



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Urbana Zoning Board of Appeals
FROM: Lily Wilcock, Planner I
DATE: December 14, 2018
SUBJECT: **ZBA-2018-MAJ-11:** A request by Cunningham Children’s Home, located at 1301 North Cunningham Avenue, for a Major Variance to construct a 45 square foot sign, or 80% larger than the maximum 25 square feet, near a new access drive off Country Club Road.

Introduction

Cunningham Children’s Home has requested a variance for a larger freestanding sign than is allowed in a residential zoning district. The request was made out of a desire to mark the entrance as private and due to a significant dedication of a sanitary sewer easement and public right-of-way.

For the Major Variance request to be approved, the Zoning Board of Appeals (ZBA) must recommend approval by a two-thirds majority and forward to City Council for final review and approval.¹

Staff recommends that the ZBA recommended approval to City Council after finding that the variance criteria have been met.

Background

Cunningham Children’s Home has proposed a freestanding sign along Country Club Road that is 44 square feet² in area and is set back approximately 20 feet from a newly-established property line and 46 feet from the street. The limestone sign would be mounted on a short brick wall to the west of a new entrance drive. The Zoning Ordinance allows institutional signs to be up to 25 square feet in area in residential zoning districts unless the sign is along an arterial street; Country Club Road is not an arterial street³. Exhibits C and D show the proposed sign location and design.

At the request of the City, the owner has recently dedicated right-of-way and a 20-foot wide sanitary sewer easement along that new right-of-way line to accommodate both a newly-constructed eight-foot-wide multi-use path and the existing the sanitary sewer along Country Club Road. While the sign would be located 20 feet from that new property line, it would be as close to the sanitary sewer easement as possible and therefore could not be moved closer.

¹ Section XI-3.C.2 of the Urbana Zoning Ordinance.

² The legal ad and case subject referred to 45 square feet, while the final proposed sign size is actually only 44 square feet.

³ Section IX-4. General Sign Allowances. B. Institutional Signs.

Description of Site and Area

The 11.85-acre site is located along Cunningham Avenue from Country Club Road to the north and Oakland Avenue to the south. The property has numerous buildings with a main entrance from Cunningham Avenue and a newly-installed entrance from Country Club Road, directly across from Golfview Drive, to serve the new Education and Recreation Center.

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

Location	Zoning	Existing Land Use	Future Land Use
Site	R-4, Medium Density Multiple Family Residential	Children's Home	Institutional
North	R-1, Single-Family Residential (Urbana) and R-1, Single Family Residence (Champaign County)	Single Family homes (Urbana) and Golf Course (Champaign County)	Parks and Residential
South	R-5, Medium High Density Multiple Family Residential	Children's Home	Institutional
East	B-3, General Business	Commercial	Community Business
West	Residential, Champaign County	Single-Family homes	Residential

Discussion

The proposed sign size is larger and more visible to discourage cut-through traffic from the general public and to compensate for the larger setback required as a result of a newly-dedicated right-of-way and a sanitary sewer easement. In accordance to City Code, the new access drive aligns with Golfview Road to the north and therefore the private access may be confused by road-users to be a public road. The applicant believes the sign should be larger than what is allowed in order to discourage extra through traffic and to be visible from the road as the sign cannot be placed closer due to the location of the both the new sanitary sewer easement and the multi-use path.

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 variance criteria as they pertain to these cases:

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 Zoning Ordinance regulates sign allowances with the intent to authorize signs that are compatible with their surroundings, appropriate to the activity that displays them, expressive of the identity of individual activities and the community as a whole, and legible in the circumstances in which they are seen. The proposed sign, as an institutional sign in a residential district, is limited to 25 square feet in area. The sign must be pushed back farther from the road due to the new additional right-of-way and a new easement that has been dedicated, so that a larger sign is reasonable. In addition, the entrance to the new facility is located directly across from Golfview Drive to maximize traffic safety. However, the owner

is concerned the new entrance may be confused with a public street unless well-marked, thereby requiring a larger sign.

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.

An additional easement and right-of-way dedication were negotiated between the City and the property owner to provide additional area for an eight-foot-wide multi-use path and to protect an existing sanitary sewer line. This special circumstance requires the sign to have a greater setback from the street and therefore from the intended audience. A larger sign would mitigate that increased setback.

It would be unlikely for the surrounding residential district's properties to need a larger than allowed sign because the circumstances are special for Cunningham Children's Home.

3. The variance request is not the result of a situation or condition having been knowingly or deliberately created by the Petitioner.

The increase in the width of the public right-of-way and the requirement for a new easement were not deliberately or knowingly created by the owner; they were a situation imposed by the City.

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

If granted, the variance would not alter the essential character of the neighborhood. The sign is similar to a subdivision entrance sign which would fit the character of the neighborhood. The sign would also be set back farther than the Zoning Ordinance would require, mitigating the increase in size.

