



**AGENDA
BLOOMINGTON PLANNING COMMISSION
REGULAR MEETING
COUNCIL CHAMBERS
109 EAST OLIVE STREET
BLOOMINGTON, IL
WEDNESDAY, DECEMBER 11, 2019 4:00 P.M.**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT**
- 4. MINUTES** Review the minutes of the November 13, 2019, regular meeting of the Bloomington Planning Commission.
- 5. REGULAR AGENDA**
 - A. PR-03-19** Public Hearing, review and action on a site plan review application submitted by SSB Properties LLC requesting a site plan review for the property located at 1 Audie Murphy Drive in Bloomington, IL (Ward 5).
 - B. Z-11-19** Public Hearing, review and action on a petition submitted by, Robert J. Lenz on behalf of Trust 2315, to rezone property in the seventh addition to Southgate Commercial Plaza Subdivision from B-1 (General Commercial District) to B-2 (Local Commercial District) classification. The property is located south of Southgate Drive and Greyhound Road, east of US51/Main Street, and west of Cardinal Ridge Mobile Home (Ward 2).
- 6. OLD BUSINESS**
- 7. NEW BUSINESS**
- 8. ADJOURNMENT**

DRAFT
MINUTES
BLOOMINGTON PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, NOVEMBER 13, 2019 4:00 P.M.
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE STREET
BLOOMINGTON, ILLINOIS

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

MEMBERS ABSENT: Mr. Eric Penn.

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

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

PUBLIC COMMENT: Chairperson Headean called for public comments on items that were not on the meeting agenda. There were none.

MINUTES: The Commission reviewed the minutes from the October 9, 2019 regular meeting. Mr. Boyd motioned to approve the minutes as presented; Mr. Stanczak seconded the motion. The minutes were approved by a voice vote 9-0.

REGULAR AGENDA:

- A. Z-09-19 Public Hearing, review and action on a Text Amendment to the Bloomington Zoning Ordinance, Chapter 44 of the Bloomington City Code, to define and allow Adult-Use Cannabis Business Establishments with a special use permit in the agriculture, business, and manufacturing districts in the City of Bloomington.**

Chairperson Headean opened the public hearing and provided a general overview that the purpose of the public hearing was to provide a non-binding recommendation on a zoning ordinance text amendment for the City Council to consider. She indicated that Katie Simpson, City Planner would provide the presentation of the case, the Commission would be able to ask questions of City staff, and the Commission would open up the hearing for public testimony with a plan to implement five minute time allotments per each person.

Chairperson Headean called on Ms. Simpson to present the case report. Ms. Simpson provided a tentative timeline on the text amendment regarding Adult Use Cannabis Business Establishments

and the background on enacted State legislation. She indicated that courtesy notices had been sent to community stakeholders and that the legal notice was published in the *Pantagraph*. She outlined the proposed text amendment which limits cannabis business establishments through a special use permit process and establish criteria for considering special use applications, application standards and separation requirements. She presented the proposed operational standards and special use consideration requirements, as well as, reviewed the specific requirements and zoning considerations for Adult- Use Dispensing Organization, Adult-Use Craft Grower, Adult-Use Infuser, Adult-Use Processor, Adult-Use Transporter, and Adult-Use Cultivation Center. Ms. Simpson presented the proposed separation requirements and buffers including a comparison with the Town of Normal proposed regulations. She further outlined the discussion/consideration items for the Planning Commission being 1) to allow Adult-Use Cannabis Establishments by right or by special use, 2) the applicable zoning districts, 3) the separation requirements, 4) and additional considerations. Ms. Simpson described how the Planning Commission could address each consideration with a separate motion and action on the individual elements of the proposed text amendment.

Chairperson Headean called for public testimony.

Nathan Wang, 300 West Grand, Chicago, IL, spoke on behalf of Jushi Holdings, Inc., a corporation purchasing the Green Solution in Normal and looking to open a business in Bloomington.

Roy Laws, 2806 Park Ridge Road, Bloomington, IL, spoke against the text amendment, and asked about redevelopment areas and did not think this issue was being addressed. He commented that the different establishments should have different setbacks.

Wayne Montney, 2005 Woodbine Road, Bloomington, IL, spoke against the text amendment. He indicated that allowing establishments in M-1 Restricted District would be contrary to the intent of the code due to odor. He asked that uses be removed from the M-1 district. He stated 250 feet is not enough of a setback and recommended that the Commission use at least 500 feet from residential districts and 1000 feet from other districts. He had questions about the maps and to add a provision to the special use requirement that the applicant must prove that the separation requirements are met.

Todd Miller, 7 Cameron Court, Bloomington, IL, expressed concerns about odor and about locating these establishments on the east side. He discussed the perceived benefits of taxes and expressed concerns about lowered assessed valuations.

Father David Halt, 1920 E. Oakland Avenue, Bloomington, IL, expressed concerns about the timeline and stated the turnaround time is too short. He asked the Planning Commission to slow down the decision process and gather relevant data to determine if and where these uses are the right-fit for the City. He expressed concerns about projected financial returns for the City. He questioned if the City gains financially from the uses and has additional questions about the impacts on the community. He stated there is a need to discuss with other communities and does not believe Bloomington should be an early adopter of cannabis uses.

Aaron LeNeve, 1009 South Madison, Bloomington, IL, he provided comments in favor of allowing adult use cannabis establishments. He stated that cannabis stinks and compared the interaction of the odor with a wine or whiskey connoisseur. He expressed concerns about past

histories with cannabis. He believes Bloomington should consider revenues generated from the cannabis industry.

Radiance Campbell, 3613 Baldocchi Drive, Bloomington, IL, spoke in favor of on-premise use. She stated that the Chicago Housing Authority banned on-site consumption. She expressed concerns about equity, and stated she believes on-site consumption is a social justice issue. She expressed concerns about the implications of the Act on renters and asked the Commission to also consider access to public transit.

There were some general questions and discussion by the Commissioners on consumption and possession issues.

Mr. Wang provided rebuttal and testimony in response to items discussed. He stated that his corporation is publicly traded. He described the standards that the cannabis industry is held to. He stated his organization is required to contribute to the community, for example, providing job training programs and apprentice programs for community colleges. He provided testimony that odor is not an issue for dispensaries since the products are packaged and sealed. He stated that businesses typically prefer to locate on commercial corridors, with adequate parking.

Scott Stimeling 111 Parkview Drive Bloomington, IL, spoke against permitting recreational cannabis. He expressed concerns about revenues and consequences of allowing cannabis establishments.

Mr. Mohr stepped out at 5:09 PM and returned at 5:11 PM.

Sheila Montney, 2005 Woodbine Road, Bloomington, IL, expressed concerns about the proposed text amendment that would allow all aspects of the supply chain in Bloomington. She stated there is new information on the industry related odor, health and safety. She expressed concerns about impacts on air quality. She stated there is significant odor in cultivation and processing and has concerns about public nuisances as a result of growing, manufacturing, distribution, and processing. She expressed concerns about retail and the impacts on the public safety and quality of life.

Joyce Kaye, 2 Sunshine Ct, Bloomington, IL, expressed concerns about social justice and equity for tenants and renters. She would like to see the City consider a special use for cafes where on-site premise consumption is allowed.

Mr. Miller provided a rebuttal and testimony in response to items discussed. He is concerned about an out-of-town business providing testimony on the text amendment.

Mr. LeNeve provided a rebuttal and testimony in response to items discussed. He testified that at-home medical cannabis will produce more odor than other uses. He recommended the City adopt Normal's setbacks and buffer requirements.

Olivia Butts, 27 White Place #1, spoke on-behalf of the Adult Use Cannabis Task Force. She explained their recommendation and the pros and cons of opting in and opting out.

Surena Fish, 909 West Wood, Bloomington, IL, stated that the Task Force concluded shortly, and had concerns about the transparency of the Task Force. She asked that the establishments be

located as far away as possible from other businesses. She expressed concerns of impacts on the community and the surrounding uses. She expressed caution and suggested the City not hurry the decision.

Cinnamon Porter, 1107 East Olive, Bloomington, IL, expressed support for the text amendment and suggested the text amendment be changed to allow on-premise consumption. She suggested the businesses be located in accessible areas and near transit.

Mr. LeNeve testified he would like to see these uses allowed in churches.

Bridget Lentz, 213 Vale Street, Bloomington, IL, spoke about separations in Bloomington and Normal and recommended the same radius distances in Normal.

Chairperson Headean called for additional testimony in support or opposition to the petition. There was none. There being no further testimony, Chairperson Headean closed the public hearing at 5:30 pm.

Chairperson Headean called for discussion by the Commission. She proposed a process to organize and evaluate the discussion items issue by issue.

Chairperson Headean requested Ms. Simpson provide some background on the Special Use application process and criteria for granting a Special Use. Ms. Simpson indicated that a Special Use Permit would be processed through the Board of Zoning Appeals with a recommendation provided to the City Council. The application would require a site plan, landscape plan and lighting plan. She stated there are six criteria for granting a Special Use Permit. She further outlined the proposed Adult Use Cannabis Business Establishments application criteria and special use considerations.

There were some general questions and discussion by the Commissioners regarding on-site consumption, social justice issues, and notice requirements for Special Use Permits.

Motion 1: Commissioner Boyd made a motion to allow “on-site” consumption use within Adult-Use Cannabis Dispensing Organizations and to amend the proposed text amendment. Commissioner Suess seconded the motion.

The motion was approved (7-2) with the following votes cast: Mr. David Stanczak – No; Mr. Kevin Suess - Yes; Mr. John Protzman - Yes; Mr. Justin Boyd – Yes; Mr. Mark Muehleck - Yes; Mr. Krieger - Yes; Mr. Tyson Mohr - No; Ms. Megan McCann – Yes; Chairperson Megan Headean - Yes.

Chairperson Headean called for discussion on whether Adult Use Cannabis Business Establishments should be allowed by right or as a Special Use. After further discussion, it was determined to evaluate the business establishments individually starting with Adult-Use Cannabis Dispensing Organizations.

Chairperson Headean queried whether Adult-Use Cannabis Dispensing Organizations should be allowed by right and whether any proposed use standards for a zoning district should be amended. There was general consensus to not allow Adult-Use Cannabis Dispensing Organizations by right and that the proposed Special Use Permit requirements would be

applicable to the proposed districts. There was further discussion on reducing the proposed separation requirements for Adult-Use Cannabis Dispensing Organizations to match the less restrictive Town of Normal regulations.

Motion 2: Commissioner Mohr made a motion to align the separation requirements for Adult-Use Cannabis Dispensing Organizations to match the Town of Normal standards. Commissioner Boyd seconded the motion.

Following discussion on the differences of separation requirements for public and residential uses between the two municipalities, as well as, the prohibition of establishments adjacent to university properties, the motion and second were withdrawn.

Motion 3: Commissioner Mohr made a motion to amend the proposed separation requirements for Adult-Use Cannabis Dispensing Organizations from 250 feet to 200 feet from all residential districts including the R4, mobile home district and from 500 feet to 100 feet from all Schools, Day Cares, Residential Care Homes, Places of Worship, and Parks or Playgrounds. Commissioner Boyd seconded the motion.

Chairperson Haedean called for discussion. There was general discussion on separation requirements and the impact separation requirements in the Downtown area may have on entrepreneurs.

The motion was approved (6-3) with the following votes cast: Mr. David Stanczak – No; Mr. Kevin Suess - Yes; Mr. John Protzman - Yes; Mr. Justin Boyd – Yes; Mr. Mark Muehleck - No; Mr. Krieger - Yes; Mr. Tyson Mohr – Yes; Ms. Megan McCann – Yes; Chairperson Megan Headean - No.

Motion 4: Commissioner Mohr made a motion to amend the proposed separation requirements for Adult-Use Cannabis Craft Growers from 250 feet to 200 feet from all residential districts including the R4, mobile home district and from 500 feet to 100 feet from all Schools, Day Cares, Residential Care Homes, Places of Worship, and Parks or Playgrounds.

This motion died for a lack of a second.

Motion 5: Commissioner Stanczak made a motion to adopt the proposed text amendments for Adult-Use Cannabis Craft Growers, as included on Exhibit “A”. Commissioner Protzman seconded the motion.

The motion was approved (9-0) with the following votes cast: Mr. David Stanczak – Yes; Mr. Kevin Suess - Yes; Mr. John Protzman - Yes; Mr. Justin Boyd – Yes; Mr. Mark Muehleck - Yes; Mr. Krieger - Yes; Mr. Tyson Mohr - Yes; Ms. Megan McCann – Yes; Chairperson Megan Headean - Yes.

Motion 6: Commissioner Mohr made a motion to eliminate the Special Use from the Use Matrix for Adult-Use Cannabis Cultivation Centers in A Agriculture District, M-1 Restricted

Manufacturing District, M-2 General Manufacturing District and GAP-6 Gridley-Allin-Prickett (Warehouse). Commissioner Stanczak seconded the motion.

After further discussion Commissioner Stanczak withdrew his second to the motion. This motion then died for a lack of a second.

Motion 7: Commissioner Protzman made a motion to adopt the proposed text amendments for Adult-Use Cannabis Cultivation Centers, as included on Exhibit “A”. Commissioner Suess seconded the motion.

