AGENDA
REGULAR SESSION
PLANNING COMMISSION MEETING
BLOOMINGTON POLICE DEPARTMENT, OSBORN ROOM
305 S. EAST STREET, BLOOMINGTON, IL 61701
WEDNESDAY, NOVEMBER 2, 2022, 4:00 P.M.

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PUBLIC COMMENT**

   Individuals wishing to provide emailed public comment must email comments to **publiccomment@cityblm.org** at least 15 minutes before the start of the meeting. Individuals wishing to speak in-person may register at **www.cityblm.org/register** at least 5 minutes before the start of the meeting.

4. **MINUTES**

   Review and approval of the minutes of the October 6, 2022, special meeting of the Planning Commission.

5. **REGULAR AGENDA**

   A. **Z-10-22** Public hearing, review and action on a petition submitted by Habitat For Humanity of McLean County requesting approval of a Zoning Map Amendment for the property located at 1305 Bunn Street, from R-1C (Single-Family Residence) District to R-2 (Mixed Residence) District. PIN: 21-09-284-010. (Ward 1.) *Withdrawn at the request of the Petitioner*.

   B. **Z-11-22** Public hearing, review and action on a petition submitted by Workbench Architects requesting approval of a Zoning Map Amendment for the property located at 1301 W. Washington Street, from M-2 (General Manufacturing) District to M-1 (Restricted Manufacturing) District. PIN: 21-05-328-001. (Ward 7.)

   C. **PR-11-22** Public hearing, review and action on a petition submitted by Jayrajsinh Patel requesting approval of a Legislative Site Plan with a Variance for the property located at 1041 Wylie Drive. PINs: 14-31-353-004 and 14-31-353-005. (Ward 7.)

   D. **PR-12-22** Public hearing, review and action on a petition submitted by Seneca Companies requesting approval of a Legislative Site Plan with a Variance for the property located at 1403 N. Veterans Parkway. PIN: 14-35-251-010. (Ward 5.)

   E. **Z-13-22** Public hearing, review and action on a petition submitted by Eastview Christian Church, requesting a Zoning Map Amendment for the property located at 602 S Main Street, from B-1 (General Commercial) District to P-2 (Public Lands and Institutions) District. PIN: 21-09-130-003. (Ward 1.)

   F. **Z-12-22** Public hearing, review and action on a petition submitted by DKS Properties Inc, for approval of an Annexation Agreement and Zoning Map Amendment for the property located at 2318 W. Market Street. PIN: 20-01-200-012. (Ward 7.)

   G. **PS-04-22** Public hearing, review and action on a petition submitted by DKS Properties Inc, requesting approval of the Second Amended Preliminary Plan for Interstate Business Park for the

properties generally located near the intersection of W. Market Street and Avalon Way and along Interstate Drive. PINs: 20-01-200-010, 20-01-200-012, 20-01-200-050, and 20-01-200-051. (Ward 7.)

6. **OLD BUSINESS**
7. **NEW BUSINESS**
8. **ADJOURNMENT**

Individuals with disabilities planning to attend the meeting who require reasonable accommodations to observe and/or participate, or who have questions about the accessibility of the meeting, should contact the City's ADA Coordinator at 309-434-2468 or mhurt@cityblm.org.

DRAFT

MINUTES

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

REGULAR MEETING

OSBORN ROOM, 2ND FLOOR POLICE DEPARTMENT

305 S. EAST STREET, BLOOMINGTON, IL

THURSDAY, OCTOBER 6, 2022 4:00 P.M.

Individuals wishing to provide emailed public comment must email comments to publiccomment@cityblm.org at least 15 minutes before the start of the meeting. Individuals wishing to speak in-person may register at www.cityblm.org/register at least 5 minutes before the start of the meeting

The Planning Commission convened in-person within the Osborn Room inside of the Bloomington Police Department at 4:00 p.m., Thursday, October 6, 2022, with the following physically present staff members Mr. George Boyle, Assistant Corporation Counsel; Mr. Glen Wetterow, City Planner; Mr. Jon Branham, City Planner; Ms. Alissa Pemberton, Assistant City Planner; Ms. Kimberly Smith, Assistant Economic and Community Development Director.

The meeting was called to order by Chairperson Mohr at 4:12 p.m.

ROLL CALL

Attendee Name	Title	Status
Mr. Tyson Mohr	Chair	Present
Mr. Justin Boyd	Vice Chair	Absent
Mr. Thomas Krieger	Commissioner	Present
Mr. Mark Muehleck	Commissioner	Present
Mr. John Danenberger	Commissioner	Absent
Mr. Brady Sant-Amour	Commissioner	Absent
Mr. Benjamin Muncy	Commissioner	Absent
Mr. Govardhan Galpalli	Commissioner	Present
Ms. Anna Patino	Commissioner	Absent
Ms. Jacqueline Beyer	Commissioner	Present
George Boyle	Assistant Corporation Counsel	Present
Kimberly Smith	Assistant Economic and Community Development Director	Present

Glen Wetterow	City Planner	Present
Jon Branham	City Planner	Present
Alissa Pemberton	Assistant City Planner	Present

Mr. Wetterow called the roll. Mr. Krieger – Present, Mr. Muehleck – Present, Mr. Galpalli - Present, Ms. Beyer – Present, and Chair Mohr - Present. With 5 members present, a quorum was established.

MINUTES

Mr. Muechleck motioned to approve the minutes from the September 7, 2022, meeting. Mr. Krieger seconded. A voice vote was held. All ayes. The motion passed.

PUBLIC COMMENT

Chairperson Mohr notified those present that public comment is for items not on the agenda.

There were no public comments.

REGULAR AGENDA

A. Z-10-22 Public hearing, review and action on a petition submitted by Habitat For Humanity of McLean County requesting approval of a Zoning Map Amendment for the property located at 1305 Bunn Street, from R-1C (Single-Family Residence) District to R-2 (Mixed Residence) District. PIN: 21-09-284-010. ***Tabled to November 2nd Regular Meeting***.

City Staff Glen Wetterow noted the case has been tabled at the request of the Petitioner. The case will be tabled to the November 2nd regular meeting.

Chairperson Mohr informed those present that staff would be present after the meeting to discuss the status of this case if any of them had come to speak on the case.

B. PR-09-22 Public hearing, review and action on a petition submitted by Christopher Enright of Enright Architects requesting approval of a Legislative Site Plan with a Special Use, and potential variances, for the property located at 1501 N. Veterans Parkway. PIN: 14-35-203-005.

City Staff Jon Branham presented the staff report with a recommendation for approval.

Mr. Branham noted there were three separate items included in the request: Legislative Site Plan Review, Special Use, and a Variance. He stated the location previously was occupied by Biaggi's restaurant, which has been vacant for several years. He stated the proposal met all

bulk requirements for the B-1 zoning district. He noted there were additional standards for Vehicle Repair and Service uses. He stated one of the requirements is the building cannot exceed 20 feet in height which is significantly less than the 35-foot height allowance for the B-1 district. He stated the Petitioner is requesting a Variance from this item. Mr. Branham also explained how the location quadrant standard applied to this case and how staff agreed that standard was met.

Commissioner Beyer inquired about the quadrant standard application. Mr. Branham stated it was an interpretation consistent with other standards. Commissioner Beyer also inquired if consideration should be given to economic impacts beyond 500 feet from the site. Mr. Branham outlined notice requirements as stated in the code and applicable standards for review.

Chair Mohr asked Mr. Boyle about the level of consideration the Commission should give to the impact this has on existing businesses. Mr. Boyle stated it was not totally unrelated, but the focus should be on the specific use and site layout, and how it will affect neighboring properties.

There was further discussion regarding the standards as related to economic impact.

Chair Mohr inquired about the northwestern cross-access point with the property to the north. Mr. Branham stated it was an existing condition and had not been identified as an issue during initial review.

Commissioner Beyer inquired about emergency vehicles access. Mr. Branham identified expected emergency vehicle routing.

John Merzwicki of Enright Architects (628 East Parent Avenue, Suite 100, Royal Oak, Michigan 48067.) spoke on behalf of the project. He stated the location is over 1000 feet south of the intersection of Veterans Parkway and G.E. Road. He stated primary access to the site would occur via Keaton Place. He described the Belle Tire organization and typical operation He added it was a family-owned business and had been in operation for over 100 years. He also elaborated on the building elevations and the necessity for the height variance request.

Commissioner Beyer inquired about potential noise impact. Mr. Merzwicki responded with details regarding common noise levels and stated the company has moved to all electric tools.

Commissioner Galpalli inquired about service details. Mr. Merzwicki stated that there would be no body work or engine work. He stated most work would be related to the wheels with an occasional oil change.

Commissioner Beyer inquired if the business would offer oil changes. Mr. Merzwicki responded yes but that it was not a primary business function. Commissioner Beyer also inquired about the direction the work bays would face. The Petitioner stated the bays would face south.

Chair Mohr inquired about the value of the northwestern access point. Mr. Merzwicki stated there could be limited use, but most customers would likely utilize Keaton Place.

Mr. Branham stated cross-access between sites in this type of situation is encouraged by the Code.

Commissioner Beyer inquired about shared parking with adjacent properties. Mr. Merzwicki stated all customer and patron parking would be maintained on site. He stated he was not aware of any existing shared parking agreements.

Commissioner Galpalli inquired about truck deliveries. Mr. Merzwicki stated two deliveries were expected per week from a full-size delivery truck for loading and unloading of products, during business hours.

Chair Mohr inquired about the amount of parking provided. Mr. Merzwicki stated the ideal number of parking spaces is 50-60 spaces. Mr. Branham noted approximately 30 spaces were required by the Code and over 50 were provided.

Commissioner Beyer inquired about the types of vehicles that would be serviced. The Petitioners stated only consumer vehicles and small commercial trucks would be serviced. He added they do not service larger commercial vehicles or semi-trucks.

Chair Mohr read in comments from the emailed written comments provided to staff.

Mr. Boyle noted emails written comments should not be given the same level of testimonial consideration as cross examination cannot occur.

Mark Sperry, (754 Canyon Creek, Normal, IL) stated he was the owner of Mechanical Devices and partial owner of the old G.E. building located east of the site. He inquired about parking on Keaton Place and stated truck turning had been an issue in the past. Mr. Merzwicki responded that the site was designed specifically to accommodate truck traffic and it would not be an issue.

There were no additional questions from the Commission and no additional testimony from the public.

Chair Mohr closed the public hearing.

Chair Mohr inquired if any Commissioners were interested in adding any amendments to the motions. None were proposed.

Commissioner Krieger made a motion to establish findings of fact that the subject property meets the Legislative Site Plan Review criteria in Chapter 44.17-9 of the City Code and recommend that City Council approve a Site Plan for the property located at 1501 N. Veterans Parkway (PIN: 14-35-203-005): The motion was seconded by Commissioner Galpalli.

Mr. Krieger – Yes, Mr. Muehleck – Yes, Mr. Galpalli - Yes, Ms. Beyer – Yes, and Chair Mohr - Yes. (5-0). The motion passed.

Commissioner Muehleck made a motion to establish findings of fact that the subject property meets the Special Use criteria in Chapter 44, 17-7 of the City Code and recommend that City Council approve a Special Use to allow a Vehicle Repair & Service use in the B-1 (General Commercial) District for the property located at 1501 N Veterans Parkway (PIN: 14-35-203-005) The motion was seconded by Commissioner Beyer. Mr. Krieger – Yes, Mr. Muehleck – Yes, Mr. Galpalli - Yes, Ms. Beyer – Yes, and Chair Mohr - Yes (5-0). The motion passed.

Commissioner Galpalli made a motion to establish findings of fact that the subject property meets the Variance criteria in Chapter 44, 17-9-D of the City Code recommend that the City Council approve a Variance associated with this site plan, to allow construction of the building at 24 feet, which exceed the 20-foot height requirement for the property located at 1501 N Veterans Parkway (PIN: 14-35-203-005) The motion was seconded by Commissioner Beyer.

Mr. Krieger – Yes, Mr. Muehleck – Yes, Mr. Galpalli - Yes, Ms. Beyer – Yes, and Chair Mohr - Yes (5-0). The motion passed.

Chair Mohr noted that the lower height issue has come up previously with similar types of development and perhaps the additional standard was too low. Staff agreed and noted this is something they are looking to address in future text amendments.

Staff stated that this case will be placed on the October 24, 2022, City Council agenda for final consideration.

C. PR-10-22 Public hearing, review and action on a petition submitted by Sunrise Company, L.L.C. requesting approval of a Legislative Site Plan, with potential variances, for the property generally located at the intersection of Woodrig Road and Breezewood Boulevard. PIN: 21-21-201-012.

Mr. Branham presented the staff report with a recommendation for approval.

He stated the Amended Preliminary Plan for the site was approved in May, 2022. He explained the overall development plan includes four total buildings on the site, but this request only addresses one building. He stated all bulk requirements for the B-1 zoning district had been met. He stated sidewalks and bicycle parking requirements were not addressed on plan but had been brought to the attention of the Petitioner and they have agreed to comply with related code requirements.

Commissioner Beyer inquired if there were any limitation on any types of commercial traffic on U.S. Route 51 and Breezewood Avenue and any potential impact. Mr. Branham stated he was not aware of any limitation, and it had not been identified during preliminary review. He

added the driveway access on the south portion of the development had been designed to accommodate larger vehicles.

Kyle Glandon of Workbench Architects (234 Front Street) spoke on behalf of the project. He stated this was the first phase of multiple phase development. He stated there were only four loading bays so there was not an expectation for a high volume of truck traffic. He added they adjusted the size of the south entrance so trucks can enter and exit Breezewood Avenue without impacting traffic.

There were no additional questions from the Commission and no additional testimony from the public.

Chair Mohr closed the public hearing.

Commissioner Galpalli made a motion to establish findings of fact that the subject property meets the Legislative Site Plan Review criteria in Chapter 44.17-9 of the City Code and recommend that City Council approve a Site Plan for the property located at 101 Woodrig Road (PIN: 21-21-201-012). The motion was seconded by Commissioner Beyer.

> Mr. Krieger – Yes, Mr. Muehleck – Yes, Mr. Galpalli - Yes, Ms. Beyer – Yes, and Chair Mohr - Yes (5-0). The motion passed.

Staff noted that this case will be placed on the October 24, 2022, City Council agenda for final consideration.

D. Z-24-21 Public Hearing, review and action on text amendments, modifications and deletions to the Bloomington Zoning Ordinance, Chapter 44 of the City Code, submitted by the Bloomington City Council (Resolution 2021-31) relating to (1) auto sale exclusions, definition, and zoning; (2) updating certain zoning classifications; (3) reviewing residential uses that were previously permitted by right or via Special Use in commercial districts should again be allowed; (4) zoning for snack food manufacturing; (5) zoning for assisted living facilities; and (6) the review and submission process and commission schedules.

Chairperson Mohr reminded the Commission that these proposed changes were provided to the Commission last month for them to review and discuss. The purpose today is to examine the specific language which is presented for adoption.

City Staff, Ms. Pemberton presented the report with a recommendation for approval.

Ms. Pemberton noted the Planning Commission has discussed recommendations and text amendments, pursuant to Ordinance 2021-31, at multiple meetings over the past year and has relayed important feedback to staff. These proposed text amendments are intended to provide clarity and address gaps resulting from the comprehensive Zoning Code rewrite of 2019.

Ms. Pemberton address proposed text amendments related to temporary uses. Ms. Pemberton identified the following issue with temporary uses, the language structure of the temporary uses is unclear and mixes temporary uses with temporary sales, rather than sales being a subset of uses. Additionally, temporary sales the residential districts listed as a "development standard" for the district(s) rather than within temporary uses section. Staff recommends a solution that more clearly defines temporary sales as a subset of temporary uses, and Farmers' Markets as a subset of temporary sales, as well as places all temporary sales information in the same section for ease of public interpretation.

Ms. Pemberton addressed text amendments related to assisted living facilities. Ms. Pemberton noted there was further clarification on the definition of assisted living facilities. Ms. Pemberton noted the bulk of the required work was addressed by amendments recommended for approval at the September 7, 2022, Regular Meeting of the Planning Commission; the approving motion removed additional text which staff subsequently reviewed for additional implications. Staff recommends further clarification after review of the changes made by the amended motion at the prior meeting.

Ms. Pemberton addressed text amendments related to how the Zoning Board of Appeals is referenced in Chapter 44. Ms. Pemberton noted that throughout the current Zoning Code, the Board responsible for reviewing Variances and Special Uses (amongst other things) is referred to as the "Board of Zoning Appeals" (BZA), while the actual name of the Board to which citizens are appointed is the "Zoning Board of Appeals" (ZBA). Historically, the name of the Board has also been "Zoning Board of Appeals," as indicated on agendas, case files, and minutes, at least as far back as 1967. Staff recommends correcting references to this Chapter's appeals board from "BZA" to "ZBA"; sections where ZBA is already accurately described have not been included in the attached document.

Commissioner Beyer had a question related to temporary uses – the way currently written seems to be written to speak predominately to Farmers' Markets. Ms. Pemberton stated that is correct. The intent of the change is to ensure it is written to address all temporary sales of which Farmers' Markets is one. None of the content or ability for Farmers' Markets changed.

Commissioner Beyer noted a typo and two "Farmers' Markets or" inclusions that were not removed in § 44-907 as it appears they were intended to be. Ms. Pemberton clarified that was the intent and thanked Ms. Beyer for her detailed evaluation of the proposed changes.

There were no additional questions from the Commission and no additional testimony from the public.

Commissioner Beyer made motion to find the proposed text amendments are in the public interest and recommend approval of the text amendments, as proposed and described. Seconded by Commissioner Galpalli.

Commissioner Beyer moved to amend the motion by striking "Farmers' Markets or" from § 44-907(7) and § 44-907(9), with the intent of guiding the requirement for sales in general. Mr. Muehlek seconded.

Mr. Krieger – Yes, Mr. Muehlek – Yes, Mr. Galpalli - Yes, Ms. Beyer – Yes, and Chair Mohr - Yes (5-0). The motion passed.

The Commission voted to approve the initial motion (to find the proposed text amendments are in the public interest and recommend approval of the text amendments, as proposed and described to City Council), as amended. Mr. Krieger – Yes, Mr. Muehlek – Yes, Mr. Galpalli - Yes, Ms. Beyer – Yes, and Chair Mohr - Yes (5-0). The motion passed.

Ms. Pemberton noted that this recommendation will be reviewed by City Council on October 24, 2022, and that staff will be bringing additional items for Planning Commission review during the next few meetings.

OLD BUSINESS - None.

NEW BUSINESS - None.

ADJOURNMENT

Chairperson Mohr asked for a motion to adjourn. Commissioner Muehleck made said motion to adjourn. The motion was seconded by Commissioner Krieger. A voice vote was held, and all Commissioners responded in the affirmative. Motion passed (5-0). The meeting was adjourned at 5:18 P.M.

DRAFT

PLANNING COMMISSION

TO:	Planning Commission
FROM:	Economic & Community Development Department
DATE:	November 2, 2022
CASE NO:	Z-10-22, Zoning Map Amendment
REQUEST:	Public hearing, review and action on a petition submitted by Habitat for Humanity of McLean County requesting approval of a Zoning Map Amendment for the property located at 1305 Bunn Street, from R-1C (Single-Family Residence District) to R-2 (Mixed Residence District). PIN: 21-09-284-010. ***Withdrawn at the request of the petitioner***.

Case Withdrawn per request of Petitioner.

The recently adopted (10/24/22) Zoning Code changes resulted in the Petitioner no longer needing to rezone the property, and thus withdrew their request for a Zoning Map Amendment. The Petitioner has submitted a request for Special Use Permit for a Two-Family Dwelling on the property, instead.

PLANNING COMMISSION

TO:	Planning Commission
FROM:	Economic & Community Development Department
DATE:	November 2, 2022
CASE NO:	Z-11-22, Zoning Map Amendment
REQUEST:	Public hearing, review and action on a request by Workbench Architects on behalf of Mid Central Community Action Center, requesting a Zoning Map Amendment for the property located at 1301 W. Washington Street, from M-2 (General Manufacturing) District to M-1 (Restricted Manufacturing) District. PIN: 21-05-328-001.

BACKGROUND

Petitioners' Request:
The Petitioner seeks a Zoning Map Amendment for the subject property, from M-2 (General Manufacturing) District to M-1 (Restricted Manufacturing) District, to allow for a portion of the building to be utilized as Business and Trade School.

The property is currently owned by Mid Central Community Action Center (MCCA) who is a non-profit organization and Workbench Architects is the architectural firm who will be leading the remodeling project. The building is currently utilized as an office building for MCCA operations. In partnership with Heartland Community College, the project aims to provide a satellite location to serve as an educational space to educate and train students on basic construction and renovation skills. This use is defined as a Business and Trade School which is not permitted under their current M-2 (General Manufacturing) District zoning.

Property Characteristics:
The subject property consists of 1.91 acres of land located at 1301 W. Washington Street. The property is located at the southeast corner of the intersection of Stillwell Street and W. Washington Street. There is a building and associated surface parking area on the property utilized by Mid Central Community Action Center. No manufacturing currently exists on the parcel, the current and proposed uses more appropriately align with the intentions and uses permitted within the M-1 (Restricted Manufacturing) District zoning classification.

Notice:
The application was filed in conformance with applicable procedural and public notice requirements. Notice was published in *The Pantagraph* on Wednesday, October 19, 2022. Courtesy

notices were mailed to 48 property owners within 500 feet of the subject property.

Surrounding Zoning and Land Uses

	Zoning	Land Uses
North	M-2 (General Manufacturing)	Railroad (Active Rail Line)
South	M-2 (General Manufacturing)	Office/Sports & Fitness Establishment
East	M-1 (Restricted Manufacturing)	Office/Daycare/Warehouse
West	M-2 (General Manufacturing)	Railroad (Active Rail Line)

ANALYSIS

*Comparison of Existing and Proposed Districts**

Existing Zoning: M-2 (General Manufacturing) District

The intent of the M-2 General Manufacturing District is to provide for the more intense types of industrial and manufacturing uses which generally exhibit higher levels of objectionable external effects. This district should not be located adjacent to residential districts, and its contiguity to commercial and business areas should, wherever possible, be avoided. Uses permitted in this district will provide for those basic industries needed to expand employment opportunities within the City.

Proposed Zoning: M-1 (Restricted Manufacturing) District

The intent of this M-1 Restricted Manufacturing District is to provide for industrial, warehouse, storage and transfer service uses with an absence of objectionable external effects in areas that are suitable for this type of development by reason of topography, relative location, and adequate utility and transportation systems. Compatibility with surrounding districts is further assured by limiting development to low industrial densities. Just as industrial uses are excluded from residential areas to promote public health, safety, and welfare, so are residential subdivision developments excluded from this district.

*A list of permitted uses for manufacturing districts can be found online in Chapter 44, Divisions 6-1.

Compliance with the Comprehensive Plan

The proposed Zoning Map Amendment contributes to Goal ED-1.1 (Focus on retention and expansion of existing businesses), ED-3. (Build and maintain a skilled and employable workforce to meet the needs of the current and targeted businesses), ED-3.1 (Workforce availability and retention), and ED-4.2 (Prioritize infill and redevelopment to spur growth and reinvestment in the City) of the 2035 Comprehensive Plan.

Zoning Map Amendments are reviewed for consistency with the Comprehensive Plan. The 2035 Comprehensive Plan Future Land Use map identifies this section of W. Washington Street as Regional Commercial in the built areas. The Land Use Priorities map identifies this area as Tier-1, vacant and under-utilized land for infill development or redevelopment within the City.

STANDARDS FOR REVIEW

The Planning Commission shall hold at least one public hearing on any proposed Zoning Map Amendment and report to the Council its findings of fact and recommendations. Recommendations shall be made upon the determination that the Map Amendment is in the public interest and not

solely for the benefit of the applicant, based upon considering the factors listed in § 44-1706E(2) and discussed below.

Request for Zoning Map Amendment for M-2 to M-1

1. **The suitability of the subject property for uses authorized by the existing zoning.**

   Uses permitted within the current M-2 (General Manufacturing) District are primarily oriented for more intense types of industrial and manufacturing which generally exhibit higher levels of objectionable external effects. This district provides for industrial, manufacturing, warehouse, storage, transfer service, and public and private utility uses. This district should not be located adjacent to residential districts, and its contiguity to commercial and business areas should, wherever possible, be avoided. Uses permitted in this district will provide for those basic industries needed to expand employment opportunities within the City.

2. **The length of time the property has remained vacant as zoned considered in the context of land development in the area.**

   The building is not vacant has been utilized by Mid Central Community Action Center (MCCA) for office operations since 2007. The character of the surrounding neighborhood has significantly shifted from the original character that provided for the general manufacturing zoning of the area. The character of the area has shifted over time towards residential and lower intensity uses.

3. **The suitability of the subject property for uses authorized by the proposed zoning.**

   "Business and Trade Schools" is a permitted use in the proposed M-1 (Restricted Manufacturing) District. Additionally, lower intensity industrial, commercial and offices uses are permitted. The surrounding neighborhood has shifted towards residential and institutional uses down zoning of this property supports the trend.

4. **The existing land uses and zoning of nearby property.**

   The subject property is surrounded by commercial, office, and warehouse uses. Indicating a trend towards lower intensity uses.

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.**

   If the zoning map amendment is granted, the applicant would be able to partner with Heartland Community College to offer additional educational and training services to the community which are in critical need. Additionally, the zoning map amendment will result in better alignment of the current use of building with the zoning of the property. The use the property in its current form is not manufacturing and moving to a more restrictive manufacturing district ensures current and future uses will have minimal impact on surrounding properties. The use will be a benefit to the neighboring properties and community as a whole.

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

The site has access to W. Washington Street and Stillwell Street.

7. **The extent to which the proposed amendment is inconsistent with the need to minimize flood damage and that the development of the subject property for the uses permitted in the proposed zoning classification will not have a substantial detrimental effect on the drainage patterns in the area.**

   There is no new exterior construction associated with the request, all the work associated is interior remodeling of the building. City code does not require an updated stormwater plan as 1,400 square feet of external impervious surface is not being disturbed.

8. **The extent to which adequate services (including but not limited to fire and police protection, schools, water supply, and sewage disposal facilities) are available or can be reasonably supplied to serve the uses permitted in the proposed zoning classification.**

   The site is currently served by existing watermains and sewer connections, as well as fire and police protection. The property is served by District 87 school district.

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 § 44-1701 herein.**

   The map amendment is intended to facilitate continued operation of the existing use, while ensuring minimal impact on the surrounding properties, providing a net benefit to the area.

10. **The extent to which property values are diminished by the particular zoning restriction.**

    By reducing the ability for high intensity industrial uses to occupy this property, the neighboring property values are protected. This area is no longer on the fringe of town and is now well within the developed area and is predominately residential and lower intensity commercial in nature. The zoning restrictions are not expected to dimmish property values.

11. **The extent to which the destruction of property values promotes the health, safety, morals, or general welfare of the public.**

    The proposed Zoning Map Amendment is not anticipated to diminish property values in the area. Please see above.

12. **Whether a Comprehensive Plan for land use and development exists, and whether the ordinance is in harmony with it.**

    The Comprehensive Plan Future Land Use Map identifies the subject property as regional commercial in the built areas. The Land Use Priorities map identifies this area as Tier-1, vacant and under-utilized land for infill development or redevelopment within the City. By moving the property towards M-1 the conventional heavy industrial uses are removed while permitting regional commercial uses as desire per the plan.

13. **Whether the City needs the proposed use.**

    The proposed map amendment would allow an existing use to continue to utilize the property to serve the needs of the citizens.

STAFF RECOMMENDATION

Staff finds that the request for a Zoning Map Amendment is in the public interest and not solely for the benefit of the applicant, after reviewing the relevant factors for consideration, and recommends the Planning Commission take the following action(s):

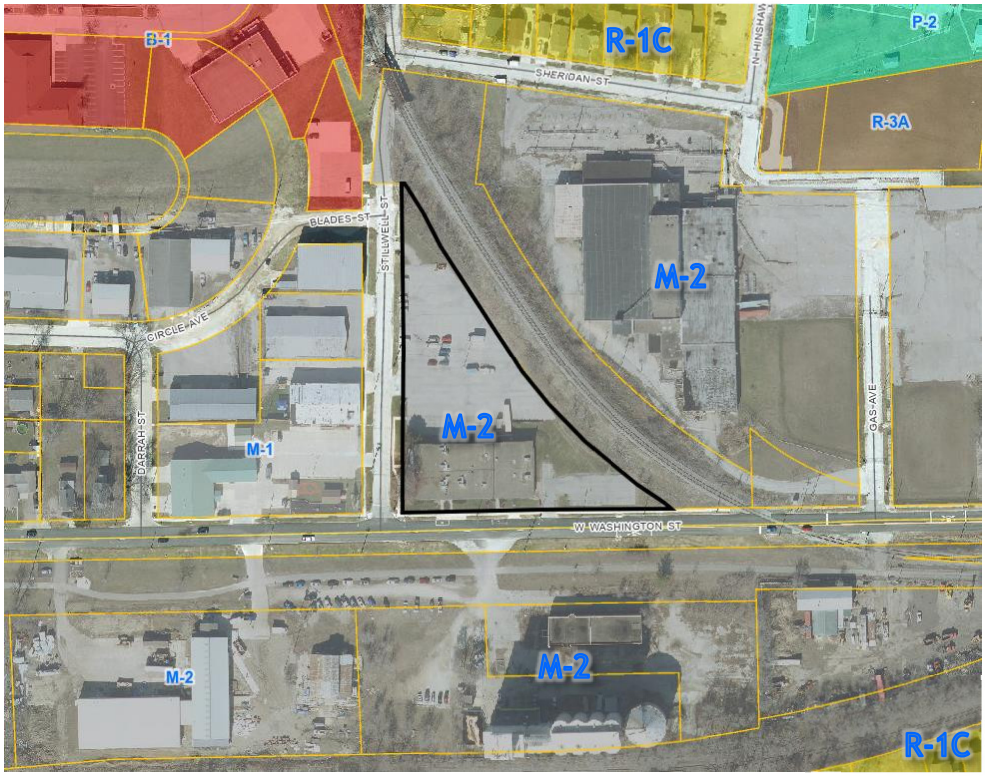
> Motion to establish findings of fact that the proposed Zoning Map Amendment *is in **the public interest and not solely for the benefit of the petitioner*** and recommend ***approval*** of the petition.

Respectfully submitted,
Glen Wetterow
City Planner

Attachments:

1. Zoning Map
2. Aerial Image(s)
3. Ground-Level View(s)
4. Petitioner-Submission – Description of Project
5. Neighborhood Notice Map

Attachment 1 – Zoning Map



Attachment 2 - Aerial Image

Attachment 3 - Ground-Level View(s)

11-9

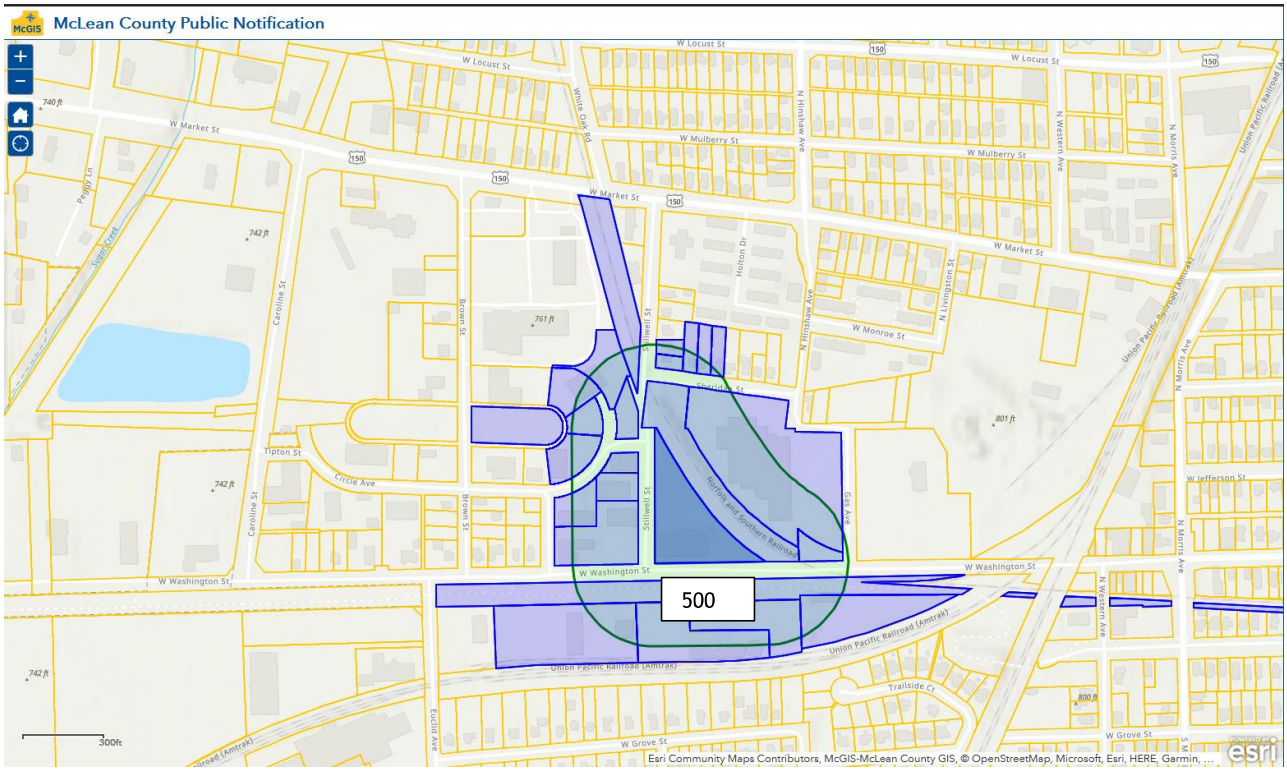
Attachment 4 – Petitioner-Submission – Description of Project

The existing building at 1301 West Washington Street in Bloomington, IL is owned by Mid Central Community Action, a non-profit organization, and is occupied as an office building for their operations. In partnership with Heartland Community College, the project aims to provide an educational space to educate and train students on basic construction and renovation skills.

The existing site is currently zoned M-2 Manufacturing, which does not permit Institutional Education Business and Trade Schools to exist. However, as no manufacturing currently exists on the parcel, it more appropriately aligns with the intentions of zoning classification M-1. Additionally, the adjacent property to the west is currently zoned M-1. Rezoning the parcel from M-2 to M-1 allows the proposed usage of a "Business and Trade School" as identified in Table:6-2(A): Manufacturing District - Permitted and Special Uses.

Therefore, we ask that this parcel be considered for rezoning under the M-1 classification to allow education and training for aspiring students through the education of this Heartland Community College satellite location, as well as aligning with the current usage of the property.

Attachment 5 - Neighborhood Notice Map



PLANNING COMMISSION

TO:	Planning Commission
FROM:	Economic & Community Development Department
DATE:	November 2, 2022
CASE NO:	PR-11-22, Site Plan Review
REQUEST:	Public hearing, review, and action on a petition submitted by Jayrajsinh Patel, requesting approval of a Legislative Site Plan to allow a Hotel use in the B-1 (General Commercial) District with a Variance for the property located at 1041 Wylie Drive, in Bloomington. PIN: 14-31-353-004 and 14-31-353-005.

BACKGROUND

Petitioners' Request:
The Petitioner is requesting a Legislative Site Plan Review with a Variance, to develop a Hotel use at the subject property.

The Petitioner is proposing to construct a four-story, 82,000 square foot hotel with associated vehicle parking (140 spaces) at the site. The Petitioner is requesting to construct 140 rooms, which would exceed the 108-room requirement for Hotel or Motel uses based on the site square footage. The Variance request is to permit a reduction in the required minimum lot area; the B-1 development intensity of FAR 0.8 must still be met.

Property Characteristics:
The subject property consists of roughly 2.5 acres (108,464 square feet) of land located at the southeastern intersection of Wylie Drive and Valley View Drive in Bloomington. The property would be accessible via both roads. The surrounding properties consist entirely of commercial zoning districts. The surrounding land uses consist primarily of vacant land or commercial uses.

Notice:
The application was filed in conformance with applicable procedural and public notice requirements. Notice was published in *The Pantagraph* on Monday, October 17, 2022. Courtesy notices were mailed to eight property owners within 500 feet of the subject property.

Surrounding Zoning and Land Uses

	Zoning	Land Uses
North	B-1 (General Commercial)	Vacant
South	B-1 (General Commercial)	Trade & Construction Services
East	B-1 (General Commercial)	Multi-Family Residential
West	B-1 (General Commercial)	Vacant

ANALYSIS

Compliance with the Comprehensive Plan
The subject property is identified as Tier 1-Infill Redevelopment Priority. The Future Land Use map identifies the site as Regional Commercial. Approval of the Site Plan algins with the following goals of the Comprehensive Plan: Goal N-1 (Enhance the livability of all Bloomington neighborhoods) and Goal ED-4.2 (Prioritize infill and redevelopment to spur growth and reinvestment in the City).

STANDARDS FOR REVIEW

Ch. 44, 17-9 Legislative site plan review
The Planning Commission shall hold at least one public hearing on any proposed Legislative Site Plan and report to the Council its findings of fact and recommendations. Recommendations shall be made upon the determination that the Legislative Site Plan is in the public interest and not solely for the benefit of the applicant, based upon considering the factors listed in § 44-1706E(2) and discussed below.

1. **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 proposed development is not incompatible with the existing development in the area. The site design is consistent with other developments on surrounding properties in the direct area. The building will meet all bulk requirements for B-1 zoning.

2. **The extent to which the proposal minimizes any adverse impact of the development upon adjoining land.**

   The proposed use will not have any adverse impacts on the development of adjoining land. The use is a permitted use within the zoning and is compatible with the uses of the surrounding properties. The building and landscaping shall comply with code requirements. The trash enclosure shall be fully screened as City Code requires.

3. **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 site is accessible by and directly situated on Wylie Drive and Valley View Drive. All curb cuts and aprons at the site are existing and will meet code requirements.

4. **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 surrounding properties are all zoned commercial. The proposed use is also commercial. A hotel development at the proposed site would be complementary to the existing surrounding uses.

ADDITIONAL STANDARDS FOR REVIEW - HOTEL OR MOTEL

Ch. 44. 1021, Hotel or Motel, provides additional minimum site and bulk standards for the siting and development of any hotel or motel:

Lot Standards
Minimum Lot Area = 20,000 square feet or 1,000 square feet per guest room, whichever is greater.
Minimum Lot Width = 100 feet

The minimum lot area item has not been met as the applicant is proposing 774 square feet per guest room, rather than the required 1,000 square feet. All other standards have been met.

ADDITIONAL REQUEST - VARIANCE

Ch 44, 17-9-D, Concurrent Applications (Variances)
The applicant has requested Variances as part of the application, in accordance with Ch. 17, 17-9-D of the site plan review process. The requests are as follows:

The petitioner seeks a Variance from §44-1021 (Hotel or Motel – lot standards), to allow construction of 774 square feet per guest room. §44-1021 states, "The minimum lot area = 20,000 square feet or 1,000 square feet per guest room, whichever is greater."

1. **That the property has physical characteristics that pose unreasonable challenges which make strict adherence to the Code difficult.**

   The site has been vacant for several years and will require development of the entire site. The new building is proposed to have 140 guest rooms, which will allow for optimal function and operation of the hotel facility and is consistent with standard industry design. ***Standard is met***.

2. **That the variance would be the minimum action necessary to afford relief to the applicant.**

   The Variance is required due to the nature of the request to not provide the 1,000 square foot lot area per guest room minimum required by § 44-1021A of the Code and develop the site. ***Standard is met***.

3. **That the special conditions and circumstances were not created by any action of the applicant.**

   No special conditions or circumstances were created by the applicant in this situation. ***Standard is met***.

4. **That granting the variation request will not give the applicant any special privilege that is denied to others by the Code.**

   No special privilege has been given to the applicant in this situation. ***Standard is met***.

5. **That the granting of the variation will not be detrimental to the public welfare, alter the essential character of the neighborhood, nor unreasonably impair the use of development of adjoining properties.**

   There is no expected potential negative impact to the public welfare. The Variance would not be expected to alter the character of the neighborhood, nor impair the use or development of adjoining properties. ***Standard is met*.**

STAFF RECOMMENDATION

Staff finds that the application meets the standards for site plan review and recommends its approval. Staff recommends that the Commission take the following actions:

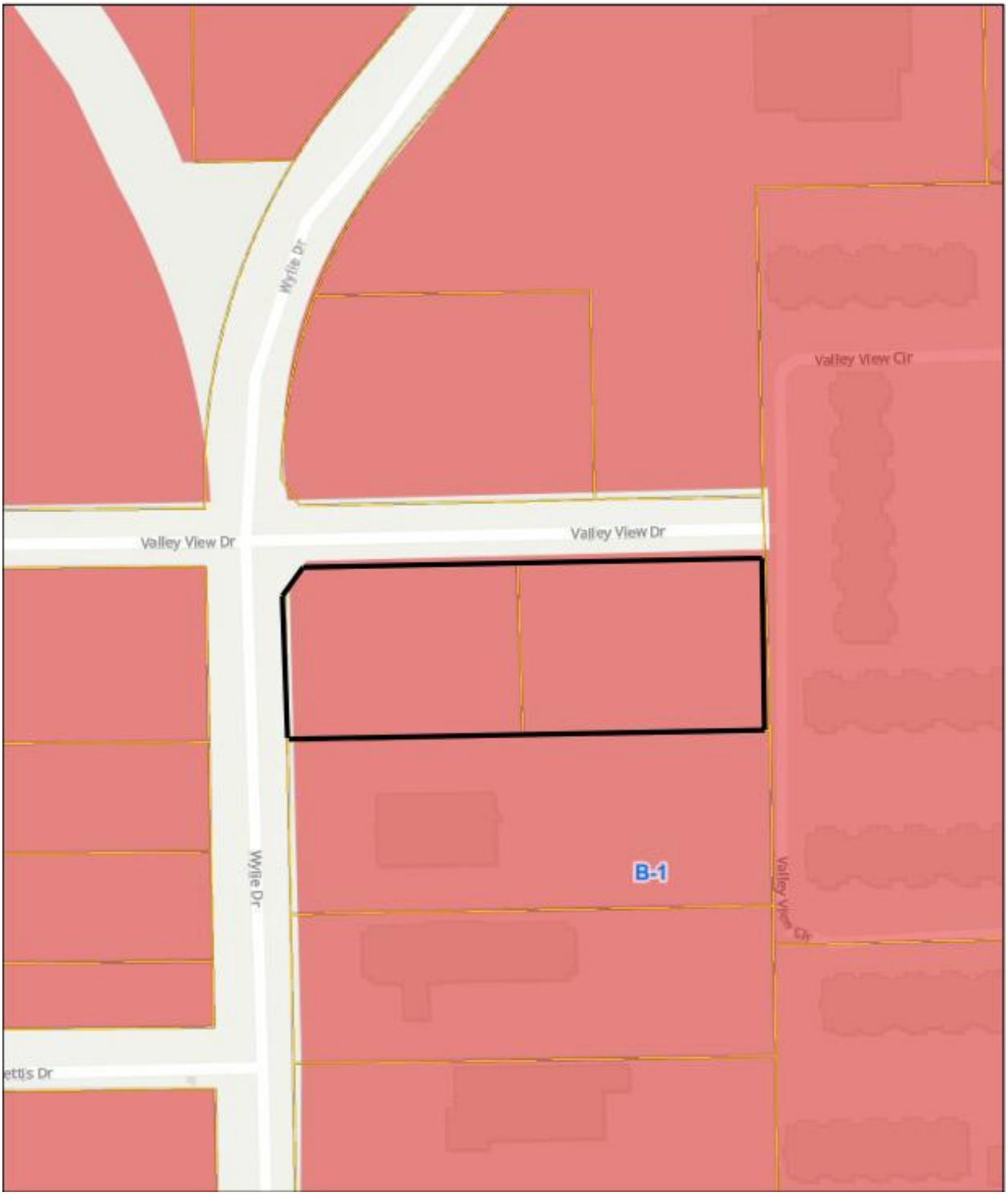
1. Motion to establish findings of fact that the Legislative Site Plan meets the standards and objectives for which the Code is designed, and recommend that City Council approve the Site Plan for the property located at 1041 Wylie Drive.

2. Motion to establish findings of fact that the subject property meets the Variance criteria in Chapter 44, 17-9-D of the City Code recommend that the City Council approve the Variance associated with this site plan, to allow 774 square feet provided for each guest room, for the property located at 1041 Wylie Drive.

Respectfully submitted,
Jon Branham
City Planner

Attachments:
1. Zoning Map
2. Aerial Image
3. Ground Level View(s)
4. Petitioner Submittals, including Site Plan
5. Neighborhood Notice Map

Attachment 1 - Zoning Map



Attachment 2 - Aerial Map

Attachment 3 – Ground Level View

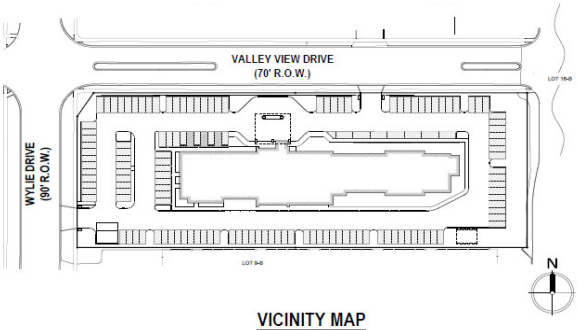
Attachment 4 – Petitioner Submittals, including Site Plan

SITE DEVELOPMENT PLANS FOR

HOLIDAY INN EXPRESS AND CANDLEWOOD SUITES - BLOOMINGTON, IL

PROPERTY ID. 14-31-353-005 AND 14-31-353-005

STREET ADDRESS: TO BE DETERMINED
BLOOMINGTON, IL 61705



PROJECT INFORMATION

PROJECT	HOLIDAY INN EXPRESS AND CANDLEWOOD SUITES - BLOOMINGTON, IL
PROJECT ADDRESS/LOCATION	STREET ADDRESS TO BE DETERMINED BLOOMINGTON, IL 61705
PARCEL TAX NUMBERS	14-31-353-004 AND 14-31-353-005
LOT ACREAGE	2.49 ACRES
LIMIT OF DISTURBANCE (LOD)	XX.XX ACRES
PARCEL ZONING	B-1
EXISTING BUILDING CONDITIONS	VACANT LAND

THIS SITE SITS IN AN AREA OF MINIMAL FLOOD HAZARD - ZONE X
AS SEEN IN THE FEMA FLOOD MAP FEMA FIRM MAP NUMBER, DATED XXXXXX.