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

Due to the large setback the proposed sign will not be a nuisance to the adjacent property. For comparison, the sign is set back farther than the Zoning Ordinance would require a building be set back in the R-4 zoning district, yet the sign is much smaller than a building would be.

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

A larger sized sign is appropriate to mitigate the effects of a larger-than-typical set back due to increased width of the public right-of-way and the new 20-foot wide sanitary sewer easement. The sign is of appropriate scale to the short brick wall to which it would be affixed, the size of the access drive, the larger set back, and the campus setting as a whole, therefore representing the minimum deviation necessary.

Summary of Staff Findings

1. Cunningham Children's Home requests a Major Variance to allow an intuitional sign along a non-arterial road and in a residential zoning district to be 44 square feet in area, 80% larger than the maximum 25 square feet in area allowed.
2. The property is zoned R-4, Medium Density Multiple Family Residential.
3. The increased right-of-way width and the new easement required by the City, along with the new access drive aligning to an existing street to the north are special circumstances for the strict application to the Zoning Ordinance.

4. The variance request would not serve as a special privilege to the property owner if granted, as there are special circumstances relating to the land such as the increased right-of-way width and new easement that are not applicable to other properties in the district. Similarly, the property owner did not deliberately create this situation.
5. The proposed sign will not be a nuisance to the neighborhood as it is set back more than the Zoning Ordinance would require. The sign size is a minimum deviation from requirements in the Zoning Ordinance, as it is as close to the road as possible without building in the new easement.

Options

The Zoning Board of Appeals has the following options in case ZBA-2018-MAJ-11:

1. Forward the case to City Council with a recommendation to approve the variance as requested, based on the findings outlined in this memorandum; or
2. Forward the case to City Council with a recommendation to approve the variance with certain terms and conditions, and if so, articulate all terms, conditions, and findings; or
3. Deny the variance request, and if so, articulate findings supporting the denial.

Staff Recommendation

Based on the analysis and findings presented above, and without the benefit of considering additional evidence that may be presented at the public hearing, staff recommends that the Zoning Board of Appeals recommend **APPROVAL** of a Major Variance to City Council that would allow a sign that is 44 square feet in area, with one condition:

- That the sign location and construction generally conform to the attached site plan and specifications.

Attachments: A: Location Map
B: Zoning Map
C: Application
D: Site Plan
E: Sign Specifications

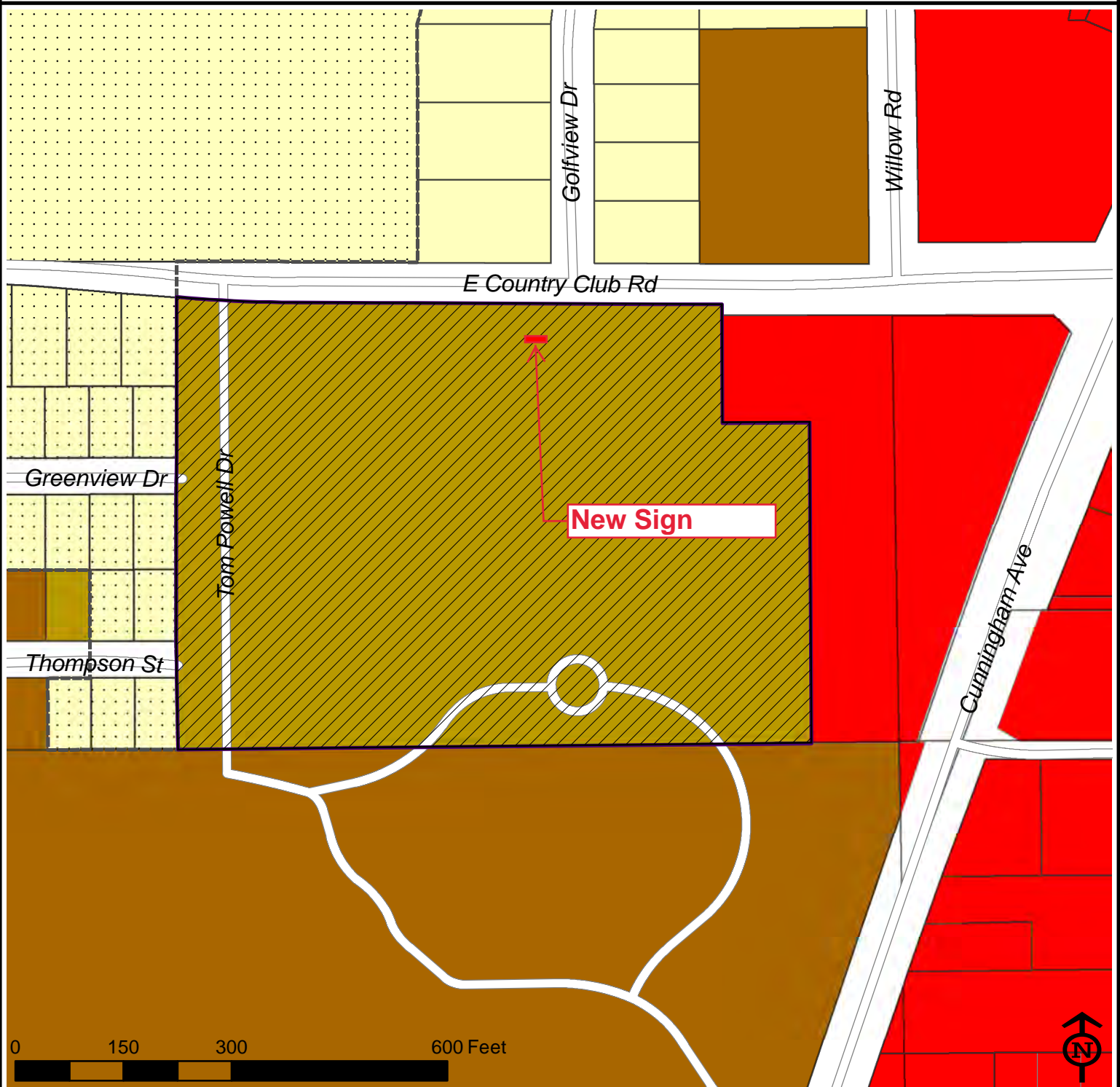
Exhibit A: Location & Existing Land Use Map