The motion was approved (9-0) with the following votes cast: Mr. David Stanczak – Yes; Mr. Kevin Suess - Yes; Mr. John Protzman - Yes; Mr. Justin Boyd – Yes; Mr. Mark Muehleck - Yes; Mr. Krieger - Yes; Mr. Tyson Mohr - Yes; Ms. Megan McCann – Yes; Chairperson Megan Headean - Yes.

Motion 8: Commissioner Boyd made a motion to adopt the proposed text amendments for Adult-Use Cannabis Infuser. Commissioner Muehleck seconded the motion.

The motion was approved (9-0) with the following votes cast: Mr. David Stanczak – Yes; Mr. Kevin Suess - Yes; Mr. John Protzman - Yes; Mr. Justin Boyd – Yes; Mr. Mark Muehleck - Yes; Mr. Krieger - Yes; Mr. Tyson Mohr - Yes; Ms. Megan McCann – Yes; Chairperson Megan Headean - Yes.

Motion 9: Commissioner Boyd made a motion to add a footnote provision to the Use Matrix to allow Adult-Use Cannabis Infusers to co-locate with Adult-Use Cannabis Dispensing Organizations with a Special Use Permit in the D-1 Central Business District and the D-2 Downtown Transitional District. Commissioner Mohr seconded the motion.

The motion was approved (9-0) with the following votes cast: Mr. David Stanczak – Yes; Mr. Kevin Suess - Yes; Mr. John Protzman - Yes; Mr. Justin Boyd – Yes; Mr. Mark Muehleck - Yes; Mr. Krieger - Yes; Mr. Tyson Mohr - Yes; Ms. Megan McCann – Yes; Chairperson Megan Headean - Yes.

Motion 10: Commissioner Mohr made a motion to adopt the proposed text amendments for Adult-Use Cannabis Processing Organization, as included on Exhibit “A”. Commissioner Muehleck seconded the motion.

After further discussion Commissioner Mohr withdrew his motion.

Motion 11: Commissioner Boyd made a motion to increase the separation requirements for Adult-Use Cannabis Processing Organization from 250 feet to 500 feet from all residential districts. Commissioner Stanczak seconded the motion.

The motion was approved (9-0) with the following votes cast: Mr. David Stanczak – Yes; Mr. Kevin Suess - Yes; Mr. John Protzman - Yes; Mr. Justin Boyd – Yes; Mr. Mark Muehleck - Yes;

Mr. Krieger - Yes; Mr. Tyson Mohr - Yes; Ms. Megan McCann – Yes; Chairperson Megan Headean - Yes.

Motion 12: Commissioner Mohr made a motion to adopt the proposed text amendments for Adult-Use Cannabis Transporting Organization, as included on Exhibit “A”. Commissioner Boyd seconded the motion.

The motion was approved (9-0) with the following votes cast: Mr. David Stanczak – Yes; Mr. Kevin Suess - Yes; Mr. John Protzman - Yes; Mr. Justin Boyd – Yes; Mr. Mark Muehleck - Yes; Mr. Krieger - Yes; Mr. Tyson Mohr - Yes; Ms. Megan McCann – Yes; Chairperson Megan Headean - Yes.

Motion 13: Commissioner Mohr made a motion to amend the proposed Section 44-1038.C.4 to add “proximity to public transit” as a supplement to the Special Use Considerations. Commissioner Stanczak seconded the motion.

The motion was approved (9-0) with the following votes cast: Mr. David Stanczak – Yes; Mr. Kevin Suess - Yes; Mr. John Protzman - Yes; Mr. Justin Boyd – Yes; Mr. Mark Muehleck - Yes; Mr. Krieger - Yes; Mr. Tyson Mohr - Yes; Ms. Megan McCann – Yes; Chairperson Megan Headean - Yes.

Chairperson Headean called for a recess at 6:45 pm in order for Community Development Department Staff to revise the draft Exhibit “A” for review by the Planning Commission.

Chairperson Headean reconvened the meeting at 6:58 pm and indicated that she would have to excuse herself to take care of her new born child. Vice-Chairperson Mohr then presided over the meeting at 6:59 pm.

Ms. Simpson presented the revisions to the draft Exhibit “A” based on motions passed by the Planning Commission.

Motion 14: Commissioner Boyd made a motion to recommend approval of Planning Commission Case No. Z-09-19 with the approved amendments. Commissioner Kreiger seconded the motion.

The motion was approved (7-1) with the following votes cast: Mr. David Stanczak – No; Mr. Kevin Suess - Yes; Mr. John Protzman - Yes; Mr. Justin Boyd – Yes; Mr. Mark Muehleck - Yes; Mr. Krieger - Yes; Mr. Tyson Mohr - Yes; Ms. Megan McCann – Yes.

Motion 15: Commissioner Boyd made a motion to adopt as the findings of fact for Planning Commission Case No. Z-09-19 the comments made during the public hearing, discussion amongst the Commission on economic benefits and social justice equality, separation standards more aligned with the Town of Normal to support business development and address nuisance concerns raised during the public hearing, to allow for co-location of establishments, to align with the objectives of the Comprehensive Plan. Commissioner Protzman seconded the motion.

The motion was approved (8-0) with the following votes cast: Mr. David Stanczak – Yes; Mr. Kevin Suess - Yes; Mr. John Protzman - Yes; Mr. Justin Boyd – Yes; Mr. Mark Muehleck - Yes; Mr. Krieger - Yes; Mr. Tyson Mohr - Yes; Ms. Megan McCann – Yes.

Motion 16: Commissioner Boyd made a motion that the proposed text amendment is in the best interests of the citizens of the City of Bloomington. Commissioner Protzman seconded the motion.

The motion was approved (7-1) with the following votes cast: Mr. David Stanczak – No; Mr. Kevin Suess - Yes; Mr. John Protzman - Yes; Mr. Justin Boyd – Yes; Mr. Mark Muehleck - Yes; Mr. Krieger - Yes; Mr. Tyson Mohr - Yes; Ms. Megan McCann – Yes.

OLD BUSINESS: Vice-Chairperson Mohr called for discussion on any Old Business. There was none.

NEW BUSINESS:

A. Approve 2020 meeting dates.

Vice-Chairperson Mohr called for discussion on the 2020 meeting dates. Ms. Simpson indicated that the Commission does not typically schedule the second meeting in November due to the Thanksgiving Holiday.

Commissioner Boyd motioned to approve the 2020 meeting dates as presented; Mr. Stanczak seconded the motion. The meeting schedule was approved by a voice vote 8-0.

ADJOURNMENT: The meeting was adjourned at 7:26 pm by voice vote, motioned by Mr. Boyd and seconded by Mr. Protzman.

Respectfully submitted,
Bob Mahrt
Community Development Director

**CITY OF BLOOMINGTON
REPORT FOR THE PLANNING COMMISSION
DECEMBER 11, 2019**

CASE NUMBER:	SUBJECT PROPERTY:	TYPE:	SUBMITTED BY:
PR-03-19	1 Audie Murphy Drive	Legislative Site Plan Review and Special Use for an auto repair business	Planning Division
PETITIONER'S REQUEST:	Site Plan review and approval of a special use permit for new construction of an auto repair business at 1Audie Murphy Drive.		
Staff finds that the application meet the Zoning Ordinance's guidelines for site plan review.			

STAFF RECOMMENDATION: Approval

Staff recommends the Planning Commission pass the following motions recommending:
That the City Council approve the Site Plan and special use permit for an auto repair business at 1 Audie Murphy Drive, case PR-03-19.



NOTICE

The application has been filed in conformance with applicable procedural requirements. Notice of the hearing was published in *The Pantagraph* on Monday, November 25, 2019.

GENERAL INFORMATION

Owner and Applicant: SSB Properties LLC

PROPERTY INFORMATION

Existing Zoning: B-1 General Commercial District
Existing Land Use: Vacant, grass
Proposed Use: Automotive Vehicle Repair
Legal Description: EMPIRE CENTER LOT 3
PIN: 14-36-376-028

Surrounding Zoning and Land Uses

Zoning

North: B-1 General Commercial District
South: B-1 General Commercial District
East: B-1 General Commercial District
West: B-1 General Commercial District

Land Uses

North: Vacant
South: Easterseals
East: Sports Enhancement Center
West: Vacant lot/CamTek Solutions

PROJECT DESCRIPTION

1 Audie Murphy Drive, the subject property, is located north of Route 9/Empire Street. It is a vacant lot located north of an office complex. It is adjacent to a vacant lot and former IRS warehouse/office building. The lots north and northwest are also vacant but abut residential properties. Route 9/Empire is an arterial road with 20,000 vehicles a day. The trend in development for the area is commercial and the property is zoned B-1 General Commercial District. The applicant is requesting to build an auto repair shop, a use that is only permitted with a special use permit. The included rendering shows two service bays, on the east elevation, metal siding and stone veneer and a metal awning. The final submitted plans shall not deviate significantly from the site plan and renderings reviewed by Planning Commission. If they do, a new public hearing may be required for approval.

In March 2019, the City amended the B-1 Zoning District by combining the B-1 Highway Business District and C-3 Regional Shopping District into the B-1 General Commercial District. Automotive related uses once permitted by right in the B-1 Highway Business District, like auto repair businesses, truck stops, and auto sales now require a special use permit since some of these businesses may not be compatible with other existing uses in the former C-3 areas (like Eastland Mall).

New development in the B-1 General Commercial District now requires a legislative site plan review, a requirement carried over from the C-3 District. The American Planning Association published Zoning Practice Issue 11.07 *Why do Site Plan Review*¹, which summarizes that the site plan review process allows communities to ensure new and infill developments are context

¹ Pollock, Leslie S. FAICP, and Arista Strungys, AICP. (2007, November) Why do site plan review? *Zoning Practice*. Retrieved from <https://www.planning.org/publications/document/9027789/>.

sensitive or compatible with the surrounding architecture, setbacks, neighborhood character, a component not addressed in the zoning ordinance. For example, a property in the B-1 District is not required to locate close to the street with parking behind the building by the zoning ordinance. However, it is in the City's interest to encourage properties zoned B-1 near downtown that are redeveloped to locate near the street to promote a walkable neighborhoods and corridors. The site plan review process allows the City to make these considerations. Chapter 44 Division 17-9 outlines the requirements and review process. To streamline application processing, the site plan review is also used to address special uses, variances and commercial PUDs. These separate processes can be handled concurrent with the site plan review.

The application and site plan are attached to this report. The Planning Commission is charged with reviewing the application submitted. The legislative site plan review gauges the general layout, location, and design of the project. It does not substitute as an approval of administrative site plan review by city staff prior to issuing building permits. All projects must obtain approvals from the Engineering and Building Safety divisions prior to construction. If there are major changes to a site plan previously approved by City Council, the changes will require a new legislative review.

ANALYSIS

Submittals

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

1. Application
2. Site Plan
3. Aerial photographs
4. Site Visit

The table below illustrates the zoning requirements and provided elements. **Bold** illustrates areas where the site plan is not compliant with the regulations, and where a variance/relief is needed.

Site Area	34,412.4 square feet (0.79 acres)		
Building Area	5800 square feet		
Requirement	Allowed/Required	Provided	Deviance
Floor Area Ratio (FAR)	0.8	0.16	Compliant
Front yard setbacks	0ft	108ft	Compliant
Side yard building setbacks	5ft	31ft	Compliant
Rear yard building setbacks	5ft	20ft	Compliant
Parking spaces	3 per bay (6 spaces)	17 (1 ADA)	Exceeds maximum parking by 10 spaces
Bicycle parking	0	0	0
Minimum aisle widths	24ft	28ft	+4ft
Minimum parking stall dimensions (width/length)	8.5/17	9/20	+0.5/+3
Parking lot perimeter landscaping (front/sides/rear)	12ft/6ft/6ft	18/10ft/10ft	+6ft/+4/+4ft
Building Foundation landscaping	Required	Provided	Compliant
Landscaping island required every 10 parking spaces	Required	Provided	Provide
5ft pedestrian route to sidewalk	Required	Provided	Provided

5ft pedestrian path through parking lot to entrance	Required	Provided	Provided
Dumpster screening	6ft minimum	Provided	Compliant
Dumpster location	In Rear/Side yard	Provided	Compliant
Transitional yard landscaping	NA	NA	NA
Lighting Plan	Provided	Complaint	Compliant
Storm water management	Storm water requirements apply.	Lot flow to the GE Road retention basin serves a regional basin for this site. A fee in lieu may be required.	Compliant

Trip Generations: According to the January 2019 *Parking Generation Manual* from the Institute of Transpiration Engineers, the following uses will have Monday through Friday parking demands outlined below:

Use	Peak Period	Avg parking rate/1000 sqft GFA
Clinics	9 am to 3 pm	3.89 spaces/1000 sqft
Shopping Centers (not December)	12 pm to 6 pm	1.95 spaces/1000 sqft
Auto parts and service	10 am to 4 pm	1.69 spaces / 1000 sqft
General office building	9 am to 3 pm	2.39 spaces/ 1000 sqft

The table illustrates comparable uses permitted by right in the B-1 District. The proposed special use is yielding a comparable trip generation amount. The Table also indicates that the surrounding uses may need on-street parking, so allowing the proposed use to add additional parking will not take away on-street parking used by the surrounding offices and clinics.

