



**AGENDA
BLOOMINGTON PLANNING COMMISSION
REGULAR MEETING
COUNCIL CHAMBERS
109 EAST OLIVE STREET
BLOOMINGTON, IL
WEDNESDAY, JANUARY 22, 2020 4:00 P.M.**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT**
- 4. MINUTES** Review the minutes of the January 8, 2020, regular meeting of the Bloomington Planning Commission, and the joint meeting minutes of the September 11, 2019.
- 5. REGULAR AGENDA**
 - A. Z-01-20** Public Hearing, review and action on a petition submitted by CIP, L.L.C., and Wingover Six, LLC to rezone 3204 – 3212 Gerig Drive and 3216 Gerig Drive from B-1 (General Commercial District) to B-2 (Local Commercial District) classification. (Ward 3).
- 6. OLD BUSINESS**
- 7. NEW BUSINESS**
 - A.** Planning Commission By-laws
 - B.** Census 2020
- 8. ADJOURNMENT**

DRAFT
MINUTES
BLOOMINGTON PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, JANUARY 8, 2020 4:00 P.M.
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE STREET
BLOOMINGTON, ILLINOIS

MEMBERS PRESENT: Mr. David Stanczak; Mr. John Protzman; Mr. Justin Boyd; Mr. Thomas Krieger; Mr. Mark Muehleck; Chairperson Megan Headean.

MEMBERS ABSENT: Mr. Tyson Mohr; Mr. Kevin Suess; Mr. Eric Penn; Ms. Megan McCann.

OTHERS PRESENT: Mr. Bob Mahrt, Community Development Director; Ms. Katie Simpson, City Planner; Ms. Casey Weeks, Assistant City Planner; Mr. George Boyle, Assistant Corporate Counsel.

CALL TO ORDER: Chairperson Headean called the meeting to order at 4:02 PM Mr. Mahrt called roll. With six members present, the Commission established a quorum.

PUBLIC COMMENT: None

MINUTES: Review the minutes of the December 11, 2019, regular meeting of the Bloomington Planning Commission. Mr. Boyle commented to amend the spelling of Mr. Lenz's name, and spelling of "counsel." Mr. Boyd made a motion to approve as amended. Mr. Stanczak seconded the motion. Approved by voice vote (6-0-0).

REGULAR AGENDA:

- A. PR-01-20** Public Hearing, review and action on a site plan review application submitted by Hardees 1500579 and Hardees 0579 Tristar Ventures, LLC, for construction of a new car wash at 2702 E. Oakland Ave. Bloomington, IL (Ward 1).

Ms. Simpson gave a staff presentation with the recommendation to approve the site plan for new construction of a car wash at 2702 E. Oakland Ave. including a variance to increase the height of the building. Staff received emails from JoAnn Thompson and Lawrence Weller regarding ingress/egress from Oakland Ave. These emails are entered as Exhibit I and Exhibit II. The developer was asked to construct a pork chop at the Oakland Ave ingress/egress that would not allow a left hand turn into or out of Oakland Ave. into the car wash.

The 20 feet height allowance maximizes the size of vehicles that can enter the bay of the car wash. Additional building height for the car wash allows for a parapet wall to hide mechanicals on the roof. Queuing will be accessed from Eldorado

Road not E. Oakland. Staff considered not allowing access from Oakland, but determined it would render the property difficult to develop. Staff feels the development will favorably affect surrounding businesses. A car wash is a permitted use in the B-1 District.

Mr. Eric Kirchner, P.E.; Senior Project Manager for Club Carwash, was sworn in and addressed the Commission. The property owner owns multiple car washes throughout multiple states. Five employees are staffed for each shift throughout open hours. There are 17 self-vacuuming bays. Mechanical equipment is screened. The billboard has an existing lease and will remain on site. There are three lanes to enter the car wash to prevent extended lines. The developer has no opposition to putting a pork chop at the Oakland Ave. entrance.

Chair Headean would prefer to have a pork chop constructed to prevent left hand turns into or out of the site from Oakland Ave. Mr. Muehleck motioned to approve the petition with a height variance and addition of the pork chop median at the Oakland Ave. entrance. Mr. Krieger seconded the motion. Role call vote: Mr. Stanczak - Yes; Mr. Protzman - Yes; Mr. Boyd - Yes; Mr. Krieger - Yes; Mr. Muehleck - Yes; Chairperson Headean – Yes. Approved (6-0-0)

Mr. Stanczak made a motion to approve staff findings. Mr. Krieger seconded the motion. Role call vote: Mr. Stanczak - Yes; Mr. Protzman - Yes; Mr. Boyd - Yes; Mr. Krieger - Yes; Mr. Muehleck - Yes; Chairperson Headean – Yes. Approved (6-0-0)

- B. PS-01-20** Public Hearing, review and action on a preliminary plan submitted by Core Bloomington Commons, LLC and Southern Centers at Hialeah for the Bloomington Commons Subdivision commonly located at 1701 E. Empire Street Bloomington IL (Ward 5).
- C. PR-02-20** Public Hearing, review and action on a site plan review application submitted by Core Bloomington Commons, LLC and Southern Centers at Hialeah for new construction of a restaurant at 1701 E. Empire Street Bloomington IL (Ward 5).

Items B and C will be presented at the same time since they are for the same site. Ms. Simpson presented the staff report and recommendation to approve the preliminary plan and site plan. After the preliminary plan is approved by City Council it can be sold. Bloomington Commons includes the Schnucks, Chucky Cheese, Olive Garden, JoAnn Fabrics and other stores. Five new lots are created within the one lot, so each business will have its own lot. A portion of the Toys-R-Us building will be demolished and occupied by an anchor tenant. Staff recommends a bicycle parking space and pedestrian pathway. Lot 2 can function as spillover parking, but the lots allow for required parking as drawn.

Staff recommends approval of the site plan. One additional bicycle parking space is required to meet regulations. The site complies with landscaping requirements. Vehicle access is from Prospect. Staff recommends pedestrian access from the light signal at E. Empire Street and Prospect Road, so a signal is provided. Applicant is requesting a variance to allow for additional parking. The

landscaping plan meets requirements. This project aligns with the comprehensive plan. Pedestrian pathways connecting the businesses aligns with the comprehensive plan. The developer is proposing a crosswalk mid-street rather than at the light signal. Staff recommends a sidewalk on the west side of Prospect Road to access the signaled crosswalk. The City traffic engineer spoke in favor of having the pedestrian crossing at Empire Street and Prospect Road, so pedestrians have a signal. There is currently no sidewalk on the west side of Prospect Road. The state is proposing improvements on Route 9 which will allow for improved pedestrian access from the residences to the north. A sidewalk currently exists on the east side of Prospect Road.

Mr. Adam Preshal, 200 S. Wacker, Chicago, IL, Managing Member for the property owner of Bloomington Commons. JoAnn Fabrics is moving from the corner space into the former Toy-R-U's building which will be partially demolished. Jared Placek who is the civil engineer with Manhard Consulting and for the project.

Mr. Jared Placek, project engineer was sworn in. Developers concern is that the Empire/Prospect intersection is too busy to cross safely. Mr. Placek feels the mid-street crosswalk was safer. Chair Headean asked the petitioners if they consider that constructing a sidewalk on the west side of Prospect Road would be a hardship, and both representatives said, yes. Each building will have its own lot. In lot 2 they want the ability to construct a 10,000 square foot building in the future. A note will be made on the plat to signify that each building will have its own lot, but they will function as one shopping area.

Ms. Simpson suggested removing number 13 and 18 from staff comments regarding the sidewalk on the west side of Prospect Road, and continue to talk to the developer to determine whether it is necessary.

Mr. Krieger made a motion to approve the preliminary plan with the condition that the plan is revised with staff comments excluding numbers 13 and 18, and adopting the findings of fact by staff. Role call vote: Mr. Stanczak - Yes; Mr. Protzman - Yes; Mr. Boyd - Yes; Mr. Krieger - Yes; Mr. Muehleck - Yes; Chairperson Headean – Yes. Approved (6-0-0).

Mr. Boyd made a motion to approve the site plan PR-02-20 with the staff recommendations excluding numbers 13 and 18 and adopt findings of fact by the staff. Role call vote: Mr. Stanczak - Yes; Mr. Protzman - Yes; Mr. Boyd - Yes; Mr. Krieger - Yes; Mr. Muehleck - Yes; Chairperson Headean – Yes. Approved (6-0-0).

OLD BUSINESS: None

NEW BUSINESS: Chair Headean requested to have George look at by-laws for attendance requirements for Commission members.

Staff recently received sign survey results and they are currently being reviewed. The results will be presented at the February meeting.

ADJOURNMENT: The meeting was adjourned at 5:15 pm by voice vote, motioned by Mr. Boyd.

Respectfully submitted,
Casey Weeks
Assistant City Planner

Fw: Proposed car wash at the Veterans Parkway and Oakland Avenue location.

Melissa Freese <mfreese@cityblm.org>

Mon 1/6/2020 7:49 AM

To: Katie Simpson <ksimpson@cityblm.org>; Casey Weeks <cweeks@cityblm.org>

Melissa Freese
Support Staff IV
Community Development
City of Bloomington
(309) 434-2226

From: Jo Ann [REDACTED]

Sent: Sunday, January 5, 2020 3:45 PM

To: IM DL ComDev

Subject: Proposed car wash at the Veterans Parkway and Oakland Avenue location.

