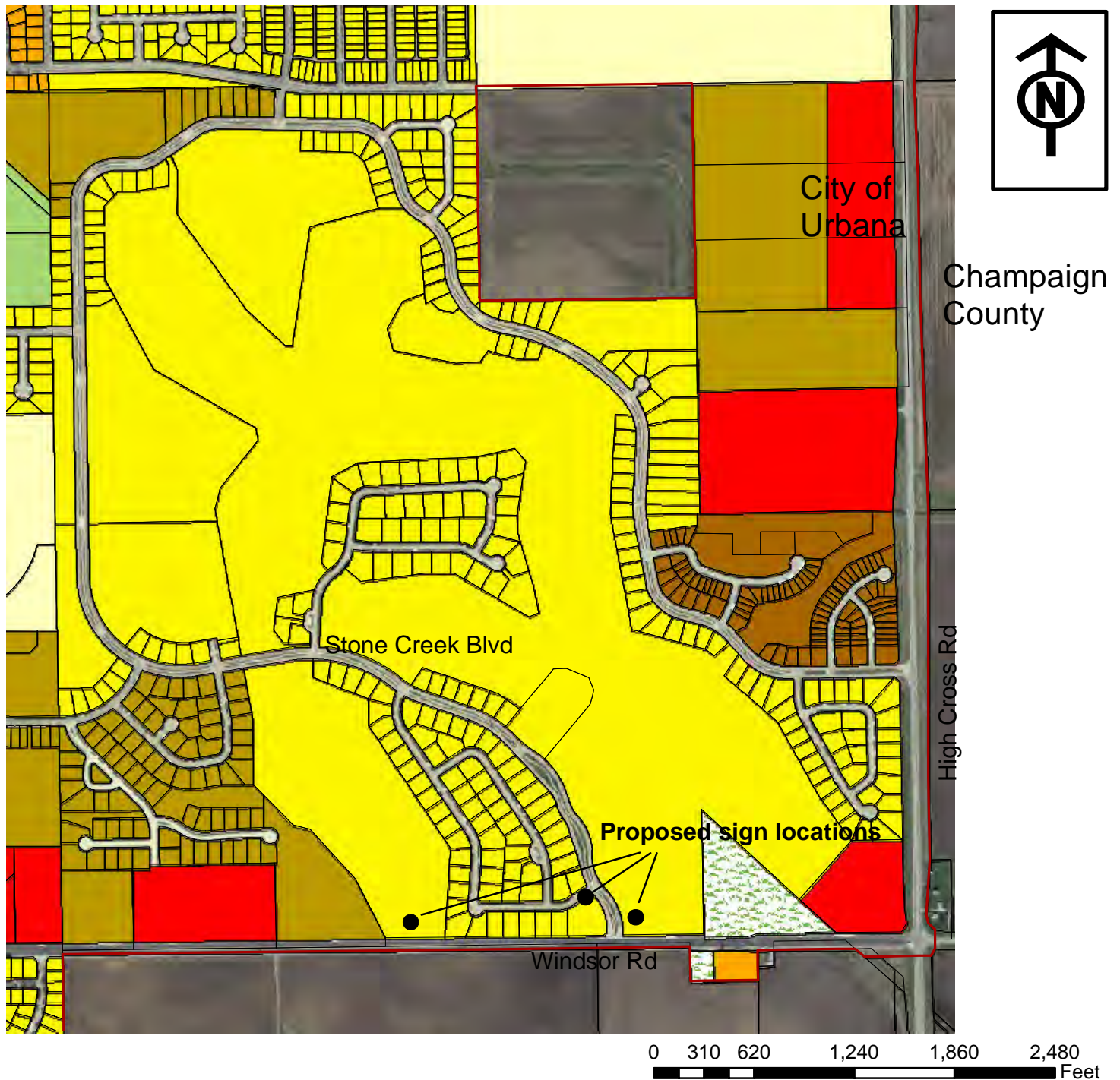


Case: ZBA-2011-MAJ-04
 Subject: Major variance to allow
 3 subdivision signs
 Location: Stone Creek Subdivision
 E Windsor Rd & Stone Creek Blvd
 Petitioner: Stone Creek Homeowners' Association

 Corporate Limits

Prepared 12/16/2011 by Community Development Services - rlb

Exhibit B: Zoning Map



Case: ZBA-2011-MAJ-04
 Subject: Major variance to allow 3 subdivision signs
 Location: Stone Creek Subdivision
 E Windsor Rd & Stone Creek Blvd
 Petitioner: Stone Creek Homeowners' Association

