



AGENDA
PLANNING COMMISSION
REGULAR MEETING

GOVERNMENT CENTER - COMMUNITY ROOM
115 E . WASHINGTON STREET, BLOOMINGTON, IL 61701
WEDNESDAY, SEPTEMBER 8, 2021, 4:00 P.M.

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/publiccomment at least 5 minutes before the start of the meeting.

4. MINUTES Review the minutes of the June 23, 2021 regular Planning Commission meeting.

5. REGULAR AGENDA

- A. Z-20-21 Public hearing, review, and action on a petition submitted by Center for Comprehensive Services, Inc. d/b/a NeuroRestorative Illinois requesting a zoning map amendment for the property located at 2002 Fox Creek Road, Bloomington, IL 61701 (PIN: 21-17-302-017) from B-1, General Commercial District to P-2, Public District (Ward 2).

6. OLD BUSINESS
7. NEW BUSINESS
8. ADJOURNMENT



**DRAFT
MINUTES**

**PUBLISHED BY THE AUTHORITY OF THE PLANNING COMMISSION OF
BLOOMINGTON, ILLINOIS
REGULAR MEETING
COUNCIL CHAMBERS
109 EAST OLIVE STREET
BLOOMINGTON, IL
WEDNESDAY, JUNE 23, 2021 4:00 P.M.
THIS MEETING WAS HELD VIRTUALLY. LIVE STREAM AVAILABLE AT:
www.cityblm.org/live**

Prior to 15 minutes before the start of the meeting, 1) those persons wishing to provide public comment or testify at the meeting registered at www.cityblm.org/register, and/or 2) those persons wishing to provide written comment emailed their comments to publiccomment@cityblm.org.

Members of the public could also attend the meeting at City Hall. Attendance was limited to 10 people including staff and Board/Commission members and required compliance with City Hall COVID-19 protocols and social distancing. Participants and attendees were encouraged to attend remotely.

The Planning Commission convened in Regular Session virtually via Zoom conferencing with Assistant City Planner Caitlin Kelly, Assistant Director Kimberly Smith, and Chairperson Tyson Mohr in-person in City Hall’s Council Chambers at 4:00 p.m., Wednesday, June 23, 2021.

The meeting was called to order by Chairperson Mohr and livestreamed to the public at www.cityblm.org/live.

ROLL CALL

Attendee Name	Title	Status
Mr. Tyson Mohr	Chair	Present
Mr. Justin Boyd	Vice Chair	Present
Mr. Thomas Krieger	Commissioner	Present
Mr. Mark Muehleck	Commissioner	Present
Mr. David Stanczak	Commissioner	Present
Mr. John Danenberger	Commissioner	Present
Mr. Brady Sant-Amour	Commissioner	Absent
Mr. Benjamin Muncy	Commissioner	Present
Mr. George Boyle	Assistant Corporate Counsel	Present

**DRAFT
MEETING MINUTES**

**PUBLISHED BY THE AUTHORITY OF THE PLANNING COMMISSION OF BLOOMINGTON, ILLINOIS
WEDNESDAY, JUNE 23, 2021**

Mr. Craig McBeath	Information Systems Director	Present
Ms. Kimberly Smith	Assistant Economic & Community Development Director	Present
Ms. Caitlin Kelly	Assistant City Planner	Present

COVID-19

This meeting was held virtually via livestream pursuant to the gubernatorial executive order 2021-06. Public comment was accepted until 15 minutes before the start of the meeting.

PUBLIC COMMENT

No public comment.

MINUTES

Mr. Krieger motioned to approve the minutes from the regular May 12, 2021 meeting. Mr. Muncy seconded. Roll call vote: Mr. Stanczak - Yes, Mr. Danenberger - Yes, Mr. Boyd - Yes, Mr. Muehleck - Yes, Mr. Krieger - Yes, Mr. Muncy - Yes, Mr. Mohr - Yes. The motion was approved (7-0-0).

