



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Laurel Lunt Prussing, Mayor

FROM: Elizabeth H. Tyler, AICP, Director, Community Development Services

DATE: June 1, 2007

SUBJECT: ZBA-07-MAJ-05: Request by Vineyard Church for a Major Variance to allow a 126% increase in the display area of an institutional wall sign at 1500 North Lincoln Avenue in the R-4, Medium Density Multiple-Family Residential Zoning District.

Introduction

American Dowell Signcrafters, on behalf of the Vineyard Church, has submitted a request for a major variance to allow a 56.6 square foot wall sign at 1500 N. Lincoln Avenue. Section IX-4.H of the Urbana Zoning Ordinance states that institutional uses such as churches are allowed one sign per frontage, either a freestanding sign or a wall sign, and that the maximum face area per sign is 25 square feet.

Pursuant to the Urbana Zoning Ordinance, the Zoning Board of Appeals held a public hearing on May 16, 2007. At that hearing the Board voted 6 ayes to 0 nays to forward the case to City Council with a recommendation for approval. Council may vote to approve or deny the variance.

Background

The Vineyard Church made a significant expansion in 2005. The expansion included the construction of a new wing as well as paving and landscaping their parking lot. The Church has applied to install a wall sign on this new wing, which is set back 250 feet from Lincoln Avenue. The sign will be 56.6 square feet in area. The church currently has a monument sign adjacent to Lincoln Avenue that is 20 square feet in area. The Zoning Ordinance allows for Institutional uses to have one 25 square foot freestanding or wall sign per frontage. Since the Vineyard fronts on both Lincoln and Bradley Avenues, they are allowed up to two 25 square foot signs.

It should be noted that businesses on adjacent properties are allowed additional signage, as they are zoned for commercial use. Since the subject property is zoned R-4 and is used as a church, it is only allowed signage under the Institutional Signs provision of the Zoning Ordinance, and Table IX-2, Standards for Wall Signs, does not apply.

Development Regulations

According to Section IX-4. General Sign Provisions, Institutional Signs “shall not exceed a total of 25 square feet in display area. If building mounted, these signs shall be flat wall signs, and shall not project above the roofline or front façade of the building. There may be one sign per frontage.” The proposed sign is 56.6 square feet in area, but meets all other requirements.

Surrounding Properties

The following chart, along with the attached exhibits, offers a more detailed summary of the surrounding zoning and land uses.

| Direction | Zoning | Existing Land Use | 2005 Comprehensive Plan Future Land Use |
|------------------|--|--------------------------|--|
| Site | R-4, Medium Density Multi-Family Residential | Institutional | Institutional |
| North | B-3, General Business | Commercial Industrial | Community Business Industrial |
| West | B-3, General Business | Commercial | Community Business |
| South | R-4, Medium Density Multi-Family Residential | Multi-Family Residential | Central Business |
| East | County R-4, Multiple Family Residence | Single-Family | Parks/Recreation |

Discussion

The property is located on North Lincoln Avenue, and is surrounded by commercial and multi-family residential uses. This stretch of Lincoln Avenue is a commercial corridor; surrounding properties include a gas station/convenience store, an ATV dealership, and a welding supply store. All of these commercial uses are allowed multiple forms of signage, including wall signs, to direct customers to their sites. As an institutional use on a property zoned residential, the Vineyard is allowed one 25 square foot sign per frontage. With a location 250 feet away from the street, the applicants believe that a 25 square foot sign would be too small to read.

Exhibit “F” shows the proposed sign and a rendering of what it will look like on the wall. The wall is quite large; the outermost face is over 1,000 square feet in area, and the entire face is almost 5,000 square feet. A 25 square foot sign is not proportional to the wall area, nor would it be easily visible from the road.

As a place of assembly, the Vineyard receives hundreds of worshipers, deliveries, service vehicles, out-of-town visitors, and other such traffic. In order to provide safe and convenient access, the applicants believe visitors need to know where the Vineyard is and how to access it. The proposed variance will

allow for visitors to identify the Vineyard campus while traveling along the North Lincoln Avenue commercial corridor. This will allow for safer lane changes and turns in a high-traffic area.

Requirements for a Variance

Section XI-3.C.2 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 (*in italics*), followed by staff analysis for this case:

1. *The proposed variance will not serve as a special privilege because the variance requested is necessary due to special conditions and 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 special condition relating to this property is the fact that the wall where the sign will be installed is set back 250 feet from a major arterial roadway. Institutional uses are normally allowed a 25 square foot sign. This would be adequate if it were on a smaller parcel in a residential area. North Lincoln is a commercial corridor with higher traffic volumes and speeds as well as multiple business signs competing for the attention of the driver. According to the applicants, a 25 square foot sign is not large enough to adequately identify this building to drivers.