 Corporate Limits

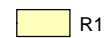







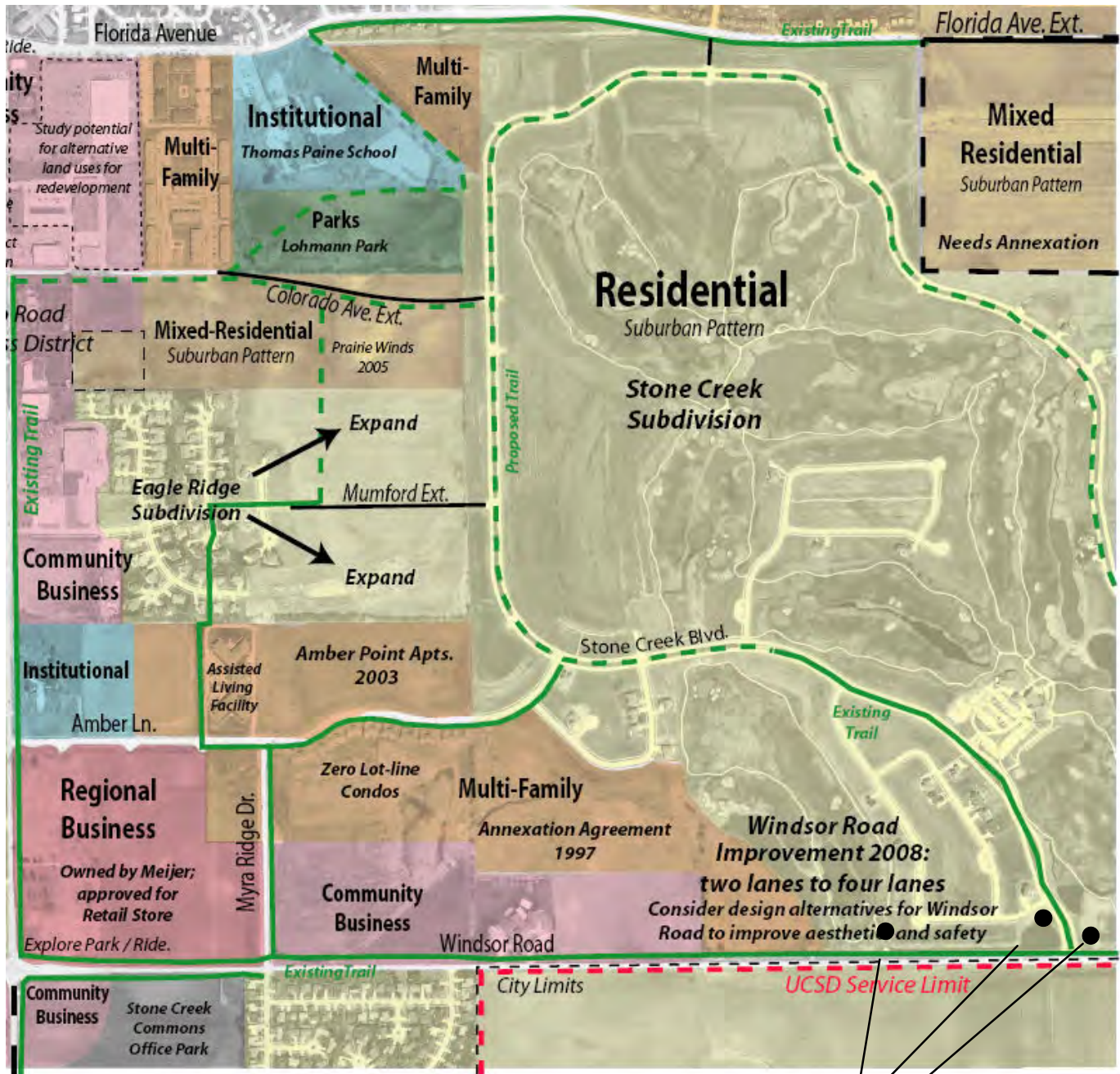
-  R1
-  R2
-  R3
-  R4
-  R5
-  B3
-  CRE
-  AG

Exhibit C: Future Land Use Map #13



Proposed sign locations



Case: ZBA-2011-MAJ-04
 Subject: Major variance to allow 3 subdivision signs
 Location: Stone Creek Subdivision
 E Windsor Rd & Stone Creek Blvd
 Petitioner: Stone Creek Homeowners' Association
 Prepared 12/16/2011 by Community Development Services - rlb



Application for Variance

Zoning Board Of Appeals

APPLICATION FEE – \$150.00 (Major) and \$125.00 (Minor)

The Applicants are responsible for paying the cost of legal publication fees as well. The fees usually run from \$75.00 to \$125.00. The applicant is billed separately by the News-Gazette.

DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY

Date Request Filed _____ ZBA Case No. _____

Fee Paid - Check No. _____ Amount _____ Date _____

PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION

A VARIATION is requested in conformity with the powers vested in the Zoning Board of Appeals to permit *(Insert Use/Construction Proposed and the Type and Extent of Variation Requested)* Signage on the property described below, and in conformity with the plans described on this variance request.

1. APPLICANT CONTACT INFORMATION

Name of Applicant(s): MIKE MARTIN - STONE CREEK HOA Phone: 367-2121 x17
Address (street/city/state/zip code): 2805 Boulder Dr. Urbana, IL 61802
Email Address: mike@atkinsgroup.com
Property interest of Applicant(s) (Owner, Contract Buyer, etc.): SEC/TREAS

2. OWNER INFORMATION

Name of Owner(s): The Atkins Group Phone: 367-2121 x17
Address (street/city/state/zip code): 2805 Boulder Dr.
Email Address: mike@atkinsgroup.com
Is this property owned by a Land Trust? Yes No
If yes, please attach a list of all individuals holding an interest in said Trust.