REGULAR AGENDA

- A. PR-05-21 Public hearing, review, and action on a petition submitted by CFT Developments for a legislative site plan review for a new restaurant in the B-1 General Commercial District for the property located at 1901 W Market Street (PIN: 21-06-226-005). (Ward 7)

Ms. Kelly presented the staff report with a recommendation for approval with the condition that a parking demand study supporting the need for additional parking be submitted prior to City Council approval. Mr. Boyd and Chairperson Mohr asked clarifying questions regarding the case.

Henry Klover, the architect, was sworn in for testimony. He expressed concern that using ITE parking calculations would result in less parking than requested because ITE standards have not been updated to account for COVID-era traffic patterns.

Ms. Smith clarified the requirements of the parking study, stating that the Zoning Ordinance suggests that ITE or ULI standards be used.

Mr. Boyd stated his hesitation to grant additional parking given that the City parking standards had been updated relatively recently with parking maximums in mind.

Mr. Stanczak emphasized the petitioner's amount of experience with parking requirements and demand.

The commissioners and Mr. Boyle discussed how best to go about voting on the case. Mr. Boyd motioned to accept standards A, C, and D as presented by staff. Mr. Stanczak seconded. Roll

call vote: Mr. Stanczak - Yes, Mr. Danenberger - Yes, Mr. Boyd - Yes, Mr. Muehleck - Yes, Mr. Krieger - Yes, Mr. Muncy - Yes, Mr. Mohr - Yes. The motion was approved (7-0-0).

Mr. Stanczak motioned to accept standard B as presented by staff without the last sentence of the analysis, finding it met. Mr. Muncy seconded. Mr. Boyd stated that he would be voting no on the motion, as he believes that voting in favor of additional parking after parking maximums had been established might set a bad precedent. Chairperson Mohr mentioned that while he is generally in agreement with Mr. Boyd, he would be voting yes in this case due to the possibility of overflow vehicles parking in the nearby residential neighborhood. Roll call vote: Mr. Stanczak - Yes, Mr. Danenberger - Yes, Mr. Boyd - Yes, Mr. Muehleck - Yes, Mr. Krieger - Yes, Mr. Muncy - Yes, Mr. Mohr - Yes. The motion was approved (6-1-0).

Mr. Krieger voted to approve the legislative review. Mr. Stanczak seconded. Roll call vote: Mr. Stanczak - Yes, Mr. Danenberger - Yes, Mr. Boyd - Yes, Mr. Muehleck - Yes, Mr. Krieger - Yes, Mr. Muncy - Yes, Mr. Mohr - Yes. The motion was approved (7-0-0).

OLD BUSINESS

No items.

NEW BUSINESS

No items.

ADJOURNMENT

Mr. Krieger motioned to adjourn. Mr. Boyd seconded. All were in favor. The meeting was adjourned at 4:41 PM.



PLANNING COMMISSION

TO: Planning Commission
FROM: Economic & Community Development Department
DATE: September 8, 2021
CASE NO: Z-20-21, Zoning Map Amendment
REQUEST: Rezone from B-1, General Commercial District to P-2, Public District.
STAFF RECOMMENDATION: To establish findings of fact and approve the zoning map amendment as requested.



Above: 2002 Fox Creek Road (Source: Google)

NOTICE

The application has been filed in conformance with applicable procedural and public notice requirements. Notice was published in *The Pantagraph* on Monday, August 23, 2021. Courtesy notices were mailed to 14 property owners within 500 feet of the subject property.

PROPERTY INFORMATION

Subject Property: 2002 Fox Creek Road
Applicant: Center for Comprehensive Services, Inc. d/b/a
NeuroRestorative Illinois
Existing Zoning: B-1 General Commercial District
Existing Land Use: Vacant Office/formerly Crown Realty Office
Property Size: 2.93 acres
PIN: 21-17-302-017

BACKGROUND

Petitioners' request:

The petitioner seeks to rezone the subject property from B-1, General Commercial, to P-2, Public District, to locate a specialized school at the property. The P-2 zoning district is required to allow the proposed use. The Commission should keep in mind the request before them is to determine if the rezoning to P-2 is appropriate at this location; a rezoning is not tied to a specific use. Any use allowed in this district could be possible.

