



ZONING BOARD OF APPEALS - REGULAR SESSION
GOVERNMENT CENTER BOARDROOM, 4TH FLOOR, ROOM #400
115 E. WASHINGTON STREET, BLOOMINGTON, IL 61701
WEDNESDAY, DECEMBER 20, 2023, 4:00 PM

1. Call to Order

2. Roll Call

3. Public Comment

Individuals wishing to provide emailed public comment must email comments to publiccomment@cityblm.org at least 15 minutes before the start of the meeting. Individuals wishing to speak in-person may register at cityblm.org/register at least 5 minutes before the start of the meeting.

4. Consent Agenda

Items listed on the Consent Agenda are approved with one motion; Items pulled from the Consent Agenda for discussion are listed and voted on separately.

- A. Review and approval of the minutes of the November 15, 2023, regular meeting of the Bloomington Zoning Board of Appeals. (Recommended Motion: Motion to accept the minutes, as presented.)

5. Regular Agenda

- A. V-14-23 - Public hearing, review, and action on a request submitted by Western Avenue Community Center (WACC) for approval of Variances to allow reduced off-street parking setbacks, reduced parking design standards, and reduced minimum parking lot landscaping requirements, for the properties located at 601 N. Western Avenue and 1210 W. Locust Street (PINs: 21-05-252-016 and 21-05-252-009) and reduced minimum off-street parking requirements for the property located at 600 N. Western Avenue (PIN: 21-05-251-035). (Recommended Motion: Motion to establish findings of fact that all standards for approval of the Variances are met, that carrying out the strict letter of the Code does create a practical difficulty or particular hardship for the Applicant, and to approve of the requests as presented.)

6. New Business

7. Adjournment

Individuals with disabilities planning to attend the meeting who require reasonable accommodations to observe and/or participate, or who have questions about the accessibility of the meeting, should contact the City's ADA Coordinator at 309-434-2468 or

mhurt@cityblm.org.



REGULAR AGENDA ITEM NO. 4.A.

FOR ZONING BOARD OF APPEALS: December 20, 2023

WARD IMPACTED: City-Wide Impact

SUBJECT: Review and approval of the minutes of the November 15, 2023, regular meeting of the Bloomington Zoning Board of Appeals.

RECOMMENDED MOTION: Motion to accept the minutes, as presented.

STRATEGIC PLAN LINK:

Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:

Objective 1c. Engaged residents that are well informed and involved in an open governance process

BACKGROUND: N/A

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

Respectfully submitted for consideration.

Prepared by: Jon Branham

ATTACHMENTS:

[ZBA Minutes - 2023-11-15.pdf](#)



**DRAFT MINUTES
ZONING BOARD OF APPEALS - REGULAR SESSION
WEDNESDAY, NOVEMBER 15, 2023, 4:00 PM**

The Zoning Board of Appeals convened in regular session at 4:02 PM, November 15, 2023. Chair Straza called the meeting to order.

Roll Call

Attendee Name	Title	Status
Terry Ballantini	Vice Board Chair	Present
Michael Straza	Board Chair	Present
Ross Webb	Board Member	Present
Tim Foley	Board Member	Absent
Zachary Zwaga	Board Member	Absent
Nikki Williams	Board Member	Present
Victoria Harris	Board Member	Present

City Staff present included Jon Branham, City Planner; Alissa Pemberton, City Planner; John Myers, Assistant City Planner; and George Boyle, Assistant Corporation Counsel.

Public Comment

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No public comment was provided.

Consent Agenda

Items listed on the Consent Agenda are approved with one motion; Items pulled from the Consent Agenda for discussion are listed and voted on separately.

Vice Board Chair Ballantini made a motion, seconded by Board Member Harris, to approve the consent agenda as presented.

AYES: Vice Board Chair Ballantini; Board Chair Straza; Board Member Webb; Board Member Williams; Board Member Harris.

Motion carried (viva voce).

Item 4.A. Review and approval of the minutes of the August 16, 2023, regular meeting of the Bloomington Zoning Board of Appeals.