3. PROPERTY INFORMATION

Location of Subject Site: Stone Creek Subdivision
PIN # of Location: _____
Lot Size: _____

Current Zoning Designation: SINGLE FAMILY

Current Land Use (vacant, residence, grocery, factory, etc):

Proposed Land Use: SAME

Legal Description: STONE CREEK SUBDIVISION 1 & 2

4. CONSULTANT INFORMATION

Name of Architect(s):

Phone:

Address (street/city/state/zip code):

Email Address:

Name of Engineers(s):

Phone:

Address (street/city/state/zip code):

Email Address:

Name of Surveyor(s): MSA

Phone: 217-403-3360

Address (street/city/state/zip code): PO Box 140, 201 W. Springfield, Champaign, IL 61824-0140

Email Address: bsherdan@msa-ps.com

Name of Professional Site Planner(s): Hitchcock Design

Phone: 630-961-1787

Address (street/city/state/zip code): 221 W. Jefferson Ave., Naperville, IL 60540

Email Address: binman@hitchcockdesigngroup.com

Name of Attorney(s): Matt Deering - Meyer Capel

Phone: 352-1800

Address (street/city/state/zip code): PO Box 6750 Champaign, IL 61826-6750

Email Address: mdeering@meyer capel.com

5. REASONS FOR VARIATION

Identify and explain any special circumstances or practical difficulties in carrying out the strict application of the Zoning Ordinance with respect to the subject parcel.

SUBDIVISION IS OVER 500 ACRES - NEED MORE SIGNAGE

SIGN ON BACK SIDE OF LAKE NEEDS LARGER LETTERING

Explain how the variance is necessary due to special conditions relating to the land or structure involved which are not generally applicable to other property in the same district.

SIGN ON BACK SIDE OF LAKE WILL BE VIEWED FROM AT LEAST

100' AWAY. LETTERING WILL BE PLACED ON LANDSCAPE

WALLS TO IDENTIFY SUBDIVISION.

Explain how the variance is not the result of a situation or condition that was knowingly or deliberately created by you (the Petitioner).

?

Explain why the variance will not alter the essential character of the neighborhood.

THE VARIANCE WILL ENHANCE THE NEIGHBORHOOD. THE VARIANCE FOR SIGNAGE IS IN ADDITION TO LANDSCAPE, LIGHTING & FOUNTAINS

Explain why the variance will not cause a nuisance to adjacent property.

THERE IS NO ADJACENT PROPERTY

Does the variance represent the minimum deviation necessary from the requirements of the Zoning Ordinance? Explain.

? YES. PART OF MASTER PLAN OF IMPROVEMENTS FOR THE SUBDIVISION.

NOTE: If additional space is needed to accurately answer any question, please attach extra pages to the application.

By submitting this application, you are granting permission for City staff to post on the property a temporary yard sign announcing the public hearing to be held for your request.

CERTIFICATION BY THE APPLICANT

I certify all the information contained in this application form or any attachment(s), document(s) or plan(s) submitted herewith are true to the best of my knowledge and belief, and that I am either the property owner or authorized to make this application on the owner's behalf.

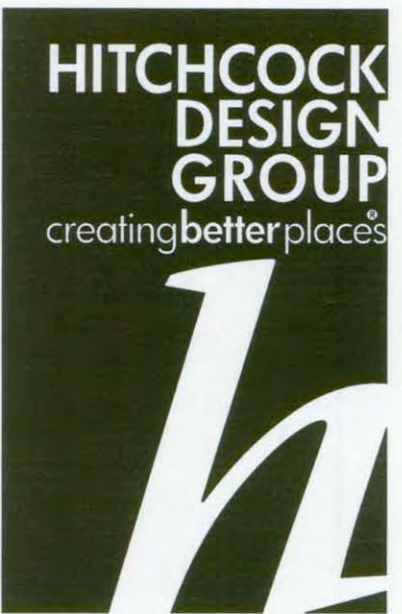
Michael Martin
Applicant's Signature

10-27-11

Date

PLEASE RETURN THIS FORM ONCE COMPLETED TO:

City of Urbana
Community Development Department Services
Planning Division
400 South Vine Street, Urbana, IL 61801
Phone: (217) 384-2440
Fax: (217) 384-2367



221 W. Jefferson Avenue
Naperville, IL 60540
T 630.961.1787
F 630.961.9925
hitchcockdesigngroup.com

PREPARED FOR
The Atkins Group
2805 Boulder Road
Urbana, Illinois 61801

PROJECT
Stone Creek Landscape Improvements

2600 Stone Creek Blvd.
Urbana, Illinois 61802

CONSULTANTS
Landscape Lighting
Night Light, Inc.
148 Eisenhower Lane North
Lombard, Illinois 60148
T 630.627.1111