For background purposes only here is a description of the project that will be proposed if the rezoning is granted: NeuroRestorative provides after hospital residential brain injury rehabilitation services and wishes to operate a school in the existing structures. Students are transported in vans from nearby residential facilities and will typically attend Monday through Friday 8:30 am to 3:30 pm to participate in education and supports such as physical therapy, occupational therapy, speech therapy, counseling, and others as needed. Attendance is anticipated to be 20 students initially with a maximum capacity of 30 students. Exterior changes proposed to accommodate the use would be limited to a fence close to the building and adjacent pavilion and necessary improvements to meet current accessibility standards. The proposed use is permitted by right within the P-2 Public District but prohibited under the current B-1 General Commercial District zoning.

Property Characteristics:

The subject property consists of 2.93 acres of land located in Southwestern region of Bloomington, near the intersection of Interstate 55 and Interstate 74. This property is bound by S Veterans Pkwy to the east, Springfield Rd to the north and east, and Fox Creed Rd to the south. The property is improved with an office building and accessory structure previously utilized by Crown Realty. The western portion of the property is currently vacant. The surrounding properties are all zoned commercial and are utilized as such.

SURROUNDING ZONING AND LAND USES

	Zoning	Land Uses
North	B-1 General Commercial, B-2 Local Commercial District	Retail, Jackson's Produce (including residential home), Canine Classics Spa
South	B-1	Freedom Baptist Church
East	B-1	Vacant
West	B-2	Office, Williams & Swee Attorneys



ANALYSIS

*Comparison of Existing and Proposed Districts**

<p>B-1 General Commercial District</p> <p>The intent of this B-1 General 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.</p>	<p>P-2 - Public Lands and Institutions District</p> <p>The intent of this P-2 Public Lands and Institutions District is to allow for the establishment and maintenance of public uses, publicly-regulated uses and private uses that display an inherent relationship to the public interest. The creation of such a district shall be provided for parcels of substantial size where such community serving uses are necessary in order that adequate community services may be rendered and where, through proper site selection and planning, such uses are compatible with the surrounding area.</p> <p>Discontinuance of use. Whenever any use of property in a P-1 or P-2 district, whether permitted, special or nonconforming, is discontinued for a period of 18 months, the zoning classification of such property shall, as of the first day of discontinuance of such use, revert to the classification of R-1A.</p>
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*A list of permitted uses for commercial districts and public districts can be found online in [Chapter 44, Divisions 5-2](#) and [6-2](#) respectively.

Compliance with the Comprehensive Plan

Rezoning requests should be consistent with the Comprehensive Plan designation. The 2035 Comprehensive Plan’s Future Land Use map identifies this section of S Veterans Pkwy and Fox Creek Rd as regional commercial. The Land Use Priorities map does not identify this area as a priority area. This area was identified as a primary gateway in the Opportunities for Infill Development and Redevelopment map.

The proposed P-2 zoning map amendment supports the following Comprehensive Plan goal:

- Goal N1-1. Enhance the livability of all Bloomington Neighborhoods

STANDARDS FOR REVIEW

As indicated in Ch. 44, 17-6 Zoning Map (rezoning) and text amendments, the Planning Commission shall be guided by those purposes, standards, and objectives of this Code and shall not recommend the adoption of any amendment unless it finds that such amendment is in the public interest and not solely for the benefit of the applicant.

Standards for Consideration of Rezoning

Standard	Discussion	Finding
<i>The suitability of the subject property for uses authorized by the existing zoning.</i>	Uses permitted within the B-1 General Commercial District are primarily oriented to commercial uses accessed by motor vehicle, and the property has historically operated with other permitted office uses. While not inappropriate for the district, office users have not been successful at the isolated location, and the structures cannot easily be utilized for retail/commercial businesses. Pre-schools and trade	Standard is met.

	school could be permitted, but public and private schools are not permitted.	
<i>The length of time the property has remained vacant as zoned considered in the context of land development in the area.</i>	The property has remained vacant for one to two years. Several years ago Fox Creek was re-routed and made this property somewhat isolated with public streets on all sides.	Standard is met.
<i>The suitability of the subject property for uses authorized by the proposed zoning.</i>	The intent of P-2 Public Lands and Institutions District is to allow for the establishment and maintenance of public uses, publicly-regulated uses and private uses that display an inherent relationship to the public interest. At 2.93 acres, the subject property is fairly large and meets the criteria for P-2 as this zoning emphasizes this district be established on parcels of substantial size to ensure adequate community services may be rendered. Uses permitted within the P-2 District are primarily oriented around public uses, publicly-regulated uses and private uses that display an inherent relationship to the public interest.	Standard is met.
<i>The existing land uses and zoning of nearby property.</i>	Commercial zoning predominates in the area immediately surrounding the subject property. Nearby uses consist of a mix of commercial, and office, ranging from a pet spa to attorney's offices.	Standard is met.
<i>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.</i>	If the zoning map amendment is granted, the applicant would be able to develop the site in a manner that allows for the creation of a school which meets the needs of a specific group of residents that is not currently being met.	Standard is met.
<i>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.</i>	The site has access to both Springfield and Fox Creek Roads.	Standard is met.
<i>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.</i>	The rezoning does not involve any construction activities and will not negatively affect drainage patterns.	Standard is met.
<i>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.</i>	The site is currently served by existing watermains and sewer connections, as well as fire and police protection.	Standard is met.
<i>The extent to which the proposed amendment is consistent with the public interest, giving due consideration for the purpose</i>	The map amendment is intended to facilitate use of underutilized property, providing a net benefit to the area. Additionally, the proposed use represents a needed school to serve residents.	Standard is met.

<i>and intent of this Code as set forth in § 44-1701 herein.</i>		
<i>The extent to which property values are diminished by the particular zoning restriction.</i>	It may be difficult to develop the present site for commercial uses, contributing to its long-term vacancy.	Standard is met.
<i>The extent to which the destruction of property values promotes the health, safety, morals, or general welfare of the public.</i>	The proposed rezoning and use are not anticipated to diminish property values in the area.	Standard is met.
<i>Whether a Comprehensive Plan for land use and development exists, and whether the ordinance is in harmony with it.</i>	The Comprehensive Plan's Future Land Use map identifies the subject property as being part of a regional/local commercial space. The Land Use Priorities map does not directly call this area out. This type of development in this area is both desired and prioritized.	Standard is met.
<i>Whether the City needs the proposed use.</i>	The applicant reports that the school is necessary to serve residents in the area, and staff notes that no other Public District properties meeting the needs of this specialized school are available. A rezoning for this use would be required wherever located within the City limits.	Standard is met.

STAFF RECOMMENDATION

Staff finds that the application meets all the standards for a zoning map amendment and recommends that the Planning Commission take the following actions:

1. Motion to establish findings of fact that the proposed map amendment is in the public interest and not solely for the benefit of the petitioner.
2. Motion to recommend approval of the petition submitted by Center for Comprehensive Services, Inc. d/b/a NeuroRestorative Illinois for a zoning map amendment for the property located at 2002 Fox Creek Road, Bloomington, IL 61701 (PIN: 21-17-302-017) from B-1, General Business District to P-2, Public District (Ward 2).

Respectfully submitted,

Glen Wetterow
City Planner

Attachments:

- Draft ordinance
- Aerial map
- Zoning map
- Neighborhood notice and map

DRAFT

ORDINANCE NO. 2021 - _____

AN ORDINANCE APPROVING A ZONING MAP AMENDMENT FROM B-1, GENERAL COMMERCIAL DISTRICT, TO P-2, PUBLIC DISTRICT, FOR THE PROPERTY LOCATED AT 2002 FOX CREEK ROAD, 2.93 ACRES MORE OR LESS.

WHEREAS, there was heretofore filed with the Economic and Community Development Department of the City of Bloomington, McLean County, Illinois, a petition requesting to rezone the property commonly described as two and ninety-three hundredths of an acre located at 2002 Fox Creek Road (PIN: 21-17-302-017) 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 P-2 Public District and adopted findings of fact on the same; and

WHEREAS, the Bloomington Planning Commission found the requested rezoning to be in the public interest and not solely for the benefit of the application, using the 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 P-2 Public 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:

1. The above recitals are incorporated into and made a part of this ordinance as though fully set forth herein.
2. The Council hereby adopt the findings of fact made by the Planning Commission.
3. The petition requesting to rezone the property commonly described as two and ninety-three hundredths of an acre located at 2002 Fox Creek Road (PIN: 21-17-302-017) legally described in Exhibit “A” is hereby approved.
4. This Ordinance shall be in full force and effective as of the time of its passage and approval.

PASSED this _____ day of October 2021.

APPROVED this _____ day of October 2021.

CITY OF BLOOMINGTON

Mboka Mwilambwe, Mayor

ATTEST

Leslie Smith-Yocum, City Clerk

EXHIBIT A

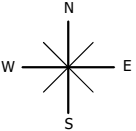
Legal Description

PT LOT 46 OF SW & PT LOT 1 OF SUB OF LOT 47 ON SW BEG ON NW IN US 66 675.6' SW OF N 1N SW N 80.50' W 527.77' TO W 1N SD LOT 1, N TO S 1N NEW CABIN TOWN RD, ELY ALG S 1N RD TO US 66 SW ALG US 66 301' TO POB & PT SW 107-23-2E, COMM NW COR LOT 1 STIMELING SUB; S195.23' TO POB; ELY 23.5', ELY298.98', ELY221.8',. NE128.19', SW183.01', NW96.39', SW ALG CURVE 366.12', SW 160.58', SWLY ALG CURVE 111.48', NW48.39', NE45.32', NE67.64', NE61.8', NE47.21' TO POB. (EX 1.77 ACRES TAKEN FOR ROW IN DEED 2003-54809)

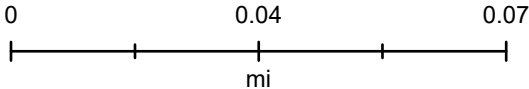
COMMONLY KNOWN AS: 2002 Fox Creek Rd, Bloomington, IL 61701

PIN: 21-17-302-017

Z-20-21 Aerial Map



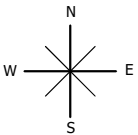
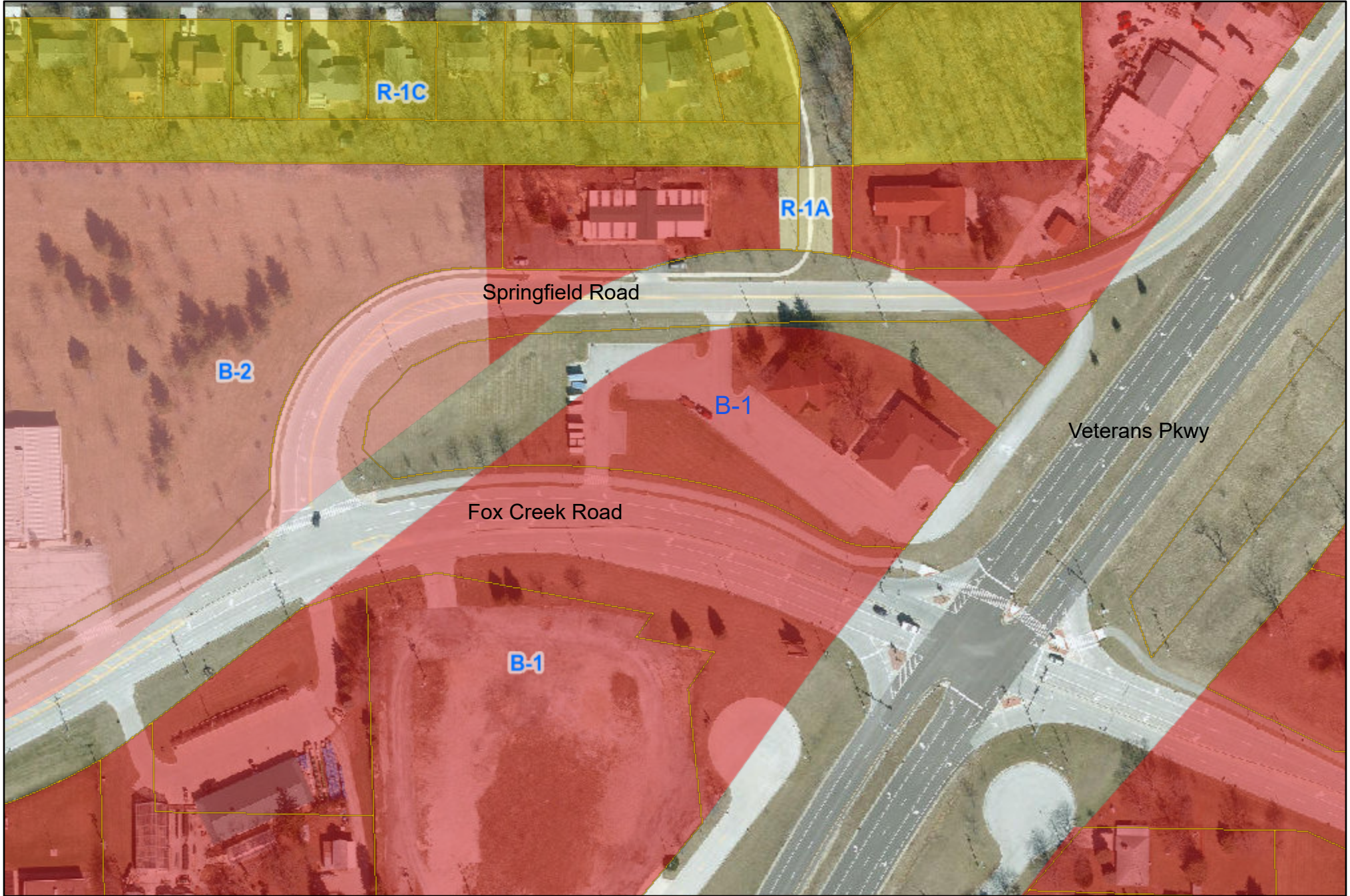
McGIS does not guarantee the accuracy of the information displayed. Only on-site verification or field surveys by a licensed professional land surveyor can provide such accuracy. Use for display and reference purposes only.



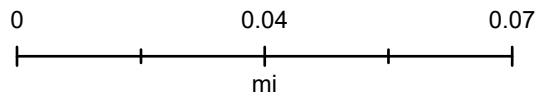
1 inch = 188 feet



Z-20-21 Zoning Map



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1 inch = 188 feet





Economic & Community Development
Department
115 E Washington St, Ste 201
Bloomington IL 61701
(309)434-2226
planning@cityblm.org

August 20, 2021

Dear Property Owner or Occupant:

The of the City of Bloomington Planning Commission will hold a public hearing on Wednesday, September 8, 2021 at 4:00 PM on an application submitted by Center for Comprehensive Services, Inc. d/b/a NeuroRestorative Illinois (306 W. Mill, Carbondale, IL 62902).

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 evidence or testimony regarding said petition, or ask questions related to the petitioner's request at the scheduled public hearing.

The applicant is requesting approval of a zoning map amendment for the property located at 2002 Fox Creek Road, Bloomington, IL 61701 (PIN: 21-17-302-017) from B-1, General Business District to P-2, Public District. (Owner: ACLM, LLC 501 S. Towanda Barnes Road, Bloomington, IL 61705).

The agenda and packet for the hearing will be available prior to the hearing on the City of Bloomington website at www.cityblm.org. To testify live in a public hearing (where applicable) or provide live public comment you must register at <https://www.cityblm.org/register> or in-person at least 5 minutes before the meeting. Emailed public comment should be sent to publiccomment@cityblm.org at least 15 minutes before the start of the meeting.

This 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 115 E. Washington St., Ste 103, Bloomington, IL 61701 (309) 434-2240, cityclerk@cityblm.org or TTY at (309) 829-5115.

If you desire more information regarding the proposed petition or have any questions, you may email planning@cityblm.org or call (309) 434-2226.

Please note this meeting could be subject to change based on a lack of quorum or other reasons. Notice of a change will also be posted online at www.cityblm.org.

Sincerely,

Planning Division staff

Map of notified properties within 500 ft of subject property