AGENCY CONTACTS

CITY ENGINEERING/PUBLIC WORKS, CITY OF BLOOMINGTON

CONTACT	CRAIG SHONKWILER
PHONE	(309) 434-2225
EMAIL	CSHONKWILER@CITYBLM.ORG

CITY ECONOMY & COMMUNITY DEVELOPMENT - CITY OF BLOOMINGTON

CONTACT	GLEN WETTEROW
EMAIL	GWETTEROW@CITYBLM.ORG

UTILITY SYSTEMS

WATER SYSTEMS PROVIDER	BLOOMINGTON TOWNSHIP WATER DISTRICT
SEWER SYSTEM PROVIDER	BLOOMINGTON AND NORMAL WATER RECLAMATION DISTRICT
ELECTRICAL PROVIDER	
GAS PROVIDER	NICOR GAS

PARKING SCHEDULE

REQUIRED	ONE SPACE PER ROOM = 140 REQUIRED
PROPOSED	136 TYPICAL SPACES 4 ADA SPACES 140 TOTAL SPACES
STALL DIMENSIONS	8.5' X 20' 8.5' X 18' ADA - 8.5' X 20' COMPACT 8' X 18'

VICINITY MAP

NTS

OWNER/DEVELOPER

BON FIRE HOSPITALITY
7721 CROOKED COVE STREET
KALAMZOO, MI 49009

CONTACT: KANUBHAI PATEL
JAY PARMAR
717-7298871

CIVIL ENGINEER

VELDMAN ENGINEERING, LLC
1688 BOARDWALK
ST. JOSEPH, MI. 49085
269-408-6024
CONTACT: DARYL J. VELDMAN, PE

SURVEYOR

LEWIS, YOCHEY & BROWN, INC.
526 NORTH MAIN STREET
BLOOMINGTON, IL 61701
309-829-2552
CONTACT: DAVID P. BROWN

VELDMAN ENGINEERING, LLC.
1688 BOARDWALK
ST. JOSEPH, MI 49085
PH/FAX: (269) 408-6024
www.veldmanengineering.com

HOLIDAY INN EXPRESS AND CANDLEWOOD SUITES
BON FIRE HOSPITALITY

COVER SHEET

JOB No. 08202002

DRAWN BY CGB
CHECKED BY D.VELDMAN
APPROVED BY
DATE 8-20-2012
SCALE N/A

C-1

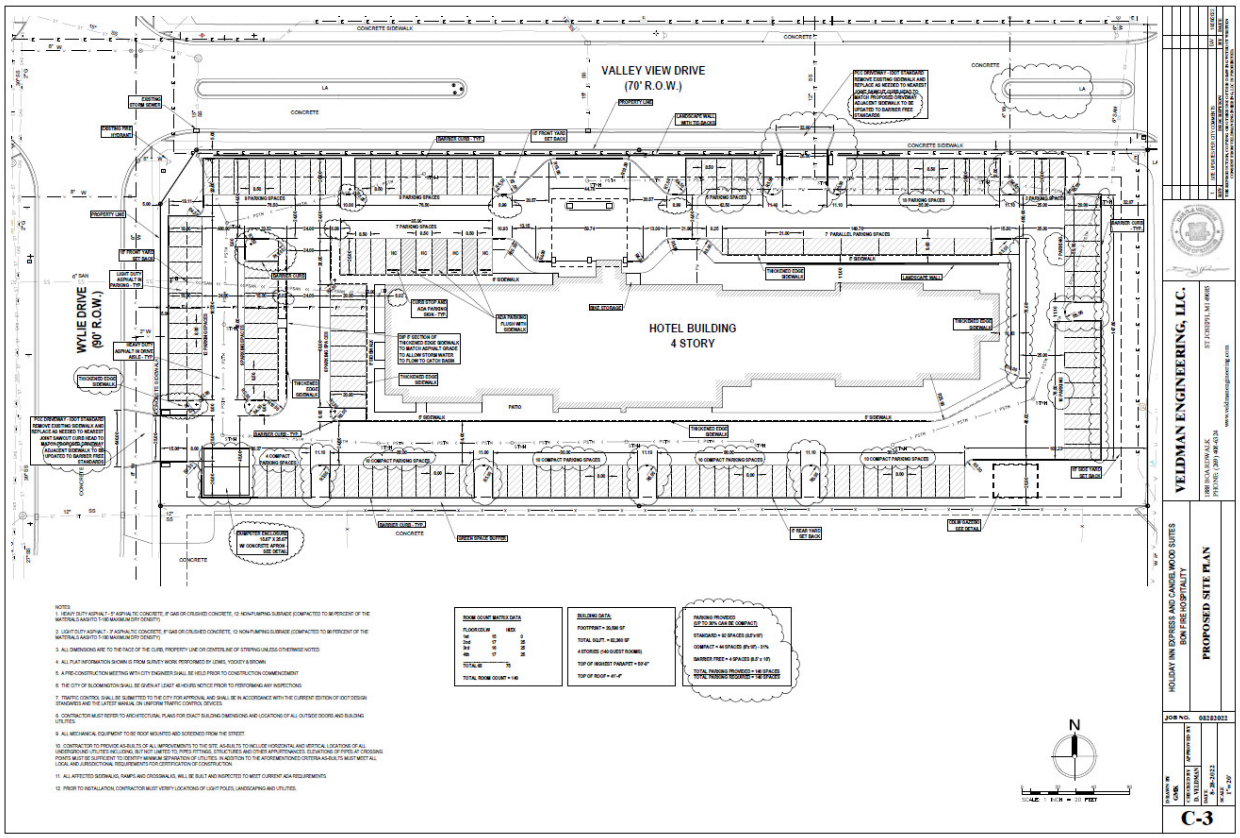
2 3D View 2

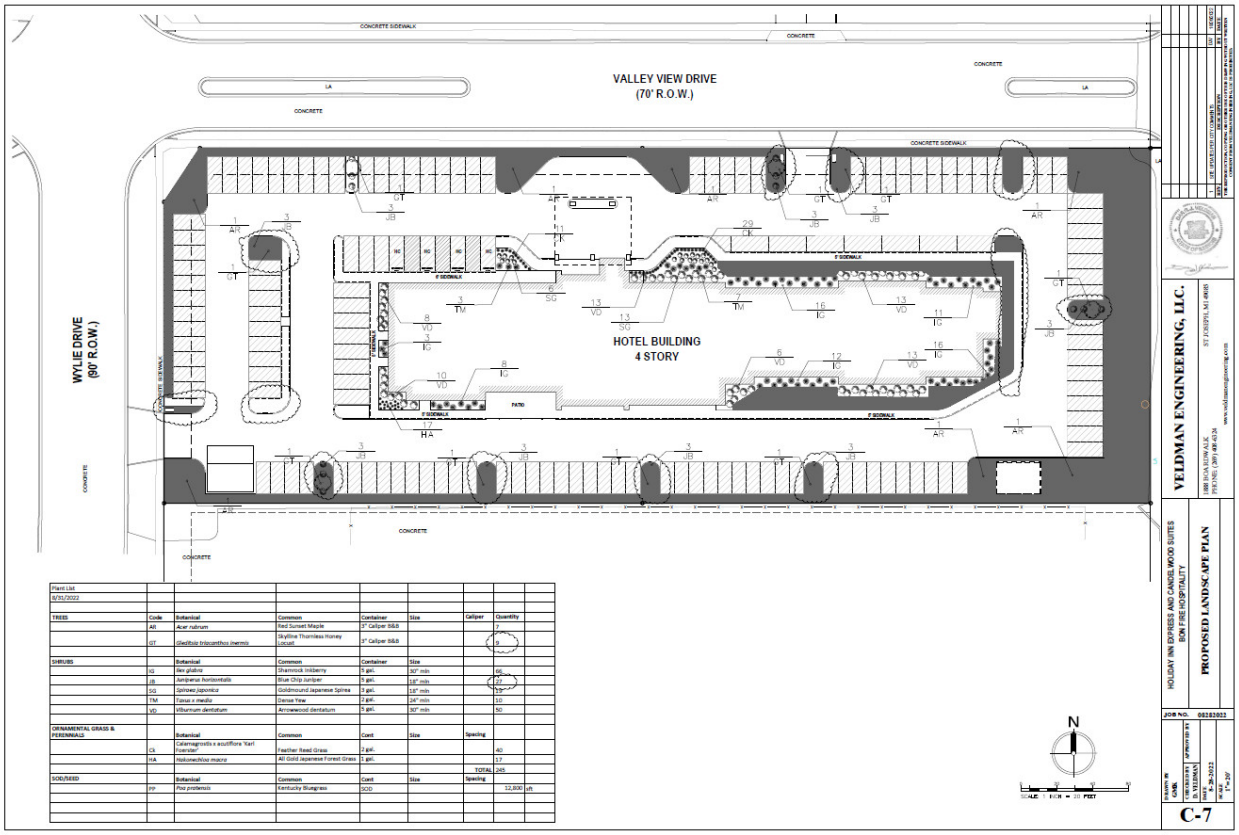
3 3D View 3

Holiday Inn Express/ Candlewood
New Hotel Build On A
Corner Of Valley View Dr. & Wylie Dr.
Bloomington, IL 61701

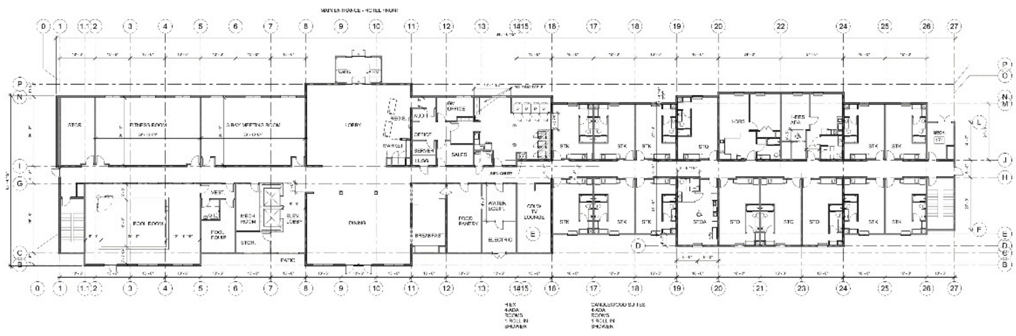
ADL Architecture
Zip W. Lewis
President/ Principal Architect
Phone (309) 829-1276

PROJECT 2-17-08
DATE 8-20-2012
JOB A5





Plant List								
8/31/2022								
TREES	Code	Botanical	Common	Container	Size	Caliper	Quantity	
	AR	Acer rubrum	Red Sunset Maple	3" Caliper B&B			7	
	GT	Gleditsia triacanthos inermis	Skyline Thornless Honey Locust	3" Caliper B&B			9	
SHRUBS		Botanical	Common	Container	Size			
	IG	Ilex glabra	Shamrock Inkberry	5 gal.	30" min		66	
	JB	Juniperus horizontalis	Blue Chip Juniper	5 gal.	18" min		51	
	SG	Spiraea japonica	Goldmound Japanese Spirea	3 gal.	18" min		13	
	TM	Taxus x media	Dense Yew	7 gal.	24" min		10	
	VD	Viburnum dentatum	Arrowwood dentatum	5 gal.	30" min		50	
ORNAMENTAL GRASS & PERENNIALS		Botanical	Common	Cont	Size	Spacing		
	CX	Calamagrostis x acutiflora 'Karl Foerster'	Feather Reed Grass	2 gal.			40	
	HA	Hakonechloa macra	All Gold Japanese Forest Grass	1 gal.			17	
						TOTAL	245	
SOD/SEED		Botanical	Common	Cont	Size	Spacing		
	PP	Poa pratensis	Kentucky Bluegrass	SOD			12,800	sft

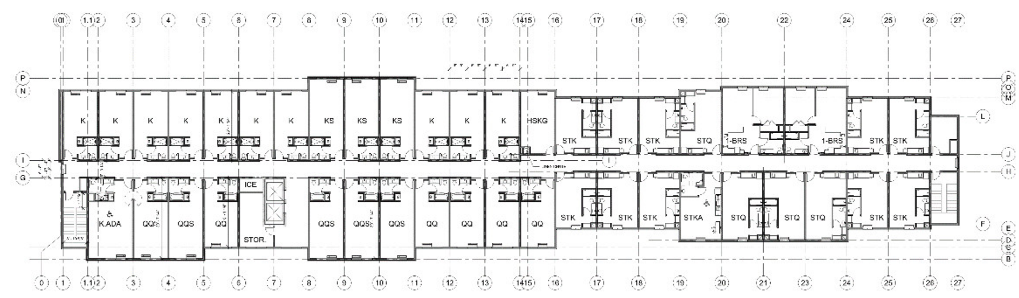


1 1ST FLOOR PLAN

Holiday Inn Express/ Candlewood
New Dual Brand Hotel
Corner of Valley View Dr. & Wylie Dr.
Bloomington, IL 61761

ADL Architecture

A1



1 2ND FLOOR PLAN

ROOM MATRIX
ROOM TYPE PER FRANCHISE

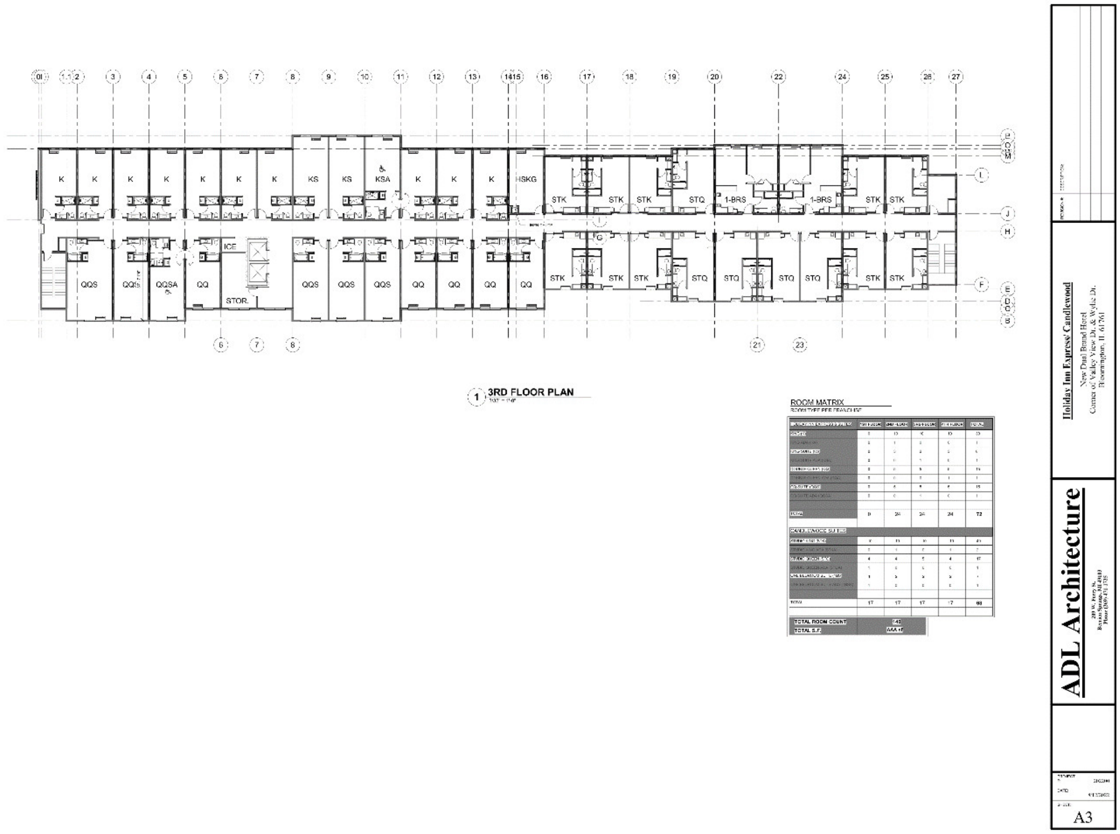
[illegible]	1ST FLOOR	2ND FLOOR	3RD FLOOR	4TH FLOOR	TOTAL
[illegible]	0	15	15	[illegible]	[illegible]
[illegible]	0	1	[illegible]	[illegible]	1
[illegible]	0	2	2	[illegible]	2
[illegible]	0	0	1	[illegible]	1
[illegible]	0	6	8	5	15
[illegible]	0	0	[illegible]	[illegible]	1
[illegible]	0	6	8	5	15
[illegible]	0	0	1	[illegible]	1
TOTAL	0	24	24	24	72
[illegible]					
[illegible]	12	10	10	[illegible]	[illegible]
[illegible]	0	1	0	1	2
[illegible]	4	4	5	4	17
[illegible]	1	0	0	0	1
[illegible]		2	2	2	7
[illegible]	1	0	0	0	1
TOTAL	17	17	17	17	68

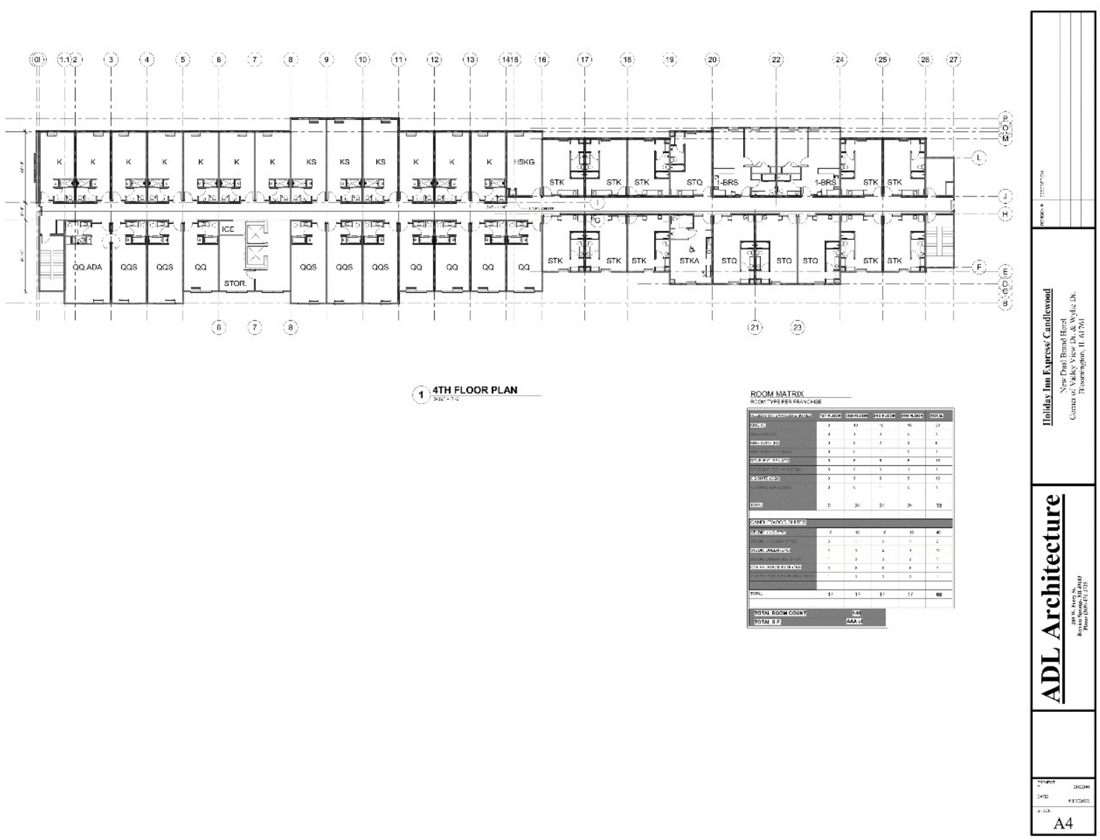
TOTAL ROOM COUNT	140
TOTAL S.F	AAA sf

Holiday Inn Express/ Candlewood
New Dual Brand Hotel
Corner of Valley View Dr. & Wylie Dr.
Bloomington, IL 61761

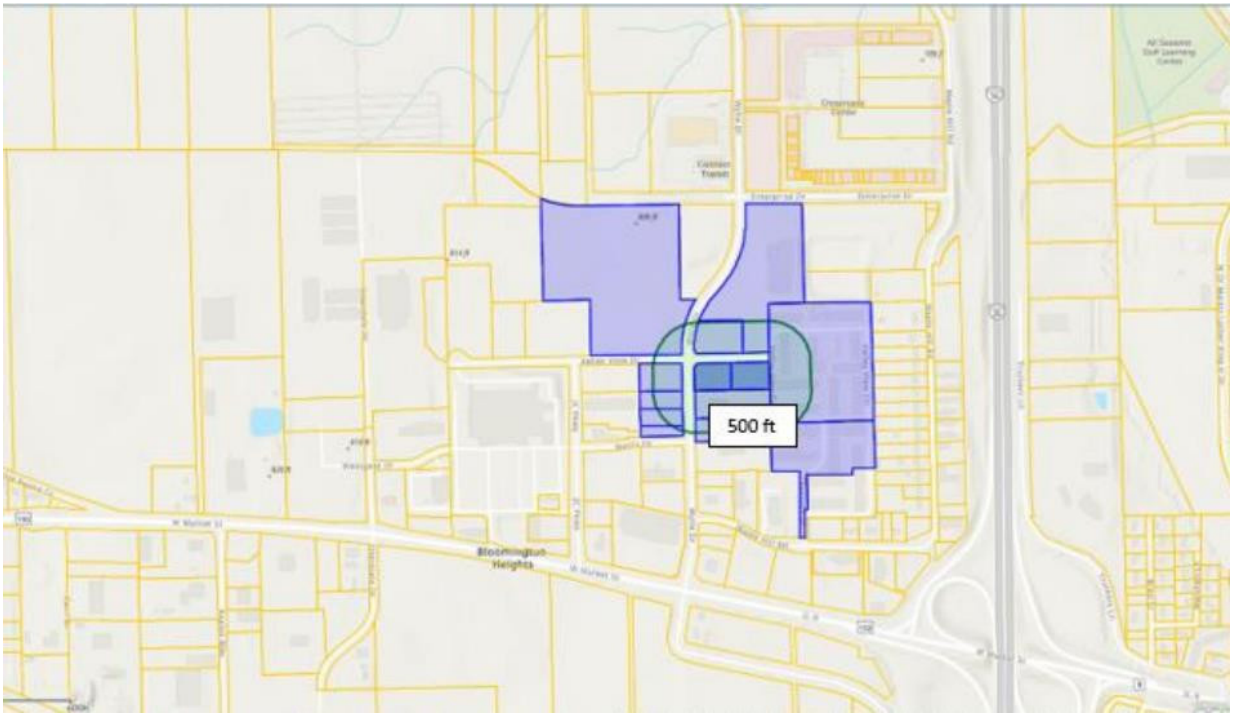
ADL Architecture

A2


3RD FLOOR PLAN
ROOM MATRIX
TOTAL ROOM COUNT
Holiday Inn Express/ Candlewood
ADL Architecture
A3


4TH FLOOR PLAN
ROOM MATRIX
TOTAL ROOM COUNT
Holiday Inn Express/ Candlewood
ADL Architecture
A4

Attachment 5 – Neighborhood Notice Map



PLANNING COMMISSION

TO:	Planning Commission
FROM:	Economic & Community Development Department
DATE:	November 2, 2022
CASE NO:	PR-12-22, Site Plan Review
REQUEST:	Public hearing, review, and action on a petition submitted by Seneca Companies, requesting approval of a Site Plan to allow an expansion of a Grocery Store use in the B-1 (General Commercial) District with a Variance for the property located at 1403 N. Veterans Parkway, in Bloomington (PIN: 14-35-251-010) (Ward 5).

BACKGROUND

Petitioners' Request:
The Petitioner is requesting a Legislative Site Plan Review with a Variance, to expand a Grocery Store use at the subject property. A Grocery Store is identified as a Permitted Use in the B-1 (General Commercial) District.

The Petitioner is proposing to construct a four-lane customer pick-up area including an overhead canopy at the southern portion of the site. The drive-through location is proposed at 105 feet from an adjacent residential district, which does not meet the minimum 120-foot requirement for drive-through uses located next to a residential district. The Variance request is to allow the decreased setback distance. Overall parking at the site would be reduced from 443 spaces to 436 spaces but would still meet parking requirements. No other changes are proposed. All other bulk requirements in the proposed area of construction have been met.

Property Characteristics:
The subject property consists of roughly 10.1 acres of land located near the northeastern intersection of Veterans Parkway and Clearwater Avenue in Bloomington. The site currently is occupied by a Hy-Vee grocery store. The property is accessible via two curb cuts along Clearwater Avenue. The surrounding properties consist primarily of commercial zoning districts. There is also a multi-family residential district property located directly to the east of the site. The surrounding uses consist primarily of commercial uses and the residential use.

Notice:
The application was filed in conformance with applicable procedural and public notice requirements. Notice was published in *The Pantagraph* on Monday, October 17, 2022. Courtesy notices were mailed to 51 property owners within 500 feet of the subject property.

Surrounding Zoning and Land Uses

	Zoning	Land Uses
North	B-1 (General Commercial)	Shopping Center
South	B-1 (General Commercial)	Various commercial
East	R-3B (Multiple Family Residence)	Multi-Family Residential
West	C-1 (Office)	Office

ANALYSIS

Compliance with the Comprehensive Plan
The subject property is identified as Tier 1-Infill Redevelopment Priority. The Future Land Use map identifies the site as Regional Commercial. Approval of the Site Plan algins with the following goals of the Comprehensive Plan: Goal N-1 (Enhance the livability of all Bloomington neighborhoods) and Goal ED -4.2 (Prioritize infill and redevelopment to spur growth and reinvestment in the City).

STANDARDS FOR REVIEW

Ch. 44, 17-9 Legislative site plan review
The Planning Commission shall hold at least one public hearing on any proposed Legislative Site Plan and report to the Council its findings of fact and recommendations. Recommendations shall be made upon the determination that the Legislative Site Plan is in the public interest and not solely for the benefit of the applicant, based upon considering the factors listed in § 44-1706E(2) and discussed below.

1. **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 proposed development is not incompatible with the existing development in the area. The site design is consistent with other developments on surrounding properties in the direct area. The building has and will continue to meet all other bulk requirements for B-1 zoning.

2. **The extent to which the proposal minimizes any adverse impact of the development upon adjoining land.**

   The proposed use will not have any adverse impacts on the development of adjoining land as it is existing. The use is a permitted use within the zoning and is compatible with the uses of the surrounding properties. The site is being expanded to accommodate and improve an existing customer pick-up area.

3. **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 site is accessible by and directly situated on Clearwater Drive. All curb cuts and aprons at the site are existing and meet code requirements.

4. **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 surrounding zoning and uses are primarily commercial, with residential to the east. A drive-through area attached to the existing grocery store use at the proposed site would be complementary to the existing surrounding uses, as the area has been utilized for this purpose previously and the residential property is already screened.

ADDITIONAL STANDARDS FOR REVIEW - DRIVE-THROUGH FACILITIES

Ch. 44. 12-7, Drive-through facilities, provides additional minimum site and bulk standards for the siting and development of any drive-through facility:

A. Purpose. Stands for drive-through facilities are provided to ensure safe site circulation and adequate vehicle queuing at drive through facilities. These standards are applied in addition to all other applicable standards of this Code.

B. Location.

(1) Drive-through facilities shall not be located closer than 120 feet of a Residential District boundary.

(2) Drive-through facilities, inclusive of stacking lanes, shall be located to the side or rear of a principal structure and shall not extend beyond the front building wall. Alternate placement of the drive-through facility may be approved through Site Plan Review procedures if a determination is made that it is infeasible to fulfill this requirement.

C. Access.

(1) Drive-through stacking lanes shall be separated from driveways and drive aisles.

(2) Access to queuing lanes shall in no way inhibit ingress or egress to the building or any off-street parking area, inhibit the flow of traffic throughout and within the off-street parking area, or encroach upon any public rights-of-way.

(3) The stacking lane shall be designed to accommodate at least the minimum number of stacking spaces required for each use.

(4) Stacking lanes and egress for drive-through facilities shall not cross or pass through pedestrian walkways, without providing appropriate crosswalk safety measures, pavement markings and signs as approved by the Economic and Community Development Director.

[Amended 10-26-2020 by Ord. No. 2020-69]

(5) A bypass lane shall be provided.

D. Dimensional standards.

(1) Stacking lanes for drive-through facilities shall have the following minimum lane widths:

(a) One lane: 12 feet.

(b) Two or more lanes: 10 feet per lane.

(c) Bypass lane: 10 feet.

(2) The minimum depth of each space in the stacking lane shall be 20 feet.

E. Management. A property owner shall not allow vehicle stacking to overflow into primary drive aisles or any public street. As needed to contain drive-through activity on site, management of drive-through facilities may require additional attendants, designation of vehicle waiting and pick up areas, or other measures to ensure safe vehicle and pedestrian circulation.

F. Stacking standards.
(1) For any drive-through facility, a minimum of two queuing spaces shall be provided per bay, unless otherwise required by Table 1207C.
(2) Unless otherwise indicated, minimum vehicle queuing is required per lane or bay.
(3) Spaces located adjacent to a point of service, such as a window or car wash bay, shall not count toward compliance with queuing requirements.

*Item B (1), Location, has not been met as the applicant is proposing a setback of 105 feet to the adjacent residential district, rather than the required 120-feet. All other standards have been met.

ADDITIONAL REQUESTS - VARIANCE

Ch 44, 17-9-D, Concurrent Applications (Variances)
The applicant has requested Variances as part of the application, in accordance with Ch. 17, 17-9-D of the site plan review process. The requests are as follows:

The petitioner seeks a Variance from §44-12-7-B-1 (Drive-Through Facilities), to allow construction of the drive-through facility at 105 feet from a residential district. §44-12-7-B-1 states, "Drive-through facilities shall not be located closer than 120 feet of a Residential District boundary."

1. **That the property has physical characteristics that pose unreasonable challenges which make strict adherence to the Code difficult.**

   The site has been occupied by a grocery store for an extended time and has offered pick-up service near the same location that is proposed to be altered and is the only reasonable location at the site. ***Standard is met***.

2. **That the variance would be the minimum action necessary to afford relief to the applicant.**

   The variance is required due to the nature of the request to not meet the 120-foot distance from a residential district required by the Code and expand a small portion of the site to accommodate the drive-through use. ***Standard is met***.

3. **That the special conditions and circumstances were not created by any action of the applicant.**

   No special conditions or circumstances were created by the applicant in this situation. The need for this service was not identified when the store was constructed. ***Standard is met***.

4. **That granting the variation request will not give the applicant any special privilege that is denied to others by the Code.**

   No special privilege has been given to the applicant in this situation. ***Standard is met***.

5. **That the granting of the variation will not be detrimental to the public welfare, alter the essential character of the neighborhood, nor unreasonably impair the use of development of adjoining properties.**

   There is no expected potential negative impact to the public welfare. The variance would not be expected to alter the character of the neighborhood, nor impair the use or development of adjoining properties. ***Standard is met***.

STAFF RECOMMENDATION

Staff finds that the application meets the standards for site plan review and recommends its approval. Staff recommends that the Commission take the following actions:

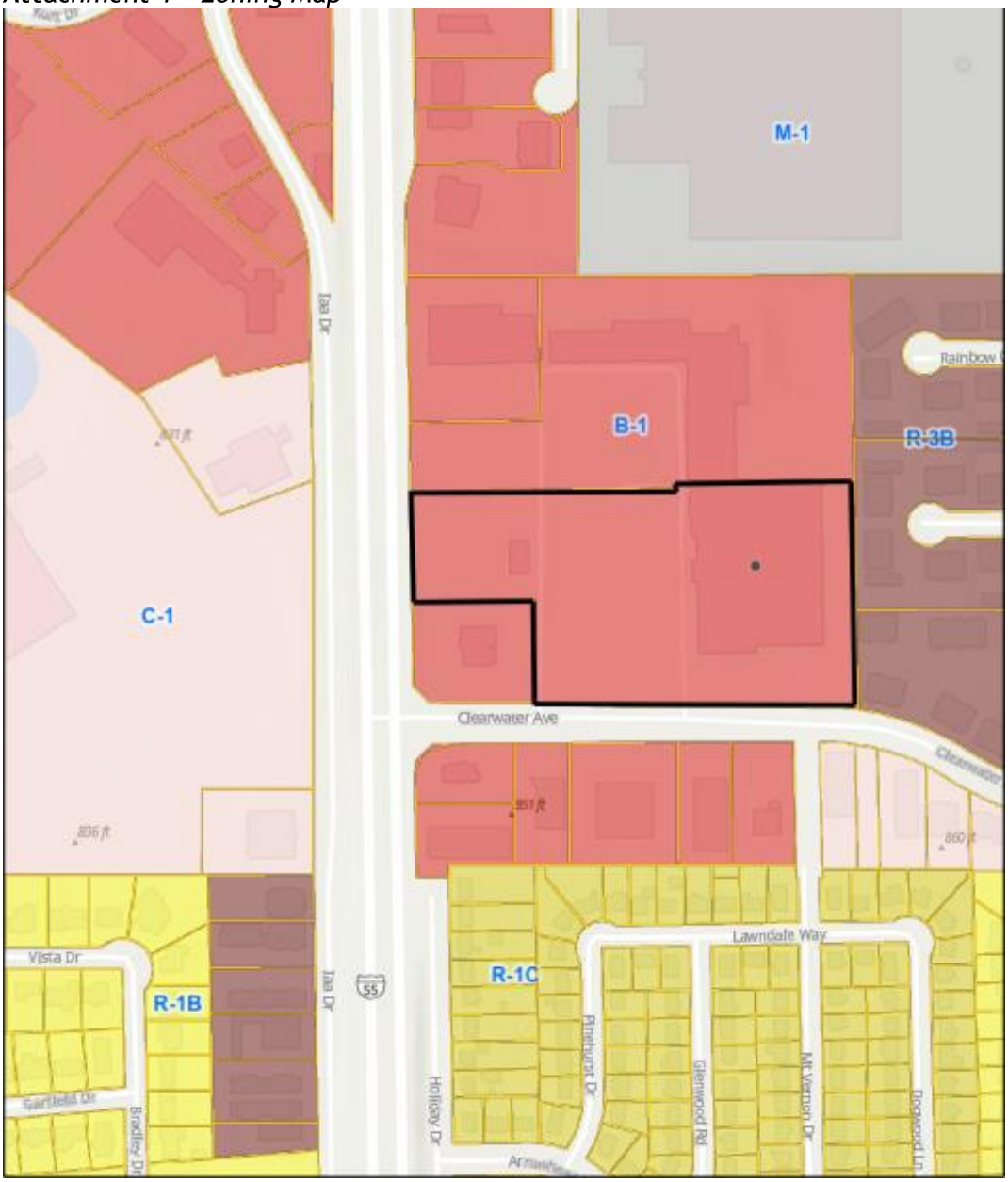
1. Motion to establish findings of fact that the Legislative Site Plan meets the standards and objectives for which the Code is designed and recommend that City Council approve a Site Plan for the property located at 1403 N. Veterans Parkway.

2. Motion to establish findings of fact that the subject property meets the Variance criteria in Chapter 44, 12-7-B-1 of the City Code recommend that the City Council approve a Variance associated with this site plan, to allow construction of the building at 105-feet from a Residential District, for the property located at 1403 N. Veterans Parkway.

Respectfully submitted,
Jon Branham
City Planner

Attachments:
1. Zoning Map
2. Aerial Image
3. Ground Level View
4. Petitioner Submittals, including Site Plan
5. Neighborhood Notice Map

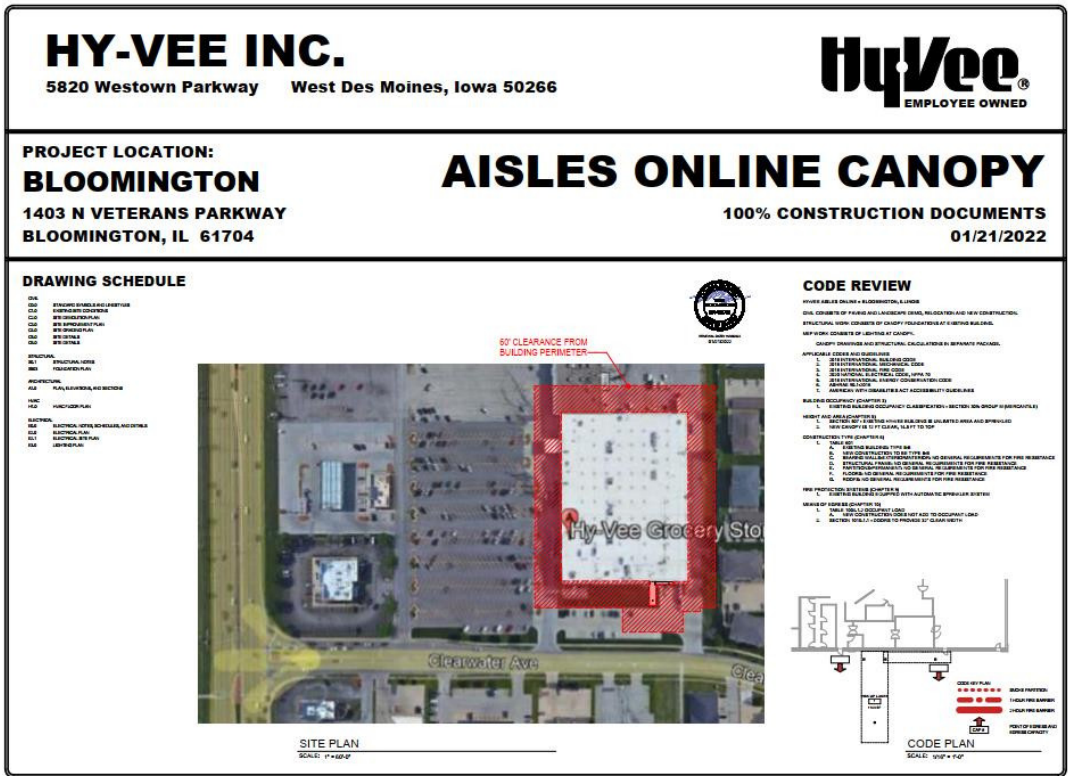
Attachment 1 – Zoning Map



Attachment 2 – Aerial Map

Attachment 3 – Ground Level View(s)

Attachment 4 - Petitioner Submittals, including Site Plan



HY-VEE INC.
5820 Westown Parkway West Des Moines, Iowa 50266

HyVee EMPLOYEE OWNED

PROJECT LOCATION:
BLOOMINGTON
1403 N VETERANS PARKWAY
BLOOMINGTON, IL 61704

AISLES ONLINE CANOPY

100% CONSTRUCTION DOCUMENTS
01/21/2022

DRAWING SCHEDULE

CODE REVIEW

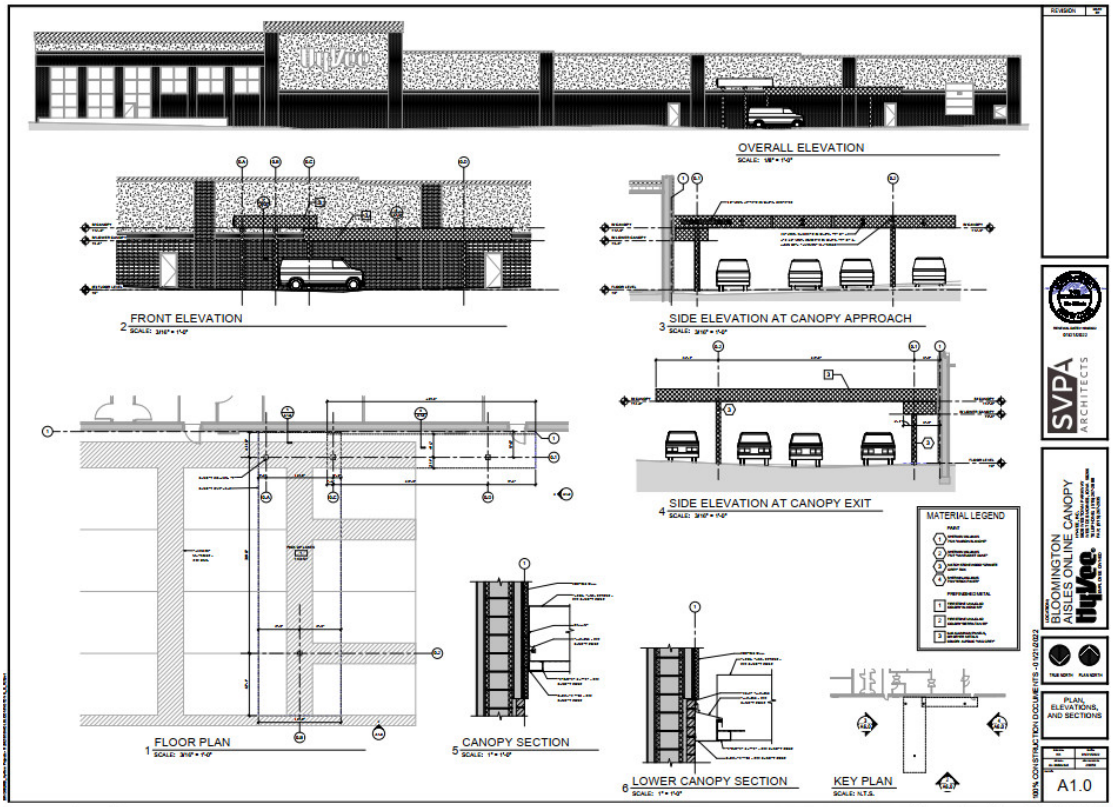
60' CLEARANCE FROM BUILDING PERIMETER

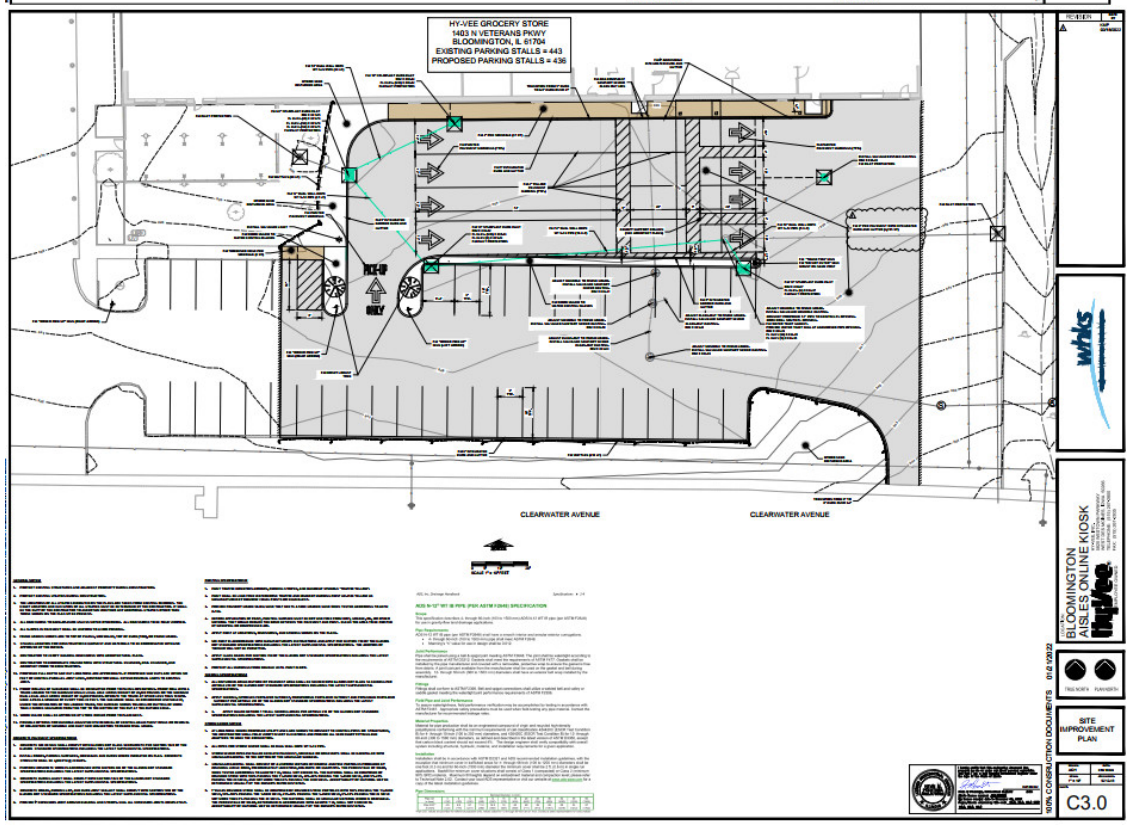
Hy-Vee Grocery Sto

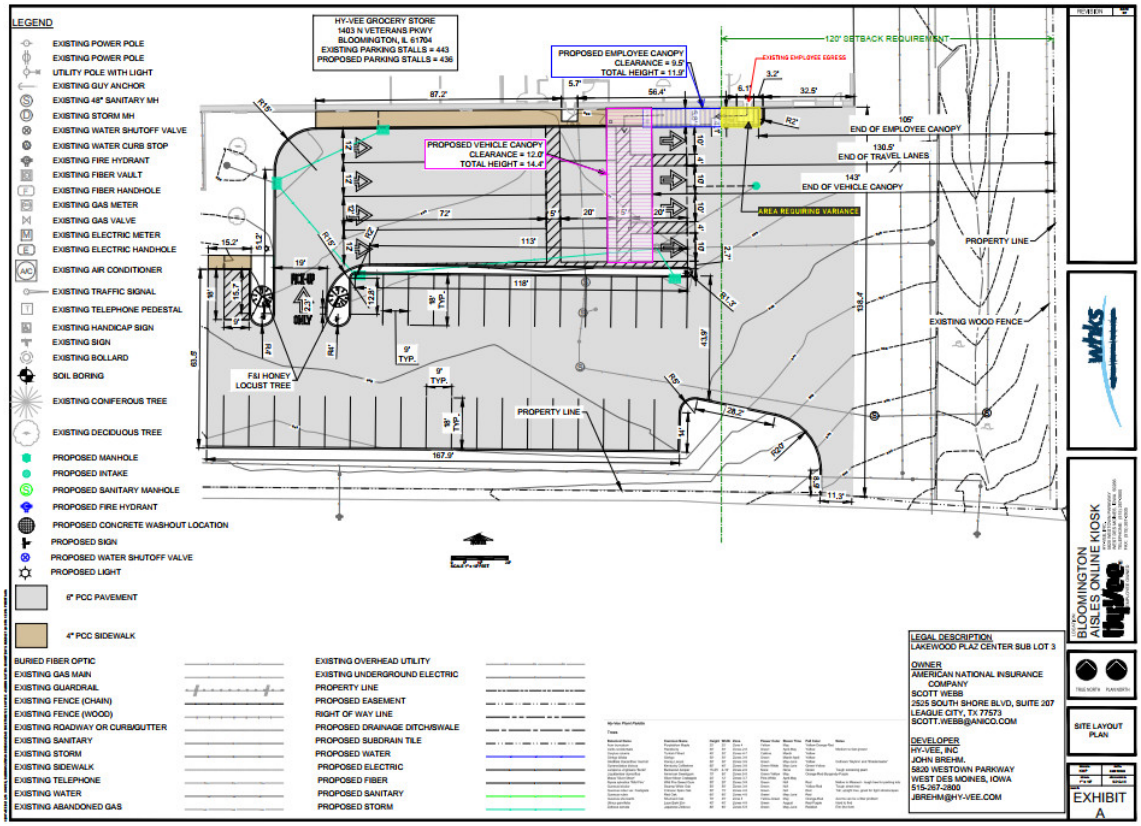
Clearwater Ave

SITE PLAN

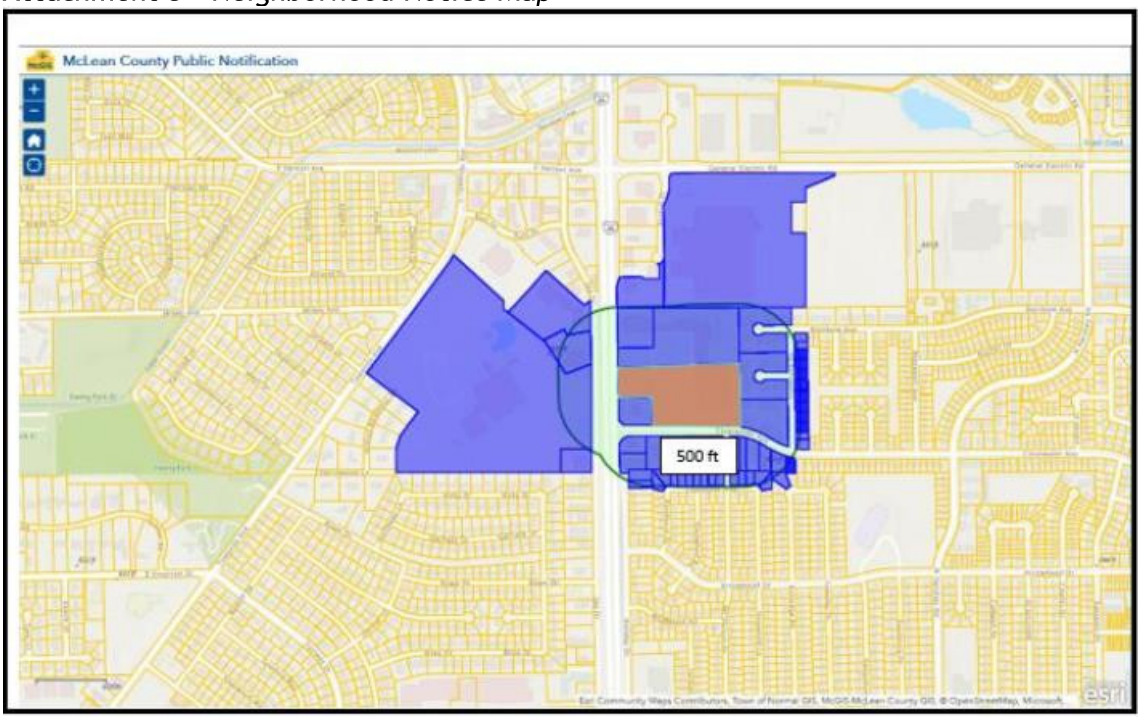
CODE PLAN


OVERALL ELEVATION
2 FRONT ELEVATION
3 SIDE ELEVATION AT CANOPY APPROACH
4 SIDE ELEVATION AT CANOPY EXIT
MATERIAL LEGEND
1 FLOOR PLAN
5 CANOPY SECTION
6 LOWER CANOPY SECTION
KEY PLAN
SVPA ARCHITECTS
BLOOMINGTON AISLES ONLINE CANOPY
PLAN, ELEVATIONS, AND SECTIONS
A1.0


HY-VEE GROCERY STORE
1403 N VETERANS PKWY
BLOOMINGTON, IL 61704
EXISTING PARKING STALLS = 443
PROPOSED PARKING STALLS = 436
CLEARWATER AVENUE
CLEARWATER AVENUE
BLOOMINGTON AISLES ONLINE KIOSK
SITE IMPROVEMENT PLAN
C3.0



Attachment 5 – Neighborhood Notice Map



PLANNING COMMISSION

TO:	Planning Commission
FROM:	Economic & Community Development Department
DATE:	November 2, 2022
CASE NO:	Z-13-22, Zoning Map Amendment
REQUEST:	Public hearing, review and action on a petition submitted by Eastview Christian Church, requesting approval of a Zoning Map Amendment for the property located at 602 S. Main Street, from B-1 (General Commercial) District to P-2 (Public Lands and Institutions) District. PIN: 21-09-130-003.

BACKGROUND

Petitioners' request:
The Petitioner seeks a Zoning Map Amendment for the subject property, from B-1 (General Commercial) District to P-2 (Public Lands and Institutions) District, to allow of the building to be utilized as a Community Center. The property is currently owned by the Young Men's Christian Association (YMCA), a non-profit organization, and was utilized as the main facility of operations until they recently constructed a new facility at 202 St Joseph Drive. The YMCA recently moved into the new location leaving this building temporarily vacant. Eastview Christian Church is seeking to purchase the property and utilize it for a variety of community partnerships and faith-based programming; this includes expanding the church's offering of outreach-oriented sports leagues and activities for youth and adults. No major structural changes are anticipated with the property other than closing and filling in the swimming pool to make room for additional recreational space. Other than minor improvements and replacements, the remainder of the property would remain as-is.

The YMCA's use is defined as a Sports and Fitness Establishments, based upon the services offered and requiring a fee to be a member or utilize their services. The additional offerings proposed by Eastview Community Church results in their use being defined as a Community Center. This results in a change of use and the proposed use is not permitted in the B-1 zoning district. The Petitioner is requesting the zoning be changed to P-2 as the intent of this district more correctly aligns with the proposed use of the property and the Community Center use is permitted within this district.

Property Characteristics:
The subject property consists of 2.26 acres of land located at 602 S. Main Street. The property is located between E. Oakland Avenue and E. Macarthur Avenue near the intersection of those two streets and S. Main Street. There is a building and associated surface parking area on the property utilized by Young Men's Christian Association (YMCA). The former YMCA property was originally built in 1951 and is approximately 44,000 square feet in size. There are 29,000 square feet on the first floor, and 15,000 square feet on the second floor. The primary parcel consists of the main

building and adjoined parking lot. The YMCA site also includes an additional parking lot, zoned P-2, under a different parcel at the intersection of Oakland Avenue and S. East Street.

Notice:
The application was filed in conformance with applicable procedural and public notice requirements. Notice was published in *The Pantagraph* on Tuesday, October 18, 2022. Courtesy notices were mailed to 38 property owners within 500 feet of the subject property.

Surrounding Zoning and Land Uses

	Zoning	Land Uses
North	P-2 (Public Lands and Institutions)	Government Services and Facilities
South	P-2 (Public Lands and Institutions)	Multi-Family Dwellings
East	P-2 (Restricted Manufacturing)	Community Center
West	B-1 (General Commercial)	Vehicle Fueling Station

ANALYSIS

*Comparison of Existing and Proposed Districts**

Existing Zoning: 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.

Proposed Zoning: P-2 (Public Lands and Institutions) District

The intent of this P-2 Public Lands and Institutions District is to allow for the establishment and maintenance of public uses, publicly-regulated uses and private uses that display an inherent relationship to the public interest. The creation of such a district shall be provided for parcels of substantial size where such community serving uses are necessary in order that adequate community services may be rendered and where, through proper site selection and planning, such uses are compatible with the surrounding area.

*A list of permitted uses for commercial and public interest districts can be found online in Chapter 44, Divisions 5-1 and 7-1, respectively.

Compliance with the Comprehensive Plan
The proposed Zoning Map Amendment contributes to Goals N-1. (Ensure compact development of the City through denser, mixed-use developments and reinvestment in the established older neighborhoods), ED-1.1 (Focus on retention and expansion of existing businesses), and ED-4.2 (Prioritize infill and redevelopment to spur growth and reinvestment in the City) of the 2035 Comprehensive Plan.

Zoning Map Amendment requests are reviewed for consistency with the Comprehensive Plan. The 2035 Comprehensive Plan's Future Land Use map identifies this section of E. Oakland Avenue and E. Macarthur Street as Mixed Use in the built areas. The Land Use Priorities map

identifies this area as Tier-1, vacant and under-utilized land for infill development or redevelopment within the City. This area is also identified as part of the Downtown Gateway in the Opportunities for Infill Development and Redevelopment Map.

STANDARDS FOR REVIEW

The Planning Commission shall hold at least one public hearing on any proposed Zoning Map Amendment and report to the Council its findings of fact and recommendations. Recommendations shall be made upon the determination that the Map Amendment is in the public interest and not solely for the benefit of the applicant, based upon considering the factors listed in § 44-1706E(2) and discussed below.

Request for Zoning Map Amendment for B-1 to P-2

1. **The suitability of the subject property for uses authorized by the existing zoning.**

   Uses permitted within the B-1 (General Commercial) District are primarily commercially oriented. The District is designed 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 intent is to facilitate 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. Uses permitted in this district will provide for those services to meet the commercial/retail needs within the City.

2. **The length of time the property has remained vacant as zoned considered in the context of land development in the area.**

   The property is not vacant. The building has been utilized by Young Men's Christian Association (YMCA) for their operations since 1951 but has been recently vacated and placed for sale. Given the prominence of vacant commercial property in the area, it is likely that within the rezoning the property will become vacant or unutilized for a considerable period of time.

3. **The suitability of the subject property for uses authorized by the proposed zoning.**

   While this property is adjacent to a commercial corridor, there are many vacant commercial properties within area. The adjacent P-2 zoned properties take advantage of the transportation network provided via publicly available transit and proximity to downtown services. Addition of this property to the assemblance of P-2 zoned properties would take advantage of these services and proximity.

4. **The existing land uses and zoning of nearby property.**

   The subject property is surrounded by public and residential uses; commercials uses boarder the opposite side of the adjacent right-of-way. Additional public uses would be complementary to the area.

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.**

If the Zoning Map Amendment is granted, the applicant would be able to utilize the recently vacated building to continue serving the needs of the City of Bloomington. The property is well suited geographically and functionally to serve as a Community Center. The proposed zoning of P-2 matches the surrounding properties immediately to the north, south, and east of the building. The parcel which contains additional parking is already zoned P-2. Given the location the use will be a benefit to the neighboring properties and community as a whole.

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

   The site has access to E. Oakland Avenue and E. Macarthur Avenue.

7. **The extent to which the proposed amendment is inconsistent with the need to minimize flood damage and that the development of the subject property for the uses permitted in the proposed zoning classification will not have a substantial detrimental effect on the drainage patterns in the area.**

   The entire site is predominately impervious. Any redevelopment of the existing site would require review of the site for compliance with stormwater retention/detention standards.

8. **The extent to which adequate services (including but not limited to fire and police protection, schools, water supply, and sewage disposal facilities) are available or can be reasonably supplied to serve the uses permitted in the proposed zoning classification.**

   The site is currently served by existing watermains and sewer connections, as well as fire and police protection. The property is served by District 87 school district.

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 § 44-1701 herein.**

   The Map Amendment is intended to facilitate continued operation of an existing building. The proposed use will have similar impact on the surrounding properties as the previous use, while continuing to provide a net benefit to the immediate area and community as a whole.

10. **The extent to which property values are diminished by the particular zoning restriction.**

    The new zoning restrictions are not expected to dimmish property values.

11. **The extent to which the destruction of property values promotes the health, safety, morals, or general welfare of the public.**

    The proposed Zoning Map Amendment and use are not anticipated to diminish property values in the area.

12. **Whether a Comprehensive Plan for land use and development exists, and whether the ordinance is in harmony with it.**

    The Comprehensive Plan's Future Land Use map identifies the subject property as Mixed Use in the built areas. The Land Use Priorities map identifies this area as Tier-1, vacant and under-utilized land for infill development or redevelopment within the City.

13. Whether the City needs the proposed use.

The proposed Map Amendment would allow the continued use of an existing building which while serving the immediate community and City as a whole.