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

The petitioner contacted the City to determine the requirements for institutional signs, and has filed requests for the appropriate variance. This property is zoned residential although it is located along a business corridor.

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

The variance will not alter the essential character of the neighborhood, as the neighborhood consists of commercial uses and large residential apartment and condominium developments. The commercial uses all have signage that is larger than what is allowed at the subject property. The zoning ordinance allows for adjacent businesses in the B-3 district to have wall signs that are up to 10% of the total wall area, up to 350 square feet in size. This sign will be on a 1,060 square foot section of wall. If this property were zoned B-3, the same as the surrounding properties, it could have a 106 square foot sign.

4. *The variance will not cause a nuisance to adjacent property;*

The sign will not cause a nuisance to adjacent properties. It will be on a wall facing Lincoln Avenue, which is a busy arterial roadway. The sign has no internal illumination and no moving parts. The sign will not be visible to any adjacent residences.

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

The petitioner is requesting the smallest sign that they believe can be seen adequately from the street.

6. *The variance requested is the result of practical difficulties or particular hardship in the way of carrying out the strict letter of the Zoning Ordinance relating to the use, construction, or alteration of buildings or structures or the use of land.*

The practical difficulty is that the zoning ordinance allows very minimal signage in the R-4, Medium Density Multiple Family Residential District. In this case, a large institution is located in a commercial corridor, and set back 250 feet from a busy arterial roadway. Since the property is zoned R-4, they are only allowed to have a 25 square foot institutional sign. A sign of this size is not proportional to the area of the wall.

Findings

1. The Vineyard Church, located at 1500 North Lincoln Avenue, is an institutional property zoned R-4, Medium Density Multiple Family Residential District.
2. Section IX-4. General Sign Provisions, states Institutional Signs “shall not exceed a total of 25 square feet in display area. If building mounted, these signs shall be flat wall signs, and shall not project above the roofline or front façade of the building. There may be one sign per frontage.”
3. The Vineyard Church is located on a commercial corridor and surrounded on two sides with businesses that are allowed a much greater amount of signage.
4. The proposed wall sign will be 56.6 square feet in area, which is in proportion to the area of the wall it will be mounted upon.
5. The variance will not serve as a special privilege because the building is set back 250 feet from the street, and a conforming wall sign would not be adequately visible from the road.
6. The variance will not alter the essential character of the neighborhood because the proposed sign will be smaller than existing signs on adjacent properties.
7. The variance will not cause a nuisance to adjacent property because the sign will face a commercial corridor rather than nearby residences, and will not have moving parts or be internally illuminated.
8. The variance represents generally the minimum deviation from requirements of the Zoning Ordinance necessary to accommodate the request because the proposed sign is just large enough to be seen adequately from Lincoln Avenue, 250 feet away.
9. The variance requested is the result of practical difficulties or particular hardship because the zoning ordinance allows very minimal signage in the R-4, Medium Density Multiple Family Residential District. In this case, a large institution is located in a commercial corridor, and set back 250 feet from a busy arterial roadway. Since the property is zoned R-4 and is an institutional use, it is only allowed to have a 25 square foot institutional sign.

Options

City Council has the following options in case no. ZBA-07-MAJ-05:

- a. The Urbana City Council may approve the variance as based on the findings outlined in this memo; or
- b. The Urbana City Council may The may approve the variance subject to certain terms and conditions; or
- c. The Urbana City Council may deny the variance request.

Recommendation

At their May 16, 2007 meeting, the Urbana Zoning Board of Appeals held a public hearing on this case. The Board voted 6 ayes to 0 nays to forward the case to City Council with a recommendation **to approve** the variance subject to the conditions outlined below. Staff concurs with the Board's recommendation. The conditions are as follows:

1. That the sign shall closely resemble the submitted sign plan attached as Exhibit F.
2. The Zoning Administrator shall be authorized to approve minor changes to the plan if necessary in order for the project to comply with other applicable City codes and regulations, including Building, Fire, and Subdivision and Land Development Codes, to meet City of Urbana requirements.
3. That the development shall meet all other applicable standards and regulations of the Urbana Zoning Ordinance and the Urbana Subdivision and Land Development Code.