- UPLIGHT
- MOONLIGHT
- FEATURE LIGHT

PROJECT NUMBER
01-0846-002-02-06

100% Construction Documents
September 22, 2011

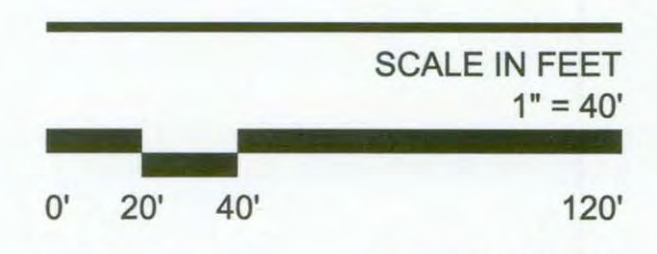
REVISIONS

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PLK / BSI

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ANS / PLK

SHEET TITLE
**Lighting Plan:
Main Entrance**



NORTH

SHEET NUMBER
L5.1

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PREPARED FOR

**The Atkins
Group**

2805 Boulder Road
Urbana, Illinois 61801

PROJECT

**Stone Creek
Landscape
Improvements**

2600 Stone Creek Blvd.
Urbana, Illinois 61802

CONSULTANTS

Landscape Lighting
Night Light, Inc.
148 Eisenhower Lane North
Lombard, Illinois 60148
T 630.627.1111



PROJECT NUMBER
01-0846-002-02-06

100% Construction Documents
September 22, 2011

REVISIONS

| No | Date | Issue |
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ANS / PLK

SHEET TITLE

**Lighting Plan:
Windsor Road**

SCALE IN FEET
1" = 40'