I have lived in the area for over 30 years and here are some of my observations:

1. Prospect and Eastland Dr has a car wash on the corner. It is approximately 5 blocks from this location.
2. This site is a high trafficked area 5 days a week.
3. This site has limited access and exit roads. It almost impossible to exit this site turning East on Oakland Avenue. If you take the north exit and turn right on Prospect to get back to Oakland you hit a stop sign. There is no light at this corner and depending on time of day the cars get really backed up. It's basically a traffic jam.
4. Check the auto accident history at the Oakland / Veterans location.
5. The site size itself. Is the site size right for a car wash? Maybe. But a very small car wash.

My recommendation is that the commissioners drive by this location during peak hours - 7-8 am, lunch 11-1 pm, and 3:30-4:30. Drive East on Oakland to Veteran's, cross Veteran's and turn left to access this site from Oakland.

Thanks for your consideration. JoAnn Thompson. [REDACTED]

Sent from my iPhone

↩ Reply ▼ 🗑 Delete 🚫 Junk Block ...

Comments, Re: Hardee's Car Wash planning. From Lawrence Weller

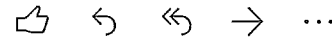
- ⓘ Getting too much email? Unsubscribe
- ⓘ You forwarded this message on Wed 1/8/2020 11:05 AM
- ⓘ Label: Mailbox Retention (3 years) Expires: Sat 1/7/2023 10:53 AM



lmweller; [REDACTED]

Wed 1/8/2020 10:53 AM

Joni Gerard; [REDACTED]



Hello,

I'm Lawrence (Larry) Weller, 605 Broadmoor Drive, Bloomington Il.

I have some comments regarding the proposed Hardee's Carwash at Oakland and Veterans.

Due to some health and mobility challenges, I have decided to send comments in writing, instead of coming to the hearing in person.

While we were disappointed to see the Hardee Restaurant close and the loss of business revenue and employment, we were not sorry to see an end to the traffic congestion and the dangerous lane crossings that occurred as people attempted to enter and exit the site.

We have lived in this area for 40 years, and have observed considerable traffic problems and accidents as motorists attempt to enter and leave this site, and my wife was involved in an accident there, due to a driver doing what was often customary, using poor judgement as they attempt to get to the site.

I have reviewed the plan as well as I can on my computer, and see that there are changes in entering and leaving the site. However, it still doesn't completely deal with a added congestion on westbound Oakland.

We still have quite a number of northbound cars turning left from Eldorado on to westbound Oakland, and I can foresee some conflict with the proposed exit from the carwash site.

My preference would be for all traffic in and out of the site be routed to the north side, since there are plans for traffic from Eldorado.

That would reduce congestion on westbound Oakland.

In addition, it would take care of a possible potential problem of "drip off" ice forming in winter months on westbound Oakland as cars would exit the site.

Thanks for allowing me to voice my concerns.

We wish the new business much success.

Regards,

Lawrence Weller

605 Broadmoor Drive

Bloomington, Illinois 61704



DRAFT
MINUTES
BLOOMINGTON PLANNING COMMISSION and ZONING BOARD OF APPEALS
JOINT MEETING
WEDNESDAY, SEPTEMBER 11, 2019 4:00 P.M.
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE STREET
BLOOMINGTON, ILLINOIS

MEMBERS PRESENT: Mr. David Stanczak; Mr. John Protzman; Mr. Justin Boyd; Mr. Mark Muehleck; Mr. Thomas Kreiger; Mr. Tyson Mohr; Ms. Megan McCann; Chairperson Megan Headean.

MEMBERS ABSENT: Mr. Kevin Suess; Mr. Eric Penn

ZBA MEMBERS: Mr. Terry Ballantini, Chairperson Victoria Harris.

ZBA MEMBERS ABSENT: Mr. Michael Rivera Jr, and Mr. Richard Vitengruber, Mr. Tyler Noonan

OTHERS PRESENT: Ms. Katie Simpson, City Planner; Ms. Casey Weeks, Assistant City Planner; Mr. George Boyle, Assistant Corporate Council; Mr. Bob Mahr, Community Development Director.

CALL TO ORDER: Chairperson Headean called the meeting to order at 4:05 PM. Ms. Simpson called roll. With ten members present, the Commission established a quorum.

ELECTION OF MEETING CHAIR: A motion was made to nominate Megan Headean as Chair, Ms. Victoria Harris seconded, approved by voice vote 10-0-0.

PUBLIC COMMENT: Greg Koos, existing conditions report 25% of single family housing has been converted to multi-family dwellings within R-3B zoning. Residents express a desire to enhance and preserve existing character. The comprehensive plan from 2015 states preserving established older neighborhoods links residents to history while maintaining affordable housing options in the community. The condition of the homes in the study ranges from pristinely preserved mansions and blighted deteriorated homes there are opportunities for tear down and infill in the area. The condition variants that have the R-3B designation relates to active neighborhood preservation. In 1985 there was no difference in blight between the West and East side of Grove Street. Mr. Koos documented and surveyed all the homes along Grove Street for the National Register nomination. Circumstances for West Grove Street and East Grove Street were the same with the exception of one variant. East Grove Street was designated a historic district with a community engaged in preservation. The goals of the R-3B zoning regarding housing and housing density are now being met by residential housing in existing historic buildings. The High School conversion on Washington is converting a historic building into 48 low income senior apartments. The State Farm building development is bringing 240 apartments in a historic building in the central city. The need for dense housing is in the Central Business

District. Reusing buildings prevents more carbon output contributing to climate change and can help us achieve carbon reduction. There is an immediate carbon savings associated with reuse and renovation as compared with new construction. There is a need for the Historic Preservation Commission and the City of Bloomington to come together and create a city wide preservation plan.

Brad Williams, President of Emmitt's Grove Neighborhood Association, would like see the zoning put back to R-2 rather than R-3B.

Clayton works at Prairie Signs speaking on the proposed sign ordinance. The sign ordinance may create a hardship on businesses and may choose somewhere other than Bloomington to start a business. Hold time for message centers is proposed for 2 minutes which is too long. The reduction in allowed sign space is too much.

REGULAR AGENDA:

- A. Presentation by and discussion with Carly Petersen AICP Senior Associate and Jackie Wells, Associate, Houseal Lavigne Associates regarding the sign code update.

Ms. Carly Petersen addressed the commission that there is no action at this meeting. This is an informative presentation on a proposed sign ordinance. Changes include making the codes in compliance with Reed v. Town of Gilbert Supreme Court ruling regulating freedom of speech regarding signs.

Ms. Jackie Wells addresses the commission with the draft of the sign ordinance to allow for input and comment. Downtown sign code regulations are driven by the comprehensive plan. Communities are rewriting their sign regulations due to the Reed v. Town of Gilbert Supreme Court Case. There is a sign survey online for residents to give input. Signs may no longer be regulated by content.

One square foot of sign area per linear foot of frontage. Maximum sign area for a pole sign is 200 square feet reduced from 300 square feet. Wall signs recommended to be 5% of façade area. Pole signs are proposed not to be permitted downtown. Sandwich signs are only permitted downtown.

Electric message signs are only allowed on monument signs. No dissolving or fading on the electronic signs.

Input from businesses includes allowing pole signs, the proposed regulations allow for pole signs and a taller height than other communities. There is currently a sign survey online along with the proposed ordinance allowing for comments and feedback.

The messages on the electronic message boards would have to adhere to the new code following adoption. Community Development receives approximately five to six sign complaints a week.

Residences are limited to two yard signs.

Are vehicle wraps considered signs? Page 25 of the ordinance refers to parked vehicles that are only used to sit in a right of way and not regularly operated.

Have there been examples of animation related to waving flags on electronic message boards? Are there statistics related to accidents caused by message board animation? Two minutes does not seem to be enough time allowed for changeable copy. Animation cannot be regulated by content and make exceptions to waving flags over other animation.

- B.** Presentation by and discussion with Carly Petersen AICP Senior Associate and Jackie Wells, Associate, Houseal Lavigne Associates regarding on the R-3B zoning and density analysis.

Preliminary policy direction on R-3B zoned areas are being looked at due to feedback from residents desiring a residential zoning with less density. In the study area there are 223 properties are currently zoned as R-3B around downtown. 85% were built as single family houses, 8% built as duplexes, 7% as multi-family dwellings. Approximately 30% of single family detached homes have been converted to multi-family. R-3B currently allows a maximum density of 70 dwelling units per acre which was the most concern among residents. Existing policy approaches regeneration on the west side of Grove and preservation on the East side of Grove areas of R-3B.

The consultants are looking for ideas and comments to revise code to reflect existing scale and character allowing housing options reducing maximum density and height to less than 70 feet. We are looking only at the properties in the study area around downtown. The consultants are not recommending the R-2 zoning since it does not reflect the existing housing variety that is available.

Commission members are interested in preserving the character of the neighborhoods. There is also concern regarding the economic viability and size of some of the large single family residences. Parking is a concern with single family housing converted to multi-family. Expansion of rental regulations and inspections could help control conversions. The consultants are exploring opportunities to encourage preserving the historic integrity of existing structures.

City staff and consultants will gather commission members' feedback in order to draft language to reflect ideas and views regarding R-3B zoning in the study area around downtown.