Prepared by:

Jeff Engstrom
Planner I

Attachments: Exhibit A: Location Map
Exhibit B: Zoning Map
Exhibit C: Existing Land Use Map
Exhibit D: Future Land Use Map
Exhibit E: Aerial Map
Exhibit F: Sign Rendering
Exhibit G: Major Variance Application
Exhibit H: Site Photos
Exhibit I: Correspondence

Cc: Jim North, American Dowell Sign Crafters
P.O. Box 3788, Champaign, IL 61826

ORDINANCE NO. 2007-06-047

AN ORDINANCE APPROVING A MAJOR VARIANCE

(A request to allow a 126% increase in the display area of an institutional sign in the R-4, Medium Density Multiple-Family Residential Zoning District. 1500 N. Lincoln Ave / Case No. ZBA-2007-MAJ-05)

WHEREAS, the Zoning Ordinance provides for a major variance procedure to permit the Zoning Board of Appeals and the Corporate Authorities to consider applications for major variances where there are special circumstances or conditions with the parcel of land or the structure; and

WHEREAS, American Dowell Sign Crafters, on behalf of the owner of such property, the Vineyard Church, has submitted a petition requesting a major variance to allow a 56.6 square foot institutional sign on the wall facing the street at 1500 North Lincoln Avenue in the R-4, Medium Density Multiple-Family Residential Zoning District; and

WHEREAS, said petition was presented to the Urbana Zoning Board of Appeals in Case #ZBA-2007-MAJ-05; and

WHEREAS, after due publication in accordance with Section XI-10 of the Urbana Zoning Ordinance and with Chapter 65, Section 5/11-13-14 of the Illinois Compiled Statutes (65 ILCS 5/11-13-14), the Urbana Zoning Board of Appeals (ZBA) held a public hearing on the proposed major variance on May 16, 2007 and voted 6 ayes and 0 nays to recommend to the Corporate Authorities approval of the requested variance; and

WHEREAS, after due and proper consideration, the Corporate Authorities of the City of Urbana has determined that the major variance referenced herein conforms with the major variance procedures in accordance with Article XI, Section XI-3.C.3.d of the Urbana Zoning Ordinance; and

WHEREAS, the Corporate Authorities have considered the variance criteria established in the Urbana Zoning Ordinance and has determined the following findings:

1. The Vineyard Church, located at 1500 North Lincoln Avenue, is an institutional property zoned R-4, Medium Density Multiple Family Residential District.

2. Section IX-4. General Sign Provisions, states Institutional Signs "shall not exceed a total of 25 square feet in display area. If building mounted, these signs shall be flat wall signs, and shall not project above the roofline or front façade of the building. There may be one sign per frontage."

3. The Vineyard Church is located on a commercial corridor and surrounded on two sides with businesses that are allowed a much greater amount of signage.

4. The proposed wall sign will be 56.6 square feet in area, which is in proportion to the area of the wall it will be mounted upon.

5. The variance will not serve as a special privilege because the building is set back 250 feet from the street, and a conforming wall sign would not be adequately visible from the road.

6. The variance will not alter the essential character of the neighborhood because the proposed sign will be smaller than existing signs on adjacent properties.

7. The variance will not cause a nuisance to adjacent property because the sign will face a commercial corridor rather than nearby residences, and will not have moving parts or be internally illuminated.

8. The variance represents generally the minimum deviation from requirements of the Zoning Ordinance necessary to accommodate the request because the proposed sign is just large enough to be seen adequately from Lincoln Avenue, 250 feet away.

9. The variance requested is the result of practical difficulties or particular hardship because the zoning ordinance allows very minimal signage in the R-4, Medium Density Multiple Family Residential

District. In this case, a large institution is located in a commercial corridor, and set back 250 feet from a busy arterial roadway. Since the property is zoned R-4 and is an institutional use, it is only allowed to have a 25 square foot institutional sign.

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

The major variance request by the Vineyard Church, in Case #ZBA-2007-MAJ-05, is hereby approved to allow a 56.6 square foot sign to be installed on the wall facing Lincoln Avenue at at 1500 North Lincoln Avenue in the R-4, Medium Density Multiple-Family Residential Zoning District, in the manner proposed in the application.

The major variance described above shall only apply to the property located at 1500 North Lincoln Avenue, Urbana, Illinois, more particularly described as follows:

LEGAL DESCRIPTION:

Northwest Quarter of the Northwest Quarter of the Northwest Quarter of Section 8, Township 19 North, Range 9 East of the 3rd Principal Meridian, Situated in Champaign County, Illinois.

PERMANENT PARCEL NO: 91-21-08-101-027

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).

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the members of the City Council of the City of Urbana, Illinois, at a regular meeting of said Council on the ____ day of _____, 2007.

PASSED by the Corporate Authorities this ____ day of _____, 2007.