Regular Session

The following item was presented:

Item 5.A. V-15-23 - Public hearing, review, and action on a request submitted by Josh Levin for approval of a **Variance** to increase the allowable fence height in the Front Yard from four feet to five feet, in the R-1B (Single Family Residence) District for the property located at 8 Pendleton Way (PIN: 21-11-426-030).

Mr. Branham presented the staff report and background on the request, with a recommendation for approval. He noted key property conditions, including the curvilinear nature of the east property line and qualities of the corner-side yard. He noted that the proposed fence would not be solid and would be set back from the property line. He also identified surrounding properties and uses.

Board Chair Straza opened the public hearing.

Jessica Levin (8 Pendleton Way), Co-Applicant, provided further background on the request. She noted the specifics of the proposed fence and stated the fence would help prevent their large dog from leaving the property.

Board Vice Chair Ballantini inquired about the type of dog and the length of time the owners had lived at the property. Ms. Levin stated it was a beagle-boxer mix. She stated she did not want the dog to become an issue for the public by being able to jump over the fence. She stated they have lived at the property for just over one year.

Josh Levin (8 Pendleton Way), Co-Applicant, added that they chose this type of fence rather than a solid privacy fence so they would not impact the view for vehicles turning the corner and to not ruin the character of the neighborhood.

Greg Finley (2 London Court), stated he was the Brook Ridge Homeowner's Association President. He stated he was not opposed to the request but wanted to better understand. He was pleased they had chosen a fence-type consistent with the neighborhood. He inquired about the four-foot maximum in Front Yards. Mr. Branham stated it was common primarily for sight purposes.

Douglas Lamb (17 Pendleton Way), stated he lived across the street from the subject property. He stated he was not opposed to the proposed fence but would appreciate the applicants' consideration of modifying the fence location further toward the middle of the property and away from the sidewalk.

Janelle O'Connor (11 Pendleton Way), expressed concern regarding other properties with dogs who only have four-foot fences and whether this would become a standard.

Board Member Webb explained this request was for the specific property and not for the entire neighborhood. Chair Straza clarified that any additional properties in the

neighborhood that wanted to seek an increased height would need to have a Variance approved by the Zoning Board of Appeals.

Jessica Levin (8 Pendleton Way), stated that a previous owner had a dog who constantly was off the property and presented problems to the neighborhood, which they wanted to avoid. She reiterated the curvilinear nature of the east side of the property and the proposed fence location being several feet from the sidewalk.

Josh Levin (8 Pendleton Way), stated the original plan was to locate the fence four to five feet from the property line, but they decided to move it further inward and will also landscape the base of the fence to maintain aesthetics.

Board Member Harris stated the proposed fence was not going to impact visibility.

Board Vice Chair Ballantini inquired about other taller fences that may exist in the neighborhood. Mr. Branham stated staff could not confirm the overall number.

Board Chair Straza closed the public hearing.

Vice Board Chair Ballantini made a motion, seconded by Board Member Harris, to establish findings of fact that all standards for approval of a Variance are met, and to approve the request.

Roll call.

AYES: Vice Board Chair Ballantini; Board Chair Straza; Board Member Webb; Board Member Williams; Board Member Harris.

Motion passed.

New Business

There was no new business to report.

Adjournment

Board Member Williams made a motion, seconded by Vice Board Chair Ballantini, to adjourn.

AYES: Vice Board Chair Ballantini; Board Chair Straza; Board Member Webb; Board Member Williams; Board Member Harris.

Motion carried (viva voce).

The Meeting Adjourned at 4:28 p.m.

CITY OF BLOOMINGTON

Chair Michael Straza

Jon Branham Staff Liaison

MEETING MINUTES
ZONING BOARD OF APPEALS - REGULAR SESSION
WEDNESDAY, NOVEMBER 15, 2023, 4:00 PM



REGULAR AGENDA ITEM NO. 5.A.

FOR ZONING BOARD OF APPEALS: December 20, 2023

WARD IMPACTED: Ward 7

SUBJECT: V-14-23 - Public hearing, review, and action on a request submitted by Western Avenue Community Center (WACC) for approval of **Variances** to allow reduced off-street parking setbacks, reduced parking design standards, and reduced minimum parking lot landscaping requirements, for the properties located at 601 N. Western Avenue and 1210 W. Locust Street (PINs: 21-05-252-016 and 21-05-252-009) and reduced minimum off-street parking requirements for the property located at 600 N. Western Avenue (PIN: 21-05-251-035).

RECOMMENDED MOTION: Motion to establish findings of fact that all standards for approval of the Variances are met, that carrying out the strict letter of the Code does create a practical difficulty or particular hardship for the Applicant, and to **approve** of the requests as presented.

STRATEGIC PLAN LINK:

Goal 5. Great Place - Livable, Sustainable City

Goal 4. Strong Neighborhoods

STRATEGIC PLAN SIGNIFICANCE:

Objective 5b. City decisions consistent with plans and policies

Objective 4f. Residents increasingly sharing/taking responsibility for their homes and neighborhoods

BACKGROUND: The Applicant seeks Variances from:

- § 44-1205.B.3, the requirement that off-street parking areas shall be located a minimum distance of 12 feet from the property line, in front yards, and six feet from the side and rear property lines;
- § 44-1206.C.1, the requirement that all off-street parking lots, access drives and aisles, and other vehicle maneuvering areas shall provide perimeter curbs cuts;
- § 44-1206.G, the requirement that parking lots contain drainage;
- § 44-1208, the requirement of a minimum of 157 parking spaces, to allow 69 parking spaces at the property;
- § 44-1307.B, the requirement of parking lot perimeter landscaping;
- § 44-1307.C, the requirement of parking lot interior landscaping.

Summary:

- Expansion of the existing facility at 600 N. Western Avenue impacts parking requirements;
- Redesigned vehicular access will improve flow and safety;
- Proposed plan adds 40 spaces to the existing parking area and creates a plan for

- overflow parking with a local partner;
- Applicant has provided data to support the request for reduced parking.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Notice was published in The Pantagraph on Sunday, November 19, 2023. Courtesy notices were mailed to 73 property owners within 500 feet of the subject property.

FINANCIAL IMPACT: N/A

Respectfully submitted for consideration.

Prepared by: Jon Branham

ATTACHMENTS:

[V-14-23 - Staff Report - 600 N Western Ave](#)

TO: ZONING BOARD OF APPEALS

FROM: Economic & Community Development Department

DATE: December 20, 2023

CASE NO: V-14-23, Variances from § 44-1205, § 44-1206, § 44-1208, and § 44-1307 of the Zoning Code

REQUEST: Public hearing, review, and action on a request submitted by Western Avenue Community Center (WACC), for Variances from § 44-1205 of the Zoning Code, to allow reduced off-street parking setbacks, § 44-1206 of the Zoning Code, to allow reduced parking design standards, and § 44-1307 of the Zoning Code, to allow reduced minimum parking lot landscaping requirements, for the properties located at 601 N. Western Avenue and 1210 W. Locust Street, PINs: 21-05-252-016 and 21-05-252-009; and a Variance from § 44-1208 of the Zoning Code, to allow reduced minimum off-street parking requirements for 600 N. Western Avenue, in the P-2 (Public Lands & Institutions) District. PIN: 21-05-251-035.

BACKGROUND

Request

The Applicant seeks multiple Variances to allow reduced off-street parking requirements and parking lot landscaping and design requirements to allow 69 off-street parking spaces at the property.

The Applicant desires the Variances for off-street parking to accommodate an expansion of the existing principal facility at 600 N. Western Avenue, which increases the overall gross floor area, impacting parking requirements. The Applicant would be adding 40 parking spaces to the site across the street from the principal facility, which currently contains an existing parking area and playground. They would also be providing redesigned vehicular access to improve flow and safety. The Applicant has provided documentation to support their request and is working with a local partner to plan for potential overflow events.

Prior to this application, the properties on the east side of Western Avenue were rezoned in Zoning Case #Z-13-23 (map amendment) to the P-2 (Public Lands & Institutions) District, which aligned the parking area with the principal structure of the Community Center across Western Avenue with the same zoning designation. Additionally, an alley vacation between the two existing properties would be required to finalize the consolidation, which is currently being pursued by the Applicant.

Notice

The application was filed in conformance with applicable procedural and public notice requirements. Notice was published in *The Pantagraph* on Sunday, November 19, 2023. Courtesy notices were mailed to 73 property owners within 500 feet of the subject property.

ANALYSIS

Property Characteristics

The properties on the east side of Western Avenue consist of approximately 0.52 acres of land at the southeast corner of N. Western Avenue and W. Locust Street, in the Park & Phelps Addition to Bloomington. The properties are currently improved with a playground and accessory parking lot. The properties are surrounded by a mix of zoning and land uses as identified by the table below. Necessary streets and infrastructure are already existing. The Applicant has been operating the facility at 600 N. Western Avenue in the current location since 1981.

Surrounding Zoning and Land Uses

	Zoning	Land Uses
North	R-1C (Single-Family Residence)	Place of Worship
South	R-1C (Single-Family Residence)/M-1 (Restricted Manufacturing)	Single-Family Dwellings/Outdoor Storage/Trade & Construction Services
East	R-1C (Single-Family Residence)	Single-Family Dwellings
West	P-2 (Public Lands & Institutions)	Community Center

Subject Code Requirements

§ 44-1205.B.3. Location and Yard Requirements. Where 10 or more parking spaces are required, off-street parking areas shall be located a minimum distance of 12 feet from the property line, in front yards, and six feet from the side and rear property lines to accommodate a landscaped perimeter as provided in Article XIII.

The Applicant is proposing for the north property on the east side of Western Avenue (21-05-252-016):

- a zero-foot Setback from the west property line, rather than the required 12 feet;
- a two-foot Setback from the north property line, rather than the required 12 feet;
- a four-foot Setback from the east property line rather than the required six-feet; and a zero-foot from the south property line rather than the required 12 feet.

The Applicant is proposing for the south property on the east side of Western Avenue (21-05-252-009):

- a zero-foot Setback from the west property lines, rather than the required 12 feet;
- a zero-foot Setback from the north property line, rather than the required 12 feet;
- a four-foot Setback from the east property line rather than the required six-feet;
- and 0.3 feet from the south property line rather than the required 12 feet.

§ 44-1206.C.1. Parking Design Standards. Curbs and Vehicle Stops. All off-street parking lots, access drives and aisles, and other vehicle maneuvering areas shall provide perimeter curbs cuts.

The Applicant is proposing no curbs at some of the outer edges of the parking lot to match existing conditions. This would apply to both properties located on the east side of Western Avenue.

§ 44-1206.G. Parking Design Standards. Drainage.

The Applicant is proposing to provide a fee-in-lieu of onsite detention. This would apply to both properties located on the east side of Western Avenue.

§ 44-1208. Minimum (Off-Street Parking) Requirements. Except as otherwise expressly provided herein, off-street parking spaces shall be provided in accordance with the parking ratio requirements of Table 1208E.

Table 1208E: Off-Street Parking Requirements		
Use Category	Specific Use	General Requirement
RECREATIONAL		
	Community center	The greater of 1 space per 200 GFA or one per 4 occupants at maximum capacity

The applicant is proposing a total of 69 parking spaces rather than the 157 required. This Variance would be tied to the principal facility located at 600 N. Western Avenue.

§ 44-1307.B. Parking Lot Landscape Requirements. Parking Lot Perimeter Landscaping.

The Applicant is proposing less than the required 12 feet of perimeter parking in accordance with the proposed location of parking spaces. This would apply to both properties on the east side of Western Avenue.

§ 44-1307.C. Parking Lot Landscape Requirements. Parking Lot Interior Landscaping.

The Applicant is proposing a reduction in the total lot island requirement of one per every ten contiguous spaces to maximize parking spaces at the site as well as the size of the islands at less than the required 200 square feet. This would apply to properties on the east side of Western Avenue.

STANDARDS FOR REVIEW

As indicated in *Ch. 44, 17-8 Variations*, the Zoning Board of Appeals shall have the power to authorize Variations to this Code where there would be practical difficulties or particular hardships in carrying out the strict letter of those sections of this Code stated herein.

1. That the property has physical characteristics that pose unreasonable challenges which make strict adherence to the Code difficult.

The existing properties are restrictive regarding the area which could be provided for additional parking. Additionally, the parking requirement does not account for younger users of the facility, who do not necessarily drive and require the overall number of spaces identified by the Code. The Code requirement also assumes all services at the facility are being utilized at the same time. The Applicant has submitted information that suggests the needed parking at the facility is much lower than the required amount, as well as the proposed provided amount. The Applicant has also

provided information regarding potential parking alternatives with a local partner (if the need arises). **Standard is met.**

2. That the Variance would be the minimum action necessary to afford relief to the applicant.

The Variances would allow for an expansion of the facility and parking area and would allow relief to the Applicant by allowing the use to continue in a reasonable manner. **Standard is met.**

3. That the special conditions and circumstances were not created by any action of the applicant.

The Applicant did not create any special conditions or circumstances. Over time the site has become land-locked and community interest has grown, triggering the need for expanded services. The Applicant is adding as many parking spaces as possible given the constraints of the site. **Standard is met.**

4. That granting the variation request will not give the applicant any special privilege that is denied to others by the Code.

No special privileges would be granted to the Applicant under these circumstances. Granting allows the Applicant to continue to make reasonable use of their property. **Standard is met.**

5. That the granting of the variation will not be detrimental to the public welfare, alter the essential character of the neighborhood, nor unreasonably impair the use of development of adjoining properties.

The granting of the Variances would not be detrimental, as the Applicant is not intending to make significant changes to the site and is actively working to alleviate any existing traffic and safety issues by redesigning the site as part of the overall improvement project. The views of the properties from the street will remain similar. Adjacent properties will not be prevented from reasonable use of their lands, nor will public welfare be placed at risk. **Standard is met.**

STAFF RECOMMENDATION

Staff finds that the application meets all the standards for granting Variances and recommends that the Zoning Board of Appeals take the following actions:

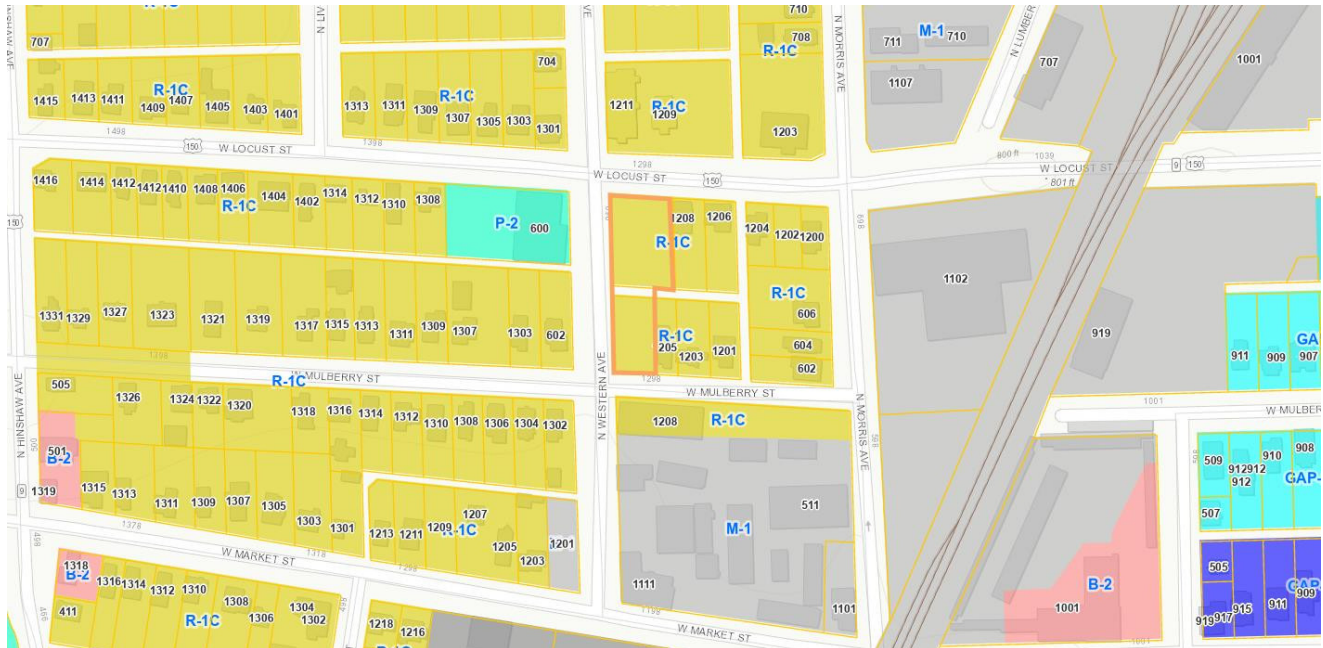
Motion to establish findings of fact that the standards for approval of the Variances are met, carrying out the strict letter of the Code **does create a practical difficulty** or particular hardship for the Applicant, and to **approve the request** for Variances as presented.

Respectfully submitted,
Jon Branham
City Planner

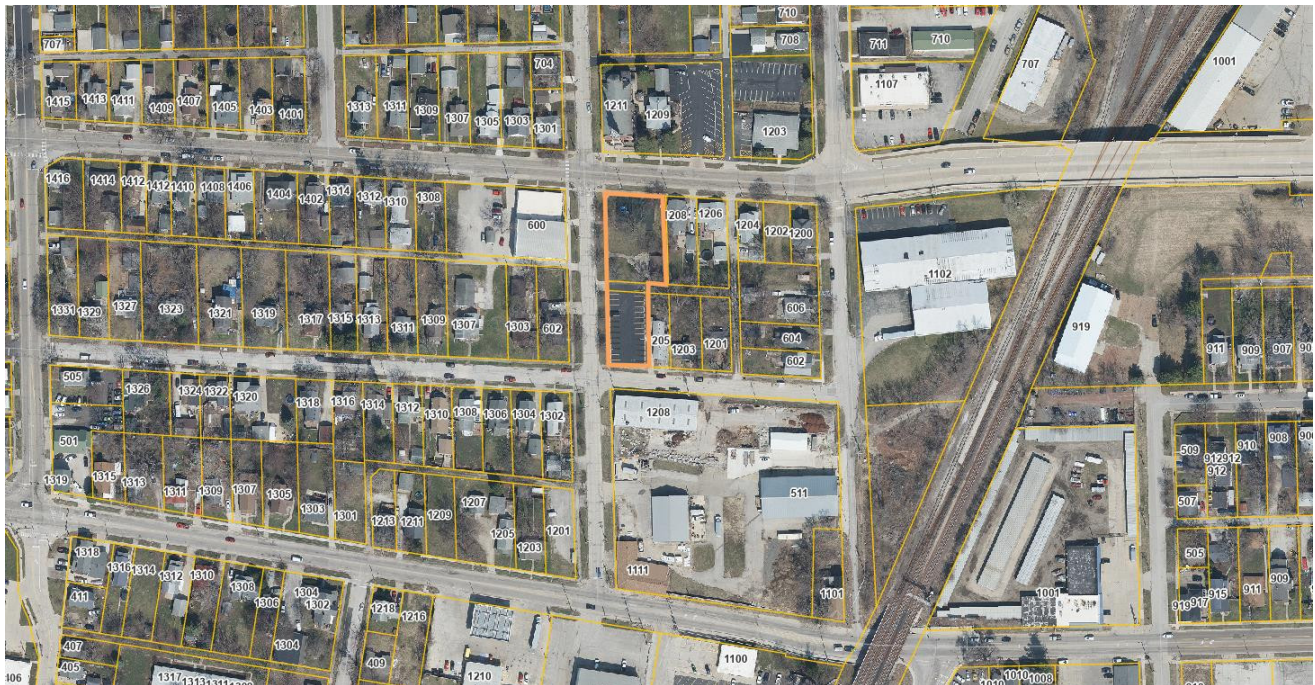
Attachments:

1. Zoning Map
2. Aerial Image
3. Ground-Level Views
4. Petitioner-Submission - Description of Project
5. Site Plan
6. Neighborhood notice map

Attachment 1 - Zoning Map



Attachment 2 - Aerial Image



Attachment 3 - Ground-Level Views



Attachment 4 - Applicant-Submission - Description of Project

Western Avenue Community Center (WACC) is contemplating an expansion of its existing facility at 600 N. Western Avenue, in Bloomington, Illinois. The expansion includes a new gymnasium, computer lab, multi-purpose rooms, board room, and classrooms; almost doubling the existing square footage of the building.

In addition, WACC anticipates expanding current parking to meet the needs of the larger facility.

WACC is seeking an additional variance from required parking requirements caused by the proposed expansion. Based upon City Code, the proposed size of the WACC requires approximately 157 parking spaces. Use anticipates all square footage is used at the same time, which is inconsistent with historical use and not anticipated based upon planned usage of the WACC following its expansion.

Additionally, WACC has conducted internal evaluations related to facility use and parking needs, which reflect that 80-85% of those utilizing WACC are minors, being junior high age or younger. These individuals are either dropped off at WACC, without use of associated parking, or arrive via bus or bicycle. There are no high school programs. All other uses are periodic, and typically result in small groups of less than 20 individuals.

With additional parking being proposed WACC is able to offer 69 off-street parking spaces. There are on-street parking spaces that may be available, and WACC has reached a verbal agreement with the adjacent church, for each to provide overflow parking to the other as needed. It is not anticipated that the overflow parking needs of either party will conflict with on-site parking needs.

44-1205 Off-street parking space locations

B.(3) When 10 or more parking spaces are required, parking area to be located a minimum distance of 12' from the property line, in front yards, and 6' from the side and rear property lines to accommodate a landscaped perimeter as required.

Variances:

1. 0' from West property line (6' minimum). Will match existing parking layout at south end of property
2. Less than 12' at North property line (12' minimum). Proposed layout varies from 2' at closest point to 16' at farthest point as street is not parallel to parking on North side.
3. 4' at North East property line (6' minimum).
4. 0' at South East property line (6' minimum). Use existing parking lot which is currently at these setbacks.
5. 0'-3' at South property line (6' minimum). Use existing parking lot which is currently at these setbacks

44-1206 Parking Design Standards

C.(1) perimeter curbs required

6. No curbs at outer edges of parking lot to match existing condition along West, South, and South East sides. Other new parking areas at North and East along with interior islands will have curbs.

G. Drainage

7. Fee in lieu of any on-site detention. Lot currently slopes 10' +/- from North to South making on-site detention difficult & would reduce the number of parking spaces on-site nearly in half.

44-1208 Off-street parking requirements (Table 1208E)

Community Center: The greater of 1 space per 200 GFA area or one per 4 occupants at maximum capacity.

19,273 s.f. / 200 = 97 spaces

626 occupants / 4 = 157 spaces

Parking spaces required: 157 (97)

Transit reduction 10% (Table 1209): -16

Pedestrian Access reduction 10%: -16

TOTAL REQUIRED: 125 (65)

On-street space reduction 44-1204.B.1: -9

ON-SITE SPACES REQUIRED: 116 (56) (including 3 ADA spaces)

ON-SITE SPACES PROPOSED: 69 (see proposed layout below)

SPACES SHORT: 47 (+9)

Proposed parking layout with requested variances: 69 spaces, 3 ADA spaces included

49 @ standard 8'-6" x 18'-0"

20 @ compact 8'-0" x 18'-0"

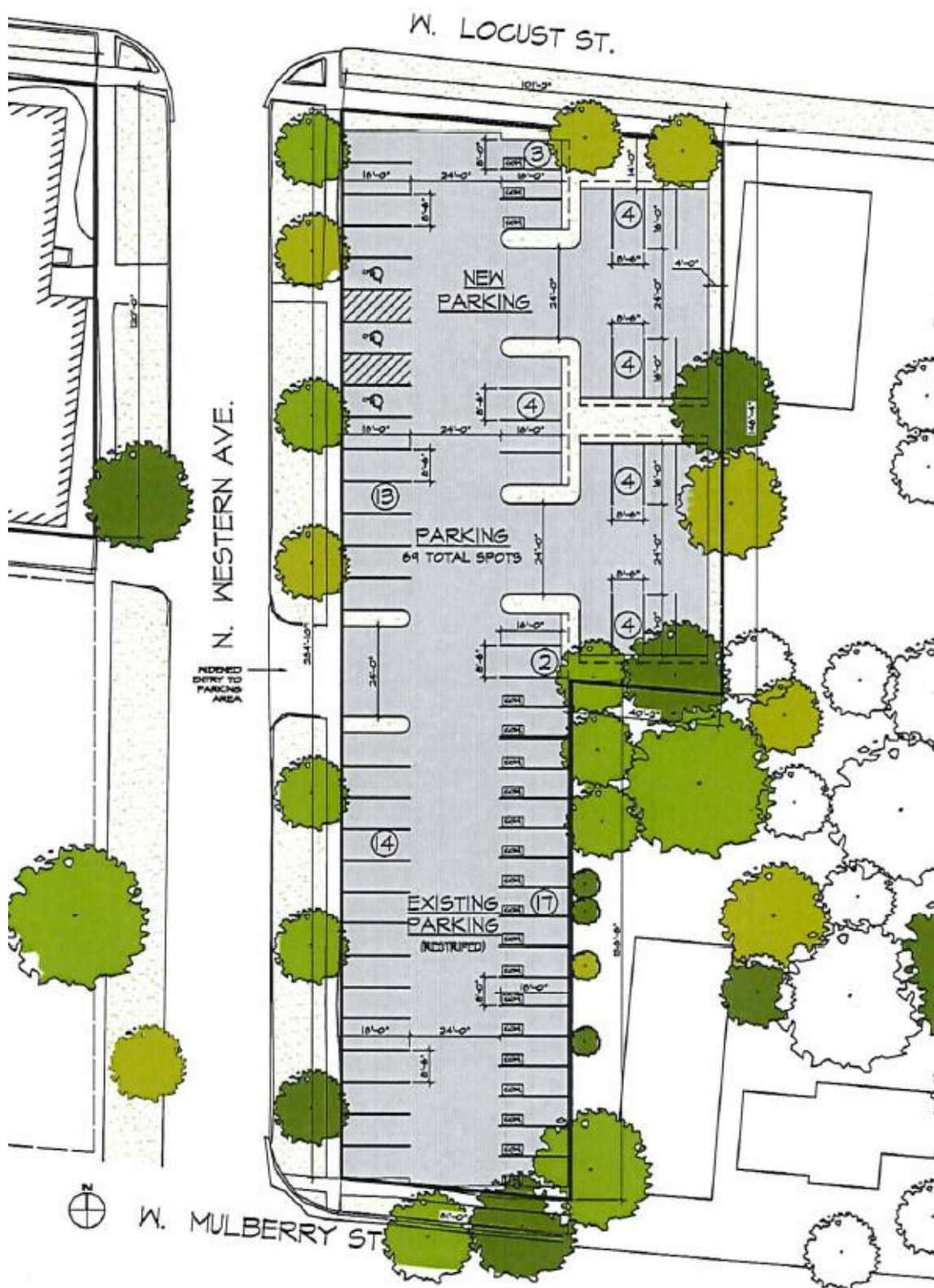
44-1307 Parking Lot Landscape Requirements

B. Parking lot perimeter landscaping

8. Due to variances 1-4 above the landscaping would have to be reduced or minimized at each location.

C.(1)(a) & (b) Parking Lot Interior Landscaping: Quantity and Dimensions

9. Reduction in lot island requirements to maximize parking spaces on-site. We have three areas of continuous parking spots along the West and South East sides that have 13, 14, and 17 continuous parking spots without an interior island. All other areas are less than 10 parking spaces continuous.
10. Sizes of islands that we are proposing are less than the width of adjacent parking spots to allow for aisle clearances of 24'-0" width. Islands we are showing are 5'-0" wide and are less than 200 square feet.



Attachment 6 - Neighborhood notice map