OLD BUSINESS: None

NEW BUSINESS: None

ADJOURNMENT: The meeting was adjourned at 5:35 pm by voice vote, motioned by Mr. Boyd.

Respectfully submitted,
Casey Weeks
Assistant City Planner

**CITY OF BLOOMINGTON
REPORT FOR THE PLANNING
COMMISSION JANUARY 22, 2020**

CASE NUMBER:	SUBJECT PROPERTY:	TYPE:	SUBMITTED BY:
Z-01-20	3204 & 3216 Gerig Drive	Rezone	Planning Staff
PETITIONER'S REQUEST:	Rezone the above referenced properties from B-1, General Commercial District to B-2, Local Commercial District.		
<i>Staff finds that the petitions meet the Zoning Ordinance's map amendment guidelines for the B-2, Local Commercial District.</i>			

STAFF RECOMMENDATION: Approval

Staff recommends the Planning Commission pass the following motions recommending:
 A. That Planning Commission **recommend approval** of the rezoning of 3204-3212 Gerig Drive and 3216 Gerig Drive from B-1 to B-2, case Z-01-20.



Figure 1 The subject property is outlined with a black line.

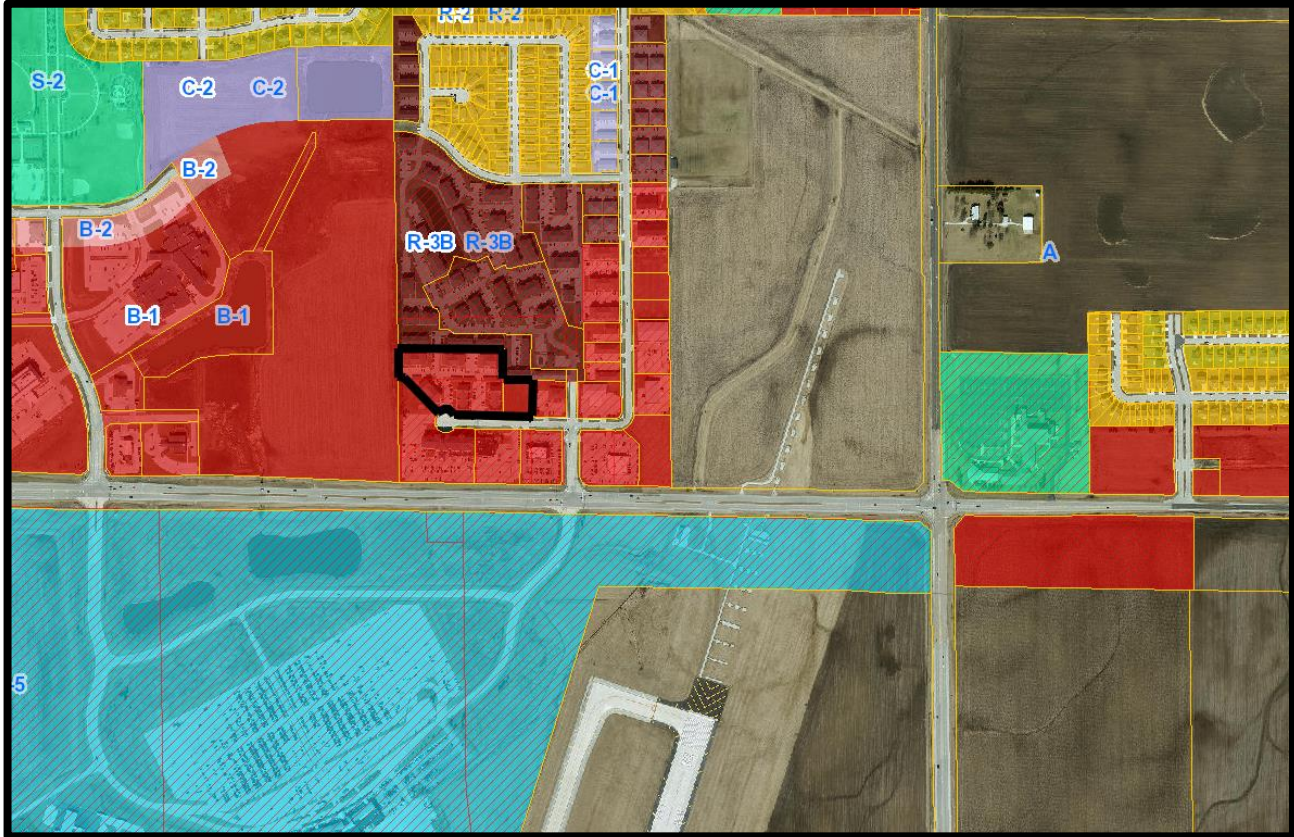


Figure 2 The location of the property is outlined in black showing the existing zoning nearby.

NOTICE

The application has been filed in conformance with applicable procedural requirements and public notice was published in *The Pantagraph* on January 6, 2020.

GENERAL INFORMATION

Owner and Applicant: CIP, L.L.C., and Wingover Six, LLC

PROPERTY INFORMATION

Lot 1: 3204 – 3212 Gerig Drive, AIRPORT PARK SUB 14TH ADDN LOT 137 4.28 ACRES
(PIN: 15-31-451-005)

Existing Zoning: **B-1, General Commercial District and S-3 Airport Noise Impact District**

Existing Land Use: **Multi-family residential**

Property size: **4.28 Acres**

Owner: **Wingover Six LLC**

Lot 2: 3216 Gerig Drive, AIRPORT PARK SUB 16TH ADDN LOT 132 0.76 ACRES
(PIN: 15-31-451-008)

Existing Zoning: **B-1, General Commercial District and S-3 Airport Noise Impact District**

Existing Land Use: **vacant**

Property size: **0.76 Acres**

Owner: **CIP, LLC**

Surrounding Zoning and Land Uses

Zoning

North: R-3B Multiple-Family Residence District

East: R-3B Multiple-Family Residence District

East: B-1 General Commercial District with S-3
Airport Noise Impact District

South: B-1 General Commercial District with S-3
Airport Noise Impact District

West: B-1 General Commercial District

Land Uses

North: Multi-family apartments

East: Mobile home park

East: Dental Office, medical office

South: Hotel, restaurants

West: vacant lot

Analysis

This report is based on the following documents, which are on file with the Community Development Department:

1. Petition for Zoning Map Amendment
2. Aerial photographs
3. Zoning Map
4. Site visit

PROJECT DESCRIPTION

Background: The “subject properties” is located on the eastern edge of the City near the intersection of Haeffele Way and E. Empire Street, also known as Illinois State Highway 9. 3204 Gerig Drive is currently used for multi-family residences and 3216 Gerig Drive is vacant. Both lots are currently zoned B-1 General Commercial District. The subject properties have been zoned B-1 due to their proximity to the commercial corridor on E. Empire Street. The properties were annexed in 2000 (Ordinance #2000-171). The current zoning of B-1 General Commercial District does not allow for multiple-family dwelling units, so the current use on 3204 – 3212 Gerig Drive is legal non-conforming. The subject properties are approximately 5.04 acres. The average daily IDOT traffic count taken on E. Empire/IL Hwy 9 is 15,300 vehicles, on Haeffele Way the vehicle count is 5,300 daily, and on Gerig Drive the vehicle count is 950 vehicles daily. The closest bus stop is at Airport Parking south across E. Empire Street from Gerig Drive a distance of 0.4 miles.

3216 Gerig Drive

3216 Gerig Drive has access to a 21-inch public storm sewer installed in 2000 on the north side of Gerig Drive, an 8-inch public water main installed in 2001, and an 8-inch sanitary sewer installed in 2000 both located on the south side of Gerig Drive. 3216 Gerig Drive has access to all utilities. The owner is requesting the zoning change to facilitate a mixed use building.

3204-3212 Gerig Drive

Multi-family residential exists on 3204 – 3212 Gerig Drive and north of the subject property. Commercial property exists to the east and south along the E. Empire Street commercial corridor. R-3B Multiple-Family Residence District is to the north. The trend in development for the area is towards business and residential. The Airport is south of the subject property across E. Empire

Street.

The multi-family apartments that currently exist at 3204 – 3212 Gerig Drive are legal non-conforming, since it is zoned as B-1. The zoning text revision in March 2019 eliminated apartments as a permitted use in the B-1 District. Multiple-family dwelling units are allowed in B-2 with a special use permit when it adjoins a Residential District boundary line. The subject property adjoins R-3B Multiple-family Residence District to the north. The zoning map amendment at 3204-3212 Gerig Drive will bring the property into conformance with the ordinance.

Purpose and Intent

B-1 General Commercial District

The intent of this B-1 Commercial District is to facilitate the development of community and regional commercial areas. Customers in this district will generally use a motor vehicle to reach a desired establishment. The development contemplated in this district has such distinguishing characteristics as unified site planning and development that promotes a safe and conducive atmosphere for large volumes of shoppers; site accessibility such that the high volumes of traffic generated create minimal congestion and adverse impact upon surrounding land use; and unified architectural treatment of buildings rather than an assemblage of separate, conflicting store and structural types.

This district contemplates uses ranging from offices, restaurants and retail to trade and construction services, personal and professional services, hotels, and other entertainment and hospitality uses, and utilities like commercial solar, and private solar and wind facilities. Uses like a truck stop, truck wash, vehicle services, and mini warehouse storage are only permitted with a special use permit.

