
THE VILLAGE OF COAL CITY
GRUNDY & WILL COUNTIES, ILLINOIS

ORDINANCE
NO. 21-21

**AN ORDINANCE GRANTING A ZONING AMENDMENT AND VARIANCES FOR
THE MULTI-FAMILY REDEVELOPMENT AT 155 S. VERMILLION**

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AN ORDINANCE GRANTING A ZONING AMENDMENT AND VARIANCES FOR THE MULTI-FAMILY REDEVELOPMENT AT 155 S. VERMILLION

WHEREAS, an application for a zoning map amendment provided in Section 156-270 of the Village of Coal City Zoning Code (“Zoning Code”) was filed by the property owner, Bernie D’Orazio of BDR Properties (“Applicant”), on May 25, 2021 to amend the current C-3 zoning of the property to RM-2 High Density Multi-Family Residential District; and

WHEREAS, Section Table 4 within the zoning code establishes certain minimum design standards for RM-2 zoning; and

WHEREAS, Applicant seeks approval for a map amendment to allow the placement of 12 apartments during the redevelopment of the existing structure; and

WHEREAS, the existing structure may accommodate the requested number of dwelling units, certain required setbacks are not present due to the existing platted property prior to the adoption of the Village’s Land Use Code; and

WHEREAS, a public hearing was properly noticed and duly held on June 21, 2021; and

WHEREAS, the Village Board of Trustees and the President of the Village of Coal City have reviewed the petition, the Zoning Board of Appeals’ written findings of fact and recommendation, the applicable legal standards and Village Zoning Code criteria governing map amendments and variances, and hereby concur with said findings and recommendation of the Zoning Board of Appeals, finding and determining that it is in the best interests of the Village to grant the requested conditional use approval, subject to and contingent upon compliance with the conditions set forth in this ordinance.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Coal City, Grundy and Will Counties, Illinois, as follows:

Section 1. Recitals. The foregoing recitals shall be and are hereby incorporated into and made a part of this Ordinance as if fully set forth in this Section 1.

Section 2. Findings of Fact. The Board of Trustees finds as follows concerning the Map Amendment for 155 S. Vermillion:

- A. **Compatible with Use or Zoning of Environs.** The existing utilization of the nearby environs are of a residential classification. The requested zoning of the property is more compatible than its current commercial classification.

- B. **Supported by Trend of Development.** The existing commercial underutilization has led to a structure in disrepair; the reutilization of this structure for multi-family dwelling units is supported by the current trend of development, which identifies underutilized properties for such redevelopment.
- C. **Consistent with Comprehensive Plan Objectives.** Offering diverse, affordable housing is stated as an objective within the residential development portion of the Village's "Coal City 2035" Comprehensive Plan; this rezoning assists in meeting this need to include infill locations.
- D. **Furtheres Public Interest.** This development shall accommodate a lower intensity utilization to accommodate the surrounding area, which is adjacent to a public school. The intended land use plan includes public improvements that better regulate the traffic flow through the immediate vicinity of the redevelopment.

Section 3. Findings of Fact. The Board of Trustees finds as follows concerning the Variances for 555 S. Vermillion:

- A. **Special Circumstances Not Found Elsewhere.** This redevelopment contemplates a less intense utilization of a property within a residential district; although there are a number of standards variances required, this is a redevelopment project which is unique and is unlike other properties.
- B. **Unnecessary Hardship.** The petitioner purchased an underutilized property which possesses certain attributes. In order to ensure any non-conformities persist but do not expand, the current structure is being renovated. Requiring standards such as setback and total width create an unnecessary hardship for the redevelopment of this property.
- C. **Preserves Rights Conferred by the District.** This improvement will renovate the current dilapidated structure to provide a new utilization that has greater congruency of the immediate vicinity, which allows many adjacent properties to occupy residential dwelling units.
- D. **Necessary for the Use of the Property.** This property possesses its current setbacks with a structure that was built prior to the adoption of the Village's Zoning Code; it is necessary for the reutilization of this property to allow standards variances along with an allowance for the construction of parking within the Village parkway to accommodate property's reutilization.
- E. **Consistency with the Local Area and Comprehensive Plan.** Offering diverse, affordable housing is stated as an objective within the residential development portion of the Village's "Coal City 2035" Comprehensive Plan; this rezoning assists in meeting this need to include infill locations.

