

Zoning Board of Appeals
Date: January 16, 2020
Time: 5:02 P.M.

Call to Order / Roll Call:

Zoning Board chairman VERNON JOHNSON called for roll call were the following Zoning Board members answered present:

VERNON JOHNSON, LLOYD FORD, HUGH BROWN, BRIAN GERBER, NICK BLASER and DON KARCH. DEAN McCREIGHT was excused.

Also present were, CHRISTOPHER HAGLOCH, Mayor; JUSTIN BLASER, Director of Public Works & Utilities; and JAROD DALE, City Clerk.

An attendance sheet has been marked Exhibit "A", attached hereto and made a part of these minutes.

CHAIRMAN JOHNSON welcomed the new members of the Zoning Board of Appeals & Planning Commission: Hugh Brown, Brian Gerber, & Nick Blaser.

Minutes: Motion made by LLOYD FORD and seconded by DON KARCH to approve the ZBA Minutes of 06/14/18 as presented. A Unanimous voice vote followed in agreement.

The following was discussed:

New Business:

A. **Public Hearing: Case No. 2020-01** (Variance, 401 SW 2nd Avenue, Aledo)

Petitioner: Aledo Civic Center Authority / Sarah Brown, Mercer County Family Y.M.C.A.

Application: The Aledo Civic Center Authority has made application of four (4) variances of the City of Aledo Code of Ordinances for property located at 401 SW 2nd Ave. A variance is a grant of relief from specific limitations of the zoning ordinance with reference to the structure to be constructed on a given zoning lot.

Variance #1 – Title 10 Chapter 5; R-2 Residential District; Section 10-5-4; the applicant is requesting a four feet (4') reduction of the primary building side yard setback line from SW 4th Street.

Variance #2 – Title 10 Chapter 5; R-2 Residential District; Section 10-5-4; the applicant is requesting a ten feet (10') reduction of the exit stairway side yard setback line from SW 4th Street.

Variance #3 – Title 10 Chapter 5; R-2 Residential District; Section 10-5-5; the applicant is requesting an 8.7% increase of the allowable percentage of building area on the lot area.

Variance #4 – Title 10 Chapter 11; Off Street Parking; Section 10-11-3; the applicant is requesting a variance of off-street parking requirements.

CHAIRMAN JOHNSON requested the Public hearing be opened for Case No. 2020-01 at 5:04 p.m.

The public hearing notice was published in the Aledo Times Record on January 01, 2020 with corrections re-published on January 8, 2020. Forty-two (42) adjoining property owners within 250 feet of the subject area were notified by regular mail.

Zoning Officer Blaser reported the following:

Variance #1 - The property is located within an R-2 Zoning District. Title 10; Chapter 5; Section 4 requires side yard setback regulations for the corner lots or corner parcels on the corner side are ten feet (10') between the primary building to the corner side property line. The proposed addition to the north side primary building line would encroach to within six feet (6') of the corner side property line.

Variance #2 - The property is located within an R-2 Zoning District. Title 10; Chapter 5; Section 4 requires side yard setback regulations for the corner lots or corner parcels on the corner side are ten feet (10') between the primary building to the corner side property line. The proposed addition to the north side primary building line also includes two (2) exit stairways. The required number of exit stairways is identified by the International Building Code Section 1018.1 and Table 1018.1 (1-500 occupants = 2 exit stairways) The width of the exit stairways and exit discharge are required by the International Building Code Section 1009.1 & Section 1023, which states that the required width is to be not less than 44 inches and exit discharge shall be directly to the exterior of a building, and shall be at grade or shall provide direct access to grade. The

proposed exit stairways would encroach to within zero feet (0) of the corner side property line.

Variance #3 - The property is located within an R-2 Zoning District. Title 10; Chapter 5; Section 5 requires the building area shall not exceed forty percent (40%) of the lot area. The total lot area is 57,852 square feet. (240.55' x 240.50') The total square footage of the existing building and the proposed addition is 28,206 square feet. The total percentage of building area equals 48.7% of the lot area, which is an 8.7% increase in allowable building area on the lot.

Variance #4 – Title 10; Chapter 11; Section 2 requires Off Street Parking for Institutional occupancies. It states that the area required shall be sufficient to provide for the estimated number of vehicles of persons desiring access to the premises. A standard of 1 parking space per each 400 square foot of gross floor area was utilized to establish the minimum parking regulations. Furthermore, Section 208.2 of the 2018 Illinois Accessibility Code requires three (3) accessible spaces to be included in that number.

(28,206 square feet/400 = 70 parking spaces – 32 existing spaces = 38 additional spaces needed; 3 to be accessible)

The subject property is located at 401 SW 2nd Ave. The Zoning District is R-2. The surrounding neighborhood consists of a varied mix of single family dwellings and institutional uses. The Civic Center Authority is proposing to construct a 17,702 square foot building addition to the north and south building line.