New development in this district requires a legislative site plan review and approval by City Council. The purpose of the review is to ensure the new development is compatible in mass, scale, and use with surrounding development and will not negatively impact adjacent property owners.

B-2-Local Commercial District

The intent of this B-2 Local Commercial District is to provide retail, commercial and service establishments, including retail stores and personal service facilities, which serve the frequently recurring needs of surrounding local employment areas and residential neighborhoods. In addition to serving commercial purposes, this district encourages a mix of land uses, continued community investment through infill and site renovations, and a development form that supports mixed transportation modes, such as bicycle, pedestrian, and public transportation in addition to personal vehicles. Neighborhood shopping centers, particularly with a supermarket as a principal or anchor tenant, are appropriate at prominent intersections. The protection of surrounding residential properties from adverse impacts is a primary focus of this district.

This district primarily allows two-family and multiple-family residential units with a Special Use when adjoining a Residential District boundary line. New development in this district requires a legislative site plan review and approval by City Council. The purpose of the review is to ensure the new development is compatible in mass, scale, and use with surrounding development and will not negatively impact adjacent property owners.

Project Description:

The intent of the current zoning district, B-1 General Commercial District, is to allow for the establishment of auto-oriented businesses and align intensity commercial to serve the residents on the eastern edge of the city. The property is on the City's eastern edge, west of the intersection of Towanda Barnes Road and E. Empire Street. Since the subject property does not have road frontage along the main commercial corridor on E. Empire Street, it would be difficult to promote this property with a high intensity commercial use. 3204 – 3212 Gerig Drive is currently developed with multi-family apartments. The lot adjoining it, 3216 Gerig Drive, is vacant.

B-2 Local Commercial District zoning would allow for a better transitional use between the B-1 General Commercial District facing E. Empire Street and the R-3B Multiple-Family Residence District to the north. B-2 zoning encourages a mix of land uses and infill development. The protection of surrounding residential properties from adverse impacts is a primary focus of this district. The only public road frontage to access the subject property is Gerig Drive.

Link to Comprehensive Plan:

The Comprehensive Plan's goals for economic development support mixed use developments and exploring land opportunities for other retail and commercial uses. Goal ED-4.2 proposed finding retail locations within residential areas within appropriate densities. ED-4.3 proposes to find buffer areas between residential and industrial uses to continue to promote less intense businesses and opportunity for economic development. The Infill redevelopment map identifies 3216 Gerig Drive as a Tier 1 development priority since it is located adjacent to city utilities and already annexed into the corporate limits. The Future Land Use map shows the area as regional commercial.

FINDINGS OF FACT

The Zoning Ordinance has "*Zoning Map Amendment Guidelines*" and by states, "*In making its legislative determination to zone or rezone property to a B-2 Local Commercial zoning classification, the Planning Commission and City Council may apply the following guidelines to the proposal under consideration:*

1. *The suitability of the subject property for uses authorized by the existing zoning; without street frontage along the major commercial corridor on E. Empire Street, it is not suitable for a high intensity commercial use. **The standard is not met.***
2. *The length of time the property has remained vacant as zoned considered in the context of land development in the area; The land was annexed in 2000. 3216 Gerig Drive has not been developed in the last 19 years. **The standard is met.***
3. *The suitability of the subject property for uses authorized by the proposed zoning; The intention of the B-2 is to promote a mix of land uses and protect surrounding residential properties from adverse impact, thus protecting the residences to the north from adverse impact. **The standard is met.***
4. *The existing land uses and zoning of nearby property; The existing zoning on Gerig Drive is commercial and multiple-family residential. The subject property does not have access to road frontage on E. Empire Street making a high intensity B-1 commercial use unlikely. **The standard is met.***

Agenda Items: 5A. Z-01-20 Rezoning from B-1 to B-2

5. *Relative gain or hardship to the public as contrasted and compared to the hardship or gain of the individual property owner resulting from the approval or denial of the zoning amendment application;* B-2 zoning encourages redevelopment of vacant land, and redevelopment of a Tier 1 infill redevelopment priority. Retaining the B-1 zoning could deprive residents and the City of a potential redevelopment opportunity by not allowing less intensive use of the property more compatible with the adjacent residential. **The standard is met.**
6. *The extent to which adequate streets are connected to the arterial street system and are available or can be reasonably supplied to serve the uses permitted in the proposed zoning classification;* The subject property does not have road frontage along the commercial corridor on E. Empire Street. Access to the site is served by Gerig Drive a minor collector that gives access to residences and businesses off of E. Empire Street. **The standard is met.**
7. *The extent to which the proposed amendment is consistent with the need to minimize flood damage and the development of the subject property for the uses permitted in the proposed zoning classification will not have a substantial detrimental effect on the drainage patterns in the area;* The Business District requires new development to comply with storm water management requirements. The B-2 District has a FAR of 1:2, less than the B-1 District limiting the amount of impervious surfaces. **The standard is met.**
8. *The extent to which adequate services (including but not limited to fire and police protection, schools, water supply, and sewage disposal facilities) are available or can be reasonably supplied to serve the uses permitted in the proposed zoning classification;* Existing water mains and sanitary sewer are available for connection. Existing residential properties and businesses already establish the need for police and fire protection. **The standard is met.**
9. *The extent to which the proposed amendment is consistent with the public interest, giving due consideration for the purpose and intent of this Code as set forth in 17-1 herein;* Existing zoning provides for an intensive commercial use which may not be compatible with the adjacent residential properties. Amending the zoning would allow infill development to meet the public interest given the intention of the Code. It also provides a buffer between the residential and commercial districts. No change is expected with the zoning amendment. **The standard is met.**
10. *The extent to which property values are diminished by the particular zoning restriction;* the B-1 Commercial District does not allow for a mix of land uses to the extent that B-2 allows. B-2 zoning allows for more variation in residential, and commercial providing for a more transitional use from the businesses to the adjacent residential that exists to the north. **The standard is met.**
11. *The extent to which the destruction of property values promotes the health, safety, morals, or general welfare of the public;* Rezoning the property to B-2 will make 3204-3212 Gerig Drive a conforming use. Amending the zoning can positively impact the property values of nearby residents since surrounding compatible investment may be more likely to occur. **The standard is met.**

Agenda Items: 5A. Z-01-20 Rezoning from B-1 to B-2

12. *Whether a comprehensive plan for land use and development exists, and whether the ordinance is in harmony with it;* 3216 Gerig Drive is a Tier 1 development priority on the Land Use Priorities Map in the Comprehensive Plan. Tier 1 includes vacant and underutilized land for infill development or redevelopment with the City, unincorporated land surrounded by incorporated areas, and areas platted for future development of existing subdivisions but not yet built out to completion. The Comp Plan Future Land Use Map identifies this area as commercial. The B-2 zoning is consistent with this Future Land Use Map. **The standard is met.**

13. *And whether the City needs the proposed use;* The future land use map identifies this as regional commercial. The B-2 zoning continues to promote commercial development and support the areas trend in development. B-2 zoning will allow this land to be developed with a lower intensity use than the B-1 zoning. The property is more likely to be developed if zoning is amended. **The standard is met.**

STAFF RECOMMENDATION:

Staff recommends the Planning Commission pass the following motions recommending: That Planning Commission **recommend approving** the rezoning of **3204-3212 Gerig Drive and 3216 Gerig Drive** from B-1 to B-2, case Z-01-20.

Respectfully submitted,

Community Development Staff

Attachments:

- Draft Ordinance
- Petitions for Zoning Map Amendment
- List of Permitted Uses in the B-1 and B-2 Districts
- Aerial Map
- Zoning Map
- Newspaper Notice and Neighborhood Notice w/Map
- Notification Mailing List



Figure 3 Looking west on Gerig Drive. The grass lot is 3216 Gerig Drive.



Figure 4 Multiple family residences on 3204-3212 Gerig Drive.



Figure 5 The cul-de-sac at the end of Gerig Drive looking west. The Holiday Inn Hotel is on the left.



Figure 6 The rear elevation of Holiday Inn from Gerig Drive facing E. Empire Street.



Figure 7 Multi-family residences at 2304 Gerig Drive.



Figure 8 Looking east from 3216 Gerig Drive towards Prairie Dental.



Figure 9 intersection of Gerig Drive and Haeffle Way.



Figure 10 Entrances from Gerig Drive to restaurants facing E. Empire Street.



Figure 11 Rear elevation of Buffalo Wild Wings from Gerig Drive.

Ordinance NO. 2020 –

AN ORDINANCE APPROVING A ZONING MAP AMENDMENT FOR 3204-3212 GERIG DRIVE and 3216 GERIG DRIVE, APPROXIMATELY 5.04 ACRES, FROM B-1 GENERAL COMMERCIAL DISTRICT TO B-2 LOCAL COMMERCIAL DISTRICT

WHEREAS, there was heretofore filed with the Community Development Department of the City of Bloomington, McLean County, Illinois, a petition requesting to rezone the property commonly described as 3204-3212 Gerig Drive and 3216 Gerig Drive, legally described in Exhibit A and hereinafter referred to as “Property”, which is attached hereto and made part hereof by this reference; and

WHEREAS, the Bloomington Planning Commission, after proper notice was given, conducted a public hearing on said petition to rezone the Property from B-1 General Commercial District to B-2 Local Commercial District and adopted findings of fact on same; and

WHEREAS, the Bloomington Planning Commission found the petition to comply with the findings of fact guided by those purposes, standards and objectives of the City Code as set forth in Chapter 44 Division 17-6, E2; and

WHEREAS, following said public hearing, the Planning Commission recommended approval of rezoning of the Property and zoning map amendment to B-2 Local Commercial District; and

WHEREAS, the City Council is authorized to adopt this Ordinance and approve the petition to rezone said Property.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Bloomington, McLean County, Illinois that the petition to rezone the Property, commonly described as 3204-3212 Gerig Drive and 3216 Gerig Drive, and hereinafter legally describe in Exhibit A shall be rezoned from B-1 General Commercial District to B-2 Local Commercial District and said petition is hereby approved.