Property physical constraints: An access easement for Cybernautic Web Design, south of the property, runs on the east side of the lot.

The applicant requested the following variances/special uses in their application:

1). Exceed maximum parking requirements by 10 spaces

The ordinance requires a minimum parking amount of three spaces per bay for vehicle service and repair businesses. The building renderings show two bays, so six parking spaces are required. The ordinance allows for up to 25% additional parking, or two additional spaces for this development. The applicant is proposing 17 spaces, including one ADA space. Staff supports exceeding the maximum amount of parking since the additional parking will provide employees with parking, prevent people from parking on the street, as well as patrons dropping off and picking up vehicles. The applicant is proposing adequate landscaping and screening to account for the additional parking. The parking lot is required to be paved and the applicant will need to comply with storm water management regulations.

2.). Special Use to allow an auto-repair facility

The applicant would like to develop the property to be used as an auto repair facility. The proposed use is not adjacent to residential and is consistent with surrounding commercial and office uses.

Compliance with the Comprehensive Plan 2035

ED-4.2 Prioritize infill and development to spur growth and reinvestment in the City.

ED-4.4a. Evaluate the existing commercial areas and sites for adaptive reuse, particularly in the context of changing demands.

Tier 1 Infill Redevelopment priority.

Findings of Fact:

For concurrent site plan and special use applications, the Planning Commission shall report to the Council its findings of fact and recommendations, including the stipulations of additional conditions and guarantees, when they are deemed necessary for the protection of the public interest or to meet the standards as specified herein. No special use application shall be recommended by the Planning Commission for approval unless the Commission finds:

1. **that the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, comfort or general welfare**
The proposed use is consistent with the surrounding commercial uses. **The standard is met.**
2. **that the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;** The proposed building is consistent in mass, height, and has design elements like a stone façade that make it compatible with surrounding properties. **The standard is met.**
3. **that the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the zoning district;** The amount of traffic related to the proposed special use is consistent with other commercial uses. **The standard is met.**
4. **that adequate utilities, access roads, drainage and/or necessary facilities have been or will be provided;** The lot has adequate roads and utilities, and the development will need to meet the storm water management requires. The GE Road retention basin serves this property. **The standard is met.**
5. **that adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;** The site plan provides adequate circulation. **The standard is met.**
6. **that the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may be modified by the Council pursuant to the recommendations of the Planning Commission. (Ordinance No. 2006-137). The standard is met.**

The legislative site plan review process is intended to protect the public interest in safety, economy, and from adverse site development that may be detrimental to neighboring property owners and the surrounding area. The following standards and objectives shall guide the review of City staff, the Planning Commission, and the City Council in deciding on the proposed site plan (44.17-9):

- A. *The extent to which potential incompatibilities between the proposed development and surrounding existing development and/or zoning is minimized by such design features as placement of buildings, parking areas, access driveways and existing or proposed topography.* The building placement is compatible with surrounding buildings. The building façade is also compatible with surrounding developments. **The standard is met.**
- B. *The extent to which the proposal minimizes any adverse impact of the development upon adjoining land, including the hours of use and operation and the type and intensity of activities which may be conducted.* The proposed use is compatible with the surrounding uses. The lighting plan provided and landscaping plans provided show adequate lighting and landscaping that exceeds requirements. The landscaping will help soften the appearance of the building and provide barriers for any noise that may be generated by the use. **The standard is met.**
- C. *The extent to which adequately improved streets connected to the improved arterial street system are available or can be reasonably supplied to serve the uses proposed in the development.* The street system is adequate for the proposed development. **The standard is met.**
- D. *The extent to which the proposed development will favorably or adversely affect other persons or property and, if so, whether because of circumstances peculiar to the location the effect is likely to be greater than is ordinarily associated with the development of the type proposed.* The building sitting is compatible with the surrounding area. The use is consistent with the business and commercial uses. **The standard is met.**

STAFF RECOMMENDATION:

That the Planning Commission recommend that the City Council approve the Site Plan and special use permit for an auto repair business at 1 Audie Murphy Drive, case PR-03-19.

Respectfully submitted,
Planning Staff

Attachments:

1. Draft Ordinance
2. Exhibit A-“Legal Description”
3. Exhibit B- Site Plan
4. Petition for site plan review
5. Zoning Map
6. Aerial Map
7. Newspaper publication and neighborhood notice

DRAFT
ORDINANCE NO _____

AN ORDINANCE APPROVING AN APPLICATION SUBMITTED BY SSB PROPERTIES LLC REQUESTING APPROVAL OF THE SITE PLAN AND SPECIAL USE PERMIT FOR AN AUTO REPAIR FACILITY IN THE B-1 GENERAL COMMERCIAL DISTRICT FOR THE PROPERTY AT 1 AUDIE MURPHY DRIVE.

WHEREAS, there was heretofore filed with the Community Development Department of the City of Bloomington, McLean County, Illinois, an application requesting a legislative site plan review and approval of a special use permit for an auto repair facility in the B-1 General Commercial District for the land described in Exhibit "A", attached hereto and made a part hereof by this reference;

WHEREAS, after proper notice, the City of Bloomington Planning Commission held a public hearing and determined said special use and site plan, dated November 13, 2019, represented in Exhibit "B" attached hereto and made a part hereof by this reference, with the purposes of the zoning ordinance and the standards and objectives for which the Code is designed upon; and

WHEREAS, the Planning Commission found the site plan and special use permit application to align with the goals of the Comprehensive Plan and to comply with the standards of approval for a special use outlined in Chapter 44, Division 17-7H of the City Code.

WHEREAS, the Planning Commission recommended the City Council of the City of Bloomington approve said site plan and special use permit; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Bloomington, McLean County, Illinois:

1. That the site plan, dated November 13, 2019, represented in Exhibit "B" is hereby approved.
2. That the requested special use permit for an auto repair facility in the B-1 General Commercial District at 1 Audie Murphy Drive is hereby approved.
3. That this Ordinance shall be in full force and effective as the time of its passage.

Passed on this _____ day of _____, 20____.

Approved on this _____ day of _____, 20____.

APPROVED:

ATTEST:

Mayor Tari Renner

City Clerk Leslie Yocum

EXHIBIT A

LEGAL DESCRIPTION

PIN: 14-36-376-028

LEGAL DESCRIPTION: EMPIRE CENTER LOT 3

ADDRESS: 1 Audie Murphy Drive

NEW CONSTRUCTION FOR
BLOOMINGTON COLLISION REPAIR INC.
 1 AUDIE MURPHY DRIVE BLOOMINGTON, ILLINOIS

Exhibit B - Site Plan

INDEX TO DRAWINGS

ARCHITECTURAL

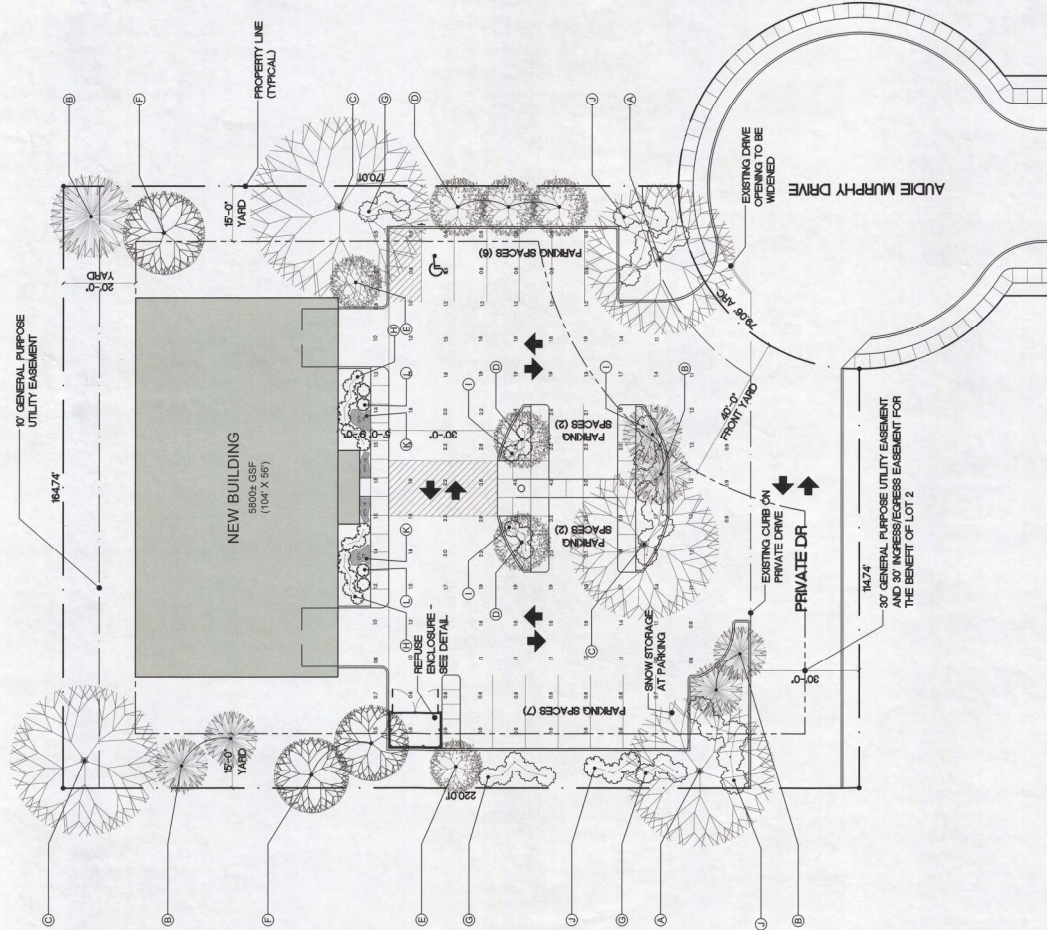
- SD1 PROPOSED SITE PLAN
- SD2 PROPOSED BUILDING ELEVATIONS

PROJECT NUMBER SAA18061
 PROJECT ISSUE DATE 11.13.19 (FOR SPECIAL USE REVIEW)



SCHARNETT ASSOCIATES.COM PHONE 309.898.4055
 118 W. WASHINGTON ST. BLOOMINGTON IL 61701

ZONING COMPLIANCE SUMMARY	
LOT DESCRIPTION	LOT 3 OFF EMPIRE CENTER SUBDIVISION, A PART OF THE E 1/2, S 1/4, 1/4, SEC. 36, T24N, R2E, SPM, CITY OF BLOOMINGTON, MCLEAN CO.
LOT SIZE	0.71 ACRES
ZONING	B-1
LOT USE	AUTOMOTIVE VEHICLE REPAIR (PERMITTED BY SPECIAL USE)
SPECIAL USE SPECIFIC REQUIREMENTS (SECTION 44-1024)	MINIMUM LOT AREA 10,000 SQ FT MINIMUM LOT WIDTH 10 FT MINIMUM FRONT YARD 40 FT MINIMUM REAR YARD 20 FT MINIMUM REAR YARD 20 FT
ADJACENT PROPERTY ZONING	NORTH - B-1 EAST - B-1 WEST - B-1
TRANSITIONAL YARDS	NOT REQUIRED (ALL B-1)
WATER DETENTION	PROVIDED OFF-SITE AT S.E. ROAD DETENTION BASIN
PARKING REQUIREMENTS (TABLE 1008)	3 SPACES PER SERVICE BAY = 6 SPACES 1 ACCESSIBLE PARKING SPACE PER 25 SPACES ± 1 SPACE
LANDSCAPING REQUIREMENTS (TABLE 1009)	CANOPY SHADE TREES - 25 FT OC ORNAMENTAL UNDERSTORY TREES - 15 FT OC SHRUBS - 3-4 FT OC
SEE PROPOSED TABLE	MIN 50% PLANTINGS TO BE NATIVE TO ILLINOIS MIN 10% PLANTINGS TO BE SPECIES NOT LESS THAN 10 FEET TALL PARKING LOT ISLAND REQUIRED FOR LOTS WITH GREATER THAN 10 SPACES REFUSE ENCLOSURES WITHIN 100 FT OF MATERIALS



PROPOSED SITE PLAN

SCALE: 1/16" = 1'-0" NOTE: REFERENCE LEWIS YOCKEY BROWNING INC SHEET 1

GENERAL NOTE:

GENERAL NOTE: THE SITE PLAN INFORMATION PROVIDED ON THIS PLAN SHEET HAS BEEN DEVELOPED WITHOUT ACCESS TO COMPLETE SITE SURVEYS OF PROJECT SITE BUT IS BASED ON ORIGINAL PLAN INFORMATION PROVIDED BY LEWIS, DRYEYARS & BROWN, INC. DATED AUGUST 28, 1985. AS SUCH, THE SITE PLAN INFORMATION SHOWN SHOULD BE CONSIDERED AN APPROXIMATION OF AREA, SIGNALS, DRIVEWAYS, LANDSCAPE MATERIALS AND SITE IMPROVEMENTS. UTILITIES (WATER, GAS, ELECTRIC, CABLE, ETC.) ARE NOT SHOWN ON THIS PLAN SHEET. ANY INFORMATION ON SUCH UTILITIES OR INFORMATION THAT SHOULD BE OBTAINED FROM SUCH UTILITIES INFORMATION NOT INCORPORATED INTO THIS PLAN SHEET. THE CONTRACTORS ON-SITE INVESTIGATION, SITE VISUALLY AND EXPERIENCE, TAKING INTO CONSIDERATION THE INFORMATION PROVIDED ON THIS PLAN SHEET, SHALL BE RESPONSIBLE FOR THE IDENTIFICATION OF ANY UTILITIES AND THE LOCATION OF ANY UTILITIES. THE CONTRACTORS SHALL BE RESPONSIBLE FOR THE IDENTIFICATION OF ANY UTILITIES AND THE LOCATION OF ANY UTILITIES.

