



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: The Urbana Zoning Board of Appeals

FROM: Paul Lindahl, Planner II

DATE: March 7, 2008

SUBJECT: ZBA 2008-MAJ-01: A request to allow an Electronic Message Board (LED) Sign to increase the frequency of message changes from once per three minutes to once per ten seconds at the south east corner of Windsor and Philo Roads in the B-3, General Business Zoning District.

ZBA 2008-MAJ-02: A request to allow an Electronic Message Board (LED) Sign to be multi-colored.

Introduction and Background

The Atkins Group is requesting two major variances. The first is to allow an Electronic Message Board (LED) Sign to increase the frequency of message changes from once per three minutes to once every ten seconds. The second variance would allow the electronic display to be multi-colored. Urbana Zoning Ordinance Section IX-4.D.3 states such signs shall not be animated, flashing, multi-colored, scrolling or that they shall change more than once every 3 minutes. The signs may be up to 30% of the sign allowance for the property. The subject property is located on the southeast corner of Windsor and Philo Roads in the B-3, General Business Zoning District.

The petitioners have created a mixed use general business project at the southeast corner of Windsor and Philo Roads called The Pines at Stone Creek Commons. According to the applicant this type of mixed use development constructed under a common design theme is best served by a flexible approach to signage. The purpose of the message board is to provide all businesses of The Pines visibility to Windsor and South Philo Roads without creating either an oversized shopping center sign structure or a proliferation of individual freestanding tenant signs. Use of an electronic message board will allow the overall size of sign to be smaller while still allowing display of the names and logos of all the tenants. The use of multi-colored displays is now common in many parts of the country given the increasing availability of affordable LED technology. The use of color to show retail tenant logos and trademarks to foster brand recognition is considered by the petitioners to be an important component of marketing for the development. The petitioners also consider the increase in frequency of changes to be needed to

accommodate sufficient cycles for enough of the business tenants' names to be viewed on the LED message board in the time a car might pass.

The issue is whether there are certain features of the property which justify the Electronic Message Board sign solution rather than a larger sign or a greater proliferation of signs which would otherwise be permitted in the B-3 district but could undermine the visual aesthetic of the development. The petitioners propose a reduction in their allowable conventional signage as a trade off for the increased Electronic Message Board (LED) sign message change rate and multicolor display.

The Urbana Zoning Ordinance Table IX-9 allows a General Shopping Center in the B-3 zoning district to install a shopping center sign of 150-square feet plus an additional 50-square feet allowance for a tenant directory. The petitioners propose to have a total sign area of 78.7-square feet with an electronic message board of 26.7-square feet which is only 17.7% of the 150-square foot allowance. Therefore the electronic message board will comply with the rule restricting it to 30% of the sign allowance for the property.

Adjacent Land Uses and Zoning Designations

This area is part of an area in southeast Urbana that is developing a mix of residential and commercial uses. The majority of The Pines at Stone Creek Commons shopping center is currently under construction. Further north across Windsor Road and also under construction is the Meijer Superstore and gas station. To the east of the site is the Stone Creek Commons office park. To the west of the site is the University of Illinois Pomology agricultural research farm. Urbana Comprehensive Plan designates this area for a future land use of community business at the southwest corner of Philo and Windsor Roads with mixed residential and park development further to the west. On the northwest corner of Philo and Windsor Roads is an electrical utility substation with church owned land further to the north and west. There are no existing or proposed residential dwellings within approximately 725-feet of the proposed sign.

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	2005 Comprehensive Plan – Future Land Use
Subject Property	B-3, General Business	Commercial - Retail	Community Business
North	B-3, General Business	Commercial - Retail	Regional Business
South	B-3, General Business	Commercial - Retail	Community Business
East	B-3, General Business	Commercial - Office	Office
West	County AG-2 Agriculture	Agriculture / Institutional	Community Business

Issues and Discussion

Visibility of signage is a primary requirement of all retailers. Shopping Centers pose a special challenge when multiple tenants seek to have sign visibility on the road frontage. Such traditional sign methods can result in an appearance that is not consistent with the aesthetic objectives of the project. This location in south Urbana is a newly developing area with a Meijer Superstore adjacent to the north. It is the petitioner's goal for the site to become a high quality neighborhood destination shopping center. The signage is considered by the petitioners to be supplementary yet necessary to attract viable retail merchants.