Passed on this _____ day of _____, 20_____.

Approved on this _____ day of _____, 20_____.

CITY OF BLOOMINGTON:

ATTEST:

Tari Renner, Mayor

Leslie Yocum, City Clerk

EXHIBIT A

LEGAL DESCRIPTION:

3204 – 3212 Gerig Drive

AIRPORT PARK SUB 14TH ADDN LOT 137 4.28 ACRES, as shown on the Plat recorded June 12, 2014 as Document No. 2014-00009403, in McLean County, Illinois (PIN: 15-31-451-005)

and

3216 Gerig Drive

AIRPORT PARK SUB 16TH ADDN LOT 132 0.76 ACRES, as shown on the Plat recorded January 3, 2012 as Document No. 2012-00000128, in McLean County, Illinois (PIN: 15-31-451-008)

DRAFT

ROUTE SLIP-APPROVAL OF ZONING MAP AMENDMENT

Date Rec'd: 12/17/19
Council of: _____

PETITION FOR ZONING MAP AMENDMENT

PETITIONER: CIP, L.L.C.
Wingover Six, LLC

ATTORNEY: Todd E. Bugg
ATTY. PHON 309-828-6241

DOCUMENTS SUBMITTED: CHECK IF YES

Petition _____

Ordinance _____

Legal Description _____

Filing Fee Pd. (\$50.00) _____

Documents on Disk _____

*******Processing of Petition*******

Development/Staff Meeting (date) _____ Planning Commission 1/22/20

Date sent to Pantagraph _____ (15 day notice)

Publication Date _____

Publication Fee \$ _____ billed date _____ date pd. _____

City Council Meeting _____ (Date)

Date picked up by Petitioner for Recording _____

NOTES: _____

PETITION FOR ZONING MAP AMENDMENT

State of Illinois)
) ss.
County of McLean)

TO: THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF BLOOMINGTON, MC LEAN COUNTY, ILLINOIS

Now come CIP, L.L.C. and Wingover Six, LLC, hereinafter referred to as your petitioner(s), respectfully representing and requesting as follows:

1. That your petitioner(s) is (are) the owner(s) of the freehold or lesser estate therein of the premises hereinafter legally described in Exhibit A, which is attached hereto and made a part hereof by this reference, or is (are) a mortgagee or vendee in possession, assignee of rents, receiver, executor (executrix), trustee, lessee or other person, firm or corporation or the duly authorized agents of any of the above persons having proprietary interest in said premises;
2. That said premises legally described in Exhibit "A" presently has a zoning classification of B-1 (General Commercial District) under the provisions of Chapter 44 of the Bloomington City Code, 1960;
3. That the present zoning on said premises is inappropriate due to error in original zoning, technological changes altering the impact or effect of the existing land uses, or the area in question having changed such that said present zoning is no longer contributing to the public welfare;
4. That your petitioner(s) hereby request that the Official Zoning Map of the City of Bloomington, McLean County, Illinois be amended to reclassify said premises into the B-2 (Local Commercial District) zoning district classification;
5. That said requested zoning classification is more compatible with existing uses and/or zoning of adjacent property than the present zoning of said premises; and
6. That said requested zoning classification is more suitable for said premises and the benefits realized by the general public in approving this petition will exceed the hardships imposed on your petitioner(s) by the present zoning of said premises.

WHEREFORE, your petitioner(s) respectfully pray(s) that the Official Zoning Map of the City of Bloomington, McLean County, Illinois be amended by changing the zoning classification of the above-described premises from B-1 (General Commercial District) to B-2 (Local Commercial District).

Respectfully submitted,

CIP, L.L.C.,

BY: 

Mark Fetzer, authorized agent

Wingover Six, LLC,

BY: 

One of its Managers

LEGAL DESCRIPTIONS

Lot 132 in Airport Park Subdivision 16th Addition, as shown on the Plat recorded June 12, 2014 as Document No. 2014-00009403, in McLean County, Illinois

15-31-451-008

and

Lot 137 in Airport Park Subdivision 14th Addition, as shown on the Plat recorded January 3, 2012 as Document No. 2012-00000128, in McLean County, Illinois

15-31-451-005

RE: Rezone on Giger Drive additional info

Todd Bugg [REDACTED]

Thu 1/2/2020 1:30 PM

To: Katie Simpson [REDACTED]

Thanks Katie,

Here are my thoughts so far. Please keep in mind that I haven't done this analysis much so I welcome your critique and suggestions. Thanks.

The suitability of the subject property for uses authorized by the existing zoning: **15-31-451-005 is now non-conforming due to changes in the zoning code for B-1. A change to B-2 is more suitable for that property. The planned use for the new development at 15-31-451-008 calls for retail use on the first floor and apartments on the second. The change to B-2 will facilitate the proposed use.**

The length of time the property has remained vacant as zoned considered in the context of land development in the area: **The property at 15-31-451-008 has been vacant for some time and is one of the few spaces that has not been developed. The changes in the zoning code for B-1 have curtailed potential uses for the property.**

The suitability of the subject property for uses authorized by the proposed zoning: **15-31-451-005 is already being used in accordance with the proposed B-2 zoning. 15-31-451-008 is adjacent and is suitable for a mixed use building**

The existing land uses and zoning of nearby property—Existing land use and zoning is as follows: **West—B-1 with apartments and undeveloped land; South—B-1 with hotel and restaurants; East—B-1 with office building; North R-3B with apartments.**

Relative gain or hardship to the public as contrasted and compared to the hardship or gain of the individual property owner resulting from the approval or denial of the zoning amendment application: **Gain to the public is enhanced tax base, access to housing, and increased business activity in an area already designed for the proposed uses. There is no known hardship to the public. If the application is denied, the owner of 15-31-451-005 will have an existing nonconforming use that would not allow a rebuild if a building is destroyed. If the application is denied, the owner of 15-31-451-005 will have a hardship due to inability to have additional housing units for the public on the second floor.**

The extent to which adequate streets are connected to the arterial street system and are available or can be reasonably supplied to serve the uses permitted in the proposed zoning classification: **Streets are adequate and already designed for the proposed uses and zoning.**

The extent to which the proposed amendment is inconsistent with the need to minimize flood damage and that the development of the subject property for the uses permitted in the proposed zoning classification will not have a substantial detrimental effect on the drainage patterns in the area: **No known problems with flood or drainage issues.**

The extent to which adequate services (including but not limited to fire and police protection, schools, water supply, and sewage disposal facilities) are available or can be reasonably supplied to serve the uses permitted in the proposed zoning classification: **The area is already developed for the needs stated. The only new construction will be on an existing lot in an established subdivision**

The extent to which the proposed amendment is consistent with the public interest, giving due consideration for the purpose and intent of this Code as set forth in § [44-1701](#) herein: **The proposed amendment clarifies existing**

use on one property and allows for greater flexibility in developing the other without detriment to public safety and property values.

The extent to which property values are diminished by the particular zoning restriction: **Property values in the immediate area will likely be enhanced by the proposal.**

The extent to which the destruction of property values promotes the health, safety, morals, or general welfare of the public—**Not applicable**

Whether a Comprehensive Plan for land use and development exists, and whether the ordinance is in harmony with it—**This ordinance is in harmony with existing uses and the City's current land use and development**

Whether the City needs the proposed use.: **Demand is strong for apartments in this area of the City. The proposed mixed use of 15-31-451-008 will help the tax base and provide needed services. The existing use on 15-31-451-005 is now non-conforming. The zoning change will allow the continued conforming use and rebuild with a special use if necessary.**

Todd E. Bugg
Dunn Law Firm, LLP
1001 N. Main St.
Bloomington, IL 61701
telephone: (309)828-6241
facsimile: (309)828-8321
e-mail: [REDACTED]

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From: Katie Simpson [REDACTED] >
Sent: Thursday, January 2, 2020 10:06 AM
To: Todd Bugg [REDACTED] >
Subject: Re: Rezone on Giger Drive additional info

Thank you Todd,
Could you please submit an analysis of each standard as well to include with the application?
Staff will also do a separate analysis of each standard with the report, but we are asking all applicants to also submit their analysis in case the staff recommendation is against the application.
Thank you,
Katie

From: Todd Bugg [REDACTED] >
Sent: Thursday, January 2, 2020 8:10 AM
To: Katie Simpson [REDACTED]
Subject: FW: Rezone on Giger Drive additional info

Hello and Happy 2020 Katie. I received this email from Casey last week. I provided addressed for the applicants. What do you need from me regarding the standards? Do I need to respond to those or is that something staff does? Thanks a lot.

