

MINUTES OF A REGULAR MEETING

URBANA ZONING BOARD OF APPEALS

DATE: October 15, 2003

APPROVED

TIME: 7:30 p.m.

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

-

MEMBERS PRESENT: Paul Armstrong, Herb Corten, Anna Merritt, Charles Warmbrunn

MEMBERS ABSENT Darwin Fields, Joe Schoonover, Harvey Welch

STAFF PRESENT: Michaela Bell, Senior Planner; Rob Kowalski, Planning Manager; Teri Andel, Secretary

OTHERS PRESENT: Douglas Bauling, Theodore Hartke

1. CALL TO ORDER, ROLL CALL AND DECLARATION OF QUORUM

The meeting was called to order at 7:34 p.m. The roll call was taken, and a quorum was declared present.

2. CHANGES TO THE AGENDA

There were none.

3. APPROVAL OF MINUTES

With no corrections noted by the Zoning Board of Appeals, Chair Merritt declared the minutes from the September 17, 2003 meeting accepted as presented.

Chair Merritt swore in members of the public audience who were interested in speaking during the public portions of the hearings.

4. WRITTEN COMMUNICATIONS

There were none.

5. CONTINUED PUBLIC HEARINGS

ZBA-03-C-04: A request by Gloria Caetano-Anolles for a Conditional Use Permit to allow an owner-occupied bed-and-breakfast use in her home at 714 West Michigan Avenue, located in the R-2, Single-Family Residential Zoning District.

This case was continued to the next scheduled meeting.

6. NEW PUBLIC HEARINGS

ZBA-03-MAJ-08: Request to increase the maximum area of an institutional sign from the required 20 square feet to 36.09 feet at 2004 South Philo Road, in Urbana's R-4, Medium Density Multi-Family Zoning District.

ZBA-03-MIN-06: Request to increase the height of an institutional sign from 6 feet to 7.5 feet at 2004 South Philo Road, in Urbana's R-4, Medium Density Multi-Family Zoning District.

Michaela Bell, Senior Planner, introduced these two cases together, since they were regarding the same property. She began introducing these cases by describing the variance requests. She gave a brief description of the site and talked about the intentions of the petitioner. Ms. Bell reviewed the Variance Criteria according to Section XI-3 of the Urbana Zoning Ordinance. She read the options of the Zoning Board of Appeals and presented staff's recommendation for each variance, which were as follows:

ZBA-03-MAJ-08: Based on the findings outlined in the written staff report, and without the benefit of considering additional evidence that may be presented at the public hearing, staff recommended that the Urbana Zoning Board of Appeals recommend approval of the variance to allow an increase in the area of a institutional sign from 20 square-feet to 36.09 square-feet with the condition that all signs on the property are removed and that the new sign conform to the sign specifications submitted, to the Urbana City Council.

ZBA-03-MIN-06: Based on the findings outlined in the written staff report, and without the benefit of considering additional evidence that may be presented at the public hearing, staff recommended that the Urbana Zoning Board of Appeals grant the variance request with the condition that all signs on the property are removed and that the new sign conform to the sign specifications submitted.

Mr. Corten inquired if it was the petitioner's intention to make their sign more comparable with the commercial signs in the area? Ms. Bell noted that the property was surrounded by B-1, Neighborhood Business Zoning District or B-3, General Business Zoning District. In B-1 Zoning Districts, business owners are allowed to build a 32-square foot sign with a maximum of 15-feet in height. In B-3 Zoning Districts, business owners are allowed to have a 50-square foot sign with a maximum of 25-feet in height. This does not mean that all the signs in the proposed area are built to the maximum. Mr. Corten commented that the proposed sign would be more in line with everything that was happening in the district.

Douglas Bauling and Ted Hartke represented the Grace Methodist Church. Mr. Hartke mentioned that the church would rather keep one of their existing signs, because it is a removal slot sign. The messages on this sign can be interchangeable for different events, for example a bizarre. Maybe this sign could be kept as a temporary sign. Ms. Bell explained that the removal slot sign could not be considered a temporary sign according to the Urbana Zoning Ordinance. Temporary signs would be essentially banner signs that would require separate permits. The church would be allowed to apply for a temporary banner sign. They would be allotted 28 days during the calendar year that they could have a temporary sign displayed.

The removal slot sign would be considered an institutional sign according to the Urbana Zoning Ordinance. Staff was recommending that both of the existing institutional signs be removed as a compromise to the City allowing the proposed institutional sign.

Mr. Bauling commented that he fully understood what Ms. Bell was saying. However, he mentioned that the church would lose their ability to display artistic features for special events. Although the new sign would be bigger and more readable, all the church could put on it would be lettering. He wanted the Zoning Board of Appeals to consider allowing them to retain the smaller sign, because it gives them another way of communicating.