The location of The Pines at a key southern gateway to Urbana is worthy of a high quality approach to site design and signage treatments. With that in mind the orientation of the retail center was planned in an effort to develop a unique neighborhood shopping experience. This orientation does not focus on frontage to South Philo Road or Windsor Roads and so does not allow tenants to optimize visibility by use of conventional signage methods.

The original signage concept for The Pines was to develop a monument sign that would accommodate the names and logos of all the tenants in the shopping center. After generating and reviewing multiple designs, the petitioners determined that maximizing the dimensions of the monument sign (as allowed by the City of Urbana) would not have the desired result. The petitioners believe that the design aesthetic of The Pines would be undermined if a large conventional shopping center sign were installed showing each tenant's name and logo. According to the petitioners such a sign would be too large and would not complement the architecture of the shopping center.

Instead the petitioners propose "...a tastefully designed and fully integrated monument sign and message board that are consistent with the materials and colors of the adjacent retail center..." The goal of the proposed shopping center sign and LED message board is to eliminate the need for independent tenant signs and thus maintain a more uniform and unique environment. The purpose of the LED message board is to provide all businesses of The Pines visibility to Windsor and South Philo Roads, but to allow the overall size of the shopping center sign to be smaller while still displaying the names and logos of all the tenants.

The petitioner's state that the 3-minute image duration permitted by the Zoning Ordinance will not accommodate sufficient cycles for enough of the business tenants' names to be viewed on the LED message board in the time a car might pass. The duration needed for a vehicle to traverse the stretch of property within viewing distance of the sign will be limited, and a car could pass by within the 10 second period if it does not have to stop at the intersection. The petitioners state the LED sign minimum time delay needs to be 10 seconds to allow a sufficient viewing opportunity for multiple tenants to be represented. Under these conditions it is likely that many drivers will still only experience two or three tenant representations lasting 10 seconds as they wait for a signal change at the intersection and then pass the sign. The proposed sign will conform to the other requirements Zoning Ordinance Section IX.4.D.3 that states Electronic Message Board (LED) signs shall not be animated, flashing, or scrolling.

City staff does not anticipate any safety hazards to motorists as a result of the increased frequency. With regard to outdoor advertising signs under the jurisdiction of the Illinois Department of Transportation, IDOT changed its administrative code in October 2006 to allow digital billboards (within 660 feet of highways) to change their message no more than every 10 seconds. The Illinois Administrative code Section 92/522.20 Definitions states:

"Multiple Message Sign" means an outdoor advertising sign that displays a series of message changes, regardless of the technology used. A multiple message sign provides for a fixed message of at least ten seconds in length with a transition time between message changes of three seconds or less. Multiple message signs contain a default design that will freeze the message in one position if a malfunction occurs.

This 45-page document can be viewed on line here: <http://www.dot.state.il.us/landacq/illadm.pdf>

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 purpose of the message board is to provide all businesses of The Pines visibility to Windsor and South Philo Roads. The practical difficulty is that the 3-minute image duration permitted by the Zoning Ordinance will not accommodate sufficient cycles for enough of the business tenants' names to be viewed on the LED message board in the time a car might pass. The second difficulty is that the restriction to monochrome does not allow for viewer recognition of the tenants trademarked color logos. The special circumstance is that the design aesthetic of The Pines would be undermined if a large conventional shopping center sign or multiple individual signs were installed showing each tenant's name and logo.

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.*

Visibility of signage is a primary requirement of all retailers. However traditional sign methods could result in an appearance that is not consistent with the aesthetic objectives of the project. The location of The Pines at a key southern gateway to the city is worthy of a high quality approach to site design and signage treatments. With that in mind the orientation of the retail center was planned in an effort to develop a unique neighborhood shopping experience. This orientation does not focus on frontage to South Philo Road or Windsor Roads and so does not allow tenants to optimize visibility by use of conventional signage methods.

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

The original signage concept was to develop a monument sign that would accommodate the names and logos of all the tenants. After generating and reviewing multiple designs it was determined that maximizing the dimensions of the monument sign as allowed by the City of Urbana would not maintain the visual aesthetic desired by the petitioners. The allowable signage would be too large and would not complement the architecture of the surrounding environment. The petitioners still have the option of the conventional approach, but feel that it would undermine their efforts to create a superior design environment at The Pines.