AYES:

NAYS:

ABSTAINS:

Phyllis D. Clark, City Clerk

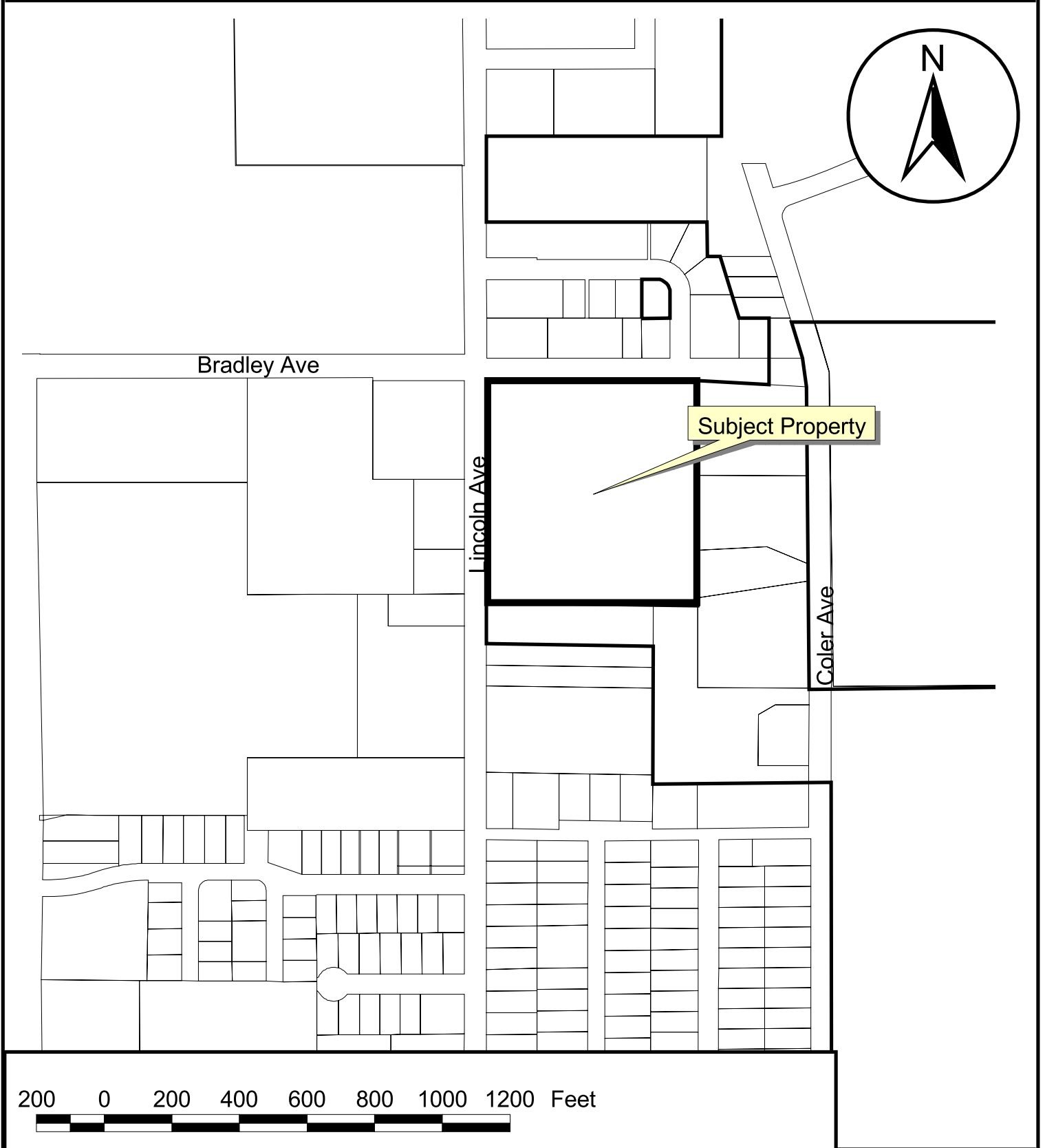
APPROVED by the Mayor this _____ day of _____, 2007.

Laurel Lunt Prussing, Mayor

CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

I, Phyllis D. Clark, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois. I certify that on the ____ day of _____, 2007, the corporate authorities of the City of Urbana passed and approved Ordinance No. _____, entitled "AN ORDINANCE APPROVING A MAJOR VARIANCE (A request to allow a 126% increase in the display area of an institutional sign in the R-4, Medium Density Multiple-Family Residential Zoning District. 1500 N. Lincoln Ave / Case No. ZBA-2007-MAJ-05)" which provided by its terms that it should be published in pamphlet form. The pamphlet form of Ordinance No. _____ was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the ____ day of _____, 2007, 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.