Case: ZBA-2018-MAJ-11
 Subject: Maj Variance for CCH Sign
 Location: 1301 N Cunningham Ave.
 Petitioner: City of Urbana

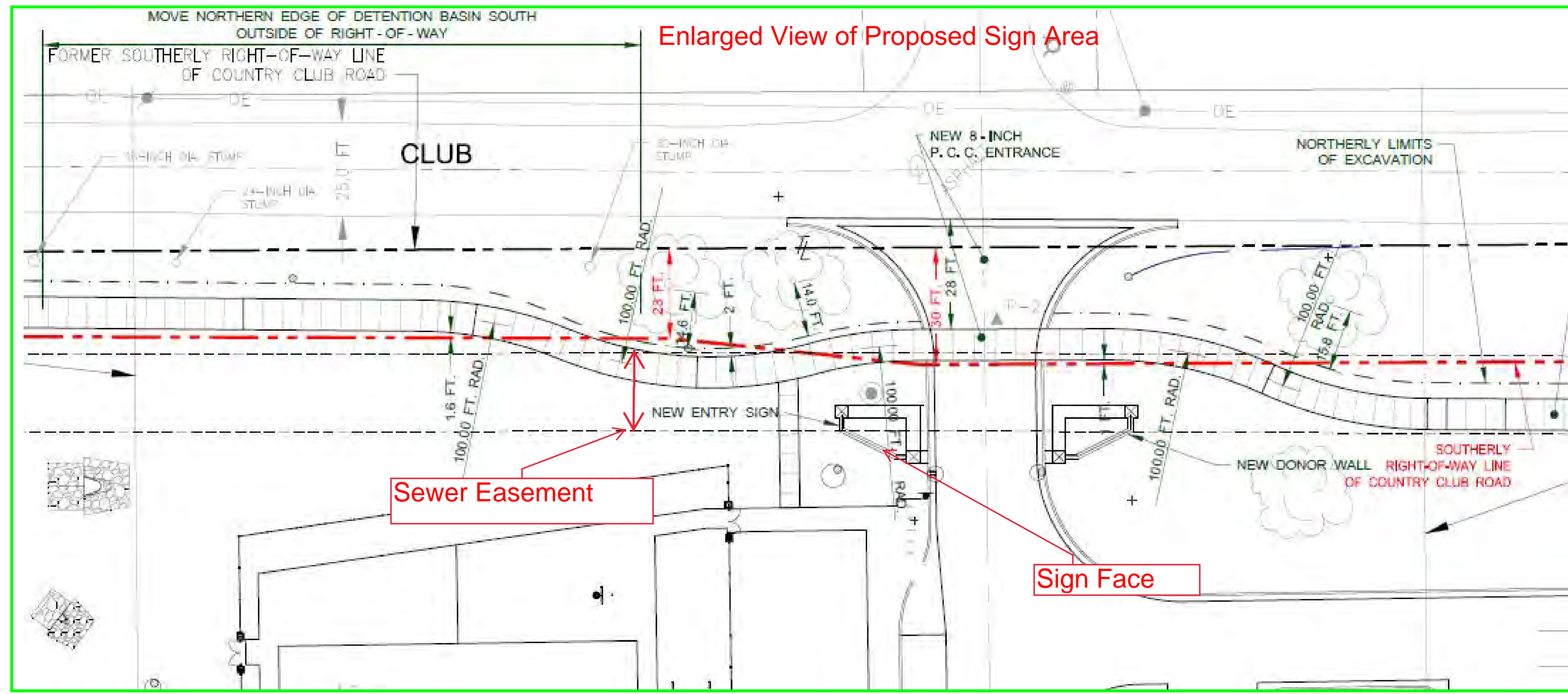
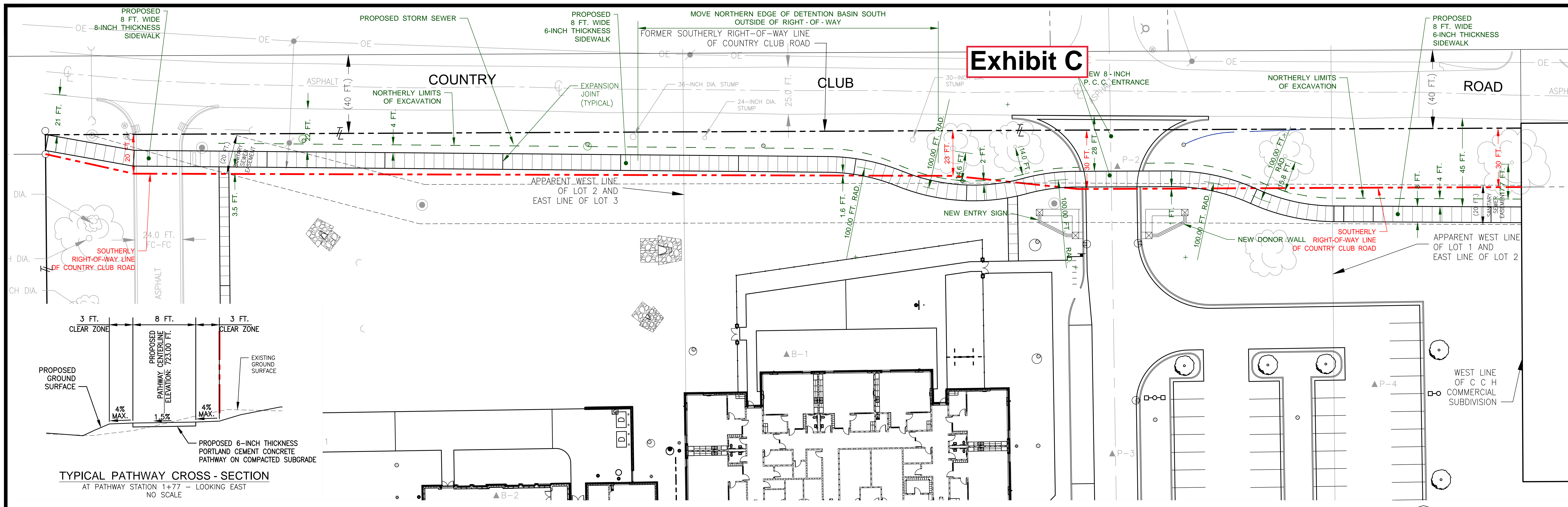
 Subject Property

Exhibit B: Zoning Map



Case: ZBA-2018-MAJ-11
 Subject: Maj Variance for CCH Sign
 Location: 1301 N Cunningham Ave.
 Petitioner: City or Urbana

- B3
- R1
- R4
- R5
- R-1 (County)
- Subject Property



REVISIONS		DRAWN RE (BCA)	APPR CB/786 (BCA)
NO.	DATE		
01	05/20/17	ISSUED FOR BIDDING	
02	06/23/17	ADDENDUM #1	
03	09/11/17	ISSUED FOR CONSTRUCTION	
04	07/17/18	PUBLIC PATHWAY	