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

The goal of the proposed shopping center sign and LED message board is to eliminate the need for independent "tenant" monument signs and thus maintain a more uniform and unique environment. The proposed sign is designed to be a fully integrated monument sign and message board that is consistent with the high quality of materials and colors of The Pines. The proposed sign will fit in with the immediate neighborhood which is at the corner of two increasingly busy commercial roads.

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

This is a newly developed area with a Meijer Superstore and gas station / convenience store adjacent to the north and an office park to the east. The Pines signage including the use of a color display and the increased cycle time of the LED board will not make a significant impact by comparison. It is important to recognize that the use of multi color would be allowed by right on the larger conventional signs that could otherwise be permitted at the site. The proposed sign will not be animated, flashing, or scrolling. The sign will not be a nuisance to the adjacent properties.

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

The petitioners state the minimum time delay needs to be 10 seconds to allow a sufficient viewing opportunity for multiple tenants to be represented. The duration needed for a vehicle to traverse the stretch of property within viewing distance of the sign will be limited and could easily be accomplished within the 10-second period. Under these conditions it is likely that many drivers will only experience two or three tenant representations as they wait for a signal change and then pass the sign. The petitioners feel the use of color is needed for the tenants' trademark logos to be easily recognizable to the viewers.

7. *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 purpose of the message board is to provide all businesses of The Pines with recognizable visibility to Windsor and South Philo Roads while reducing the amount of signage overall. The practical difficulty is that the three minute image duration permitted by the Zoning Ordinance will not accommodate sufficient cycles for enough of the business tenants' names to be viewed on the LED message board in the time a car might pass. The second difficulty is that the restriction to monochrome does not allow for viewer recognition of the tenants trademarked color logos. The special circumstance according to the petitioners is that the design aesthetic of The Pines would be undermined if a large conventional shopping center sign were installed showing each tenant's name and logo.

Options

The Zoning Board of Appeals has the following options in major variance cases 2008-MAJ-01 and 2008-MAJ-02:

- a. The Urbana Zoning Board of Appeals may recommend approval of one or both of the variances as requested based on the findings outlined in this memo;
- b. The Urbana Zoning Board of Appeals may recommend approval of one or both of the variances as requested along with certain terms and conditions. If the Urbana Zoning Board of Appeals elects to add conditions they should articulate findings accordingly; or
- c. The Zoning Board of Appeals may recommend denial of one or both of the variance requests. If the Zoning Board of Appeals elects to do so, the Board should articulate findings supporting its recommendation of denial.

Staff Recommendation – ZBA 2008-MAJ-01

Based on the findings outlined herein, and without the benefit of considering additional evidence that may be presented at the public hearing, staff recommends that the Zoning Board of Appeals forward major variance case **ZBA 2008-MAJ-01** (message frequency) to the Urbana City Council with a recommendation of **APPROVAL** with the following conditions:

1. That the monument sign with LED Electronic Message Board be constructed in substantial conformity with the submitted site plan illustrating the design and location.
2. That the variance for message frequency is approved for the proposed monument sign with LED Electronic Message Board located in the application site diagram at the corner of Philo and Windsor Roads and does not extend to any other signs located at The Pines at Stone Creek Commons property.
3. That the sign will conform to the other requirements of Urbana Zoning Ordinance Section IX.4.D.3 that prohibits Electronic Message Board (LED) signs from being animated, flashing, or scrolling.
4. That the variance is granted contingent on no other tenant directory, or shopping center signs

being permitted on the Pines property.

Staff Recommendation – ZBA 2008-MAJ-02

Based on the findings outlined herein, and without the benefit of considering additional evidence that may be presented at the public hearing, staff recommends that the Zoning Board of Appeals forward major variance case **ZBA 2008-MAJ-02** (message color) to the Urbana City Council with a recommendation of **APPROVAL** with the following conditions:

1. That the monument sign with LED Electronic Message Board be constructed in substantial conformity with the submitted site plan illustrating the design and location.
2. That the variance for message color is approved for the proposed monument sign with LED Electronic Message Board located in the application site diagram at the corner of Philo and Windsor Roads and does not extend to any other signs located at The Pines at Stone Creek Commons property.
3. That the sign will conform to the other requirements of Urbana Zoning Ordinance Section IX.4.D.3 that prohibits Electronic Message Board (LED) signs from being animated, flashing, or scrolling.
4. That the variance is granted contingent on no other tenant directory, or shopping center signs being permitted on the Pines property.