Exhibit A: Location Map



ZBA Case: ZBA-07-MAJ-05
Petitioner: The Vineyard Church
Location: 1500 N. Lincoln Ave
Description: A Major Variance request to allow a 56.6 sqft institutional sign



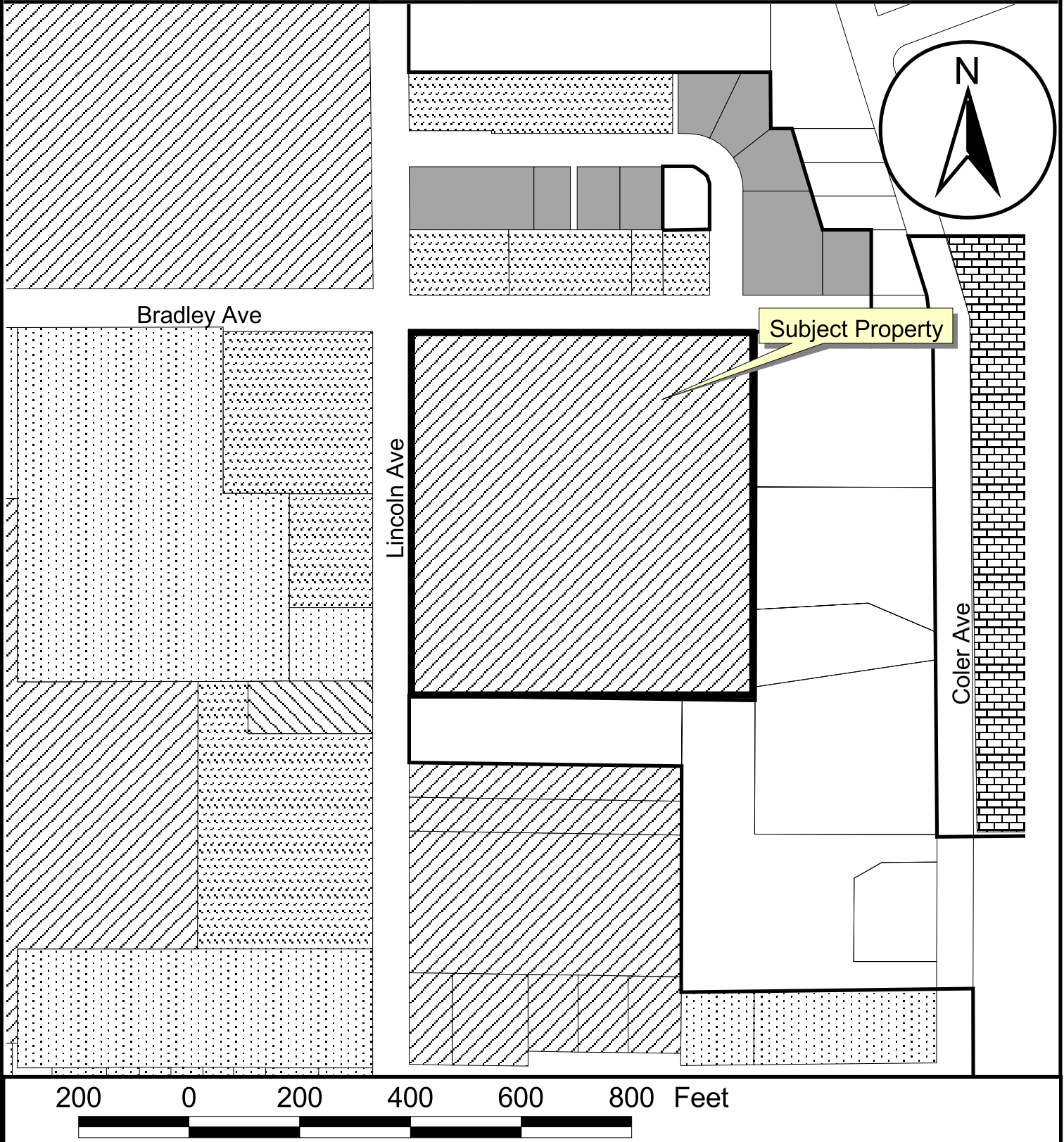
-  Subject Property
-  City Boundry

Exhibit B: Zoning Map



ZBA Case: ZBA-07-MAJ-05
 Petitioner: The Vineyard Church
 Location: 1500 N. Lincoln Ave
 Description: A Major Variance request to allow a 56.6 sqft institutional sign