Table 502A: Business Districts - Permitted and Special Uses							
	B-1	B-2	C-1	D-1	D-2	D-3	Reference
Agricultural							
Forestry	P	P					
Horticultural Services	P	P					
Urban Agriculture						P	
Urban Garden					P	P	
RESIDENTIAL							
Household Living							
Dwelling Unit, Single-Family				P ²		P ¹	
Dwelling Unit, Single-Family Attached			S		P	P ¹	
Dwelling Unit, Two-Family		P ¹	S	P ²	P	P ¹	
Dwelling Unit, Multiple-Family		P ¹	S	P ²	P	P	
Live/Work Unit			S	P ²	P	P	
Group Living							
Agency Supervised Homes			S	P ²	P		§ 44-1019
Agency-Operated Family Homes			S	P ²	P		§ 44-1019
Agency-Operated Group Homes			S	P ²	P	P ¹	§ 44-1019
Convents, Monasteries			P				§ 44-1019
Dormitories			S		S		§ 44-1019
Group Homes for Parolees			S	S	S	S	§ 44-1019
INSTITUTIONAL							
Education							
Pre-schools	P	P	P		S		
Business and Trade Schools	P		P				
College and University Classrooms			P		S		
Government							
Courthouses				P			
Government Services and Facilities	P	P	P	P	P	P	
Police Stations, Fire Stations	P	P	P	P	P	P	
Religious							
Place of Worship	S ²		P ²	P ²	P ²		
Health							
Ambulatory Surgical Treatment Center	P	P	P	P			
Hospital or Medical Center	S		S				
Residential-Type							
Domestic Violence Shelter	P		P	P	P		
Home for the Aged			P		S		§ 44-1019
Other Institutional, Cultural							
Clubs and Lodges	P	P	P	S	P		§ 44-1012
Food Pantry	P	P	P		P		§ 44-1018
Libraries			P	P	P		
Museums and Cultural Institutions			P	P	P	P	
Zoos	S						
RECREATIONAL							
Country Clubs, Golf Clubs, Golf Courses			P				§ 44-1016
Community Center			P	P	P	S	§ 44-1013
Fairgrounds, Agricultural Exhibits	S						§ 44-1017
Parks and Recreation Facilities	P	P	P	P	P	P	
Riding Stables, Riding Schools	S						
Swimming Clubs	P	P					
Swimming Pools, Community	P	P	P				§ 44-1032
COMMERCIAL							
Aircraft and Automotive							
Car Wash	P ³	S					§ 44-1009
Farm Machinery Sales and Service	P ³						
Towing Services							
Truck Stops, Truck Plazas	S						
Truck Wash	S						
Vehicle Fueling Station	P	S					
Vehicle Repair and Service	S						§ 44-1034
Vehicle Rental Service	P ³						
Vehicle Sales and Service	S						
Entertainment and Hospitality							
Amusement Parks	S						
Commercial Recreation Facilities	P	P		S			§ 44-1015

Table 502A: Business Districts - Permitted and Special Uses

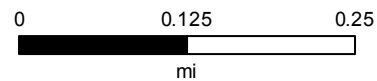
	B-1	B-2	C-1	D-1	D-2	D-3	Reference
Community Reception Establishments					S		§ 44-1014
Entertainment and Exhibition Venues	P ³				S		
Miniature Golf Courses	P						
Sexually Oriented Entertainment Businesses	P ⁵						
Sports and Fitness Establishments	P	P	P	P	S	S	§ 44-1013
Theaters and Auditoriums	P			P		S	
Lodging							
Bed-and-breakfast Establishments		P	P ⁶	P	P		§ 44-1007
Boarding and Rooming Houses		P		P	S		§ 44-1019
Camp and Camping Establishments	S						§ 44-1008
Hotel or Motel	P			P	S	S	§ 44-1021
Offices							
Financial Services	P	P	P	P	P		
General Offices, Business or Professional	P	P	P	P	P	P	
Medical or Dental Office or Clinic	P	P	P	P	P		§ 44-1024
Medical Laboratory	P	P	P				
Printing, Copying and Mailing Services	P	P	P	P	P	P	
Recording and Broadcast Studios	P		P ⁷	P		P	
Research Facility or Laboratory	S		S			P	
Personal Services							
Clothing Care: Tailor, Dry Cleaning, Coin Laundry, Shoe Repair, etc.	P	P	P ⁷	P	P	P	
Funeral Parlor, Mortuary	P	P	P		S		
Instructional Studios	P	P	P ⁷	P	P	P	
Kennels, with no outdoor exercise areas	P ³	P ³	P ³			P ³	
Kennels, with outdoor exercise areas	S						
Personal Care: Barber Shop, Beauty Salon, Day Spa, etc.	P	P	P ⁷	P	P	P	
Pet Care: Grooming, Day Care, Training	P	P	P	P	P	P	
Veterinary Office or Clinic	P	P	S		P		§ 44-1035
Day-care centers	P	P	P		S		
Retail and Service							
Artisanal/Craft Production and Retail	P	P		P	P	P	
Auction Houses	P					P	
Bars, Taverns, Nightclubs	P ³	S	P ⁷	P	S	P	
Building Materials and Supplies	P						
Catering Services	P	P				P	
Drive-Through, attached to a retail or service use	P ³	P ³	S			S	
Drug Stores and Pharmacies	P	P	S	P	P		
Farmers Market				P			
Grocery Stores, Supermarkets	P	P					
Gun Shops	P ³	P ³					
Liquor Stores	P	P	P ⁷				
Manufactured and Mobile Home Sales	S						§ 44-1023
Medical Marijuana Dispensing Organization	P	P	P	P	P	P	
Mobile Food and Beverage Vendor	P	P	P	P		P	§ 44-1027
Restaurants	P	P	P ⁷	P	P	P	
Retail Sales, General	P	P	P ⁷	P	P	P	
Retail sales, Outdoor	P	S		S		P	
Roadside Markets	P						
Sexually Oriented Business	P ⁵						
Specialty Food Shops	P	P	P ⁶	P	P	P	
INDUSTRIAL							
Manufacturing and Production, Light							
Apparel, Fabrics, Leather Industries						P	
Commercial Cleaning and Repair Services	P		P				
Commercial Community Kitchen			P	P	S	P	

Table 502A: Business Districts - Permitted and Special Uses

	B-1	B-2	C-1	D-1	D-2	D-3	Reference
Electronics Assembly Plants							
Fabricated Metal Industries						S	
Furniture and Fixtures Industries						S	
Trade and Construction Services	P	P				P	
Storage and Equipment Yards							
Mini Warehouses	S						§ 44-1026
Parking Lot, Commercial	S	S	S	S		S	
Transportation							
Bus and Taxi Passenger Terminals	S			S			
Heliports, Heliport Terminals	S		S				
Rail Passenger Terminals	P			P			
Utilities							
Commercial Solar Energy Conversion Facilities	P	P				P	§ 44-1031
Private Solar Energy Conversion Facilities	P	P	P	P	P	P	§ 44-1031
Private Wind Energy Conversion Facilities	P	P					§ 44-1036
Public or Private Utility Facility, Minor	P	P	P	P	P	P	
Radio, Television Stations-Towers	P			P		P	
Wireless Communication Facilities	P	P	P	P	P	P	§ 44-1037