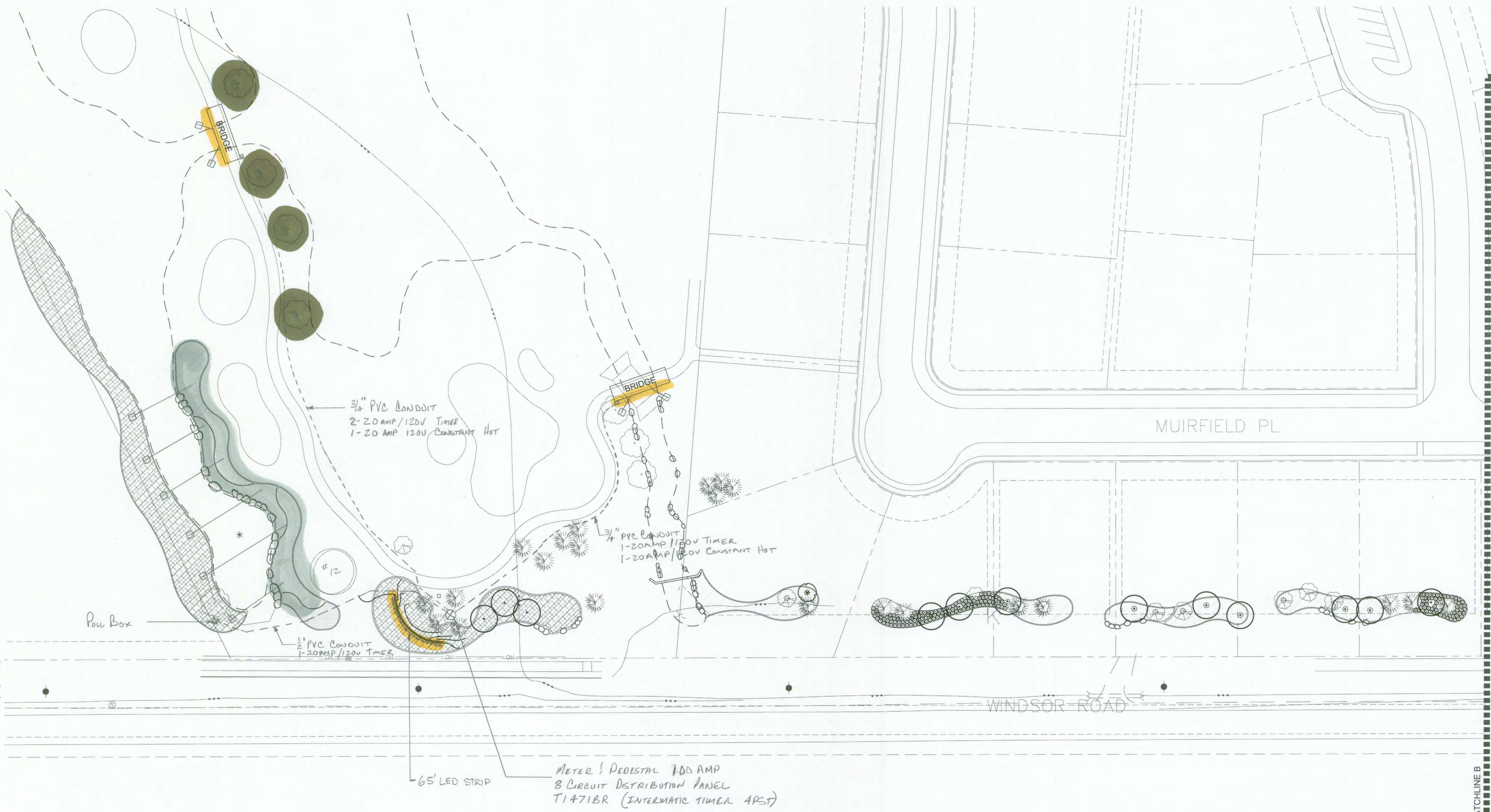


NORTH



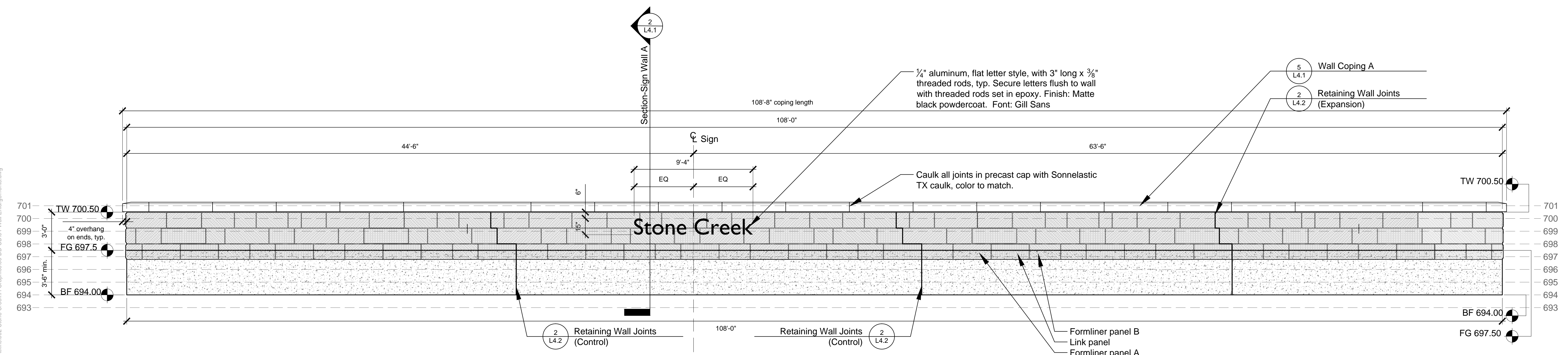