Attachments:

- Exhibit A: Location Map
- Exhibit B: Zoning Map
- Exhibit C: Existing Land Use Map w/ Aerial Photo
- Exhibit D: Future Land Use Map
- Exhibit E: Site Photos
- Exhibit F: Sign Illustrations
- Exhibit G: Application
- Exhibit H: Sign Location Diagram
- Exhibit I: watchFire Sign Fact sheet

Cc:

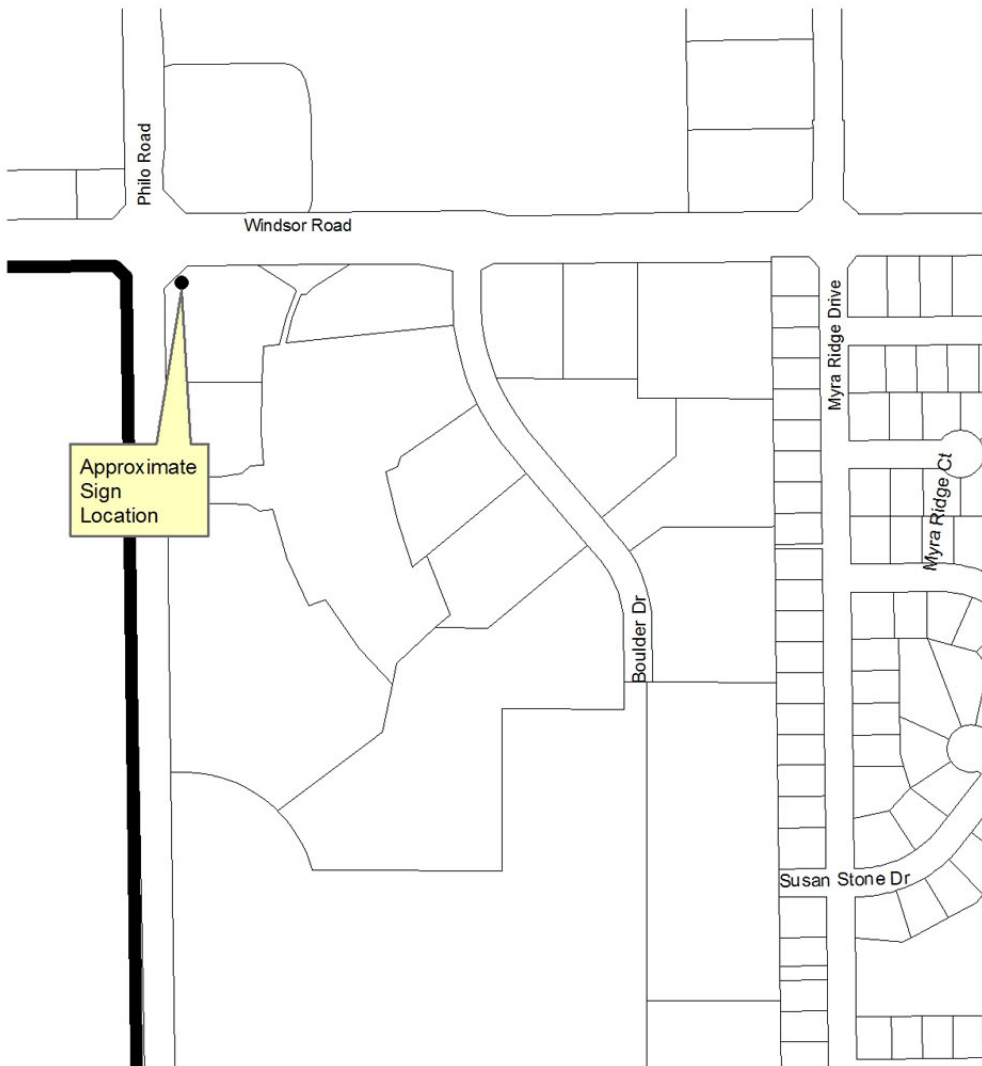
The Atkins Group, Inc.
Attn: Jane Solon
2805 S. Boulder Drive
Urbana, IL 61802

HDC Engineering, LLC
201 W. Springfield Ave., Suite 300
Champaign, IL 61824-0140

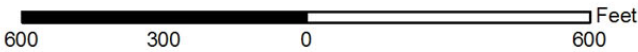
Smith-Burgett Architects
102-A W. Main Street
Urbana, IL 61801

Location Map

EXHIBIT "A"



Approximate
Sign
Location



ZBA Case: 2008-MAJ-01, and 2008-MAJ-02

Subject: A request for a Major Variance to allow an Electronic Message Board Sign to increase the frequency of message changes from once per three minutes to once every ten seconds, and allow the electronic display to be multi-colored.