PRELIMINARY - NOT FOR CONSTRUCTION

NOTE: THIS IS A SCHEMATIC DESIGN DRAWING PREPARED FOR CONCEPTUAL PURPOSES ONLY. ALL EXISTING CONSTRUCTION AS WELL AS NEW CONSTRUCTION SHOWN SHOULD BE CONSIDERED AS ASSUMED PRIOR TO COMPLETION OF THE SCHEMATIC DESIGN AND DESIGN DEVELOPMENT PHASES OF THIS PROJECT. ADDITIONAL SERVICES WILL BE REQUIRED TO VERIFY THE UTILITIES PROVIDED TO THE SITE, LEGAL ASSESSMENTS, AND ANY OTHER SITE OR BUILDING CONDITION THAT MAY IMPOSE ADDITIONAL DESIGN LIMITATIONS AND DEVELOPMENT POTENTIAL. THESE DRAWINGS, INCLUDING THESE ELECTRONIC FORMS, PREPARED BY THE ARCHITECT ARE INSTRUMENTS OF SERVICE FOR THE PROJECT. THE ARCHITECT SHALL BE REPAID THE AUTHOR AND OWNER OF THE DRAWINGS AND RETAIN ALL RESERVED RIGHTS, INCLUDING COPYRIGHTS. NO REPRODUCTION OF THESE DRAWINGS MAY BE MADE WITHOUT PRIOR DOCUMENTED APPROVAL BY THE ARCHITECT.

NEW CONSTRUCTION FOR
BLOOMINGTON
COLLISION REPAIR INC.



SCHARNETT
ASSOCIATES ARCHITECTS LLC
178 W. WASHINGTON ST. BLOOMINGTON IL 61701
PHONE 309.888.4035

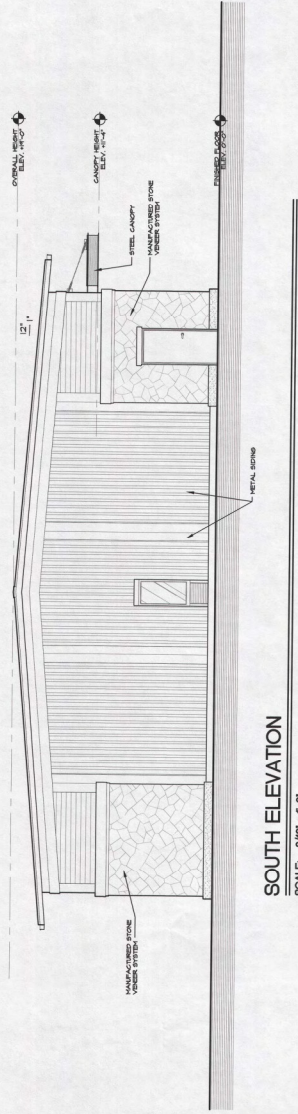


SDA19001
SHEET 2 OF 2 SHEETS

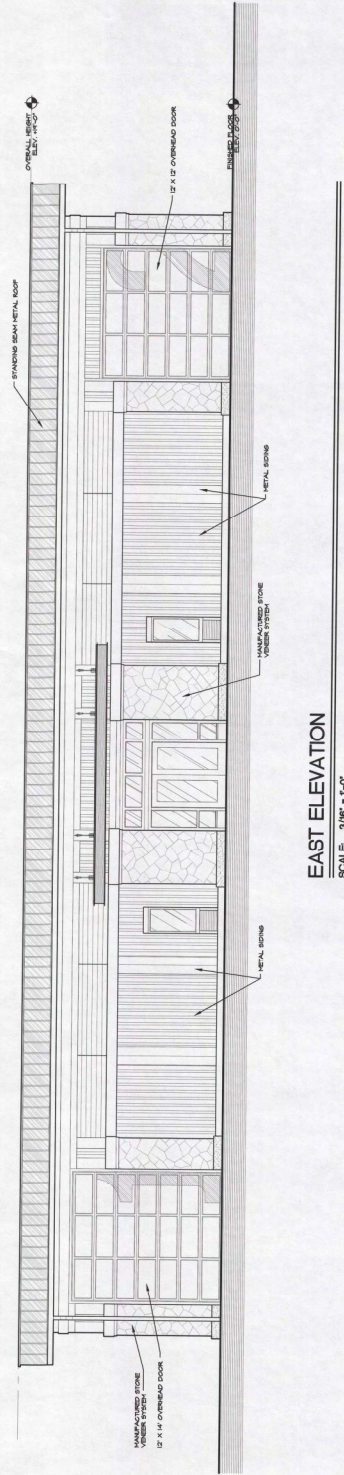
SD2

PROPOSED
BUILDING ELEVATIONS

DRAWN ORK DATE: 11.13.19
REVISIONS



SOUTH ELEVATION
SCALE 3/16" = 1'-0"



EAST ELEVATION
SCALE 3/16" = 1'-0"

**CITY OF BLOOMINGTON
APPLICATION FOR SITE PLAN
REVIEW**



To the City of Bloomington:

I (we), the undersigned, do hereby respectfully petition the City of Bloomington for a site plan review as set forth herein, pursuant to Division 17-9 Site Plan Review Procedures set forth in Chapter 44 of the Bloomington City Code, and in support thereof state the following facts and make the following certifications and agreements:

1. The name of the proposed development is: Bloomington Collision Repair Inc.
2. The property in question is legally described below and attached as Exhibit A:
LOT 3 in The Empire Center Subdivision in The City of Bloomington,
according to The Plat Thereof recorded October 25, 1995 as Document
No. 95-23005 in McLean County, State of Illinois
3. The property has the following common address: PIN: 14-36-376-028
1 Audie Murphy Dr. Bloomington, IL 61761
4. The property has the following zoning classification: B1
5. The approximate size of the property is as follows:
164.74 (feet wide) 220.01 (feet long)
6. The names and addresses of the property owner(s) making this request are as follows:

SSB Properties LLC (First & Last Name) (Street Address) (City & Zip Code)	<u>Seller</u> McLean County Land Trust H-282 (First & Last Name) (City & Zip Code)
---	--

*Please attach a separate sheet if there are additional property owners to be listed. Additional proof of ownership, pursuant to Division 17-3 of Chapter 44 of the City Code may be required.

7. The site plan provided includes the following information:

- a) Location by Section, Town and Range or other legal description;
- b) Names and addresses of the persons having proprietary interest over the property;
- c) Graphic (engineering) scale;
- d) North-points;
- e) Date of preparation;
- f) The boundary lines of the property in question;
- g) Size, location, height, number of stories, building design, and arrangement of proposed buildings and structures and existing buildings and structures;
- h) Schematic drawings illustrating the locations and dimensions of proposed buildings and structures, the design and character of the building, elevations, exterior building materials and types of construction of all proposed buildings and structures;
- i) A scaled site plan showing the existing buildings and land uses, contiguous land uses, natural topographic features, zoning districts, public thoroughfares, transportation, and utilities.
- j) A scaled site plan of the proposed development showing lot area, the required yards and setbacks, contour lines, common space, and the location, floor area ratio, lot area coverage and heights of buildings and structures, size, and location of proposed parking areas with arrangement of bays and aisles and curb cuts, and with indication of the total number of spaces;
- k) Schematic drawings illustrating the design and character of the building elevations, types of construction, and floor plans of all proposed buildings and structures. The drawings shall also include a schedule showing the number, type, and floor area of all uses or combinations of uses, and the floor area of the entire development.
- l) Size, location, and composition of all proposed fencing, refuse enclosures, and landscaped screening material;
- m) Landscaping plan indicating size, location, and general characteristics of plant materials as specified in 13 of this Zoning Ordinance if the project would result in new landscaping or landscape changes.
- n) A site drainage plan for the proposed project if required.
- o) A photometric/lighting plan for the proposed project if the project would result in new exterior lighting or changes to exterior lighting.

8. The Applicant(s) requests the following variations to the bulk, sign, and off-street parking and loading regulations of Chapter 44 of the City Code (if applicable):

EXHIBIT A
LEGAL DESCRIPTION

LOT 3 in The Empire Center Subdivision in the City of Bloomington,
according to the Plat There of recorded October 25, 1995 as
Document No. 95-23005 in McLean County, State of Illinois
PIN: 14-36-376-028

9. The Applicant(s) request consideration of the following uses, which would otherwise be allowed in the district by a special use permit (if applicable):

Auto Body repair & Refinishing.

10. This application complies with the standards for site plan approval set forth in Division 17 of Chapter 44 of the City Code.
11. To the fullest extent permitted by law, Applicant(s) agree to and hereby shall indemnify and hold harmless the City of Bloomington, its officers, officials, agents and employees from and against liability and all claims arising out of the site plan review.
12. Applicant(s) agree to submit payment of any fees or costs associated with this application for the site plan review in accordance with Chapter 44 of the City Code.
13. All other facts, representations and agreements pertaining to this petition are as follows:

WHEREFORE, the Applicants(s) certify the above stated provisions are true and correct, agree to be bound by the indemnification provisions contained herein, and request the City of Bloomington approve the site plan provided in accordance with this Applicant.

SCOTT BUNTON
(Print Name)

(Print Name)


(Signature)

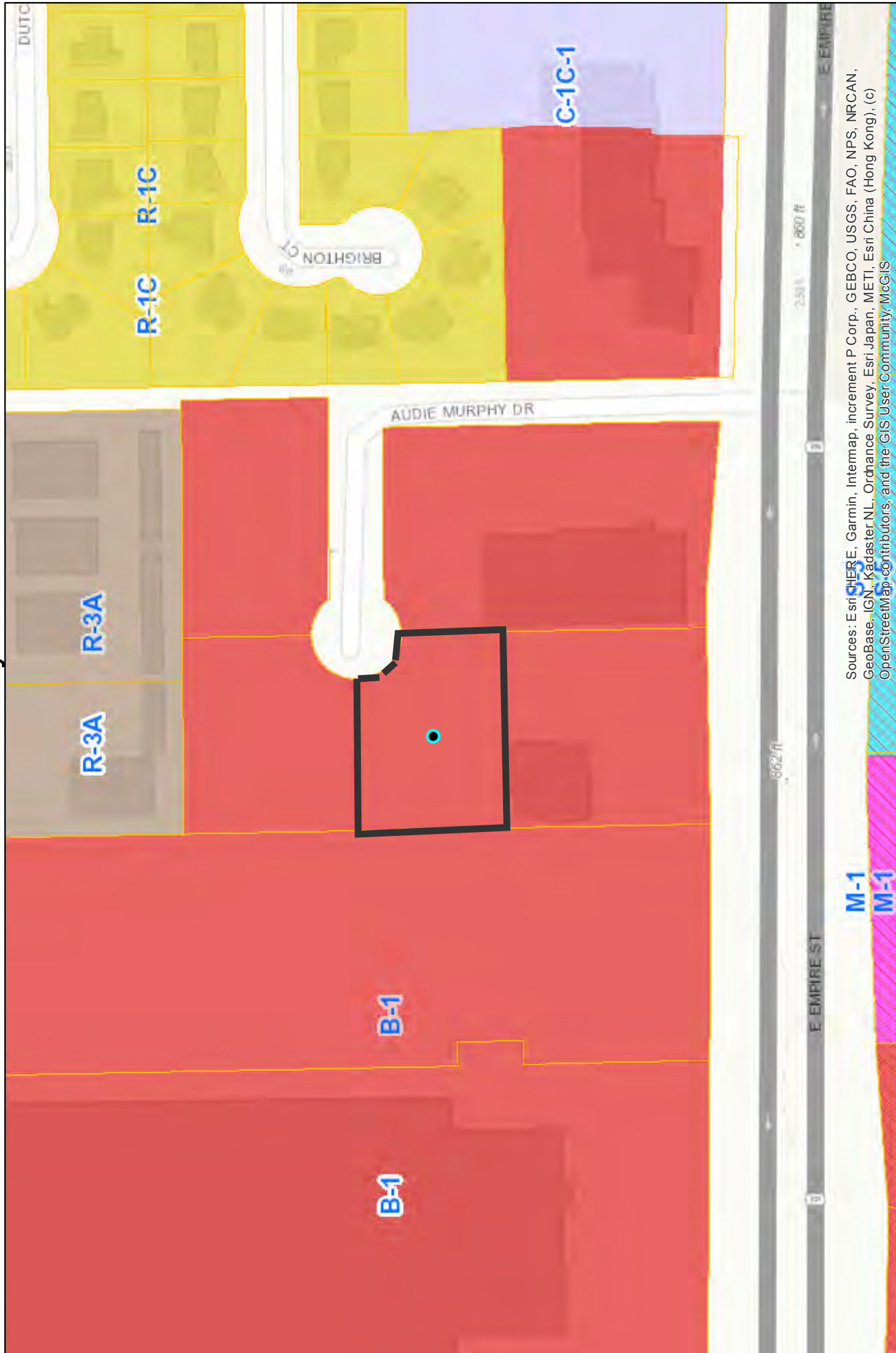
(Signature)

Nov. 12, 2019
(Date)

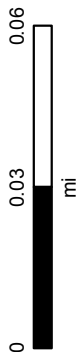
(Date)

* Please attach a separate sheet if additional property owners must sign the petition.

McLean County GIS Consortium

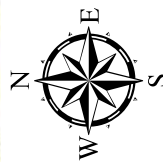


Sources: Esri HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, McGIS

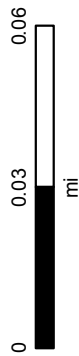


McGIS does not guarantee the accuracy of the information displayed. Only on-site verification or field surveys by a licensed professional land surveyor can provide such accuracy. Use for display and reference purposes only.





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

November 25, 2019

Dear Property Owner or Resident:

The Planning Commission of the City of Bloomington, Illinois, will hold a public hearing on December 11, 2019 at 4 pm in the Council Chambers, 109 E. Olive Street, Bloomington, Illinois to hear testimony for a petition submitted by SSB Properties LLC (141 Wolf Crossing Dr., Morton, IL.) requesting a site plan review for the property located at 1 Audie Murphy Drive in Bloomington, IL., owned by McLean County Land Trust H-282 (1111 Trinity Ln, Ste 111 Bloomington, IL.) The Site Plan Review process intends to facilitate comprehensive development of an area by reducing impacts or conflicts on surrounding properties and is regulated by Division 17-9 of the Zoning Ordinance.

The subject property is legally described as follows:

LEGAL DESCRIPTION: (EMPIRE CENTER LOT 3)
PIN: 14-36-376-028

You are receiving this notification since you own property within a 500 foot radius of the land described above (refer to attached map). All interested persons may present their views upon 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. Please note that cases are sometimes continued or postponed for various reasons (i.e lack of quorum, additional time needed, etc.). The date and circumstance of the continued or postponed hearing will be announced at the regularly scheduled meeting.

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 at (309) 434-2226.

Sincerely,

Planning Division staff

Attachments:

Map of notified properties within 500 ft of subject property

Legal Inside

65544
**CITY OF BLOOMINGTON
PUBLIC HEARING NOTICE**
Planning Commission -
December 11, 2019

Notice is hereby given that the Planning Commission of the City of Bloomington, Illinois, will hold a public hearing on December 11, 2019 at 4 pm in the Council Chambers of City Hall Building, 109 E. Olive St., Bloomington, Illinois, on an application submitted by SSB Properties LLC (141 Wolf Crossing Dr., Morton, IL) for a site plan review at property located at 1 Audie Murphy Dr., Bloomington, IL., owned by McLean County Land Trust H-282 (111 Trinity Ln, Ste 111 Bloomington, IL 61704).

PIN: 14-36-376-028
LEGAL DESCRIPTION: (EM-
PIRE CENTER LOT 3)

All interested persons may present their views upon such matters pertaining thereto at the meeting. The petitioner or his/her Counsel/Agent must attend the meeting. The application is on file for public review at the City of Bloomington Community Development Department, 115 E. Washington St., Suite 201, Bloomington, IL 61701

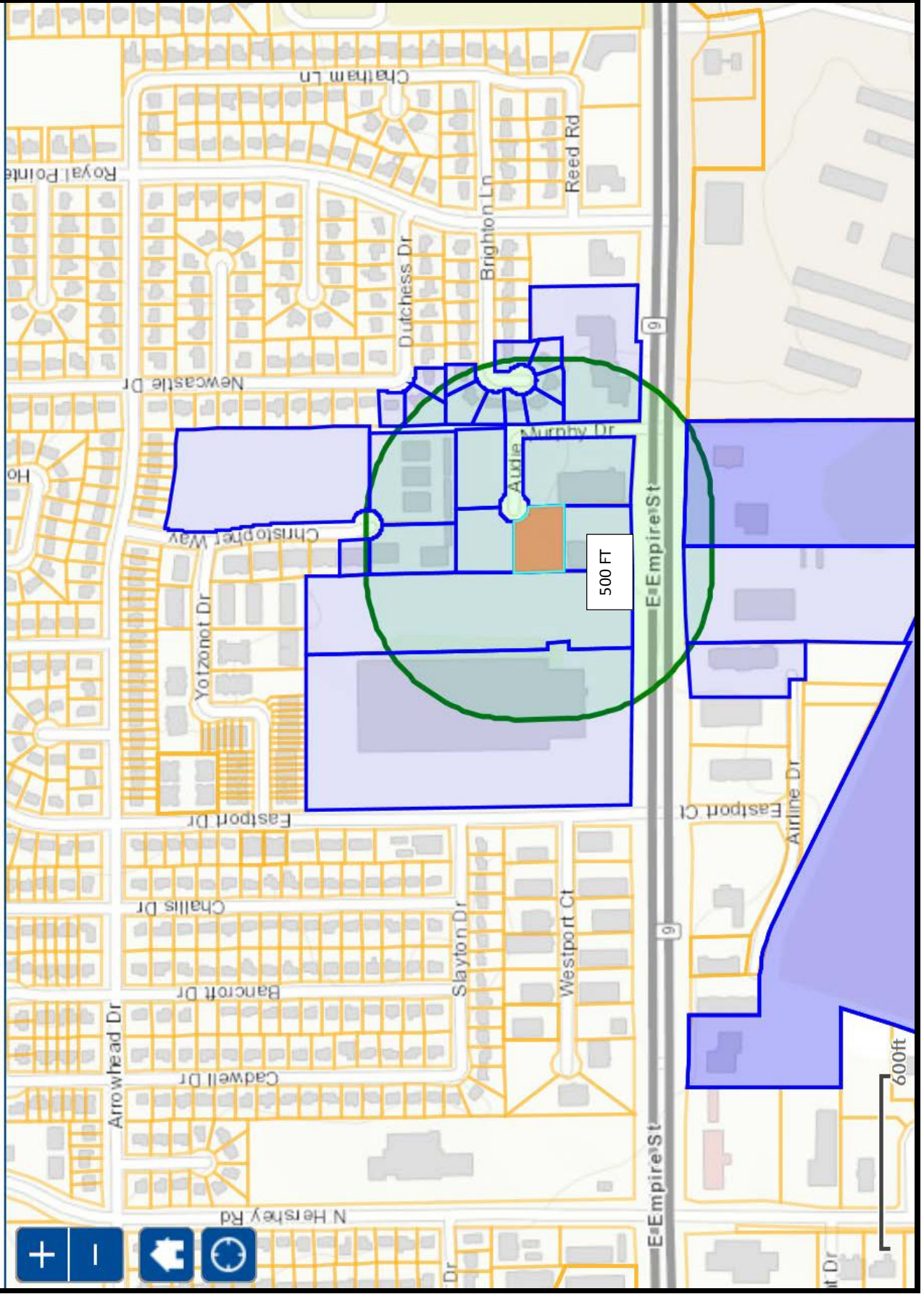
In compliance with the Americans with Disabilities Act and other applicable federal and state laws, the hearing will be accessible to individuals with disabilities. Persons requiring auxiliary aids and services should contact the City Clerk, preferably no later than five days before the hearing. The City Clerk may be contacted either by letter at 109 E. Olive St., Bloomington, IL 61701, by telephone at 309-434-2240, or email cityclerk@cityblm.org. The City Hall is equipped with a text telephone (TTY) that may also be reached by dialing 309-829-5115.

Published: November 25, 2019

PUBLIC HEARING ON DECEMBER 11, 2019 FOR A SITE PLAN REVIEW – 1 AUDIE MURPHY DR.



McLean County Public Notification



ANTHONY DUSTMAN
2406 E Empire St
BLOOMINGTON, IL 61704

ADAM DOUBET
4 BRIGHTON CT
BLOOMINGTON, IL 61704

YOUNG AMERICA REALTY
311 S MAIN ST
NORMAL, IL 61761

ERICA TURNER
3 BRIGHTON CT
BLOOMINGTON, IL 61704

PHIL & MARY KARNS
2702 BRIGHTON LN
BLOOMINGTON, IL 61704

RANDY & GLENDA COURTNEY
1 BRIGHTON CT
BLOOMINGTON, IL 61704

YOUNG AMERICA REALTY
311 S MAIN
NORMAL, IL 61761

CENTRAL ILLINOIS REGIONAL AIRPORT
3201 CIRA DR STE 200
BLOOMINGTON, IL 61704

PUBLIC BUILDING COMMISSION
% DAVID C WOCHNER 308 E
WASHINGTON ST / PO BOX 3127
BLOOMINGTON, IL 61701

GARY K KAESTNER
SATELLITE MANAGEMENT COMPANY
1010 E CHESTNUT
SANTA ANA, CA 92701

YOUNG AMERICA REALTY
311 S MAIN ST
NORMAL, IL 61761

PATRICIA IANNONE
REVOCABLE LIVING TRUST 1202
NEWCASTLE DR
BLOOMINGTON, IL 61704

JEFFREY & KATHRYN L LOPEZ
2803 DUTCHESS DR
BLOOMINGTON, IL 61704

DYKE W & SHERYL G DAUGHERTY
8 BRIGHTON CT
BLOOMINGTON, IL 61704

JONNA FRICKE
2801 DUTCHESS DR
BLOOMINGTON, IL 61704

SEP BLOOMINGTON MOB LLC
STAGE EQUITY PRT LLC BRIAN
HOWARD 5215 OLD ORCHARD RD STE
160

CHRISTINE DAVIS CD PRYZ LLC
PO BOX 5020
BLOOMINGTON, IL 61202

DEAN CARLSON
2703 BRIGHTON LN
BLOOMINGTON, IL 61704

MCLEAN COUNTY ORTHOPEDICS
ATTN LANDTRUST H 131 1111 TRINITY
LN STE 111
BLOOMINGTON, IL 61701

CMD REAL ESTATE LLC
2404 E EMPIRE ST
BLOOMINGTON, IL 61704

KIMBERLY GRUBB
6 BRIGHTON CT
BLOOMINGTON, IL 61704

JEFFREY & LAURA BEAL
2 BRIGHTON CT
BLOOMINGTON, IL 61704

JSC HOTELS LLC
101 S MAIN ST STE 800
DECATUR, IL 62523

ROBERT REWERTS
2405 E EMPIRE
BLOOMINGTON, IL 61704

FEDERAL EXPRESS CORP
BLDG C 3RD FLOOR TAX DEPT 3630
HACKS CROSS RD
MEMPHIS, TN 38125

**CITY OF BLOOMINGTON
REPORT FOR THE PLANNING
COMMISSION DECEMBER 11, 2019**

CASE NUMBER:	SUBJECT PROPERTY:	TYPE:	SUBMITTED BY:
Z-11-19	Southgate and S. Main Street Near the southeast Intersection of Southgate Drive and S. Main Street	Rezone	Planning Staff
PETITIONER'S REQUEST:	Rezone the above referenced properties from B-1, General Commercial District to B-2, Local Commercial District.		
Staff finds that the petitions meet the Zoning Ordinance's map amendment guidelines for the B-2, Local Commercial District.			

STAFF RECOMMENDATION: Approval

Staff recommends the Planning Commission pass the following motions recommending:

- A. That Planning Commission **recommend approval** of the rezoning of parcels near the southeast intersection of Southgate Drive and S. Main Street from B-1 to B-2, case Z-11-19.



Figure 1 The property boundaries are marked with a blue line.

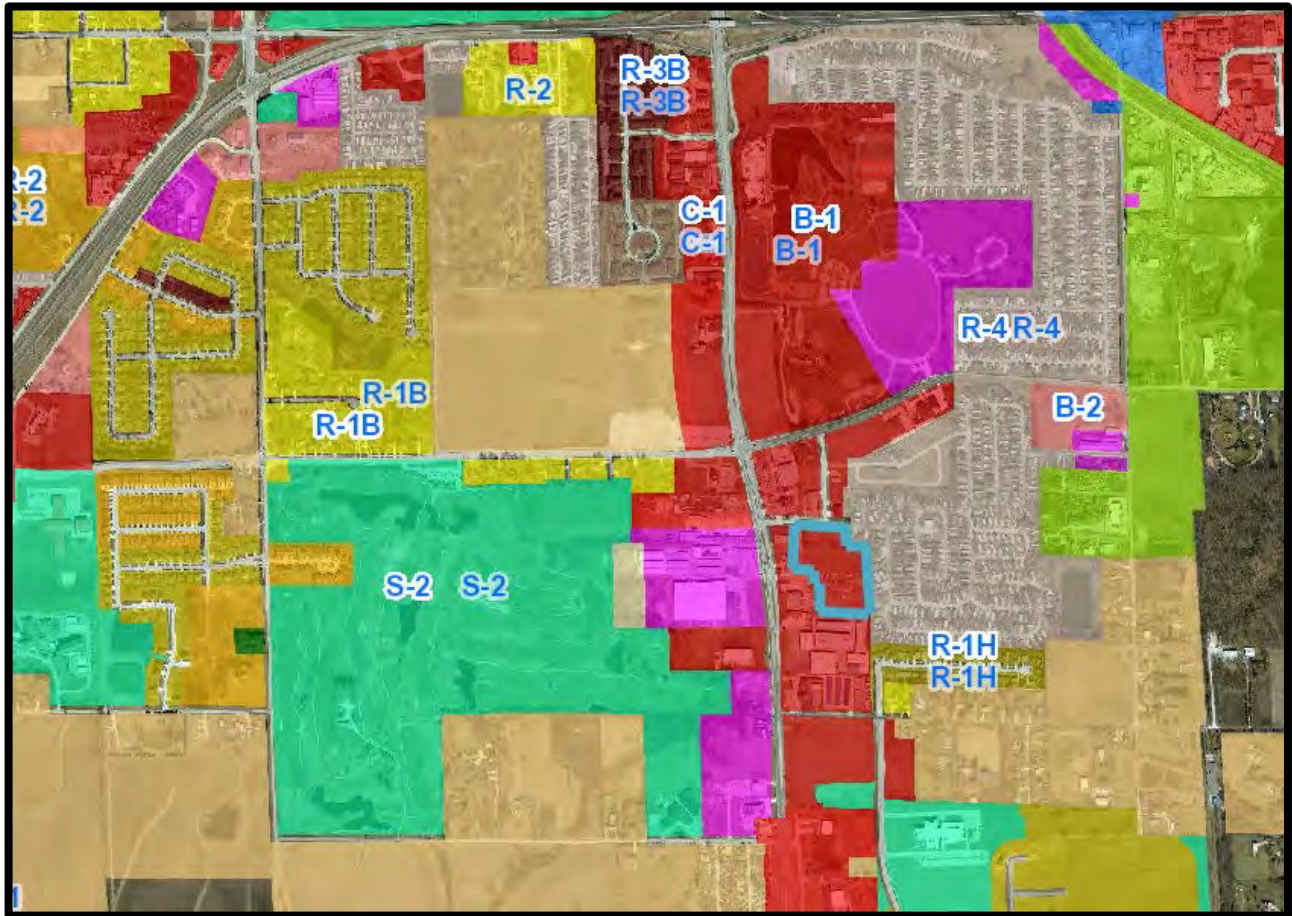


Figure 2 The location of the property is outlined in blue showing the existing zoning nearby.

NOTICE

The application has been filed in conformance with applicable procedural requirements and public notice was published in *The Pantagraph* on November 25, 2019.

GENERAL INFORMATION

Owner and Applicant: John Capodice

PROPERTY INFORMATION

Near the southeast intersection of Southgate Drive and S. Main Street

Lot 2- 111 Southgate Drive (21-16-405-002), Lot 3 – 201 Southgate Drive (21-16-405-003), Part of back portion Lot 12 (21-16-451-024) (21-16-451-025), South of Lot 2 & 3 (21-16-451-027)
(See attached legal description)

Existing Zoning: **B-1, General Commercial District**
Existing Land Use: **Storage/vacant**

Property size: **7.14 Acres**

Surrounding Zoning and Land Uses

Zoning

North: B-1 General Commercial District
North: R-4 Manufactured Home Park District
East: R-4 Manufactured Home Park District
South: B-1 General Commercial District
West: B-1 General Commercial District
West: M-1 Restricted Manufacturing District

Land Uses

North: Screen printing business
North: Septic cleaning business
East: Mobile home park
South: Lumber company
West: Trailer dealer
West: HVAC parts center

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 property is located on the southern end of the City near the intersection of Southgate Drive and S. Main Street. The property is currently used for storage and is zoned B-1 General Commercial District. The subject properties have been zoned B-1 due to their proximity to the commercial corridor on S. Main Street, also known as Illinois State Highway Business 51. The properties were annexed in 1977 (Ordinance #1977-100). The applicant intends to subdivide and combine the back portions of the multiple parcels listed. The frontage would remain B-1 and the new 7.14 acre lot would be zoned B-2. The property is approximately 7.14 acres located at the intersection of a major corridor and a collector street. The traffic counts taken from the IDOT map show 14,200 vehicles traveling daily along S. Main Street in 2017. Constitution Trail is accessible from Southgate Drive north on Greyhound Road and across Hamilton Road a total distance of 0.2 miles. The bus line also runs on Southgate Drive and Greyhound Road.

Aside from having streets and trail access, the subject property also has access to a 18-inch public storm sewer installed in 1970 and an 8-inch public water main installed in 1998 located on the south side of Southgate Drive. Public sanitary sewer was extended north of the property in 1970. The subject property has access to all utilities.

The property is adjacent to a mobile home park to the east. Commercial property exists to the west and south along the S. Main Street commercial corridor. The trend in development for the area is towards business and residential.

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 south side of the city. The property is on the City's southern edge near the southeast intersection of Southgate Drive and S. Main Street. Since the subject property does not have road frontage along the main commercial corridor on S. Main Street, it would be difficult to promote this property with a high intensity commercial use. The property is currently being used to store recreational vehicles and portions are also vacant.

B-2 Local Commercial District zoning would allow for a better transitional use between the R-4 Manufactured Home Park and the businesses on S. Main Street. 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 road frontage to the property is on Southgate Drive a collector street which leads into the residential area.

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

Agenda Items: 5B. Z-11-19 Rezoning from B-1 to B-2 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 this tract 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;* The property has been undeveloped for 25 years and without street frontage along the major commercial corridor on S. Main 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 1977. This property has not been developed in over 25 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 east from adverse impact. **The standard is met.**
4. *The existing land uses and zoning of nearby property;* The existing zoning around the intersection is commercial. The subject property does not have access to road frontage on S. Main Street making a high intensity B-1 commercial use unlikely. **The standard is met.**
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 reasonable supplied to serve the uses permitted in the proposed zoning classification;* The subject property does not have road frontage along the commercial corridor on S. Main Street. Access to the site is served by Southgate Drive a minor arterial that gives access to residences. **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

Agenda Items: 5B. Z-11-19 Rezoning from B-1 to B-2 with storm water management requirements. **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 reasonable 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, providing for a more transitional use from the businesses to the adjacent residential that exists to the east. **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;* 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.**
12. *Whether a comprehensive plan for land use and development exists, and whether the ordinance is in harmony with it;* This lot lies in Tier 1 of development priorities on Land Use Priorities 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 standard is met.**
13. *And whether the City needs the proposed use;* The future land use map identifies this as 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 **Southgate Commercial** from B-1 to B-2, case Z-11-19.

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 southeast from Greyhound Road across Southgate Drive.



Figure 4 Looking south from Greyhound Road across Southgate Drive.



Figure 5 Looking southwest from Greyhound Road across Southgate Drive.



Figure 6 Looking west on Southgate Drive towards S. Main Street.



Figure 7 Looking east on Southgate Drive from Greyhound Road.



Figure 8 Looking south from Southgate Drive onto lots 2 and 3.

Ordinance NO. 2019 –

AN ORDINANCE APPROVING THE ZONING MAP AMENDMENT FOR SOUTHGATE COMMERCIAL,
APPROXIMATELY 7.14 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 Southgate Commercial, 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 to B-2 Local Commercial District; and

WHEREAS, the City Council of said City 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 Southgate Commercial, 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.

CITY OF BLOOMINGTON:

ATTEST:

Tari Renner, Mayor

Leslie Yocum, City Clerk

EXHIBIT A

LEGAL DESCRIPTION:

LOTS 2 AND 3 IN THE SEVENTH ADDITION TO SOUTHGATE COMMERCIAL PLAZA SUBDIVISION TO THE CITY OF BLOOMINGTON, ACCORDING TO THE PLAT THEREOF RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF MCLEAN COUNTY, ILLINOIS ON NOVEMBER 17, 2006 AS DOCUMENT NO. 2006-32000 IN THE MCLEAN COUNTY, ILLINOIS, TOGETHER WITH THAT PART OF LOT 12 IN THE SUBDIVISION OF THE SOUTHEAST QUARTER OF SECTION 16, IN OTWNSHIP 23 NOTHER, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN, MCLEAN COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST OF SAID LOT 12, 16 WHICH POINT IS ALSO THE NOTHERWEST CORNER OF A PARCEL OF LAND DESCRIBED IN A DOCUMENT RECORDED MAY 4, 2001 AS DOCUMEMNT NO. 2007-00011252 IN SAID COUNTY, AND RUNNING: THENCE NORHT 87'-00'-43' WEST, PARALLEL WITH THE NORTH LINE OF SAID LOT 12 AND ALONG THE NORTH LINE OF LAST MENTIONED DOCUMENT, 387.12 FEET: THENCE NORTH 00'-02'-53' WEST, ALONG A SOUTHWARD EXTENSION OF AN EXISTING FENCE AND ALONG SAID FENCE, 230.92 EXTENSION OF SAID FENCE, 105.39 FEET: THEN NORTH 87'-00'-43' WEST, PARALLEL WITH NORTH LINE OF LOT 12, 178.44 FEET" THEN NORTH 01'-34'-07 EAST, ALONG THE SOUTHWARD EXTENSION OF THE WEST LINE OF SAID LOT 2 IN SAID SEVENTH ADDITION TO SOUTHGATE COMMERCIAL PLAZA SUBDIVISON, 20/.56 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2; THENCE SOUTH 87'-00'-43' EAST, ALONG WTH SOUTHLINE OF SAID LOTS 2 AND 3 IN SAID SEVENTH ADDITION, BEING ALSO THE SAID NORTH LINE OF LOT 12, 427.13 FEET TO A POINT 145.41 FEET WEST FROM THE NORTHEAST CORNER OF SAID LOT 12; THENCE SOUTH 00'-49'-31' EAST 19.89 FEET: THENCE SOUTH 87'-13'-57' EAST 145.53 FEET TO SAID EAST LINE OF LOT 12; AND THENCE SOUTH 01'-18'-24' WEST, ALONG SAID EASTSIDE OF LOT 12, 527.19 FEET TO THE POINT OF THE BEGIINING. CONTAINING 7.14 ACRES MORE OR LESS ADJACENT.

PIN: LOT 2 – 111 SOUTHGATE DR (21-16-405-002)

PIN: LOT 3 – 201 SOUTHGATE DR (21-16-405-003)

PIN: PART OF BACK PORTION LOT 12 (21-16-451-024) (21-16-451-025)

PIN: SOUTH OF LOT 2 & 3 (21-16-451-027)

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 comes ROBERT J. LENZ, Trustee under a Trust Agreement dated June 17, 1994, and known as Trust Number 2315, hereinafter referred to as your petitioner, respectfully representing and requesting as follows:

1. That your petitioner is the owner 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;
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 hereby requests 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 by the present zoning of said premises.

NOV 12 2019

WHEREFORE, your petitioner respectfully prays 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,


Robert J. Lenz, Trustee under a
Trust Agreement dated June 17, 1994 and
Known as Trust Number 2315

Robert J. Lenz
Meyer Capel, A Professional Corporation
202 North Center Street, Suite 2
Bloomington, IL 61701



Comments in Support of the Petition for Zoning Map Amendment

City Code §44-1706E(2), et seq.

- a. The subject property is not suitable for uses authorized by the existing zoning of B-1 General Commercial District because it does not have frontage on, good access to, or visibility from Main Street.
- b. The subject property has remained vacant as presently zoned for more than twenty-five (25) years with informal, but appropriate marketing efforts.
- c. The subject property is suitable for uses authorized by B-2 Local Commercial District as provided in Division 5 Business District Regulation at 5-1B.
- d. The subject property is bounded on the East and South by Southgate Estates Mobile Home Park, and by commercial areas on the North and West.
- e. The relative gain by the public greatly outweighs the hardship to the owner by providing an opportunity for needed affordable housing in contrast to the present use as a storage lot for campers, recreational vehicles, etc.
- f. There are adequate streets to connect to the arterial street system. Southgate Drive connects directly to Main Street and Greyhound Drive which in turn connects to Hamilton Road, all of which can easily serve the uses permitted in the B-2 District.
- g. The proposed zoning amendment is not inconsistent with the need to minimize flood damage. The development on this site for permitted uses will not have a substantial detrimental effect on the drainage patterns in the area.
- h. Adequate services are available for fire, police protection, schools, water supply, and sewage disposal for the uses permitted in the B-2 District.
- i. The proposed amendment is consistent with the public interest and the purposes of the Zoning Articles of the City Code.
- j. The existing zoning does not permit the highest and best use of the subject property in contrast to B-2 zoning district.
- k. To have seven (7) acres of vacant land remain undeveloped for more than a quarter century contributes to a negative perception of the area and is detrimental to the general welfare of the public.
- l. This proposed amendment is in harmony with the Comprehensive Plan.
- m. The proposed use will meet an important need for the City of Bloomington as evidenced by the reports of the Regional Housing Advisory Committee. There is a general consensus that the City of Bloomington needs more affordable housing which is an intended use for the subject property. In addition, the proposed use would be an "in-fill" land development rather than a development that would require annexation on the outer edges of the corporate City limits, which is consistent with the City's long-range plans.



of



ILLINOIS PROFESSIONAL LAND SURVEYOR #1750
LICENSE EXPIRES NOVEMBER 30, 2020

 **KRAUSE** 
SURVEYING INC.
ILLINOIS PROFESSIONAL DESIGN FIRM (815)-6049497
"SERVING ILLINOIS LANDOWNERS FOR OVER 60 YEARS"
115 WEST HACK ST. - P.O. BOX 336 - CULLOM, IL 60929
PHONE (815) 676-0999 - FAX (815) 676-4999
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DISTANCES ARE MARKED IN FEET AND DECIMALS
ORDER NO.: 191011
ORDERED BY: JOHN CAPODICE

BLOOMINGTON ZONING ORDINANCE – DIVISION 5

DIVISION 5. BUSINESS DISTRICT REGULATIONS

5-1 – Purpose and Intent

5-2 – Permitted Uses

5-3 – Business District Bulk and Site Standards

5-4 – General Standards

5-5 – Development Standards Applicable to Business Districts

5-1 – PURPOSE AND INTENT

A. B-1 General Commercial District

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.

B. 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.

C. C-1 Office District

The intent of this C-1 Office District is to accommodate office buildings primarily. Related retail, service, institution, and multiple family uses commonly associated with office uses are allowed to a limited extent. This district may be applied as a transitional use buffer between residential uses and uses which would be incompatible with residential districts. The prime characteristics of this district are the low intensity of land coverage and the absence of such nuisance factors as noise, air pollutant emission, and glare.

D. D-1 Central Business District

The intent of this D-1 Central Business District is to provide for a variety of retail, office, service, residential and cultural amenities in the central business area of the City. This area has historically served as Bloomington's major retail and community center and will continue in this capacity moving forward. In addition to commercial and governmental functions, arts and establishments supporting the arts are emphasized. Residential uses, particularly mixed-use or multi-family residential development at a high density, are recognized as essential to the vitality of the district. While visitors are likely to access the D-1 district by vehicle, pedestrian access and circulation is prioritized in the downtown core. Recognizing the essential importance of building proximity to the public sidewalk and adjoining structures, provisions are made for the development of collective off-street parking facilities by public and private interests.

E. D-2 Downtown Transitional District

The intent of this D-2 Downtown Transitional District is to complement and support the uses located in the D-1 Central Business District. Office, service and civic uses, as well as residential apartments and multi-family dwelling units, are appropriate in this district. Due to its transitional location between the central business district and outlying residential areas, the D-2 District permits development at a lower intensity and density than the downtown core. Pedestrian circulation is prioritized. To this end, buildings should be located close to the sidewalk with on-site parking located to the rear of the parcel and accessed from secondary roadways or alleys, though modest setbacks for courtyards, gardens and other similar amenities may be provided.

F. D-3 Downtown Warehouse and Arts District

The intent of this D-3 Downtown and Arts District is to facilitate entrepreneurship and innovation by accommodating mixed uses that complement the downtown and support various parts of the value-added chain. Uses permitted in this district support Bloomington's artist community and small scale "craftsman" industries with little to no noxious by-products. Although not the focus of this district, live-work studios, multi-family residential buildings, and loft-type residences above the first floor, are permitted. Due to the intended use of this district, the urban form may include buildings with larger footprints and greater setback distances than would be acceptable in the central business district. Pedestrian safety is emphasized in the context of increased truck and other vehicular traffic that may be present in the area.

5-2 – PERMITTED USES

Refer to Division 17 Definitions for clarity on the uses listed.

A. Land Uses. Uses are allowed in the Business Districts in accordance with Table 5-2(A). The following key is to be used in conjunction with the Use Table.

1. Permitted Uses. A “P” indicates that a use is considered permitted within that district as of right subject to compliance with all other requirements of this Code.
2. Special Uses. An “S” indicates that a use is permitted, though its approval requires review by the City Council as required in Division 17, subject to compliance with all other requirements of this Code and contingent upon conditions of approval which may be imposed by the city.
3. Uses Not Permitted. A blank space or the absence of the use from the table indicates that the use is not permitted within that district.
4. Use Regulations. Many allowed uses, whether permitted by right or as a Special Use, are subject to compliance with Division 17.
5. Unlisted Uses. If an application is submitted for a use not listed, the Zoning Enforcement Officer shall make a determination as to the proper zoning district and use classification for the new or unlisted use. If no permitted or special use is similar in character, intensity, and operations to that of the proposed use, a text amendment may be initiated pursuant to Division 17 to establish parameters for permitting such use within the City of Bloomington.

B. Allowed Uses Table.

TABLE 5-2(A): 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		10-19
Agency-Operated Family Homes			S	P ²	P		10-19
Agency-Operated Group Homes			S	P ²	P	P ¹	10-19
Convents, Monasteries			P				10-19
Dormitories			S		S		10-19
Group Homes for Parolees			S	S	S	S	10-19
INSTITUTIONAL							
Education							
Pre-schools	P	P	P		S		
Business and Trade Schools	P		P				
College and University Classrooms			P		S		
Government							

	B-1	B-2	C-1	D-1	D-2	D-3	Reference
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		10-19
Other Institutional, Cultural							
Clubs and Lodges	P	P	P	S	P		10-12
Food Pantry	P	P	P		P		10-18
Libraries			P	P	P		
Museums and Cultural Institutions			P	P	P	P	
Zoos	S						
RECREATIONAL							
Country Clubs, Golf Clubs, Golf Courses			P				10-16
Community Center			P	P	P	S	10-13
Fairgrounds, Agricultural Exhibits	S						10-17
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				10-32
COMMERCIAL							
Aircraft and Automotive							
Car Wash	P ³	S					10-9
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						10-34
Vehicle Rental Service	P ³						
Vehicle Sales and Service	S						
Entertainment and Hospitality							
Amusement Parks	S						
Commercial Recreation Facilities	P	P		S			10-15
Community Reception Establishments					S		10-14
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	10-13
Theaters and Auditoriums	P			P		S	
Lodging							
Bed & Breakfast Establishments		P	P ⁶	P	P		10-7
Boarding and Rooming Houses		P		P	S		10-19
Camp and Camping Establishments	S						10-8
Hotel or Motel	P			P	S	S	10-21
Offices							
Financial Services	P	P	P	P	P		

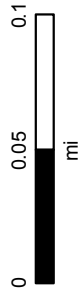
	B-1	B-2	C-1	D-1	D-2	D-3	Reference
General Offices, Business or Professional	P	P	P	P	P	P	
Medical or Dental Office or Clinic	P	P	P	P	P		10-24
Medical Laboratory	P	P	P				
Printing, Copying and Mailing Services	P	P	P	P	P	P	
Recording and Broadcast Studios	P		P ⁷	P		P	
Research Facility or Laboratory	S		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		10-35
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						10-23
Medical Marijuana Dispensing Organization	P	P	P	P	P	P	
Mobile Food and Beverage Vendor	P	P	P	P		P	10-27
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	
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						10-26
Parking Lot, Commercial	S	S	S	S		S	
Transportation							

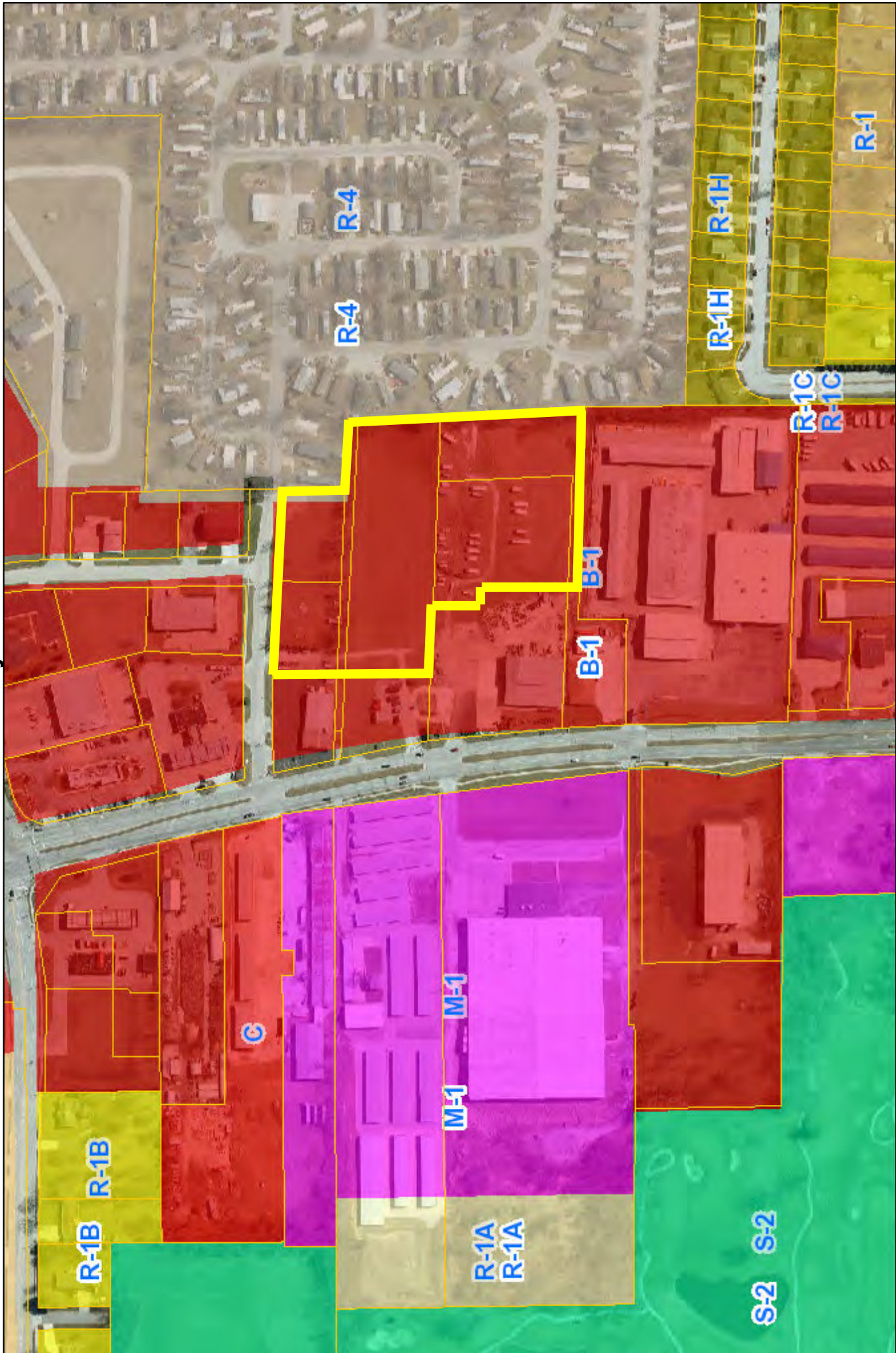
	B-1	B-2	C-1	D-1	D-2	D-3	Reference
Bus and Taxi Passenger Terminals	S			S			
Heliports, Heliport Terminals	S		S				
Rail Passenger Terminals	P			P			
Utilities							
Commercial Solar Energy Conversion Facilities	P	P				P	10-31
Private Solar Energy Conversion Facilities	P	P	P	P	P	P	10-31
Private Wind Energy Conversion Facilities	P	P					10-36
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	10-37

1. A Special Use is required when the use adjoins a Residential District boundary line.
2. The use is permitted only when located above the first story above grade
3. Maximum permitted height is forty-five (45) feet or three (3) stories, whichever is lower.
4. A Special Use is required when the use adjoins a Residential District boundary line.
5. The use is allowed in the zoning district represented by that column provided that no lot line of the lot to be occupied by such use shall be located closer than one-thousand (1,000) feet to the lot line of a lot occupied by a Sexually Oriented Entertainment Business, or other Sexually Oriented Business, and further provided that no lot line of the lot to be occupied by such use shall be located closer than 500 feet to the lot line of a lot used for a Commercial Recreation Facility, a Day Care Center, children's museum, Agency-Operated Family Home, Agency-Operated Group Home, Agency-Supervised Home, hobby shop or toy store, Pre-school, Public or Private School, Boarding School, Park or Recreation Facility, Sports and Fitness Establishment, Community Center, Place of Worship, Residential Dwelling Unit, Hospital or Zoo.
6. The use is allowed in that zoning district only as an accessory use occupying not more than forty percent (40%) of the floor area of any story within a Business, Office or Residential Building or combination thereof;
7. The use is allowed in that zoning district only as an accessory use occupying not more than twenty-five percent (25%) of the floor area of any story within an Office or Residential Building or combination thereof;

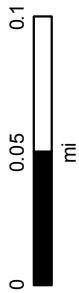


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65809
CITY OF BLOOMINGTON
PUBLIC HEARING NOTICE
Planning Commission -
December 11, 2019

Notice is hereby given that the Planning Commission of the City of Bloomington, Illinois, will hold a public hearing on December 11, 2019 at 4 pm in the Council Chambers of City Hall Building, 109 E. Olive St., Bloomington, Illinois, on a petition submitted by Robert J. Lenz on behalf of Trust 2315, to rezone property in the seventh addition to Southgate Commercial Plaza Subdivision from B-1 (General Commercial District) to B-2 (Local Commercial District) classification. The property is located south of Southgate Drive and Greyhound Road, east of US51/Main Street, and west of Cardinal Ridge Mobile Home Park. It is approximately 7.14 acres and of the following parcels:

PIN 21-16-405-002 (111 Southgate Drive), 21-16-405-003 (201 Southgate Drive), eastern portion of 21-16-451-024 (2430 S Main St), 21-16-451-027, eastern portion of 21-16-451-025 (2434 S Main St), eastern portion part of 21-16-451-009 (2438 S Main St).

The property is legally described as:

LEGAL DESCRIPTION: LOTS 2 AND 3 IN THE SEVENTH ADDITION TO SOUTHGATE COMMERCIAL PLAZA SUBDIVISION TO THE CITY OF BLOOMINGTON, ACCORDING TO THE PLAT THEREOF RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF MCLEAN COUNTY, ILLINOIS ON NOVEMBER 17, 2006 AS DOCUMENT NO. 2006-32000 IN THE MCLEAN

ER WITH THAT PART OF LOT 12 IN THE SUBDIVISION OF THE SOUTHEAST QUARTER OF SECTION 16, IN TOWNSHIP 23 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN, MCLEAN COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST-LINE OF SAID LOT 12, WHICH POINT IS 461.81 FEET NORTH FROM THE SOUTHEAST CORNER OF THE NORTH HALF OF LOT 13 IN SAID SUBDIVISION OF THE SOUTHEAST QUARTER OF SECTION 16, WHICH POINT IS ALSO THE NORTHEAST CORNER OF A PARCEL OF LAND DESCRIBED IN A DOCUMENT RECORDED MAY 4, 2007 AS DOCUMENT NO. 2007-00011252 IN SAID COUNTY, AND RUNNING: THENCE NORTH 87°-00'-43" WEST, PARALLEL WITH THE NORTH LINE OF SAID LOT 12 AND ALONG THE NORTH LINE OF LAST MENTIONED DOCUMENT, 387.12 FEET; THENCE NORTH 00°-02'-53" WEST, ALONG A SOUTHWARD EXTENSION OF AN EXISTING FENCE AND ALONG SAID FENCE, 230.92 FEET; THENCE NORTH 85°-51'-55" WEST, ALONG AN EXISTING FENCE, 37.54 FEET; THENCE NORTH 06°-48'-47" EAST, ALONG AN EXISTING FENCE AND A NORTHWARD EXTENSION OF SAID FENCE, 105.39 FEET; THENCE NORTH 87°-00'-43" WEST, PARALLEL WITH SAID NORTH LINE OF LOT 12, 178.44 FEET; THENCE NORTH 01°-34'-07" EAST, ALONG THE SOUTHWARD EXTENSION OF THE WEST LINE OF SAID LOT 2 IN SAID SEVENTH ADDITION TO SOUTHGATE COMMERCIAL PLAZA SUBDIVISION, 208.56 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2; THENCE SOUTH 87°-00'-43" EAST, ALONG WITH SOUTHWEST LINE OF SAID LOTS 2 AND 3 IN SAID SEVENTH ADDITION, BEING ALSO THE SAID NORTH LINE OF LOT 12, 427.13 FEET TO A POINT 145.41 FEET WEST FROM THE NORTHEAST CORNER OF SAID LOT 12; THENCE SOUTH 00°-49'-31" EAST 19.89 FEET; THENCE SOUTH 87°-13'-57" EAST 145.53 FEET TO SAID EAST LINE OF LOT 12; AND THENCE SOUTH 01°-18'-24" EAST, ALONG SAID EASTLINE OF LOT 12, 527.19 FEET TO THE POINT OF THE BEGINNING, CONTAINING 7.14 ACRES MORE OR LESS ADJACENT.

All interested persons may present their views upon such matters pertaining thereto at the meeting. The petitioner or his/her Counsel/Agent must attend the meeting. The petition is on file for public review at the City of Bloomington Community Development Department, 115 E. Washington St., Suite 201, 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, preferably no later than five days before the hearing. The City Clerk may be contacted either by letter at 109 E. Olive St., Bloomington, IL 61701, by telephone at 309-434-2240, or email cityclerk@cityblm.org. The City Hall is equipped with a text telephone (TTY) that may also be reached by dialing 309-829-5115.

Published: November 25, 2019



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

November 25, 2019

Dear Property Owner or Resident:

The Planning Commission of the City of Bloomington, Illinois, will hold a public hearing on December 11, 2019 at 4 pm in the Council Chambers, 109 E. Olive Street, Bloomington, Illinois to hear testimony for a petition submitted by Robert J. Lenz on behalf of Trust 2315, to rezone property in the seventh addition to Southgate Commercial Plaza Subdivision from B-1 (General Commercial District) to B-2 (Local Commercial District) classification. The property is located south of Southgate Drive and Greyhound Road, east of US51/Main Street, and west of Cardinal Ridge Mobile Home Park. It is approximately 7.14 acres and of the following parcels:

PIN 21-16-405-002 (111 Southgate Drive), 21-16-405-003 (201 Southgate Drive), eastern portion of 21-16-451-024 (2430 S Main St), 21-16-451-027, eastern portion of 21-16-451-025 (2434 S Main St), eastern portion part of 21-16-451-009 (2438 S Main St).

You are receiving this courtesy notification since you own property within a 500 foot radius of the land described above (refer to attached map). All interested persons may present their views upon 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. Communications in writing in relation to the petition may be sent to the Department of Community Development prior to the hearing, or presented at such hearing.

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. Please note that cases are sometimes continued or postponed for various reasons (i.e lack of quorum, additional time needed, etc.). The date and circumstance of the continued or postponed hearing will be announced at the regularly scheduled meeting.

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 me at ksimpson@cityblm.org or call me at (309) 434-2341.

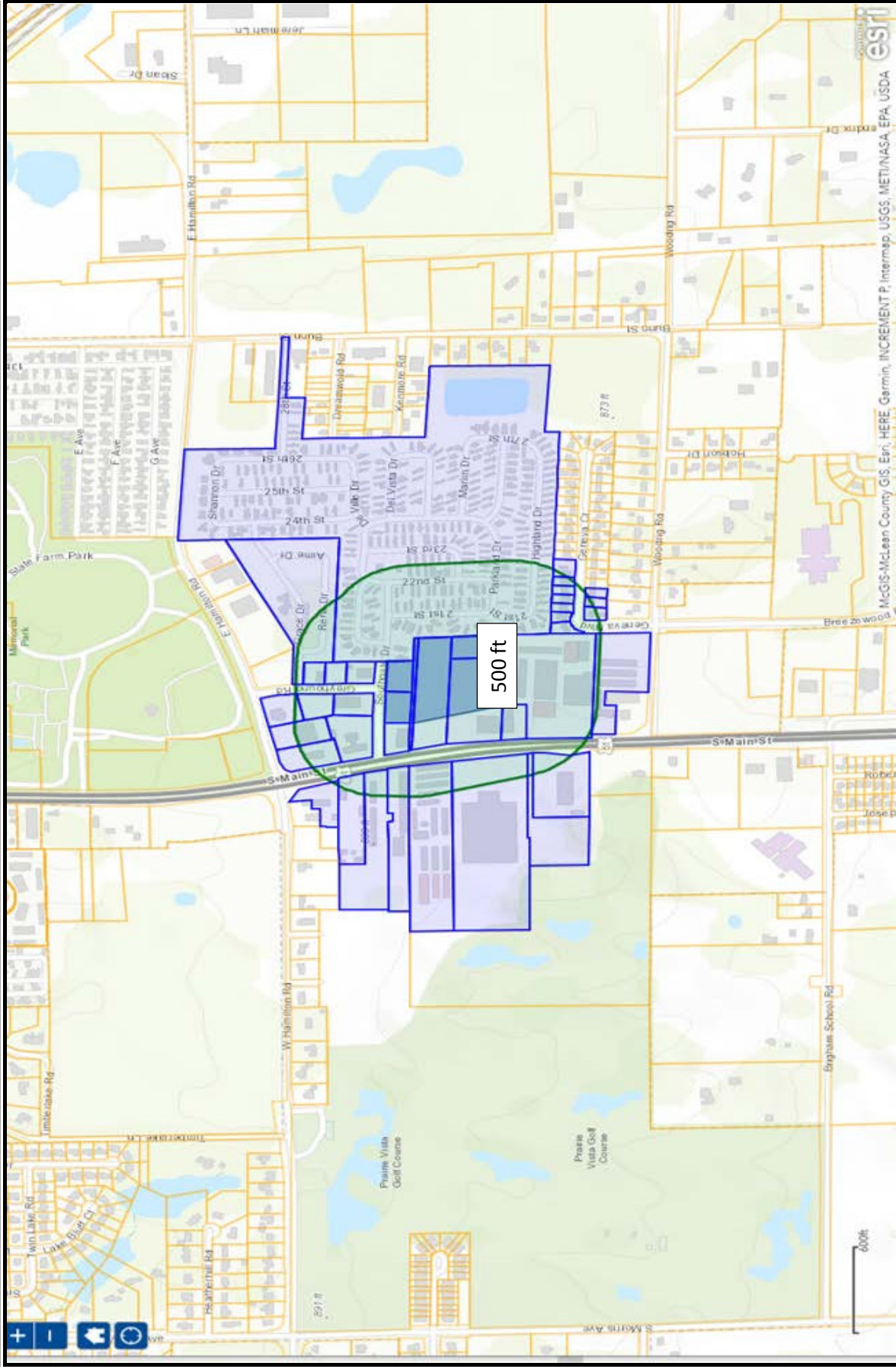
Sincerely,

Katie Simpson, City Planner

Attachments:

Map of notified properties within 500 ft of subject property

PUBLIC HEARING ON DECEMBER 11, 2019 FOR A ZONING MAP AMENDMENT



TERESA HOLLEY
11 GENEVA CT
BLOOMINGTON, IL 61704

DOUG HORNICKE
6 Geneva Ct
BLOOMINGTON, IL 61704

MATTHEW HARRISON
2 GENEVA CT
BLOOMINGTON, IL 61701

SMITH RON PRINTING CO
PO BOX 1543
BLOOMINGTON, IL 61702

RP LUMBER
514 E VANDALIA ST
EDWARDSVILLE, IL 62025

PRAIRIEVIEW DEVELOPMENT, LLC
2441 S. MAIN ST PO BOX 1365
BLOOMINGTON, IL 61702

ROGER POPE FLOORING STORE INC
435 E ASH AVE
DECATUR, IL 62526

ROBERT LENZ
2827 CAPODICE RD
BLOOMINGTON, IL 61704

MARTIN MULCAHEY
211 S HERSHEY RD
BLOOMINGTON, IL 61704

FRONTIER COMMUNICATIONS
TAX DEPARTMENT 401 MERRITT 7
NORWALK, CT 06851

MARK SHOEMAKER
7 GENEVA CT
BLOOMINGTON, IL 61704

TAMI MILLER
8 GENEVA CT
BLOOMINGTON, IL 61704

ANN HODGSON
12 GENEVA CT
BLOOMINGTON, IL 61704

RICK & PATRICIA PENN
2407 S MAIN ST
BLOOMINGTON, IL 61704

DEANNE M POTTER DZR ENTERPRISES
LLC
505 IRONWOOD CC DR
NORMAL, IL 61761

VOG INC
2439 S MAIN ST
BLOOMINGTON, IL 61704

ROBERT REWERTS
2405 E EMPIRE ST
BLOOMINGTON, IL 61704

MACS CONVENIENCE STORES LLC
4080 W JONATHAN MOORE PIKE
COLUMBUS, IN 47201

MISSION PEAK CAPITAL
1908 MAIN ST
KANSAS CITY, MO 64108

LEXINGTON SCHOOL DISTRICT
105 E HAMILTON RD
BLOOMINGTON, IL 61704

BAILEY HAMPTON
9 GENEVA CT
BLOOMINGTON, IL 61704

JESSICA NICOLE MERCER
10 GENEVA CT
BLOOMINGTON, IL 61704

WELLS FARGO BANK NA
1 HOME CAMPUS
DES MOINES, IA 50328

REBECCA FERRELL
4 GENEVA COURT
BLOOMINGTON, IL 61704

MARTIN & BAYLEY INC
PO BOX 385
CARMI, IL 62821

ZESCHKE SEPTIC CLEANING
2408 GREYHOUND RD
BLOOMINGTON, IL 61704

CHARLES M & MICHAEL D. MOORE
STEVENS
112 Southgate Dr Unit B
BLOOMINGTON, IL 61704

ENGINEERED DIMENSIONS
2900 N MARTIN LUTHER KING JR DR
DECATUR, IL 62526

JOHN CAPODICE
2827 CAPODICE RD
BLOOMINGTON, IL 61704

JANN RESTAURANTS, INC DBA
MCDONALDS
MMJ ENTERPRISES INC DBA
MCDONALDS 301 S PROSPECT STE 5

JOHN CAPODICE
2827 CAPODICE RD
BLOOMINGTON, IL 61704

MORRISSEY DRIVE SELF STORAGE
101 E CURTIS RD
SAVOY, IL 61874

MCLEAN COUNTY LAND TRUST
2827 CAPODICE RD
BLOOMINGTON, IL 61704

SMITH RON PRINTING CO INC
PO BOX 1543
BLOOMINGTON, IL 61702

ROBERT J LENZ-TRUSTEE MCLEAN
COUNTY LAND TRUST #2315
2827 CAPODICE RD
BLOOMINGTON, IL 61704