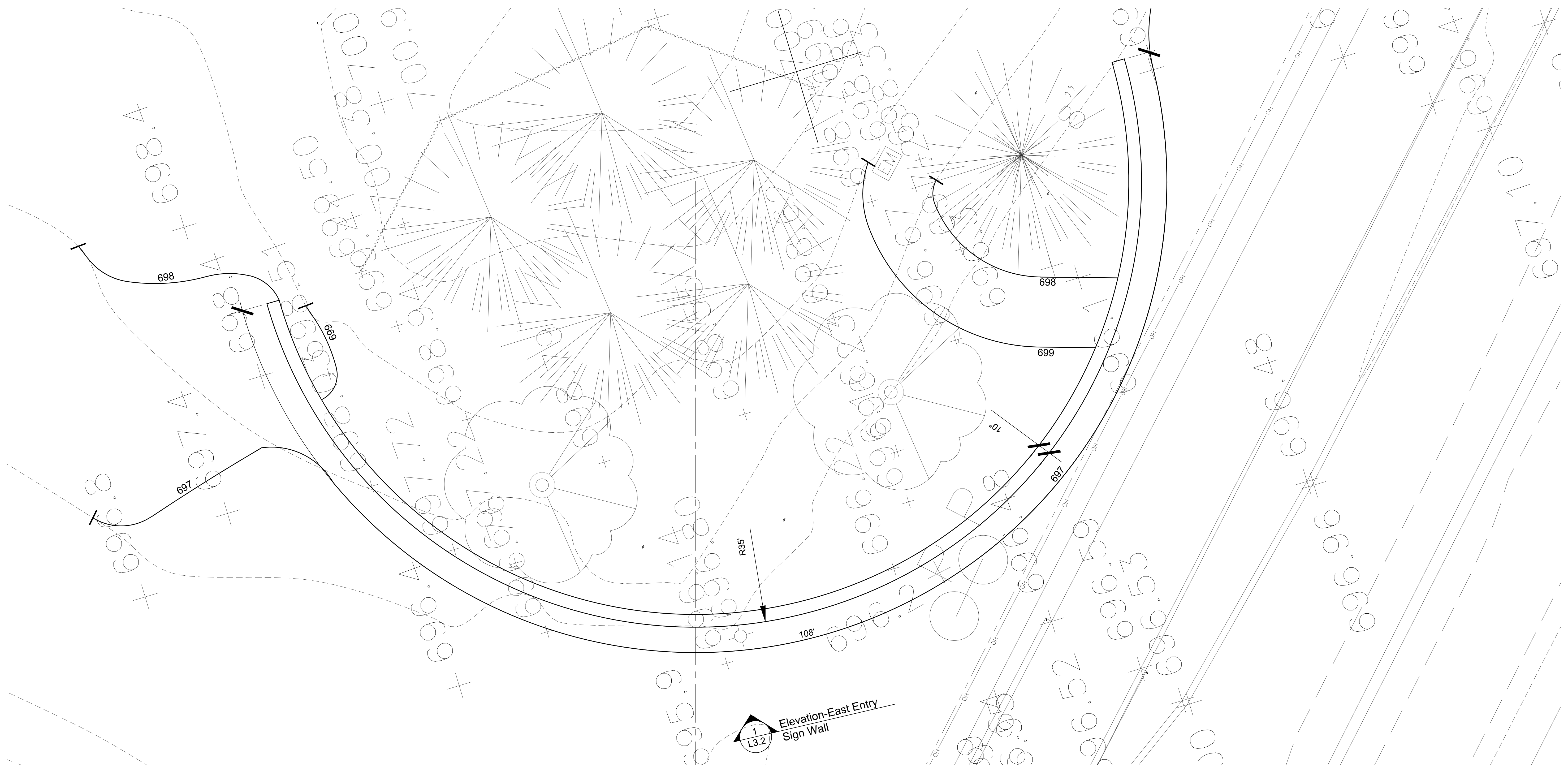
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MATCHLINE B