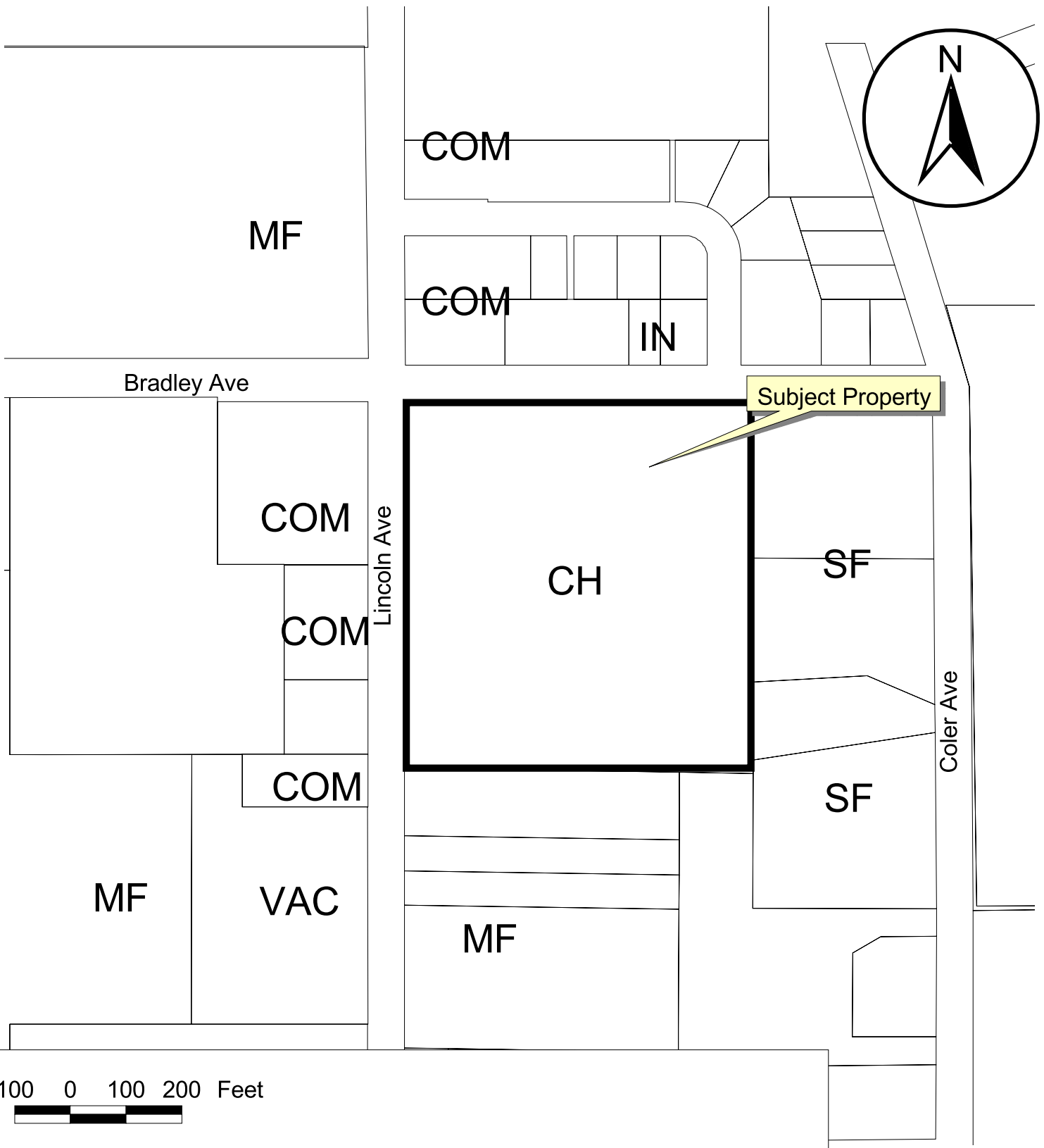
-  R2 - Single Family
-  R4 - Medium Density Multiple-Family
-  R5 - Medium High Density Multiple-Family
-  B3 - General Business
-  IN - Industrial
-  CRE - Conservation-Recreation-Education