Location: 2710 S. Philo Road

Zoning District: B-3, General Business

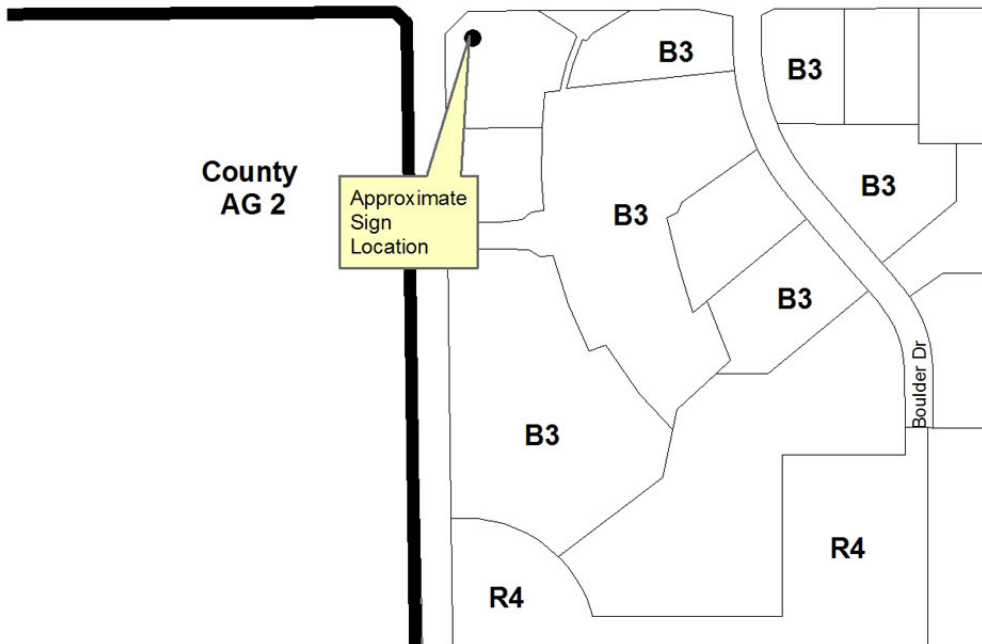
Petitioner: The Atkins Group

PIN: 93-21-28-201-001

Prepared 2/27/08 by Community Development Services -pal

Zoning Map

EXHIBIT "B"



ZBA Case: 2008-MAJ-01, and 2008-MAJ-02

Subject: A request for a Major Variance to allow an Electronic Message Board Sign to increase the frequency of message changes from once per three minutes to once every ten seconds, and allow the electronic display to be multi-colored.

Location: 2710 S. Philo Road

Zoning District: B-3, General Business

Petitioner: The Atkins Group

PIN: 93-21-28-201-001

Prepared 3/04/08 by Community Development Services -pal

B-3, General Business

R-3, Single and Two-Family Residential

R-4, Medium Density Multiple Family Residential

AG-2, Agriculture (Champaign County)

Existing Land Use w Aerial Photo

EXHIBIT "C"

