



MINUTES

**PUBLISHED BY THE AUTHORITY OF THE PLANNING COMMISSION OF BLOOMINGTON,
ILLINOIS**

**REGULAR MEETING
COUNCIL CHAMBERS
109 EAST OLIVE STREET
BLOOMINGTON, IL**

WEDNESDAY, December 9, 2020 4:00 P.M.

THIS MEETING WILL BE HELD VIRTUALLY. LIVE STREAM AVAILABLE AT:

www.cityblm.org/live

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

Members of the public may also attend the meeting at City Hall.

Physical attendance will be limited to the lesser of 10 persons or 10% of room capacity and will require compliance with City Hall COVID-19 protocols and social distancing.

The rules for participation and physical attendance may be subject to change due to changes in law or to executive orders relating to the COVID-19 pandemic occurring after the publication of this agenda. Changes will be posted at www.cityblm.org/register.

The Planning Commission convened in Regular Session virtually via Zoom conferencing with City Planner Katie Simpson and Chairperson Megan Headean in-person in City Hall's Council Chambers at 4:02 p.m., Wednesday, December 9, 2020. The meeting was live streamed to the public at www.cityblm.org/live. The meeting was called to order by Chairperson Headean.

ROLL CALL

Attendee Name	Title	Status
Ms. Megan Headean	Chair	Present
Mr. Tyson Mohr	Vice Chair	Present
Mr. Justin Boyd	Commissioner	Present at 4:07
Mr. Thomas Krieger	Commissioner	Present

MEETING MINUTES

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Ms. Megan McCann	Commissioner	Absent
Mr. Mark Muehleck	Commissioner	Present
Mr. David Stanczak	Commissioner	Present
Ms. Sheila Montney	Commissioner	Present
Mr. John Danenberger	Commissioner	Present
Mr. George Boyle	Assistant Corporate Counsel	Present
Mr. Craig McBeath	Information Systems Director	Present
Ms. Katie Simpson	City Planner	Present
Ms. Kimberly Smith	Assistant Economic & Community Development Director	Present
Ms. Caitlin Kelly	Assistant City Planner	Present

COVID-19

Chairperson Headean explained that this meeting was held virtually via live stream pursuant to the gubernatorial executive order 2020-07, Section 6. Public comment was accepted until 15 minutes before the start of the meeting. Written public comment must have been emailed to publiccomment@cityblm.org and those wishing to speak live must have registered at <https://www.cityblm.org/register> at least 15 minutes prior to the meeting. City Hall was open to the public with limited occupancy.

PUBLIC COMMENT

This meeting is being held virtually via live stream. Public comment will be accepted up until 15 minutes before the start of the meeting. Written public comment must be emailed to publiccomment@cityblm.org and those wishing to speak live must register at <https://www.cityblm.org/register> prior to the meeting.

No public comment provided.

MINUTES

Mr. Mohr made a motion to approve the minutes of the October 28, 2020 meeting. Mr. Krieger seconded. Roll call vote: Mr. Stanczak - Inaudible, Mr. Danenberger - Yes, Muehleck - Yes, Mr. Krieger - Yes, Mr. Mohr - Yes, Ms. Montney - Yes, Chairperson Headean - Yes. (7-0-1)

Mr. Boyd joined the meeting at 4:07.

REGULAR AGENDA

- A. Z-21-20** Public hearing, review, and action on a petition initiated by City Council (Res. 2020-26) to rezone 806 S. Morris Street from B-2 Local Commercial District to R-2 Mixed Residence District (Ward 6).
- B. Z-22-20** Public hearing, review, and action on a petition initiated by City Council (Res. 2020-26) to rezone 829 W. Elm Street from B-2 Local Commercial District to R-2 Mixed Residence District (Ward 6).

Chairperson Headean introduced the items and asked for the staff report. Ms. Simpson stated that staff recommended in favor of both cases. She explained that a previous rezoning case regarding 808 S. Morris Street spurred City Council to pass a resolution rezoning the adjacent properties to the east and north. Staff also examined a parcel on the south side of Elm but did not recommend rezoning that parcel due to the cost involved in extending utilities to the lot.

Ms. Simpson mentioned that the residential units on 806 S. Morris and 829 W. Elm were built prior to its rezoning to B-2. Though there are commercial uses near these parcels, the subject block is primarily residential. Ms. Simpson briefly went over the findings of fact in these cases, stating that the items generally met the standards.

No members of the public testified on these items.

No discussion from the Commission.

Mr. Mohr made a motion to accept the Findings of Fact and that the map amendments are in the best interest. Ms. Montney seconded. Mr. Krieger seconded. Roll call vote: Mr. Stanczak - Yes, Mr. Danenburger - Yes, Mr. Boyd - Yes, Mr. Muehleck - Yes, Mr. Krieger - Yes, Mr. Mohr - Yes, Ms. Montney - Yes, Chairperson Headean - Yes. The motion carried. (8-0-0)

Mr. Mohr made a motion to approve the rezoning of 806 S. Morris Street from B-2 Local Commercial District to R-2 Mixed Residence District. Mr. Boyd seconded the motion. Roll call vote: Mr. Stanczak - Yes, Mr. Danenburger - Yes, Mr. Boyd - Yes, Mr. Muehleck - Yes, Mr. Krieger - Yes, Mr. Mohr - Yes, Ms. Montney - Yes, Chairperson Headean - Yes. The motion carried. (8-0-0)

Mr. Mohr made a motion to approve 829 W. Elm from B-2 Local Commercial District to R-2 Mixed Residence District. Mr. Stanczak seconded. Roll call vote: Mr. Stanczak - Yes, Mr. Danenburger - Yes, Mr. Boyd - Yes, Mr. Muehleck - Yes, Mr. Krieger - Yes, Mr. Mohr - Yes, Ms. Montney - Yes, Chairperson Headean - Yes. The motion carried. (8-0-0)

- C. **PS-05-20** Public hearing, review, and action on petition submitted by Bill Piefer requesting approval of an amendment to the Harvest Pointe Preliminary Plan, approximately 14 acres located north of Route 9 and east of Towanda Barnes Road. (Ward 3). **This item will be laid over until the next regular meeting on Wednesday, January 13, 2020.**

The item was laid over until the next regular meeting.

- D. **Z-28-20** Public hearing, review, and action on a petition submitted by Terra LLC requesting a zoning map amendment for a portion of the property identified as PIN: 15-31-278-003, 1531-276- 026, and 15-31-279-006 from B-1 General Commercial District to R-2, Mixed Residence District and R-3A, Multifamily Residential District (Ward 3)

Chairperson Headean introduced the case and called for the staff report. Ms. Kelly stated that staff would recommend in favor of the item due to much of the land's long-time vacancy, the mix of residential and commercial uses already emerging in the surrounding area, and the potential for residential districts to serve as a transitional buffer between commercial uses and lower-density residential uses.

Ms. Montney inquired as to whether the information included in the presentation was included in the packet provided to Commissioners. Ms. Kelly affirmed this.

Mr. Boyd asked whether sidewalks currently exist on the subject tracts. Ms. Simpson stated that the developer would be responsible for installing sidewalks when development occurs.

The public hearing was opened for this item. Chairperson Headean swore in Mr. Rathnakumar Ramachandran, a representative of the townhomes adjacent to the subject parcels, for testimony. Mr. Ramachandran stated his support for the rezoning, stating that it would help extend the existing flavor of the community.

Mr. Krishna Balakrishnan, the applicant, was sworn in. He stated that his plan is to continue residential development similar to the townhomes within the parcels to be rezoned to R-2.

Chairperson Headean asked Mr. Balakrishnan about resident concerns as to increased traffic generation and decreases in home values were the rezonings to be approved. Mr. Balakrishnan stated that most of the traffic is on GE Road at present and that access would be taken from Leslie Drive.

Ms. Montney asked whether the townhomes that were sold are currently occupied. Mr. Balakrishnan said that they are.

Ms. Kelly displayed data regarding estimated trip generation for commercial versus residential uses, showing in broad terms that residential uses generate less traffic than commercial uses currently permitted by right in the B-1 district would.

Ms. Montney asked how these numbers were calculated. Ms. Simpson explained its basis on average trip data. Ms. Montney pointed out that the uses displayed are not necessarily reflective of the commercial development that has already occurred at the subject site. Ms. Simpson clarified that these uses could be developed by right, even though they are not currently present at the site. Ms. Montney argued against the inclusion of traffic data for businesses such as drive-through restaurants as they are not reflective of the current development patterns of the site.

Chairperson Headean asked Mr. Balakrishnan about the purpose of the development, referencing his previous comments regarding wanting to construct more affordable housing in Bloomington. He stated that after acquiring the property, he could not foster commercial development in the area, and subsequently switched his focus to high-quality, attainable residential development.

Ms. Montney inquired as to the data source on Mr. Balakrishnan's comment on the shortage of apartments for rent in Bloomington. Mr. Balakrishnan stated this was based on the reception to the recently developed townhomes and not based on any specific data point. Ms. Montney stated that the vacancy rate for apartments in Bloomington is substantial.

Chairperson Hadean opened the public hearing to those speaking against the petition. Dr. Tim Anderson, owner of Hawthorne Park Animal Care Center, was sworn in. He spoke of his concern about apartments extending south to Pamela Drive regarding the noise generated by animal care center and increased traffic resulting from residential development. Dr. Anderson mentioned that existing traffic on Pamela Drive is congested due to the absence of a traffic light. Ms. Kelly clarified that the residential zoning would not extend to Pamela Drive. Ms. Simpson stated that she was not aware of any plans to install a traffic light at the intersection of Pamela and Leslie Drives.

Ms. Montney asked how access would be taken out of the potential residential developments since each exit is presently uncontrolled. Ms. Simpson stated that Leslie Drive, Pamela Drive, or Woodbine Road would serve as exit points.

Mr. Krieger asked whether a traffic count has been done in this area. Ms. Simpson displayed data regarding average daily trips in the area, stating that there are no specific counts for Leslie Drive.

Dr. Anderson added that Unit 5 buses use Leslie Drive as a stopping off point between 7:45 to 8:15 AM, creating additional traffic congestion and potentially posing an obstacle to residential development.

Ms. Simpson introduced six emails from the public into the record. Most of the comments raised concerns about a potential increase in traffic from any future residential development. Ms. Montney pointed out that many emails also raised a decline in property values as a concern.

Mr. Balakrishnan provided a rebuttal to the emails received, stating that the traffic wouldn't substantially impact Pamela Drive. He also stated that home values increase when homes are situated near other homes rather than vacant land.

Ms. Montney asked why the R-3A zoning was sought if the plan is to develop more townhomes. Mr. Balakrishnan stated that it would serve as a buffer between commercial and lower-density residential development. Ms. Simpson affirmed this, stating that R-3A allows for a higher level of development as well, potentially enabling a higher concentration of townhomes in this zoning and allowing townhomes to be built by right.

Chairperson Headean asked whether the plan is to build townhomes only or apartments as well. Mr. Balakrishnan confirmed that the R-3A zoning was sought to build a higher density of townhomes, but that only townhomes are planned at this time. Ms. Montney stated that she thought the location of the proposed R-3A zoning is unsuitable to townhomes.

Mr. Balakrishnan closed his testimony by thanking the Commission and staff and restating that the land has been vacant for many years. The public hearing was closed.

Chairperson Headean called for a motion regarding the Findings of Fact as presented in the staff report. Ms. Montney expressed her disagreement with the Findings. Mr. Boyle clarified that the criteria in rezoning cases are considered a weighing decision. Chairperson Headean asked Ms. Montney to elaborate on her disagreement prior to making a motion. Ms. Montney detailed her disagreement with the findings by item, stating that steady development has occurred in this area, that high density residential development is unsuitable given the present development, and that Bloomington's unit vacancy rate does not suggest a need for additional multi-family development. She added her concerns regarding the potential for additional traffic generated and the impact on the school systems and the neighboring Sapphire Lake subdivision.

Ms. Kelly asked whether Ms. Montney was responding to the petitioner's Findings of Fact or staff's Findings of Fact. Ms. Montney said she was not sure. Mr. Boyle inquired

as to whether Ms. Montney's disagreement is with the proposal as a whole or with the R-3A rezoning in particular. Ms. Montney confirmed that the R-3A zoning is her primary concern.

Chairperson Headean asked for clarification on the next steps in the event that the rezonings were to be approved. Ms. Simpson explained the approval process, including potential action by the Zoning Board of Appeals and City Council. Chairperson Headean restated that the Commission would not be voting on townhomes, which have not yet been formally proposed, but on the rezoning themselves.

Mr. Boyd argued that the vote centers around whether commercial or residential zoning would cause existing problems like traffic to be better or worse in the future. He made a motion to adopt the Findings of Fact as presented by staff. The motion was seconded. Chairperson Headean called for disputing comments. Ms. Montney asked whether his argument regarding traffic patterns is based on what development is currently existing in the area versus what development could take place there. He affirmed that he is voting based on a longterm view of the potential development in the area.

Mr. Mohr stated that he would vote no on the motion because of his desire to discuss points raised by Ms. Montney and the public.

Roll call vote: Mr. Stanczak - Yes, Mr. Danenburger - Yes, Mr. Boyd - Yes, Mr. Muehleck - Yes, Mr. Krieger - Yes, Mr. Mohr - No, Ms. Montney - No, Chairperson Headean - Yes. The motion carried (6-2-0)

Chairperson Headean called for additional discussion of resident concerns. Mr. Mohr stated his agreement with Mr. Boyd regarding traffic patterns and argued that streets like Norma and Pamela Drives are constructed in a way that does not discourage motorists from speeding, likely contributing to the residents' sense of feeling unsafe. Mr. Stanczak stated that he viewed the vote as being oriented around what could be developed at the subject sites rather than what is presently developed at the subject sites.

Ms. Montney inquired as to whether it would be possible to deny the proposed R-3A rezoning separately. She made a motion to deny the proposed the R-3A rezoning. No second was provided. The motion was not passed.

Mr. Boyd made a motion to approve the rezoning of 6.06 acres of the Hawthorne Commercial Subdivision from B-1 General Commercial District to R-2 Mixed Residence District and R-3A Medium Density Multiple Family Residence District. Mr. Muehleck seconded the motion. Chairperson Headean offered the opportunity for objections to the motion to be restated. Ms. Montney stated that her objection is to the purported need for R-3A zoning and to the Findings of Fact. Roll call vote: Mr. Stanczak - Yes,

Mr. Danenburger - Yes, Mr. Boyd - Yes, Mr. Muehleck - Yes, Mr. Krieger - Yes, Mr. Mohr - Yes, Ms. Montney - No, Chairperson Headean - Yes. The motion passed (7-1-0)

OLD BUSINESS

Mr. Mohr inquired as to the status of the Downtown Residential District, which was not approved by City Council. Ms. Simpson stated that City Council requested that the proposal be tabled to provide more time for review and that it likely wouldn't return to Planning Commission for consideration.

NEW BUSINESS

- A. Introduction: Kimberly Smith, Assistant Economic & Community Development Director
- B. Introduction: Caitlin Kelly, Assistant City Planner

ADJOURNMENT

Mr. Muehleck moved to adjourn. Mr. Mohr seconded. The Commission voted unanimously to adjourn at 5:45 PM.