Exhibit C: Existing Land Use Map

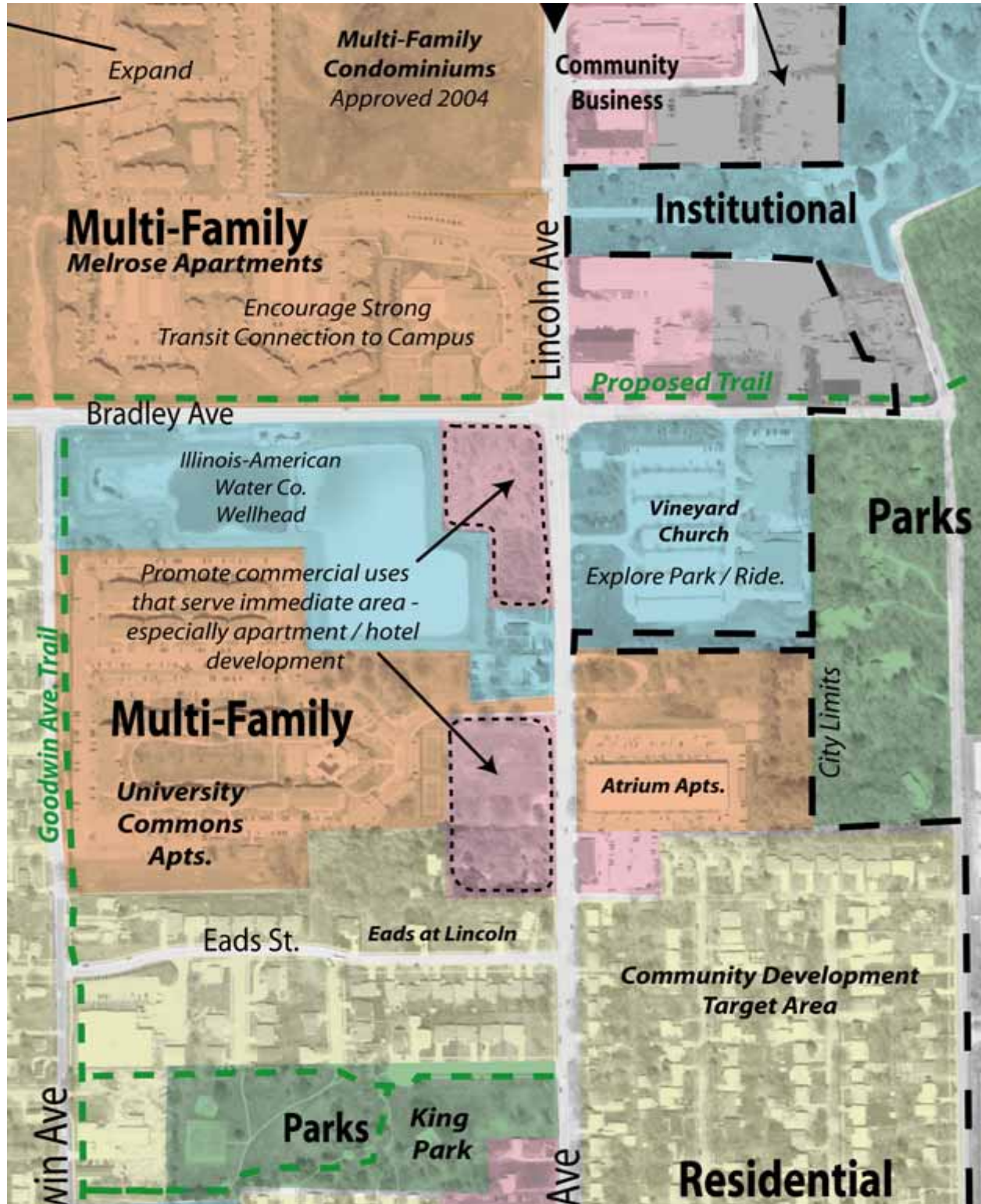


ZBA Case: ZBA-07-MAJ-05
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Description: A Major Variance request to allow a 56.6 sqft institutional sign

Prepared 04/30/2007 by Community Development Services - jme

SF - Single Family (County)
MF - Multi Family
COM - Commercial
IN - Industrial
CH - Church
VAC - Vacant Land

Exhibit D: Future Land Use Map



ZBA Case: ZBA-07-MAJ-05
 Petitioner: The Vineyard Church
 Location: 1500 N. Lincoln Ave
 Description: A Major Variance request to allow a 56.6 sqft institutional sign

Exhibit E: Aerial Map



ZBA Case: ZBA-07-MAJ-05
Petitioner: The Vineyard Church
Location: 1500 N. Lincoln Ave
Description: A Major Variance request to allow
a 56.6 sqft institutional sign

Exhibit "H": Site Photos

Views of The Vineyard from the west



**MINUTES OF A REGULAR MEETING
URBANA ZONING BOARD OF APPEALS**

DATE: May 16, 2007

DRAFT

TIME: 7:30 p.m.

PLACE: Urbana City Building
City Council Chambers
400 S. Vine Street
Urbana, IL 61801

MEMBERS PRESENT: Paul Armstrong, Anna Merritt, Joe Schoonover, Nancy Uchtmann, Harvey Welch

MEMBERS EXCUSED: Herb Corten, Charles Warmbrunn

STAFF PRESENT: Robert Myers, Planning Manager; Paul Lindahl, Planner I; Teri Andel, Planning Secretary

OTHERS PRESENT: Ben Hoerr, Jim North

NEW PUBLIC HEARINGS

ZBA-07-MAJ-05 – Request by Vineyard Church for a Major Variance to allow a 126% increase in the display area of an institutional sign at 1500 North Lincoln Avenue in the R-4, Medium Density Multiple-Family Residential Zoning District.

Robert Myers, Planning Manager, presented the staff report to the Zoning Board of Appeals. He introduced the case by explaining the purpose for the proposed major variance, which is to allow a 56.6 square foot wall sign at 1500 North Lincoln Avenue. He discussed the proposed sign and explained where it would be located on the church (see Exhibit F). He reviewed the variance criteria from Section XI-3.C.2 of the Urbana Zoning Ordinance. He referred to Exhibits H (Site Photos) and F (Picture of Proposed Sign). He noted the options of the Zoning Board of Appeals, and he presented staff's recommendation, which is as follows:

Based on the findings outlined in the written staff report and without the benefit of considering additional evidence that may be presented during the public hearing, staff recommends that the Urbana Zoning Board of Appeals recommend approval of the proposed Major Variance in case ZBA 07-MAJ-05 to the Urbana City Council subject to the following conditions:

1. *That the sign shall closely resemble the submitted sign plan attached as Exhibit F.*
2. *The Zoning Administrator shall be authorized to approve minor changes to the plan if necessary in order for the project to comply with other applicable City codes and regulations, including Building, Fire, and Subdivision and Land Development Codes, to meet City of Urbana requirements.*
3. *That the development shall meet all other applicable standards and regulations of the Urbana Zoning Ordinance and the Urbana Subdivision and Land Development Code.*

Chair Merritt inquired as to whether the sign would be lit up in any way. Mr. Myers responded that the sign company, American Dowell Signcrafters, would like to light the sign internally. Chair Merritt asked if they would use neon lighting. Mr. Myers said no, not to his knowledge, and he understood that they would not use external lighting directed at the sign. This would be a good question for the petitioner to answer.

Jim North, of American Dowell Signcrafters, feels that it is important to light the sign due to season changes and night activity at the church to direct traffic into the church building. It could be neon, LED lighting, or soft lighting. They do not want to advertise anything. They only want to identify so they only need secondary lighting.

Mr. Schoonover questioned if they planned to use lighting on the back side of the lettering to give an illusion on the front side. Mr. North explained that there are a number of ways to light a sign. Soft lighting is also known as halo lighting, and it would emanate from behind the lettering. This is the type of lighting that he would recommend the Vineyard Church to use.

Mr. Armstrong asked Mr. North to clarify what he meant by the sign directing traffic. Mr. North stated that the sign would not really direct traffic, but it would be visible to the traffic on Lincoln Avenue and Bradley Avenue. They are asking for a minimal size for the lettering of the sign. Therefore, they would like to be able to light the sign so people can see the sign at night.

Chair Merritt expressed her concern about flashing or glaring lights. Mr. North understands her concerns, and he would not want that type of lighting either. In addition, the Urbana Zoning Ordinance does not allow that type of lighting. He pointed out that lighting from the proposed sign would be nothing compared to the lighting across the street at the gas station.

Ms. Uchtmann inquired as to how tall the lettering would be. Mr. North said that they had calculated the lettering to be 12 to 13 inches. It does not appear to be very big when you are 250 to 300 feet away.

Mr. Welch agreed that the lighting at the Circle K/Marathon gas station across the street is really bright. The proposed sign will be rather dim in comparison. He asked if the church planned to have the light on all night. Mr. North replied that he is not sure. He did not discuss this point with the Vineyard Church. Mr. Welch did not see a problem even if it is left on.

Mr. Welch moved that the Zoning Board of Appeals support the staff recommendation and forward Case ZBA-07-MAJ-05 to the City Council with a recommendation for approval along with the three conditions as presented by City staff. Mr. Schoonover seconded the motion. Roll call was as follows:

| | | | | | |
|----------------|---|-----|--------------|---|-----|
| Mr. Armstrong | - | Yes | Ms. Merritt | - | Yes |
| Mr. Schoonover | - | Yes | Ms. Uchtmann | - | Yes |
| Mr. Welch | - | Yes | | | |

The motion was passed by unanimous vote. Mr. Myers noted that this case would go before City Council on June 4, 2007.