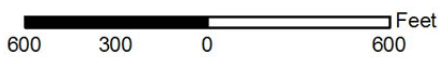
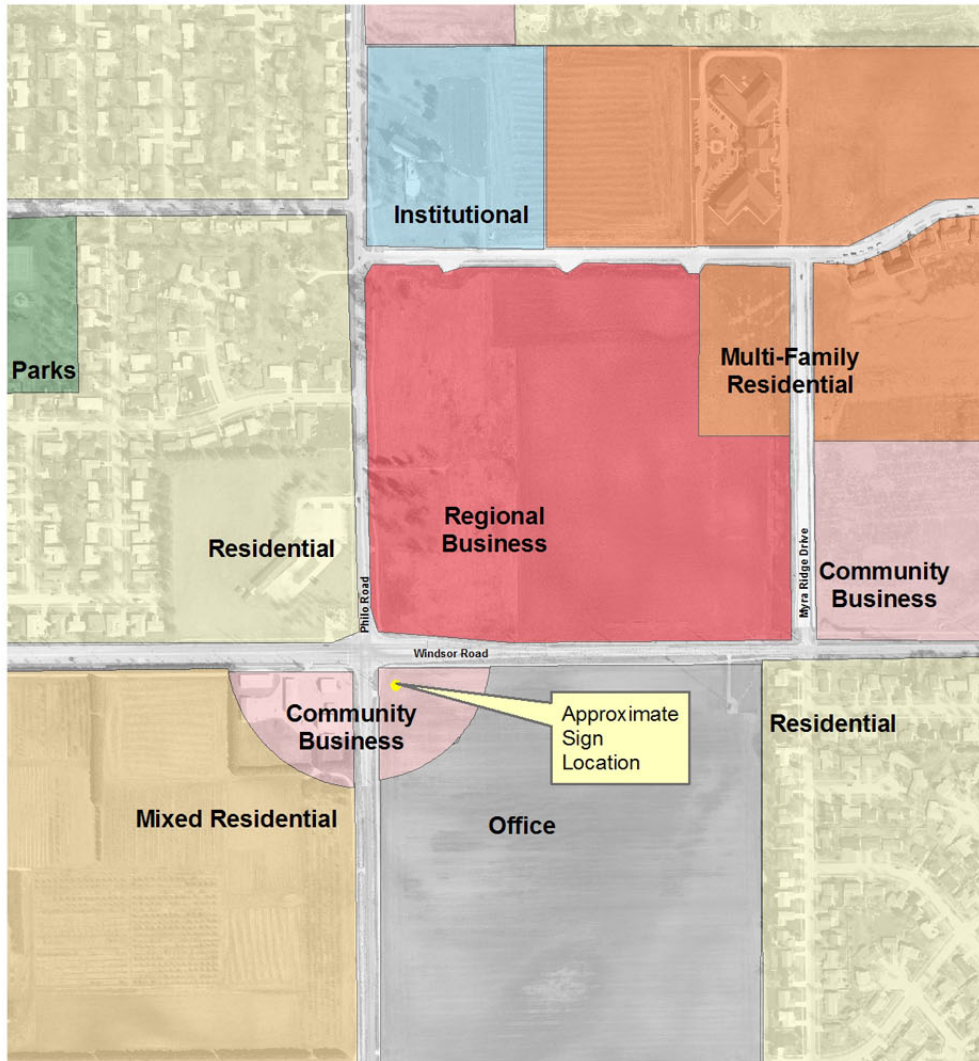


ZBA Case: 2008-MAJ-01, and 2008-MAJ-02
Subject: A request for a Major Variance to allow an Electronic Message Board Sign to increase the frequency of message changes from once per three minutes to once every ten seconds, and allow the electronic display to be multi-colored.
Location: 2710 S. Philo Road
Zoning District: B-3, General Business
Petitioner: The Atkins Group
PIN: 93-21-28-201-001
Prepared 3/03/08 by Community Development Services -pal

Future Land Use Map

EXHIBIT "D"

Source: Comprehensive Plan Future Land Use
Text Adapted from Maps # 13 and 14, pp. 84-85



ZBA Case: 2008-MAJ-01, and 2008-MAJ-02
Subject: A request for a Major Variance to allow an Electronic Message Board Sign to increase the frequency of message changes from once per three minutes to once every ten seconds, and allow the electronic display to be multi-colored.
Location: 2710 S. Philo Road
Zoning District: B-3, General Business
Petitioner: The Atkins Group
PIN: 93-21-28-201-001
Prepared 3/03/08 by Community Development Services -pal



#1 View East on Windsor Avenue



#2 View South down Philo Road

96"

40"