Variance requests one (1) and two (2) include the building addition to the north building line. Variance requests three (3) and four (4) include both the addition to the north building line and the addition to the south building line. The proposed addition encroachment or increase in allowable building area does not appear to affect line of site issues at the adjacent intersections, parking lot entrances, or on street parking areas.

The variance in the Off-Street Parking requirements is significant due to the number of spaces that will be required due to the proposed addition. The property is currently served by 32 parking spaces. This appears to be below the gross floor area requirements of the existing building. It has been past practice for the YMCA to utilize on street parking and adjoining properties to meet parking demands at peak times. While on street parking may be available, a private property owner does not have exclusive right for use of available on street parking adjacent to their property.

The adjoining properties are also heavier users of both on-street and off-street parking, which raises a concern for meeting parking demands for the commercial enterprise in the immediate area. Other adjacent commercial properties including Fippinger's

Funeral Home, Slammers Bed & Breakfast, Twister's Tumbling & Cheer Academy, and College Avenue Presbyterian Church may also place demands on available on-street parking in the immediate area. It should also be noted that an Off-Street Parking Variance was given to Twister's Tumbling & Cheer Academy for six (6) parking spaces. (Case No. 2015-02)

The proposed addition will require some level of parking to meet customer demands. Staff believes that parking lease agreements with adjacent property owners may be necessary to attempt to address parking needs. Staff has determined that a total of seventy (70) parking spaces would be needed to satisfy the off-street parking requirements. Consideration may be given to counting the existing on-street parking areas directly adjacent to the property. There also may be an opportunity to secure off-street parking leases in the immediate area to assist in meeting the required number of spaces. It should be understood that any potential parking lease must still account for the parking requirements of the lessor's property.

Zoning Officer Blaser reported staff recommends the Zoning Board of Appeals hold the Public Hearing on Case No. 2020-01 and further recommends approval of a four feet (4') reduction of the primary building side yard setback line from SW 4th Street; an approval of a ten feet (10') reduction of the exit stairway side yard setback line from SW 4th Street; an approval of an 8.7% increase in allowable percentage of building area on the lot area; and approval of an Off-Street Parking Variance with the following conditions:

- 1) A total of seventy (70) off-street and on-street parking spaces shall be provided for the use of the proposed building and addition. Off-street parking spaces are to be located within 300 feet of the subject property and authorized through legitimate parking lease(s) and/or similar agreement submitted to the Zoning Officer.

CHAIRMAN JOHNSON inquired if there was any additional testimony from those present in the audience.

Sarah Brown, YMCA, reported the South College Avenue Presbyterian Church and the Y.M.C.A. do share parking and the Y.M.C.A. is trying to be good neighbors. They are also looking to add some additional parking on the east-side of the building once construction begins.

Motion was made by DON KARCH and seconded by HUGH BROWN to close the public hearing for Case No. 2020-01. A Unanimous voice vote followed in agreement at 5:17 p.m.

The ZBA discussed Case # 2020-01 further. NICK BLASER inquired if there was any issue with the building being so close to the intersection. Zoning Officer Blaser reported that he and CHIEF Sullivan completed a traffic study and did not believe there should be any traffic issues. It was also reported there was clear line-of-site and that there should be no traffic issues that would cause concern.

ZBA was notified that there were plans to create around fifteen (15) to seventeen (17) additional on-street parking and those parking stalls would be lined.

DON KARCH reported with the expansion of the facility that the traffic count would increase. Y.M.C.A. reported that their hope would be that the community utilizes the facility. Y.M.C.A. does not anticipate the membership should increase immensely or at least according to their projections.

Finding & Facts:

The Aledo Zoning Board recommends approval of a four feet (4') reduction of the primary building side yard setback line from SW 4th Street; an approval of a ten feet (10') reduction of the exit stairway side yard setback line from SW 4th Street; an approval of an 8.7% increase in allowable percentage of building area on the lot area; and approval of an Off-Street Parking variance.

A total of seventy (70) off-street and on-street parking spaces shall be provided for the use of the proposed building and addition. Off-street parking spaces are to be located within 300 feet of the subject property and authorized through legitimate parking lease(s) and/or similar agreement submitted to the Zoning Officer.

Finding & Final Order: Motion was made by LLOYD FORD and seconded by NICK BLASER to approve the finding of fact as presented. A Roll call vote was recorded as follows:

YES: Johnson, Ford, Brown, Gerber, Blaser, and Karch. NO: None. Motion carried.
6 yeas, 0 nays.

Motion was made by DON KARCH and seconded by BRIAN GERBER that the Zoning Board of Appeals Case No. 2020-01 as presented and to send to the Aledo City Council for final approval. A Roll call vote was recorded as follows:

YES: Ford, Brown, Gerber, Blaser, Karch, and Johnson. NO: None. Motion carried.
6 yeas, 0 nays.

Adjournment: There being no further business, motion was made by HUGH BROWN and seconded by DON KARCH to adjourn the Zoning Board of Appeals meeting. Unanimous voice vote followed in agreement and Motion carried.

Adjournment followed at 5:30 P.M.