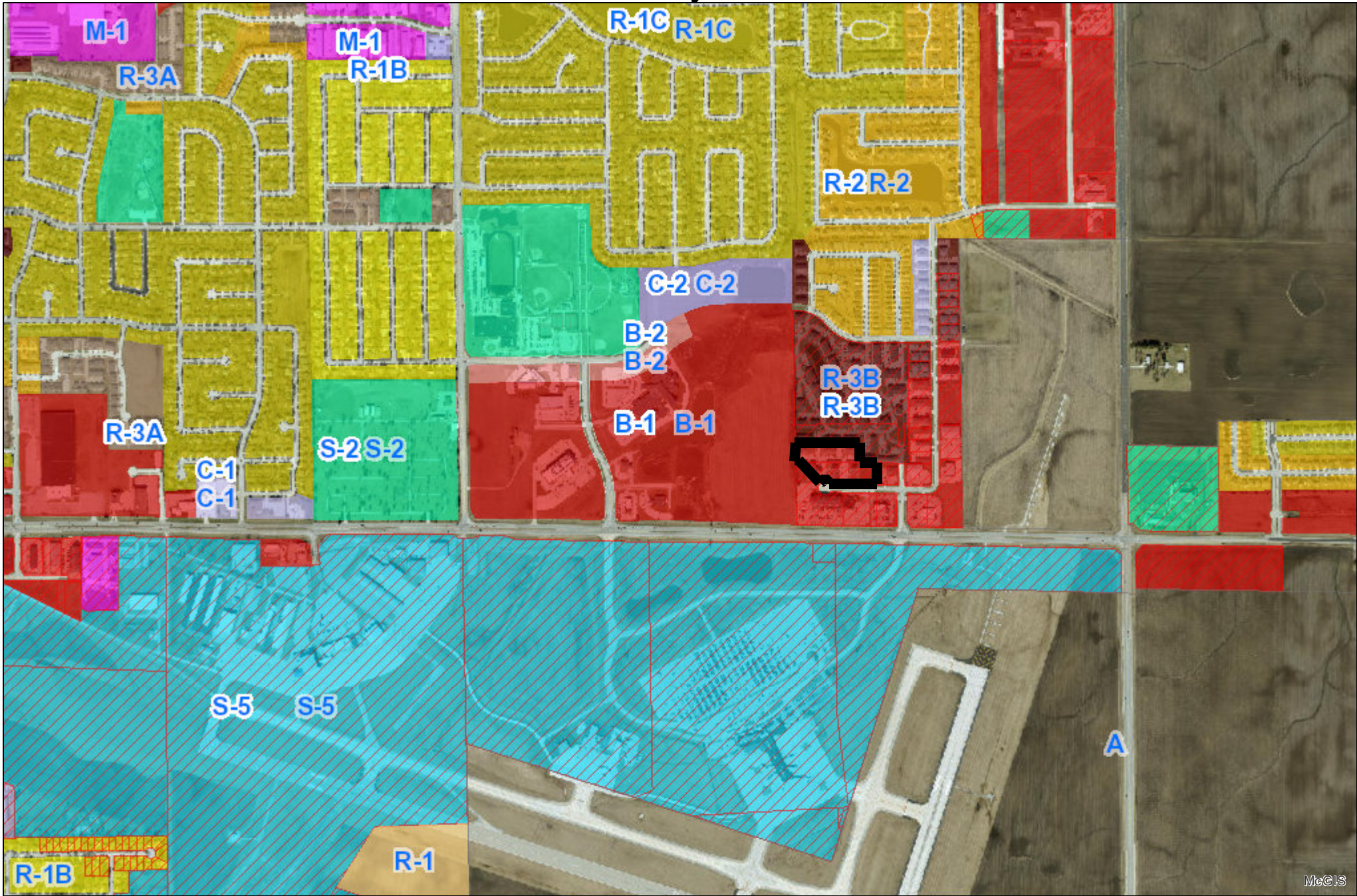


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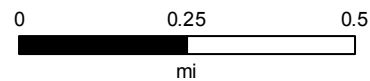




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McGIS does not guarantee the accuracy of the information displayed. Only on-site verification or field surveys by a licensed professional land surveyor can provide such accuracy. Use for display and reference purposes only.



A public hearing before the Bloomington Planning Commission will be held on Wednesday, January 22, 2020 at 4:00 p.m. in City Hall, 109 E. Olive St., Bloomington, Illinois, on a petition submitted by owners CIP, LLC (1716 RT Dunn Dr., Ste. 4, Bloomington, IL 61701) and Wingover Six, LLC (P.O. Box 670 Bloomington, IL 61702) to rezone the properties located at:

3204 Gerig Drive Bloomington, IL 61704

PIN# 15-31-451-005

Legal Description: Lot 132 in Airport Park Subdivision 16th Addition, as shown on the Plat recorded June 12, 2014 as Document No, 2014-00009403 in McLean County, IL

3216 Gerig Drive, Bloomington, Illinois 61704

PIN# 15-31-451-008

Legal Description: Lot 137 in Airport Park Subdivision 14th Addition as shown on the plat recorded January 3, 2012 as Document No. 2012-00000128 in McLean County, IL

from B-1, General Commercial District to B-2, Local Commercial District.

The petition is available for public review at the Department of Community Development, 115 E. Washington Street, Suite 201, Bloomington, 309-434-2226. This public hearing will be accessible to individuals with disabilities in compliance with the ADA and other applicable laws. For special needs please contact the City Clerk at 109 E. Olive St., Bloomington, IL 61701, (309) 434-2240, cityclerk@cityblm.org or TTY at (309) 829-5115.

Published: January 6, 2020



Department of Community Development
115 E Washington St, Ste 201
Bloomington IL 61701

January 7, 2020

Dear Property Owner or Occupant:

A public hearing before the Bloomington Planning Commission will be held on Wednesday, January 22, 2020 at 4:00 p.m. in City Hall, 109 E. Olive St., Bloomington, Illinois, on a petition submitted by owners CIP, LLC (1716 RT Dunn Dr., Ste. 4, Bloomington, IL 61701) and Wingover Six, LLC (P.O. Box 670 Bloomington, IL 61702) to rezone the properties (listed below) from from B-1, General Commercial District to B-2, Local Commercial District.

3204 Gerig Drive Bloomington, IL 61704

PIN# 15-31-451-005

Legal Description: Lot 132 in Airport Park Subdivision 16th Addition, as shown on the Plat recorded June 12, 2014 as Document No, 2014-00009403 in McLean County, IL

3216 Gerig Drive, Bloomington, Illinois 61704

PIN# 15-31-451-008

Legal Description: Lot 137 in Airport Park Subdivision 14th Addition as shown on the plat recorded January 3, 2012 as Document No. 2012-00000128 in McLean County, IL

The rezoning and text amendments purpose is to recognize that conditions may change subsequent to the adoption of the city's zoning map and Zoning Ordinance, and/or that amendments may be necessary to clarify or correct the zoning regulations and is regulated by Chapter 44, Section 17-6 of the Bloomington City Code.

You are receiving this notice because you own or occupy property within a 500 foot radius of the subject property (refer to attached map). All interested persons may present their evidence or testimony regarding said petition, or ask questions related to the petitioner's request at the scheduled public hearing. Copies of the submitted petition are available for public review at the Department of Community Development, 115 E. Washington St. Bloomington, IL 61701.

In compliance with the Americans with Disabilities Act and other applicable federal and state laws, the hearing will be accessible to individuals with disabilities. Persons requiring auxiliary aids and services should contact the City Clerk at (309) 434-2240, preferably no later than five days before the hearing.

The agenda and packet for the hearing will be available prior to the hearing on the City of Bloomington website at www.cityblm.org. If you desire more information regarding the proposed petition or have any questions you may email planning@cityblm.org or call (309) 434-2226.

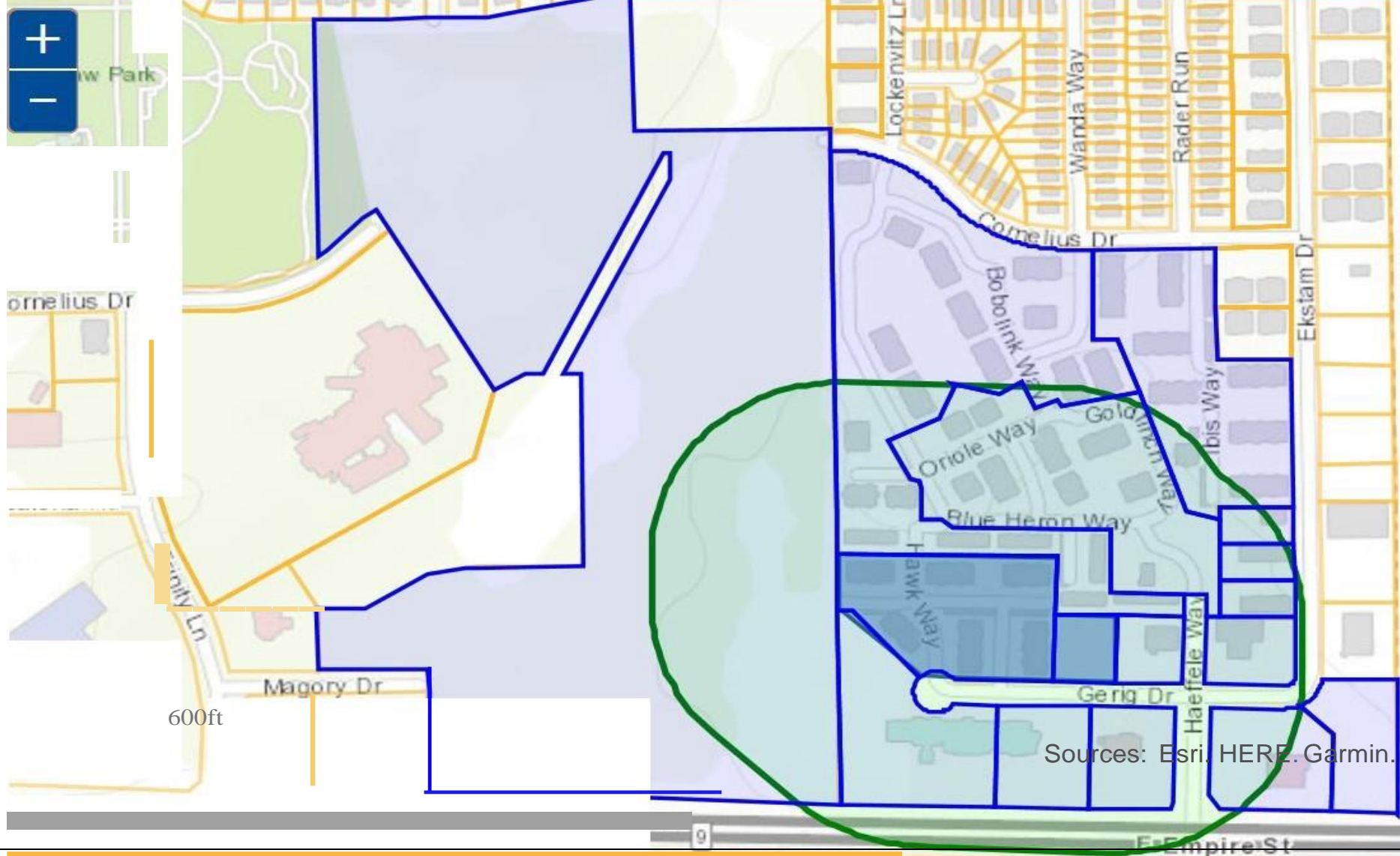
Sincerely,

Planning Division Staff

Attachments:

Map of notified properties within 500 ft of subject property

Public Hearing January 22, 2020 – Rezoning from B-1 General Commercial District to B-2 Local Commercial District
3204 & 3216 Gerig Drive



LUIS & SHARMON JANE HILFINGER
TRABB-PARDO
114 RISS DR
NORMAL, IL 61761-3229
DOUGLAS GERIG
209 S PROSPECT RD STE 3B
BLOOMINGTON, IL 61704-4697

AMMARF LLC
407 S MAIN
NORMAL, IL 61761

WINGOVER SIX LLC
% APT MART P O BOX 670
BLOOMINGTON, IL 61702

APT MART INC WINGOVER APTS
912 LINDEN
BLOOMINGTON, IL 61701

SOY CAPITAL AG SERVICES DENEEN
BROTHERS FARMS LLC
PO BOX 1607
BLOOMINGTON, IL 61702-1607

LUIS & SHARMON JANE HILFINGER
TRABB-PARDO
114 RISS DR
NORMAL, IL 61761-3229
JB BL LLC
1716 R T DUNN DR STE 4
BLOOMINGTON, IL 61701-8730

BLOOMINGTON NORMAL AIRPORT
AUTHORITY
3201 CIRA DR STE 200
BLOOMINGTON, IL 61704-8396

BLARNEY STONE V LLC
PO BOX 1900
BLOOMINGTON, IL 617021900

APT MART INC WINGOVER APTS
912 LINDEN
BLOOMINGTON, IL 61701

JACOBSEN & SIKORA LLC
3220 GERIG DR
BLOOMINGTON, IL 61704-6394

SINCLAIR INVESTMENTS LLC
PO BOX 117607
BURLINGAME, CA 94011-7607

HI BLOOMINGTON LLC
1716 R T DUNN DR STE 4
BLOOMINGTON, IL 61701-8730

WINGOVER EAST LLC
912 N LINDEN
BLOOMINGTON, IL 61701

CIP, LLC
1716 R T DUNN DR STE 4
BLOOMINGTON, IL 61701-8730

BY-LAWS OF THE BLOOMINGTON PLANNING COMMISSION

ARTICLE I – NAME

The name of this commission shall be the Bloomington Planning Commission, also known as the Planning Commission for the City of Bloomington, Illinois, hereafter referred to as “Commission” heretofore created by the City Council of the City of Bloomington, McLean County, Illinois.

ARTICLE II – MEMBERSHIP, OFFICERS, DUTIES, EXECUTIVE SECRETARY

Section 1 - Membership.

The Commission shall consist of ten (10) members appointed by the Mayor of the City of Bloomington by and with the consent of the City Council. The Mayor shall be an ex-officio member of the Commission. Members shall serve for such terms and shall be subject to such limitations as the City Council shall prescribe by ordinance. All members of the Commission shall serve without compensation.

Section 2 - Officers.

The Commission shall annually elect its chairman, vice-chairman, and such other officers as may in their judgment be necessary, from among its own membership, together with an executive secretary who need not be a member of the Commission. The officers of the Commission shall be elected by at least five members of the commission present at the first regular meeting of the Commission in the month of May of each year. The officers shall hold office for one (1) year, commencing on the first day of June of each year, and shall serve until their successors are elected, subject to the limitations enacted from time to time by the City Council. In the event of the death or resignation of any officer, a successor shall be elected at the next regular meeting of the Commission, or at a special meeting called for that purpose.

Section 3 – Duties of Officers.

The Chairman shall supervise the affairs of the Commission. He (she) shall preside at all meetings of the Commission and conduct all hearings, and shall appoint such committees and subcommittees as shall be authorized by the Commission, to carry out the purposes of the Commission. The Chairman shall be an ex-officio member of all committees and subcommittees so appointed. The Vice-Chairman shall perform such duties as may be delegated to him (her) by the Chairman. In the absence, disability or recusal of the Chairman, he (she) shall perform all the duties and exercise all the powers of the Chairman.

Section 4 - Executive Secretary.

The Executive Secretary shall be responsible for recording and maintaining permanent minutes of the meetings of the Commission which minutes shall be a public record, subject to the provisions of the Freedom of Information Act of the State of Illinois, as heretofore and hereafter

amended. He (she) shall perform such other duties as shall be delegated to him (her) by the Chairman. In the absence of an Executive Secretary, the members of the Commission may elect one of its members as Temporary Executive Secretary to perform the duties of the Executive Secretary.

ARTICLE III – POWERS

The Commission shall have the following powers:

Section 1: To prepare and recommend to the City Council a comprehensive plan for the present and future development or redevelopment of the City and all related powers conferred by statute. (65 ILCS 5/11-12-5(1))

Section 2: To recommend changes, from time to time, in the official comprehensive plan, including changes to include property which comes within one and one-half miles of the City corporate limits, as provided by statute. (65 ILCS 5/11-12-15(2))

Section 3: To prepare and recommend to the City Council, from time to time, plans for specific improvements in pursuance of the official comprehensive plan. (65 ILCS 5/11-12-5(3))

Section 4: To give assistance to the municipal officials charged with the direction of projects for improvements embraced within the official plan, to further the making of these projects, and, generally, to promote the realization of the official comprehensive plan. (65 ILCS 5/11-12-5(4))

Section 5: To prepare and recommend to the City Council proposals for regulating or forbidding structures or activities which may hinder access to solar energy necessary for the proper functioning of solar energy systems, as provided by statute. (65 ILCS 5/12-12-5(5))

Section 6: To exercise such other powers pertinent to the powers granted by statute or as may be conferred by the City Council. (65 ILCS 5/11-12-5(6))

Section 7: To conduct legislative public hearings and submit reports and recommendations to the City Council on applications or proposals to amend the boundaries of the zoning districts created by the City Council. (Bloomington City Code Ch. 44, Sec. 13-1 F.2(a)).

Section 8: To conduct public hearings and submit reports and recommendations to the City Council on proposed zoning text amendments. (B.C.C. Ch. 44, Sec. 13-1 F.2 (b))

Section 9: To conduct public hearings and recommend approval or disapproval of preliminary development plans for subdivisions and, if directed by the City Council, to report on final subdivision plats in the manner provided in City of Bloomington subdivision regulations. (B.C.C. Ch. 44, Sec.13-1F.2(c))

Section 10: To conduct public hearings and recommend approval or disapproval of preliminary development plans for planned unit developments and, if directed by the City

Council, to report on final development plans in the manner provided in City of Bloomington zoning regulations. (B.C.C. Ch. 44, Sec. 13-1 F.2(d))

Section 11: To conduct public hearings and recommend approval or disapproval of site plans as required by City of Bloomington zoning regulations. (B.C.C. Ch. 44, Sec.13-1 F.2(e))

Section 12: To recommend to the City Council amendments to City of Bloomington subdivision or zoning regulations. B.C.C. Ch. 44, Sec.13-1 F.2(f))

Section 13: To perform such additional duties as may be assigned by the City Council. (B.C.C. Ch. 44, Sec.13-1F.(g)).

Section 14: To keep records of its proceedings in conformity with the Illinois Freedom of Information Act.

ARTICLE IV – MEETINGS

Section 1: Regular meetings of the Commission shall be held on the second (2nd) and fourth (4th) Wednesdays of every month at 4:00 p.m., or at such times as deemed appropriate unless such day shall be a recognized holiday. The Commission may recess such meetings to a time and date determined by the Commission as needed in response to an exceedingly lengthy hearing.

Section 2: Special meetings of the Commission may be called by the chairman, or by any three (3) members, on written notice given in conformity with the Open Meetings Act.

Section 3: All meetings shall be open to the public and shall be held in the Council Chambers at Bloomington City Hall, or at such other place designated by the Chairman in conformity with the requirements of the Open Meetings Act.

Section 4: A quorum shall consist of at least six (6) members of the Commission. The Commission shall take no official action without the presence of a quorum.

Section 5: The Executive Secretary shall give sufficient notice of all meetings as to comply with the requirements of the Open Meetings Act.

Section 6: The following shall be the general order of business of meetings of the Commission:

1. Call to Order
2. Roll Call
3. Public Comment
4. Minutes of previous meetings
5. Regular Agenda
6. Old Business
7. New Business

8. Adjournment.

Section 7: Substantive matters will be decided by a roll call vote of a majority of those voting on such matter. Voting "present" shall not constitute voting on a matter. Non-substantive procedural matters may be decided on a voice vote.

ARTICLE VII – AMENDMENTS, EFFECTIVE DATE OF CHANGE


Section 1: Proposed amendments to these by-laws shall be presented in writing to each member of this Commission in conformity with the requirements of the Open Meetings Act. An affirmative vote of 2/3 of the members of the Commission is required to adopt any amendment.

Section 2: These by-laws shall be in full force and effect upon their adoption by the Commission at a regular meeting

PASSED by the Planning Commission of the City of Bloomington, County of McLean, State of Illinois, this 27 day of April, 2016.

APPROVED by the Chairman of said Planning Commission of the City of Bloomington, County of McLean, State of Illinois, this 27 day of April, 2016.

APPROVED:



, Chairman

ATTEST:


, Executive Secretary