Section 4. Description of the Property. The property is located at 155 S. Vermillion in the Village of Coal City (the "Property") within a C-3 District. The Property bears tax identification numbers 09-02-104-010 and 09-02-104-008 and is legally described as follows:

The north half of the north quarter section 2-32-8, 135'N, 8 South x 203' E and W in Block 8 Section 232-8.

Section 5. Public Hearing. Following due and timely notice via an advertisement on May 26, 2021 in the *Herald-News*, the certified mailing of notice to abutting property owners, and the posting of a sign on the Property in accordance with Section 156-30 of the Village Code, a public hearing was held by the Zoning Board of Appeals on June 21, 2021, at which time the Board recommended the petition for approval by the Board of Trustees.

Section 6. Map Amendment. The property shall be rezoned from its current C-3 Community Commercial District to RM-2 High Density Multi-Family Residential District.

Section 7. Variances. Those variances required to allow the property to be utilized for the planned 12 dwelling unit residential redevelopment are granted as set forth below:

- A. A 4% variance is to be provided to 3,111 square foot per dwelling requirement allowing for the total square footage of the property to be no less than 35,839 square feet.
- B. The lot width of 255 feet currently present, shall remain despite the zoning requirement of 360 feet.
- C. The minimum rear yard depth of 15 feet shall remain despite the district's total requirement of a minimum 25 feet.
- D. The total minimum offstreet parking space requirement of 28 parking spaces shall be decreased downward to 22 due to the petitioner's provision of additional newly improved onstreet parking included within the land use plan.
- E. The total lot coverage requirement shall be exceeded by 7% due to the reutilization of an existing structure on the property.

Section 8. Conditions. The map amendment and variance approvals granted herein are contingent and subject to each and every of the conditions, terms and restrictions specified in this Section 8. The map amendment and related variances granted herein is premised on full compliance by Applicant with the following improvements becoming satisfied during the property's redevelopment:

- A. A traffic calming device shall be placed at the northwest corner of the existing structure in order to properly define the throughway as well as inhibit the overall speed of traffic that currently enjoys unimpeded roadway due to the large surface area of asphalt present along the west side of the existing structure, north end of S. Washington as traffic

proceeds interchanges from S. Washington to Carbon Street.

- B. The curbs through the travel lane on the north side of the building shall be painted yellow with stenciling stating, "Bus Parking Only" to indicate areas in which onstreet parking shall not be allowed.
- C. The plan originally presented shall be changed to accommodate a sidewalk delineating the onstreet and offstreet parking improvements, which results in 22 offstreet parking spaces located on the primary structure's east side and another 11 spaces on the west side of the Vermillion right of way.
- D. The petitioner shall contribute the necessary funding to replace the existing chain link fence along the right field foul line of the baseball field. This should be replaced with a much higher chain link barrier to assist with blocking errant balls from leaving the field of play and spraying through the travel lanes and the newly established parking lot.
- E. Additional land use plan commitments provided by the petitioner at the public hearing must take place to include the relocation of all air conditioning units to the south side of the structure as well as a physical barrier to improve the aesthetics of these units from the adjacent neighbors and attenuate noise.
- F. The Property shall be operated according to the standards and design as presented within the Applicant's petition and consistent with the Public Hearing of June 21, 2021.

Section 9. Severability. In the event a court of competent jurisdiction finds this ordinance or any provision hereof to be invalid or unenforceable as applied, such finding shall not affect the validity of the remaining provisions of this ordinance and the application thereof to the greatest extent permitted by law.

Section 10. Repeal and Savings Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions, or causes of action which shall have accrued to the Village of Coal City prior to the effective date of this ordinance.

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Section 11. Effectiveness. This ordinance shall be in full force and effect from and after passage, approval and publication in pamphlet form as provided by law.

SO ORDAINED this 14 day of July, 2021, at Coal City, Grundy and Will Counties, Illinois.

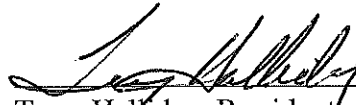
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NAYS: 0

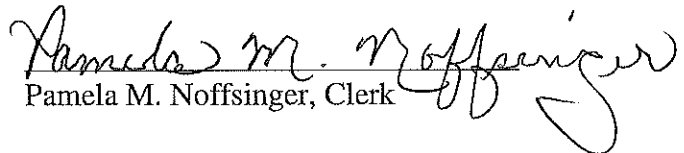
ABSENT: 0

ABSTAIN: 0

VILLAGE OF COAL CITY


Terry Halliday, President

Attest:


Pamela M. Noffsinger, Clerk