BERNS, CLANCY AND ASSOC.
405 EAST MAIN ST., P.O. BOX 755
URBANA, ILLINOIS
PHONE: (217) 384-1144
FAX: (217) 384-3355

GHR ENGINEERS & ASSOC., INC.
1615 SOUTH NEIL STREET
CHAMPAIGN, ILLINOIS
PHONE: (217) 356-0536
FAX: (217) 356-1092

TGRWA, LLC
600 W. VAN BUREN, SUITE 900
CHICAGO, ILLINOIS
PHONE: (312) 341-0055
FAX: (312) 341-9966

ISAIXEN GLERUM WACHTER, LLC
114 WEST MAIN STREET
URBANA, ILLINOIS 61801
T / 217 328 1391
F / 217 328 1401



PUBLIC PATHWAY PLAN

EDUCATION AND RECREATION CENTER

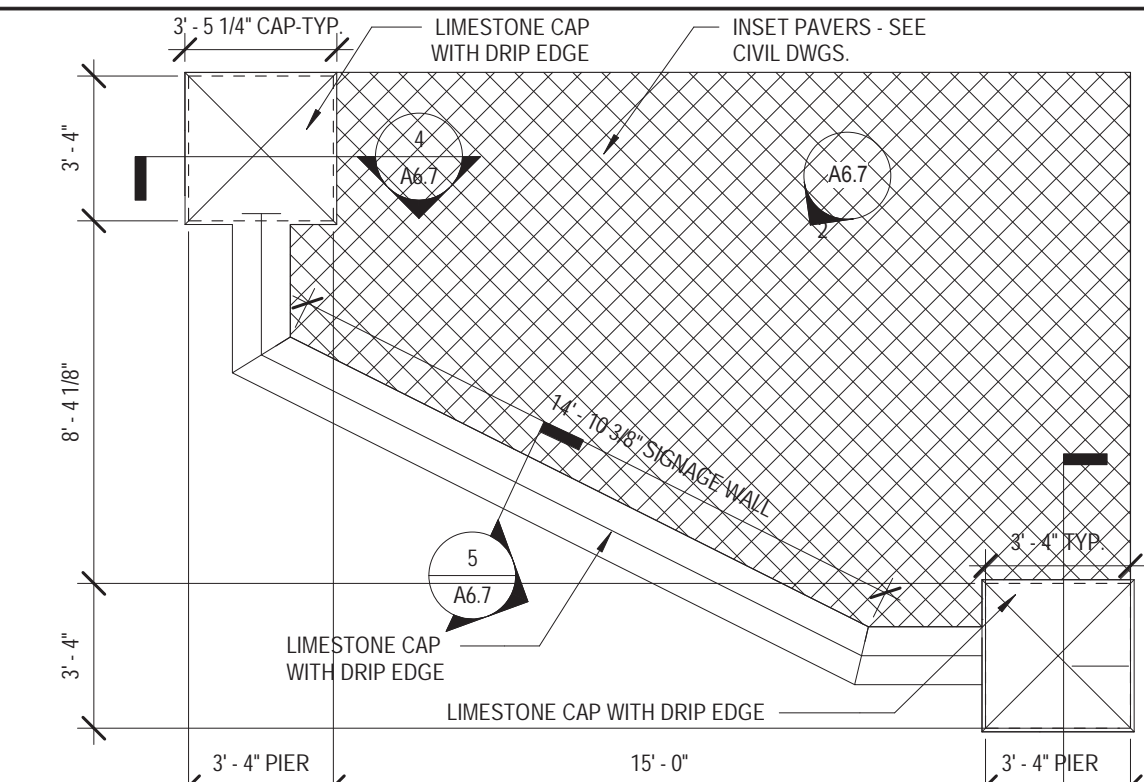
CUNNINGHAM CHILDREN'S HOME