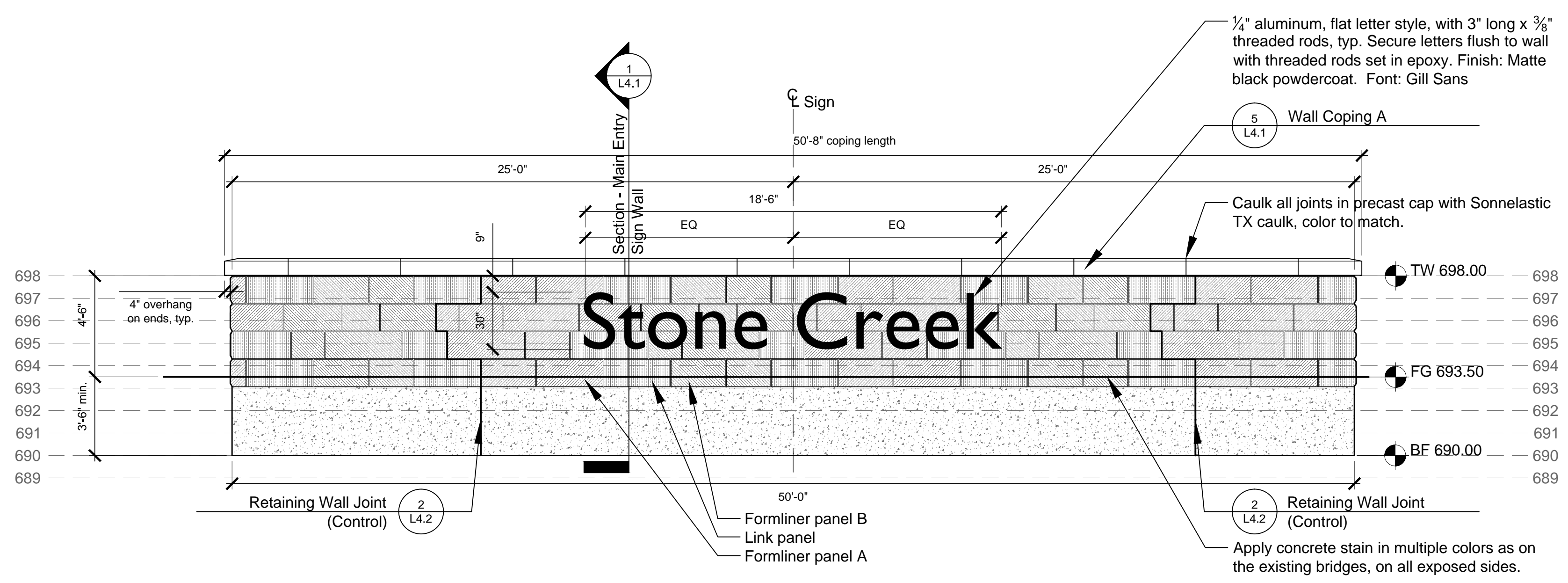
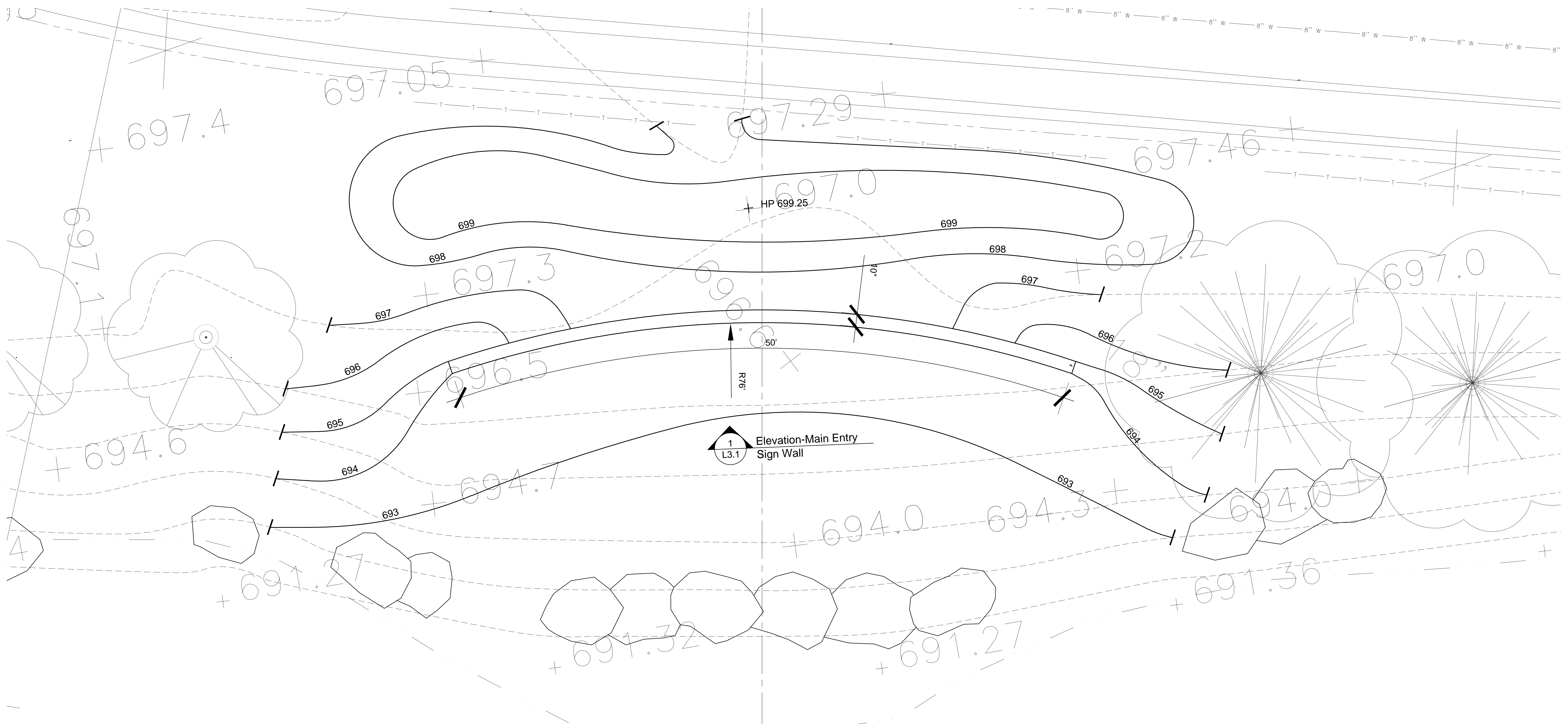


X Elevation-East Entry Sign Wall (Windsor and Stone Creek Blvd.)
Scale: 1/4" = 1'-0"

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d-wall-elev-east

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1 Elevation-Main Entry Sign Wall (North side of pond west of Stone Creek Blvd. at Windsor Rd.)
Scale: 1/4" = 1'-0"

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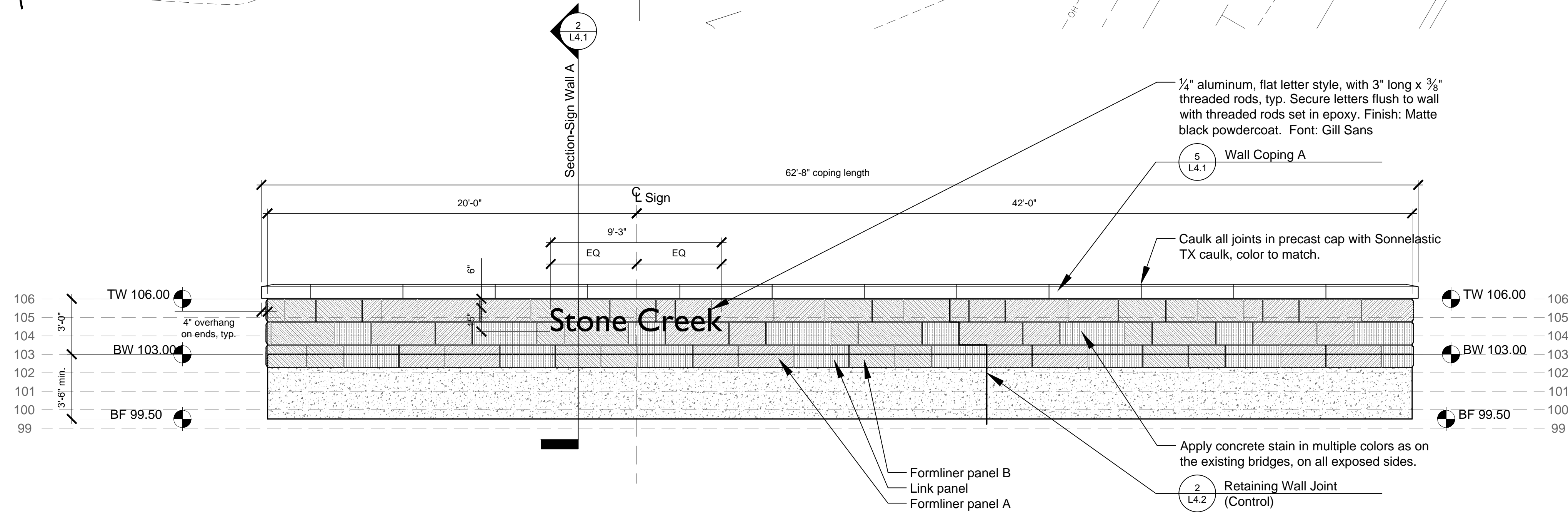
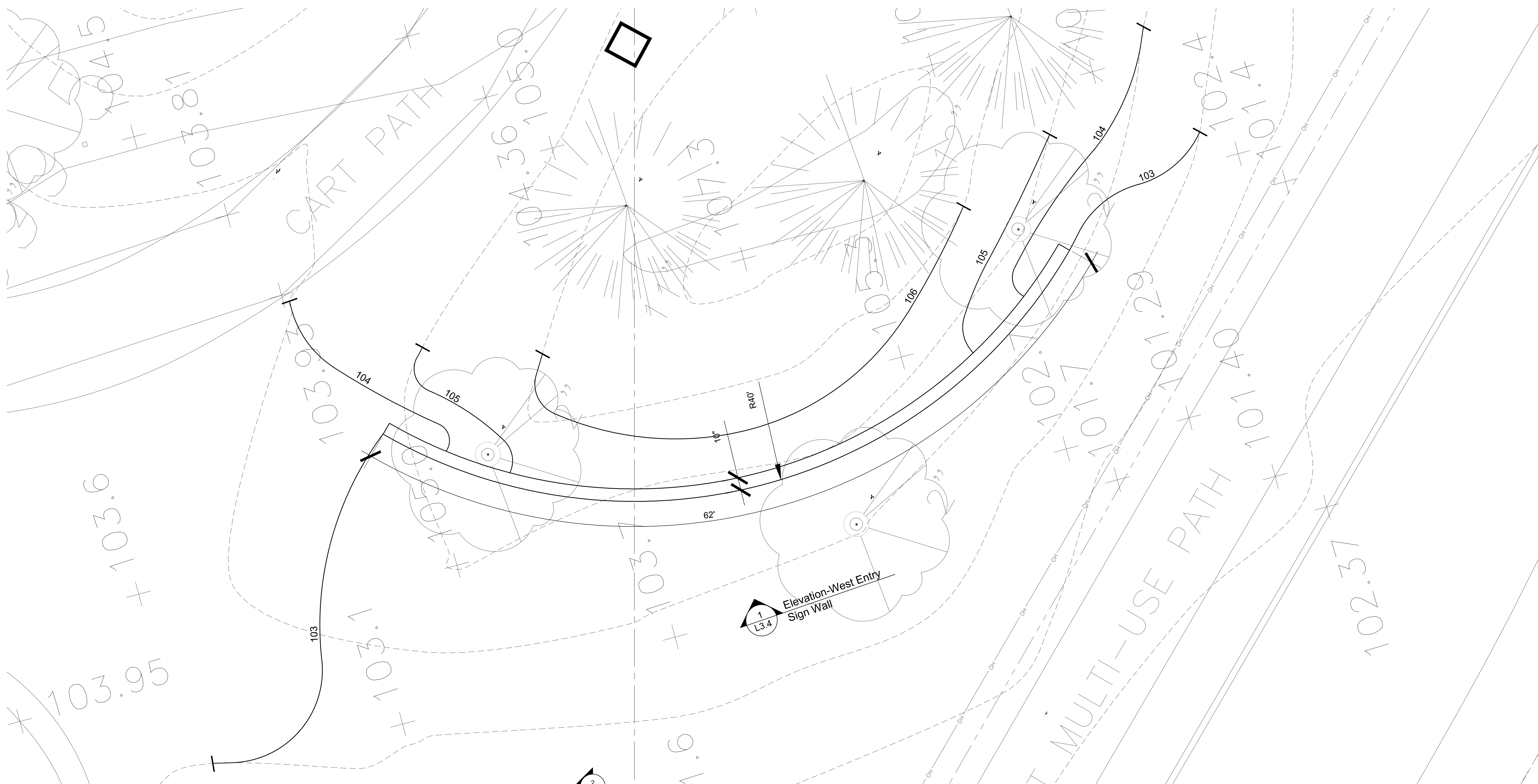
SHEET TITLE
**Wall Enlargements:
West Entry
Sign Wall**

SCALE IN FEET
1/4" = 1'-0"



NORTH SHEET NUMBER

L3.4



1 Elevation-West Entry Sign Wall
Scale: 1/4" = 1'-0"