Electronic Message Board

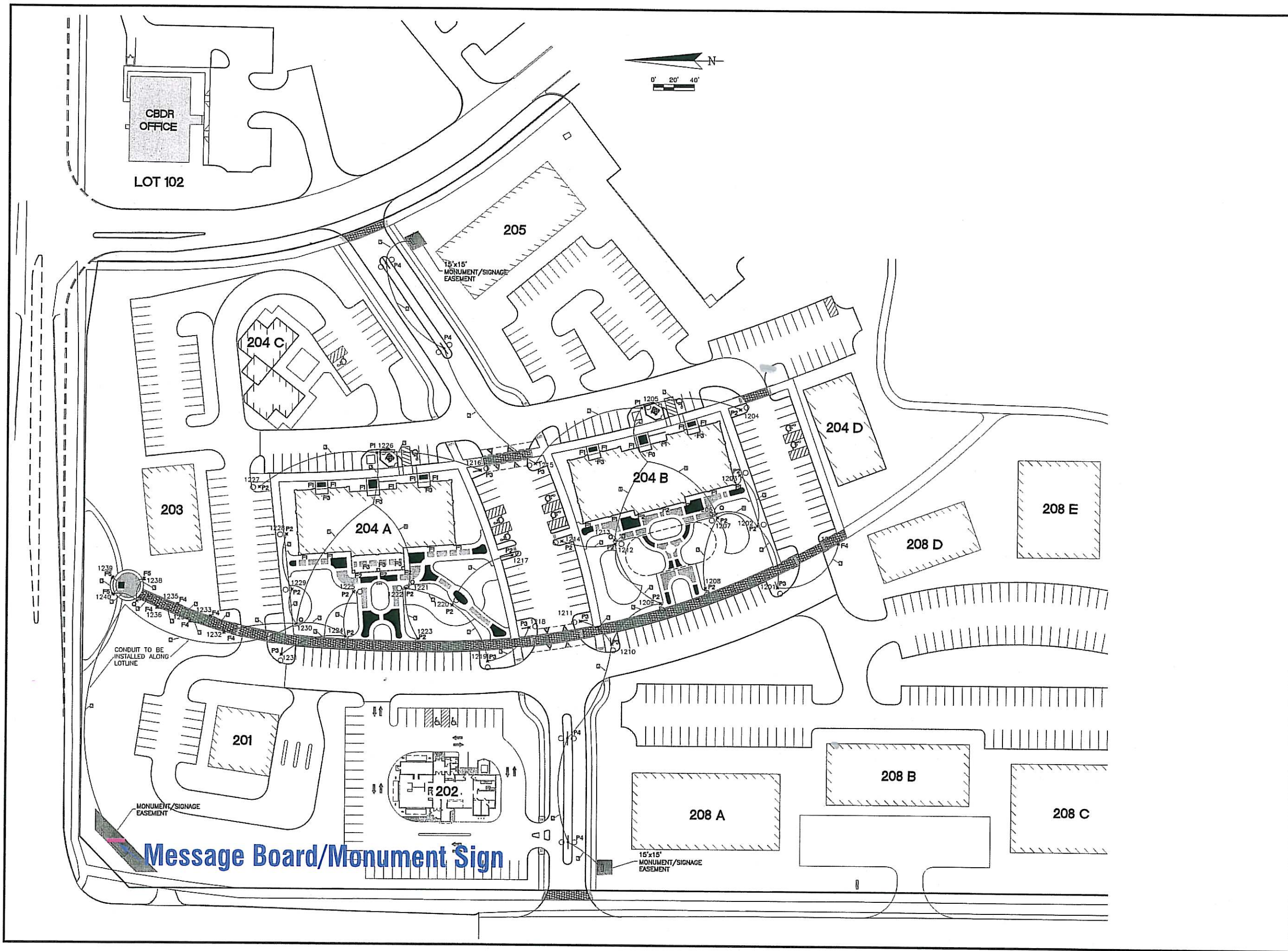
6"

72"



84"





Professional Design Firm License No. 181-003233 Expires: 04/30/2007
 201 West Springfield, Suite 300, P.O. Box 110, Champaign, Illinois 61824-0140
 217-352-8976 FAX 217-351-0570

SIGNAGE PLAN
THE PINES
URBANA, ILLINOIS

PROJECT NO. 05520	DATE:	BY:	CHECKED:
DRAWN BY: MAM	DATE:	BY:	CHECKED:
REV. 1	DATE:	BY:	CHECKED:
REV. 2	DATE:	BY:	CHECKED:
REV. 3	DATE:	BY:	CHECKED:
REV. 4	DATE:	BY:	CHECKED:
REV. 5	DATE:	BY:	CHECKED: