

**MINUTES
BLOOMINGTON PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, DECEMBER 14, 2016, 4:00 P.M.
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE STREET, BLOOMINGTON, ILLINOIS**

MEMBERS PRESENT: Mr. J. Balmer, Mr. Justin Boyd, Mr. James Pearson, Mr. John Protzman, Mr. Ryan Scrtichlow, Mr. Kevin Suess, Chairman David Stanczak

MEMBERS ABSENT: Mr. Eric Penn, Ms. Megan Schubert

OTHERS PRESENT: Mr. Tom Dabareiner, Director of Community Development; Ms. Katie Simpson, City Planner; Mr. George Boyle, City Attorney; Mr. Kevin Kothe, City Engineer.

CALL TO ORDER: Chairman Stanczak called the meeting to order at 4:03 PM

ROLL CALL: Mr. Dabareiner called the roll. With seven members in attendance, a quorum was present.

PUBLIC COMMENT: There being no public comments the Commission moved on to approval of the minutes.

MINUTES: The Commission reviewed the November 14, 2016 minutes. No changes were proposed and Mr. Balmer moved to approve the November 14, 2016 minutes as written; Mr. Boyd seconded the motion, which was passed by a voice vote of 7-0.

REGULAR AGENDA:

Z-45-16 Public hearing, review and action on the petition submitted by the City of Bloomington requesting approval of a text amendment to the City of Bloomington Zoning Ordinance amending Chapter 44, Section 3-2 “Definitions” and Section 7-2(C)(3)(B) “Location of Off Street Parking” to allow for the construction of a “parking pad” in the front yards of single and two family residential properties located up to 380 feet north of the intersection of Hershey Rd and Clearwater Rd, 380 feet south of the intersection of Hershey Rd and Arrowhead Dr, and 275 feet east and west of the Hershey Rd/Clearwater Rd and Hershey Rd/Arrowhead Dr intersections on Clearwater Rd and Arrowhead Dr.

Chairman Stanczak introduced the case and explained staff was requesting this item laid over until the next meeting. Mr. Scrtichlow motioned to lay over item Z-45-16 until the next meeting. The motion was seconded by Mr. Pearson, which passed unanimously by a voice vote, 7-0.

Z-46-16 Public hearing, review and action on the petition submitted by American Apartments and Development, LLC requesting approval of the rezoning of the

property located at the intersection of E. Lincoln Street and Four Seasons Rd, west of Four Seasons Road, north of E. Lincoln Street and south of the apartments on Willedrob Road, approximately 5.74 acres, from B-1 Highway Business District and C-1 Office District, to R-3B, Multifamily Residential District.

Chairman Stanczak introduced the case. Ms. Simpson presented staff's report and stated staff is recommending in favor of the rezoning. Ms. Simpson provided background on the property. She presented aerial photos and a zoning map, and she described the surrounding uses and zonings. She explained the petitioner plans to develop the subject property with 120 apartments to be built over three phases. She noted the R-3B zoning would be more compatible with the surrounding uses. Ms. Simpson described a number of surrounding amenities that complement the residential uses including access to the bus system, bike trails and major arterial streets. Ms. Simpson shared photos of the property and surrounding uses. Ms. Simpson explained the rezoning within the context of the Comprehensive Plan, noting that this site is a Tier 1 Infill Development Priority and aims at the goals of providing a high quality housing stock. She explained that in making their recommendation staff considered the R-3B rezoning standards from section 44.6-9 of the zoning ordinance. Ms. Simpson summarized the standards and stated staff's analysis concluded these standards were met.

Mr. Balmer clarified that the Commission was only reviewing the rezoning of this property at this time. Ms. Simpson explained that at the moment the property is currently business and commercial and the rezoning would clean up the dual zonings to be R-3B. Mr. Suess asked about the impacts of the housing units on the stop light at Four Seasons Road and Oakland Avenue.

Kevin Kothe, City Traffic Engineer, addressed the Commission. He explained that the stop light is coordinated with Veterans Parkway and at different times of the day the delay can seem longer. Mr. Balmer noted that this site has other means of egress in addition to Four Seasons Rd and Oakland Ave.

Mr. John Lovell, the property representative and petitioner, was sworn in. Chairman Stanczak introduced an email received prior to the meeting from Nancy McDonald at 915 Mayflower Ave. A copy of the email was marked as Exhibit A and is incorporated into the record for this case (attached to these minutes). Mr. Lovell addressed concerns outlined in the email. He stated that the development would help direct storm water runoff and mitigate flooding. He explained they are concerned about cut-through traffic and parking from patrons at neighboring businesses and they intend to include fencing to help secure the site. The fencing and landscaping will help to mitigate noise and traffic. Mr. Lovell described the design of the site and explained the "horse-shoe" shaped buildings will help with dumpster screening. He explained parking will be around the perimeter of the property.

Chairman Stanczak asked if the proposed on-site traffic configuration would help reduce cut-through traffic between East Lincoln Ave and Four Seasons Road. Mr. Lovell explained the site would be designed to discourage cut-through traffic.

Stewart Waltner, 914 Parmon Road, was sworn in. Mr. Waltner stated he and the neighbors are concerned about cut-through pedestrian and vehicular traffic and water runoff. He referenced a recent HUD report and stated the neighbors have concerns about the economic demand for additional rental properties. They worry the units will be vacant. Mr. Waltner stated the petitioner has already addressed some of his concerns but he is also concerned about the impacts on the stop sign of Four Seasons Road and E. Lincoln Ave. Mr. Balmer asked if the backed-up traffic on Four Seasons Road and Lincoln Ave was related to the peak hours of State Farm and Four Seasons Health Clubs. Mr. Waltner confirmed that this appeared to be the case.

Mr. Balmer asked what information traffic studies have shown in regard to the potential development of this property. Mr. Kothe stated the Engineering Department has evaluated ingress and egress on E. Lincoln Ave. and Four Seasons Rd and did not have a lot of concerns about the number of additional trips generated by the development. He noted that the intersection has never appeared on their list of Top 20 crash sites, but it is possible there are accidents at this intersection. Mr. Scritchlow asked if it were possible to increase the property line drainage. Mr. Kothe explained that from preliminary conversations with the petitioners he knows they will be discharging storm water into city sewer system and providing storm water detention, but stated he cannot answer Mr. Scritchlow's question completely until the Engineering Department reviews a detailed site plan showing the property grade.

Amanda Parrish and Greg Maxwell, 915 Mayflower Ave, were sworn in. Ms. Parrish commented on the impact of the development on the residential areas. She expressed concerns about the water and her disfavor of living next to an apartment building. Mr. Maxwell stated he is concerned that the parking lot will be connected to the Benjamin Ln. He expressed concerns about the view shed of his back yard and the increased density resulting from development of the site. Ms. Parrish was concerned about safety and privacy.

Mr. Lovelass explained that they intend to contain water on site. He stated the apartments will be larger than what is in the market place currently and aimed at the higher end clientele of the market. Mr. Pearson asked the height of the building. Mr. Lovelass stated it will be three stories.

Mr. Scritchlow asked about the impacts of zoning on the screening requirements of the code. Ms. Simpson explained the change from commercial to residential zoning would reduce the transitional yard requirements but screening and fencing would still be necessary because the parking lot is adjacent to single and two family homes. Chairman Stanzcak asked what specific types of fencing and screening are required. Ms. Simpson explained an opaque fence and dense trees such as evergreens are described in the code.

Mr. Dabareiner stated that it is difficult to address the specifics of the site at this moment since we do not have a site plan for the rezoning hearing. He reiterated that the rezoning is concerned with the potential uses and mentioned that the current permitted uses for the property, in the B-1 and C-1 districts, may be more objectionable than residential uses and apartment buildings. Ms. Simpson listed a few uses that are currently permitted like a gas

station, taller office buildings, and fast food restaurants. Chairman Stanczak confirmed these uses would be allowed by right and no public hearings would be necessary. Mr. Balmer commented that the petition before the commission is for rezoning for a certain type of project. He explained that there has been some discussion about the specifics of the project. He encouraged those interested in the specifics to present their concerns during the site plan review process when we will have enough information about the project to address the concerns. Mr. Scitchlow asked if it were possible to maintain the transitional yard through this rezoning. Mr. Dabareiner explained that the intent of the transitional yard in the current ordinance is to distance incompatible uses. He explained that the current ordinance considers residential next to residential to be compatible, but mentioned Mr. Scritchlow's question could be addressed during the re-write of the ordinance.

Mike Kreun, 2105 Berrywood Ln, was sworn in. Mr. Kreun explained that he is representing Highland Properties, which owns buildings near the subject property. He stated that he is concerned about the demand for more residential development in Bloomington. Mr. Boyd questioned what the average square footage of the properties owned by Highland Properties in the surrounding area. Mr. Kreun responded that the properties range between 900 and 1000 square feet and are located within a block of the subject property. He explained they were built in 1980 but they purchased the properties and have fixed them up.

Chairman Stanczak closed the public hearing. Mr. Pearson motioned to approve a recommendation to the City Council in favor of the rezoning petition submitted by American Apartments and Development, LLC for the rezoning of 5.74 acres from B-1, Highway Business District and C-1, Office District to R-3B, Multifamily Residential District. Mr. Balmer seconded the motion.

Mr. Boyd explained that, while he appreciates the concerns of everyone that spoke at the hearing, this is a vacant lot which will eventually be developed and the commission is deciding if the use would be compatible with the area.

Mr. Suess stated that he agreed with Mr. Boyd's comment. He appreciates that there are developers investing in infill development and he feels the proposed residential will be a better solution for the area than the more intense business uses, such as a gas station.

The following votes were cast: Mr. Pearson—yes, Mr. Balmer—yes, Mr. Scritchlow—yes, Mr. Boyd—yes, Mr. Protzman—yes, Mr. Suess—yes, Chairman Stanczak—yes. Motion **approved** 7-0.

OLD BUSINESS:

Zoning Ordinance Update. Chairman Stanczak asked if staff had any information about the zoning ordinance update. Mr. Dabareiner explained the consultants are working on a legal review of the existing ordinance and best practices nationally. They plan to return to the Planning Commission in January.

NEW BUSINESS

None

ADJOURNMENT: Mr. Balmer moved to adjourn; seconded by Mr. Scritchlow, which passed unanimously by voice vote. The meeting was adjourned at 4:48 pm.

Respectfully,

Katie Simpson
City Planner