Rob Kowalski, Planning Manager, gave a brief background by saying that the larger existing sign does not give them any flexibility to advertise worship hours, etc. Staff thought that with the new sign request that now they would have the flexibility and opportunity to advertise other information besides simply the name of the church.

Mr. Corten questioned if the concern was that by allowing the existing smaller sign would mean more square footage and that it would set a precedent? Mr. Bell replied that the thought was that with the church's new signage they would be able to achieve adequate institutional signage to display the worship hours and to use a message board to display such temporary events that they may have or any sort of passage that they may want to advertise to the community.

Ms. Merritt asked if the new sign would not give the church the flexibility to advertise their special events? Mr. Bauling answered that the church would be able to advertise special events on the new sign by changing the lettering. However, it would not give them the ability of doing more artistic types of signs, which are more attention getting than just using letters.

Ms. Merritt inquired about how often the church needs or uses the artistic type of sign? Mr. Bauling responded by saying that the church has about 8 different signs that they use. Some of which show the popcorn sale event.

Mr. Corten questioned if the posts were left in the ground when the church did not use the smaller sign? Mr. Bauling noted that currently they always have a sign in it. When they get their new sign, they would not have any message in it, except when there was something special.

Mr. Armstrong asked if the posts would need to be removed as well as the sign if the City Council approved the proposal with the condition that was recommended by staff? Mr. Kowalski stated that the sign structure or posts would need to be removed as well.

Ms. Merritt questioned what type of material were temporary signs made out of? Ms. Bell replied that temporary signs were usually made out of vinyl material. Mr. Hartke expressed his opinion by stating that the existing smaller sign would look much better than two 4-foot fence posts with a vinyl banner tied to it.

Mr. Kowalski commented that staff did not know that the church intended to use the smaller sign for special events only, unlike what it is currently being used for. Mr. Warmbrunn asked for clarification as to whether staff was against the church keeping the smaller sign? Ms. Bell said that staff was not necessarily against the idea, but they believed that the message that was advertised on the smaller sign could be conveyed on the new sign.

Mr. Corten inquired if the other two churches on South Philo Road had only one sign each? Mr. Kowalski believed that was true. Mr. Corten asked if staff's recommendation would be compatible with what had happened in the other two cases with the other churches? Mr. Kowalski replied yes.

Ms. Merritt understood that the new sign necessitate the removal of a tree? Ms. Bell explained that the tree removal was part of the parking improvements that were planned by the church. Mr. Bauling noted that they would have to prune the tree regardless, because the height of the new sign would be cut off from the line of sight due to the low branches. Mr. Corten remarked that the tree was on the church's property, so they would have the right to remove it. Mr. Bauling stated that the tree was also uplifting the sidewalk, which was another reason why the church was planning to remove it.

In the case of ZBA-03-MAJ-08, Mr. Corten moved that the Zoning Board of Appeals forward a recommendation of approval with the condition to the Urbana City Council. Mr. Warmbrunn seconded the motion. The roll call was as follows:

Mr. Corten	-	Yes	Ms. Merritt	-	Yes
Mr. Warmbrunn	-	Yes	Mr. Armstrong	-	Yes

The motion was passed by unanimous vote.

In the case of ZBA-03-MIN-06, Mr. Warmbrunn moved that the Zoning Board of Appeals approve this case as outlined in the evidence in the written staff report with the condition that all signs on the property are removed, and that the new sign conform to the sign specifications submitted. Mr. Armstrong seconded the motion. The roll call was as follows:

Ms. Merritt	-	Yes	Mr. Warmbrunn	-	Yes
Mr. Armstrong	-	Yes	Mr. Corten	-	Yes

The motion was passed by unanimous vote. Mr. Kowalski mentioned that the major variance would go before the City Council on November 4, 2003.

7. OLD BUSINESS

There was none.

8. NEW BUSINESS

There was none.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

Mr. Kowalski reported on the following:

- ✓ **Comprehensive Plan Update** – Staff was currently in the process of updating the Comprehensive Plan, and they have drafted Proposed Future Land Use Maps. Staff had just started a series of Open Houses around the community to display these maps and get some public input. The next meeting will be held at King School in the Gymnasium at 7:00 p.m. for the King Park/Crystal Lake Park Neighborhood Area.
- ✓ **Senior Planner** – Ms. Bell had been promoted from Planner to Senior Planner.

Ms. Bell reported on the following:

- ✓ **Previous Cases** –

ZBA-03-MAJ-05 & ZBA-03-MAJ-06: These cases were granted by the City Council for the front-yard and rear-yard setback variances.

ZBA-03-MAJ-07: This case was granted as well by the City Council for a front-yard setback variance request from 15' to 3'.

11. STUDY SESSION

There was none.

12. ADJOURNMENT OF MEETING

The meeting was adjourned at 8:03 p.m.

Respectfully submitted,

**Rob Kowalski, Planning Manager
Urbana Zoning Board of Appeals**