1301 NORTH CUNNINGHAM AVENUE, URBANA, ILLINOIS

FILE: 1622
DATE: 08/16/18

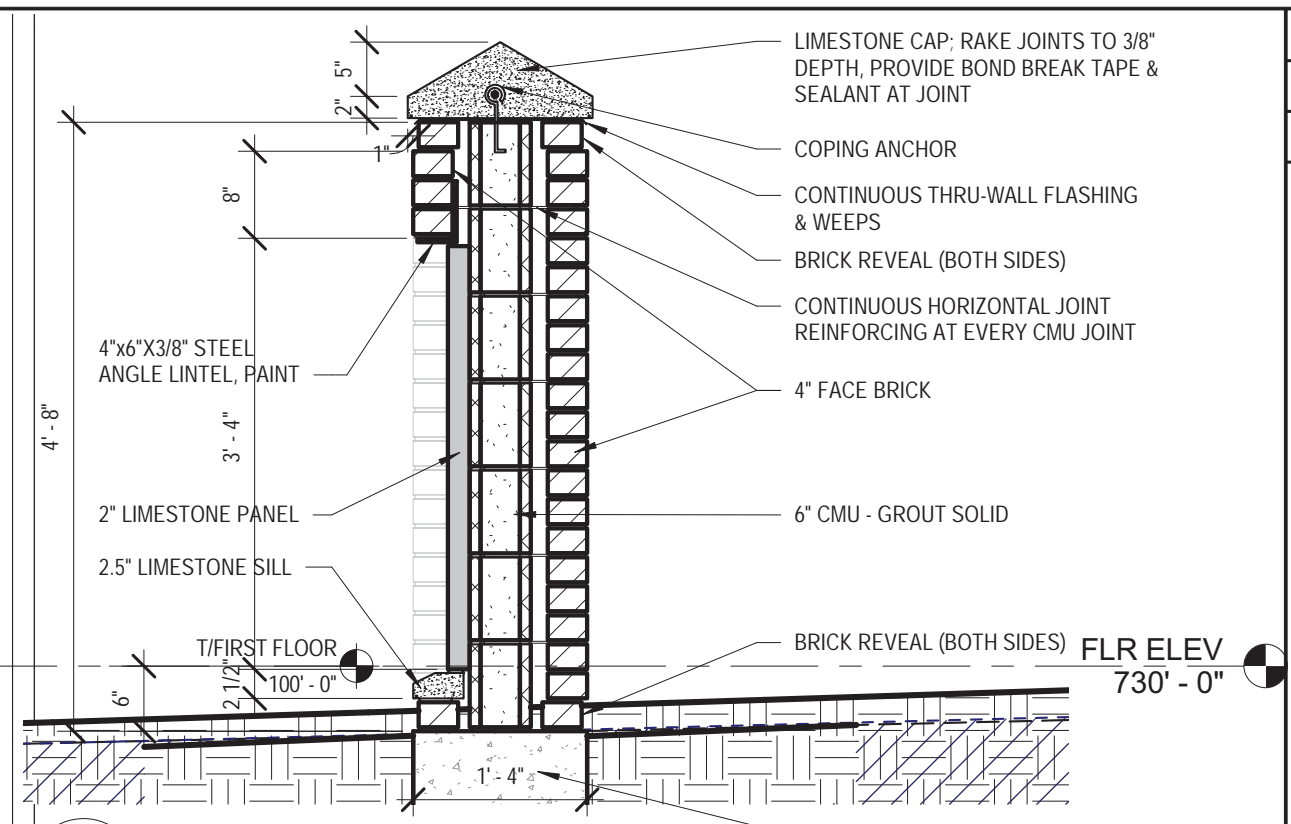
CR.1

ISSUED FOR CONSTRUCTION

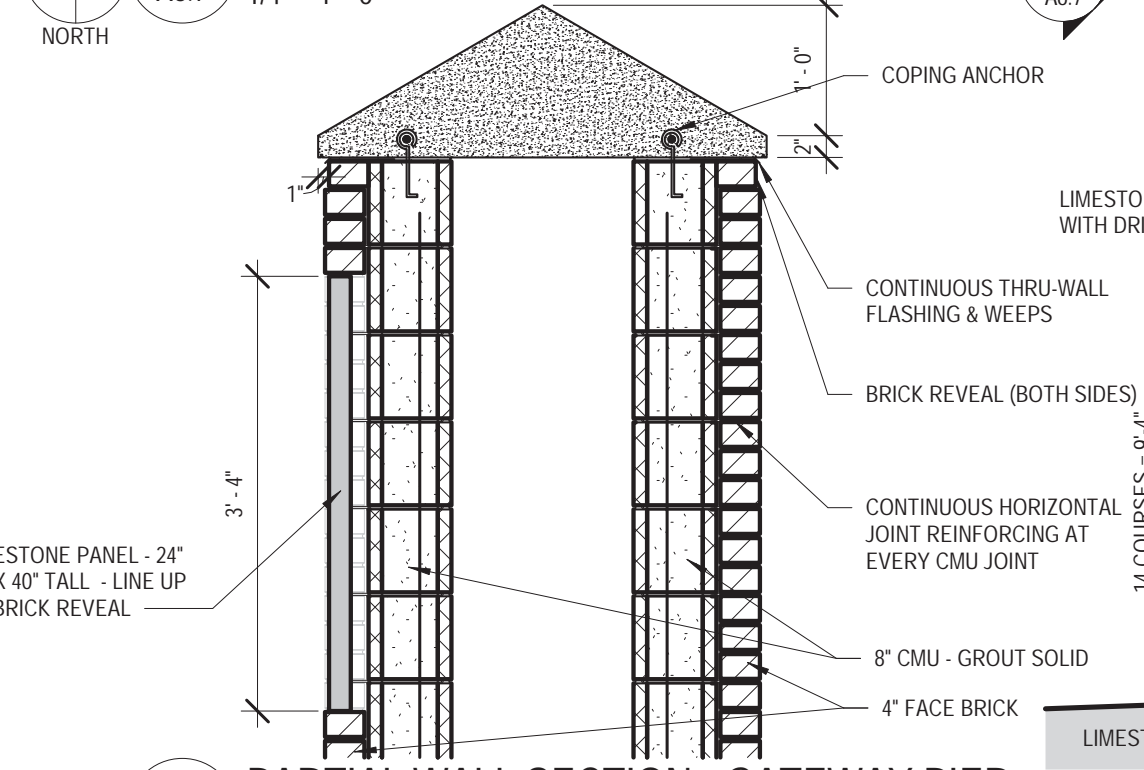
Exhibit D



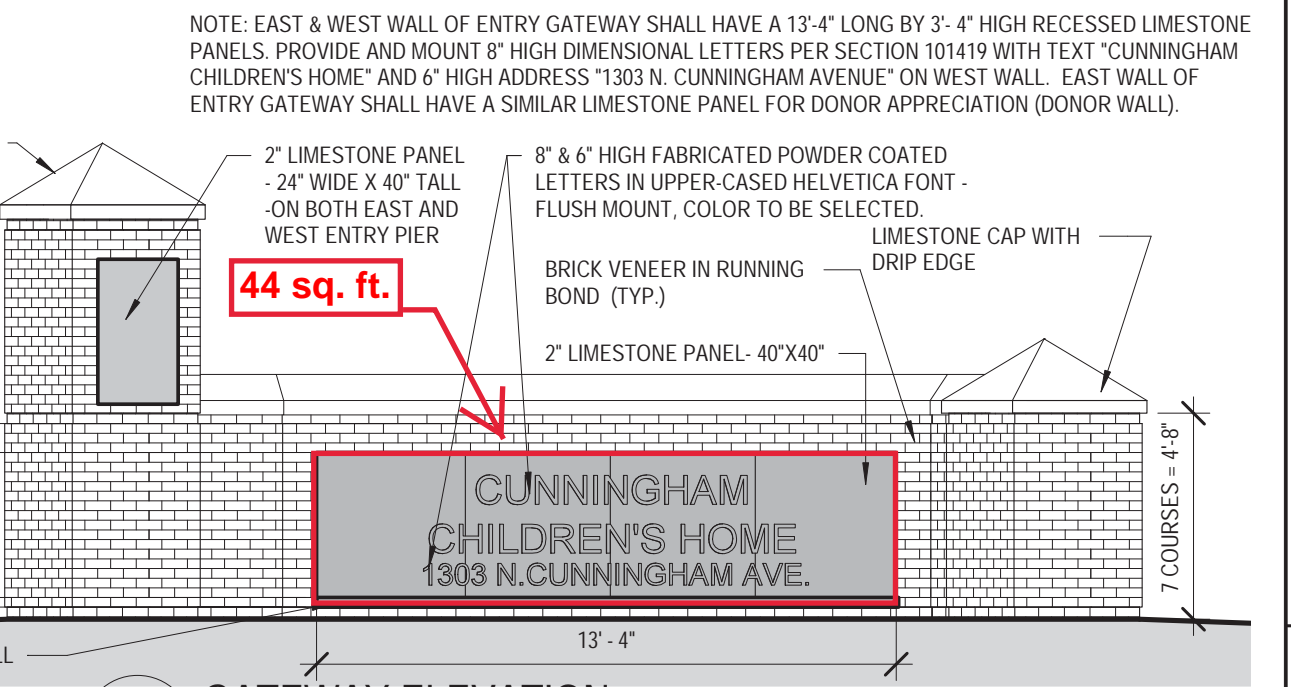
1 PLAN DETAIL - GATEWAY
A6.7 1/4" = 1'-0"



5 WALL SECTION - GATEWAY WALL
A6.7 3/4" = 1'-0"



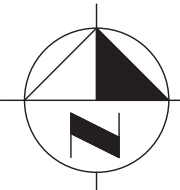
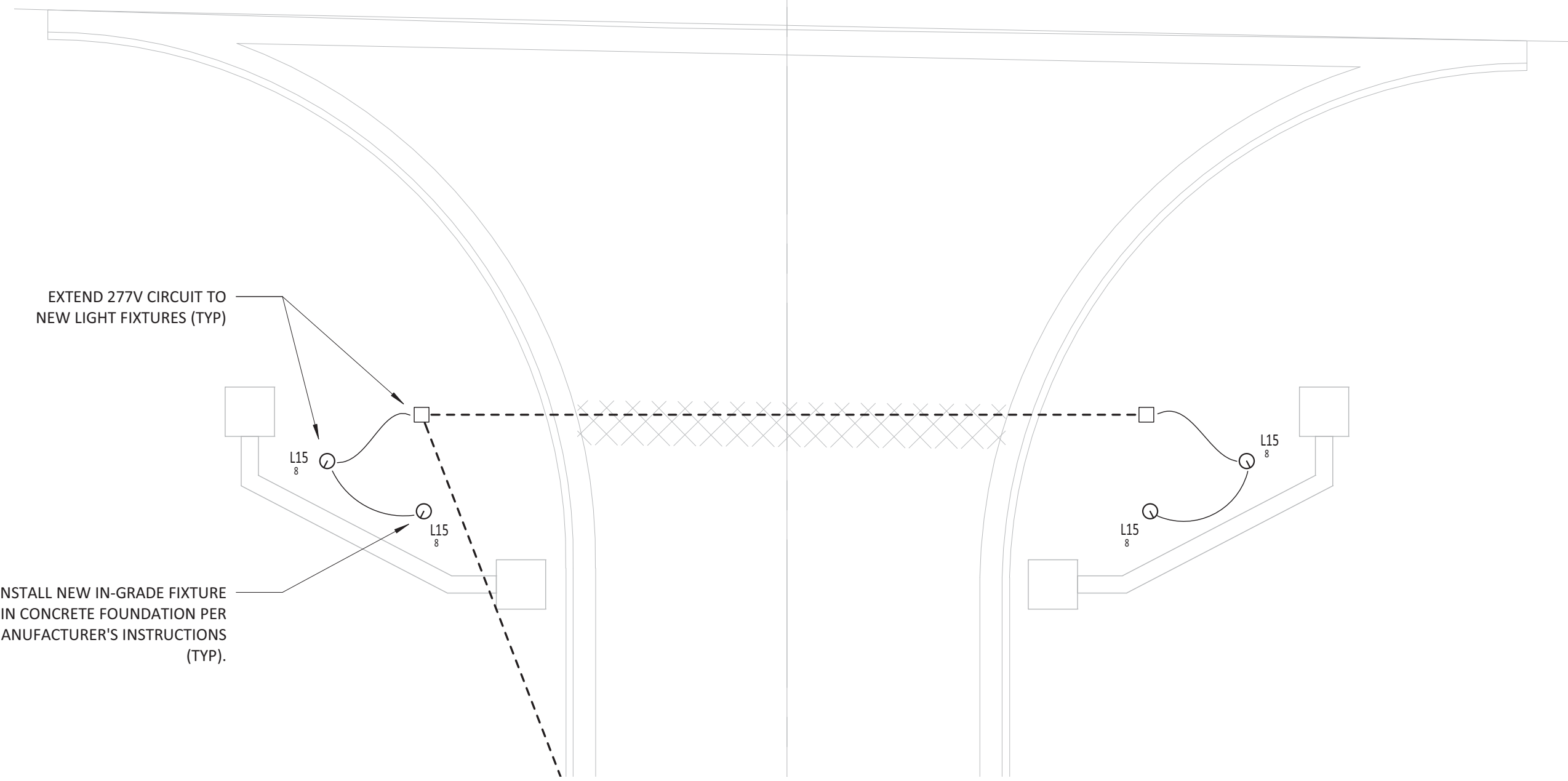
3 PARTIAL WALL SECTION - GATEWAY PIER
A6.7 3/4" = 1'-0" NOTE: SEE 3/A6.7 ON "ISSUED FOR CONSTRUCTION" DWG FOR FULL PIER DETAIL



2 GATEWAY ELEVATION
A6.7 1/4" = 1'-0"

NOTE: EAST & WEST WALL OF ENTRY GATEWAY SHALL HAVE A 13'-4" LONG BY 3'-4" HIGH RECESSED LIMESTONE PANELS. PROVIDE AND MOUNT 8" HIGH DIMENSIONAL LETTERS PER SECTION 101419 WITH TEXT "CUNNINGHAM CHILDREN'S HOME" AND 6" HIGH ADDRESS "1303 N. CUNNINGHAM AVENUE" ON WEST WALL. EAST WALL OF ENTRY GATEWAY SHALL HAVE A SIMILAR LIMESTONE PANEL FOR DONOR APPRECIATION (DONOR WALL).

1622
09/13/18
S.P.
EDUCATION AND RECREATION CENTER CUNNINGHAM CHILDREN'S HOME 1303 NORTH CUNNINGHAM AVENUE, URBANA, ILLINOIS
igw ARCHITECTURE
ISAKSEN GLERUM WACHTER, LLC 100 WEST MAIN STREET URBANA, ILLINOIS 61801 T / 217 328 1391 F / 217 328 1401
RFP25 AR18R
REF A6.7



ENLARGED SIGNAGE LIGHTING PLAN
 SCALE: 1/8" = 1'-0"

SIGN LIGHT FIXTURE SCHEDULE

TAG	TAG NO.	MFR	MODEL	DESC.	LAMPS		INSTALLATION		FINISH	REMARKS
					QTY.	TYPE	MOUNTING	LOCATION		
L	15	HYDREL	#PDX7-B-12LED-WHT41K-MVOLT-WFL-FLC-34S	IN GRADE LED LIGHT	-	14W LED DRIVER	BURRIED	IN GRADE	DARK BRONZE TEXTURED	IN GRADE LED LIGHT FIXTURE, 14W LED LAMP, WIDE FLOOD DISTRIBUTION, FLAT GLASS LENS, MULTI-VOLT OPERATION, BRONZE FINISH.