STAFF RECOMMENDATION

Staff finds that the request for a Zoning Map Amendment is in the public interest and not solely for the benefit of the applicant, after reviewing the relevant factors for consideration, and recommends the Planning Commission take the following action(s):

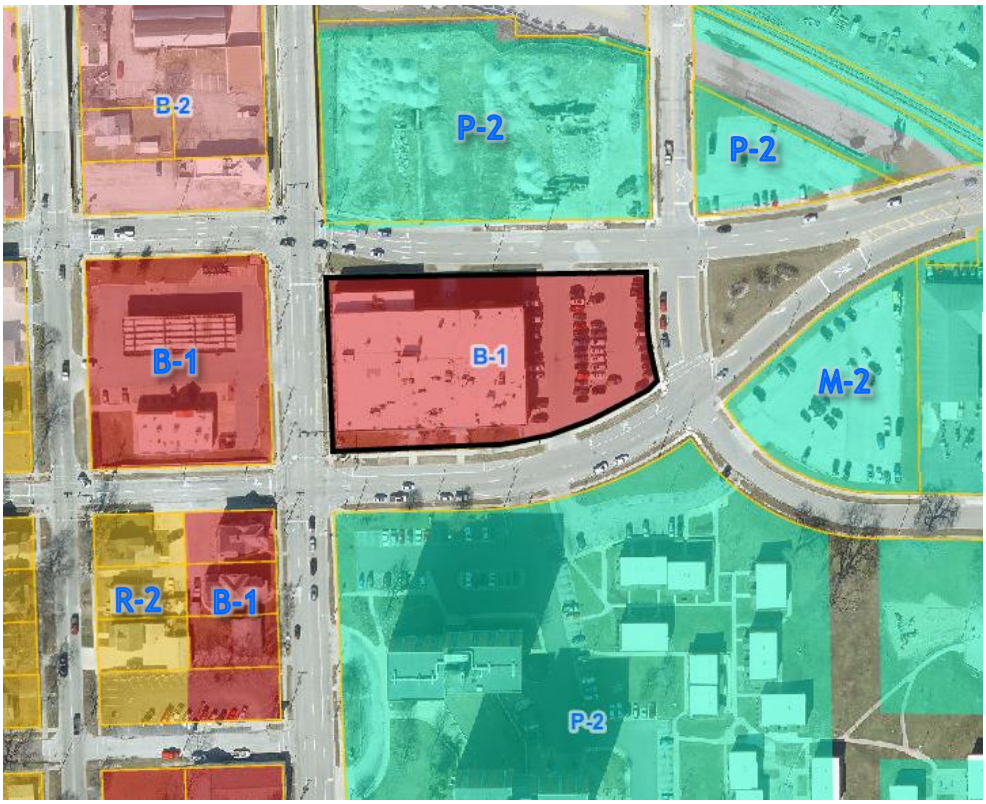
Motion to establish findings of fact that the proposed Zoning Map Amendment **is in the public interest and not solely for the benefit of the petitioner,** and recommend **approval** of the petition.

Respectfully submitted,
Glen Wetterow
City Planner

Attachments:

1. Zoning Map
2. Aerial Image(s)
3. Ground-Level View(s)
4. Petitioner-Submission – Description of Project
5. Neighborhood notice map

Attachment 1 – Zoning Map



Attachment 2 - Aerial Image

Attachment 3 - Ground-Level View(s)

MACARTHUR AVENUE
MAIN STREET

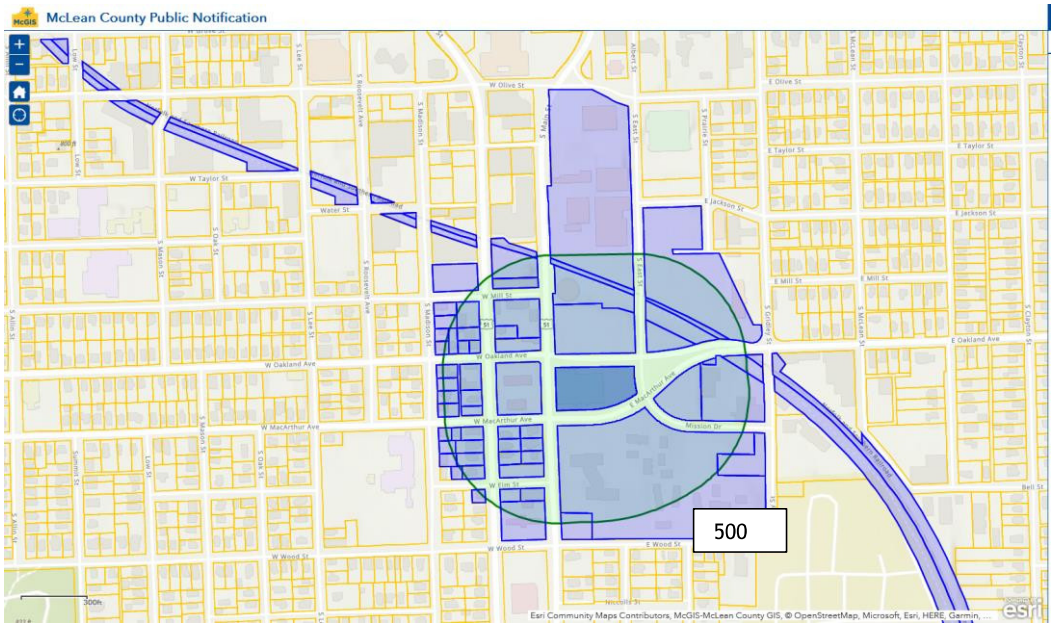
YMCA

Attachment 4 – Petitioner-Submission – Description of Project

Eastview Christian Church has agreed to terms with the Young Men's Christian Association to acquire its former facility located at 602 S. Main Street in Bloomington. Eastview plans to utilize the facility to love and serve McLean County through a variety of community partnerships and faith-based programming. This includes expanding the church's offering of outreach-oriented sports leagues and activities for youth and adults. No major structural changes are anticipated with the property other than closing and filling in the swimming pool to make room for additional recreational space. Other than minor improvements and replacements, the remainder of the property would remain as is.

The property is well suited geographically and functionally to continue serving the needs of the City of Bloomington, especially its west side. The proposed zoning of P-2 matches the surrounding properties immediately to the north, south, and east of the building. In fact, part of the parcel which contains additional parking is already zoned P-2. McLean County has a growing need for community services and programming which Eastview hopes to help meet through its operation of a community center in this space. By continuing to provide youth and adult sports opportunities, Eastview intends to reduce the impact felt by the YMCA's relocation. We also hope to form additional partnerships with community organizations who could benefit from access to additional space or facilities. All of these will benefit the general welfare of the public.

Attachment 5 - Neighborhood Notice Map



PLANNING COMMISSION

TO:	Planning Commission
FROM:	Economic & Community Development Department
DATE:	November 2, 2022
CASE NO:	Z-12-22, Annexation Agreement & Zoning Map Amendment
REQUEST:	Public hearing, review and action on a petition submitted by DKS Properties Inc for approval of an Annexation Agreement and Zoning Map Amendment for the property located at 2318 W. Market Street. PIN: 20-01-200-012.

BACKGROUND

Petitioners' request:
The Petitioner seeks approval of an Annexation Agreement and Zoning Map Amendment for the subject property. The requested zoning of the property is B-1 (General Commercial) District as the adjacent property is zoned such and this zoning is alignment with the City's Comprehensive Plan and the current development of this area. The Petitioner is requesting the property be annexed into the City after it discovered the property had been included in a previously approved Preliminary Plan but was not within the City. The Petitioner is seeking to amend the previously approved Preliminary Plan and desires to include this property within the Preliminary Plan. The owner has no current plans to develop the property.

Property Characteristics:
The subject property consists of 1.10 acres of land located at 2318 W. Market Street. The property is located at the southeast corner of W. Market Street and Avalon Way. The property is currently vacant land. The property can be accessed from both W. Market Street and Avalon Way.

Notice:
The application was filed in conformance with applicable procedural and public notice requirements. Notice was published in *The Pantagraph* on Tuesday, October 18, 2022. Courtesy notices were mailed to 10 property owners within 500 feet of the subject property.

Surrounding Zoning and Land Uses

	Zoning	Land Uses
North	M-1 (Restricted Manufacturing, County)	Office
South	B-1 (General Commercial)	Vacant Land
East	B-1 (General Commercial)	Office
West	B-1 (General Commercial)	Office

ANALYSIS

Proposed Zoning: 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.

*A list of permitted uses for commercial districts can be found online in Chapter 44, Divisions 5-1.

Compliance with the Comprehensive Plan
The proposed Annexation Agreement and Zoning Map Amendment contributes to Goals ED-4.1 (Plan for a diversity of ready-to-build sites to meet the demand) and ED-4.2 (Prioritize infill and redevelopment to spur growth and reinvestment in the City) of the 2035 Comprehensive Plan.

The Annexation Agreement and Zoning Map Amendment requests are reviewed for consistency with the Comprehensive Plan. The 2035 Comprehensive Plan's Future Land Use map identifies this section of W. Market Street Avenue as regional commercial in the built areas. The Land Use Priorities map identifies this area as Tier-2, Land immediately adjacent to the City's incorporated area, and with access to all City services.

STANDARDS FOR REVIEW

The Planning Commission shall hold at least one public hearing on any proposed Annexation Agreement and Zoning Map Amendment and report to the Council its findings of fact and recommendations. Recommendations shall be made upon the determination that the Annexation and associated Zoning Map Amendment is in the public interest and not solely for the benefit of the applicant, based upon considering the factors listed in § 8.5-203D and discussed below.

Request for Annexation Agreement and Zoning Map Amendment to B-1

1. **The suitability of the subject property for uses authorized by the existing zoning;**

   The intent is to rezone to B-1 when the property is annexed into the City. The property is adjacent to W. Market Street and has direct access to W. Market Street and Avalon Way. Uses permitted within the B-1 (General Commercial) District are primarily oriented to commercial uses accessed by motor vehicle which is in alignment with the City's Comprehensive Plan for this area.

2. **The length of time the property has remained vacant as zoned considered in the context of land development in the area;**

   The property has always been vacant land (cropland) per County Assessor's records. The property will remain vacant when annexed into the City.

3. **The suitability of the subject property for uses authorized by the proposed zoning;**

The uses permitted in B-1 (General Commercial) District are intended to facilitate the development of community and regional commercial areas. The location of the property within the City makes it suitable for uses permitted with B-1(General Commercial) District. The property is of considerable size to accommodate uses permitted within B-1 zoning and minimize any impacts on neighboring properties. The surrounding properties are commercial (City) and industrially zoned (City & County). The predominant adjacent use is office. There are warehouse and retail uses not directly adjacent. The uses permitted in B-1 zoning would be in alignment with the uses of the surrounding properties.

4. **The existing land uses of nearby property;**

   The existing land uses of nearby properties are office, warehouse, general commercial, vehicle fueling station, and vacant land.

5. **Existing zoning of nearby property, 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;**

   Nearby properties are zoned B-1 (General Commercial) District for those properties in the City, the properties in the County are zoned M-1 (Restricted Manufacturing). The proposed B-1 zoning of this property would be in alignment with the zoning of neighboring properties and would permit similar uses as those already existing on neighboring properties.

6. **The extent to which adequate streets connected to the arterial street system are available or can be reasonably supplied to serve the uses permitted in the proposed zoning classification;**

   The property has access to W. Market Street (principal arterial) and Avalon Way (local) and the property is within one mile of the intersection of W. Market Street (principal arterial) and US-55 (Interstate) is roughly 0.5 miles from the intersection of W. Market Street (principal arterial) and Rivian Motorway (principal arterial).

7. **The extent to which the proposed amendment is consistent with the need to minimize flood damage and whether the development of the subject property for uses permitted in the proposed zoning classification would have a substantial detrimental effect on the drainage patterns in the area;**

   Stormwater retention and detention has been accounted for on Lot 36 of the subdivision. The proposed B-1 zoning will require any proposed use for the property go through a Legislative Site Plan Review which will look at the impact of the proposed development in detail. The site plan will require review and approval by the Public Works department related to stormwater detention/retention on the property.

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 supplied to serve the uses permitted in the proposed zoning classification; and**

   The property is served by existing fire and police protection. The property is served by Unit 5 School District. The property has access to City water and sewer.

9. The extent to which the proposed amendment is consistent with the public interest, giving due consideration for the purpose and intent of Chapter 44, Article I, of the Bloomington City Code - 1960, including the following specific purposes:

a. To conserve and protect the taxable value of land and structures;

The proposed zoning allows for the highest and best use for this property. The proposed zoning will support complementary development to the existing development. Commercial property is taxed at a higher rate and will bring jobs and additional taxable income to the City. These factors will contribute to conserving and protecting the taxable value of neighboring land and structures.

b. To protect the air, water and land resources within the City from the hazards of pollution and misuse;

There will be no immediate development of the property so it will remain vacant land which will not negatively impact the air, water and land resources. There should be no pollution generated from this location. When this property does become developed it will be subject to planning and building codes which will ensure the development does not have a negative impact the air, water and land resources. Additionally, City code requires the property be maintained and upkept. Future development will need to be incompliance with landscaping requirements of the City Code.

c. To protect land and structures from natural hazards; including flooding and erosion;

The property is not being immediately developed so there will no impact on flooding and erosion. When the property is developed a stormwater retention/detention plan will need to be produced for the City's Public Works Department to review and approve.

d. To preserve and protect historic locations, structures and groups of structures;

There are no structures on the property and the property does not have any historical significance.

e. To preserve and protect and encourage the development of structures, groups of structures and neighborhoods of distinctive architectural character and appearance;

The property is currently vacant so there are no structures to preserve or protect. There are no significant structures included in the proposal and surrounding properties do not have a distinctive architectural character and appearance.

f. To provide for the orderly and functional arrangement of land uses and structures;

The proposed annexation, zoning, and use are consistent with the Comprehensive Plan designation. The 2035 Comprehensive Plan, Future Land Use map, identifies this section this section of W. Market Street Avenue as regional commercial in the built areas. The Land Use Priorities map identifies this area as Tier-2, Land immediately adjacent to the City's incorporated area, and with access to all City services.

g. *To establish standards for the orderly development or redevelopment of geographic areas within the City;*

   Chapters 8.5, 24, and 44 of the Code of Ordinances for the City of Bloomington guide the orderly development and redevelopment. The proposed Zoning Map Amendment meets the intent of these sections of the code as it is in alignment with these sections of the code.

h. *To secure for the public locations for housing, employment, shopping, education and recreation that are adequate in terms of health, safety, convenience and number;*

   The proposed amendment enables the inclusion of a vacant lot which can be developed in alignment with City standards and plans.

i. *To facilitate the adequate provision of transportation, water, sewage disposal, schools, parks and other public facilities; to conserve and protect natural resources including prime agricultural land, mineral resources and areas of scientific interest;*

   The property has adequate provisions of transportation, water, sewage disposal, schools, parks and other public facilities. The property is currently served by the Unit 5 School District.

j. *To conserve and protect natural resources including prime agricultural land, mineral resources and areas of scientific interest;*

   The vacant lot will continue to allow natural resources to be utilized at the site.

k. *To permit public involvement in the planning of private land uses which have the potential for significant impact on the use and enjoyment of surrounding property or on the public resources and facilities of the City of Bloomington; and*

   Chapters 8.5 and 44 of the Code of Ordinances for the City of Bloomington allow the public an opportunity for involvement and provide comment at the Planning Commission meeting on the Annexation Agreement and the Site Plan Review.

l. *To promote the Official Comprehensive Plan adopted by the City of Bloomington.*

   The proposed annexation and zoning are consistent with the Comprehensive Plan designation.

STAFF RECOMMENDATION

Staff finds that the factors for consideration have been adequately addressed in the proposed Annexation Agreement and the Zoning Map Amendment is in the public interest and not solely for the benefit of the applicant, after reviewing the relevant factors for consideration, and recommends the Planning Commission take the following action(s):

Motion to establish findings of fact that the proposed Annexation Agreement and Zoning Map Amendment ***are in the public interest and not solely for the benefit of the petitioner*** and recommend ***approval*** of the petition.

Upon a vote, the Planning Commission will forward its recommendation to City Council. City will then conduct a second public hearing and approve or reject the Agreement on the basis of:

1. The facts presented at the public hearings; and
2. The recommendations of the Planning Commission; and
3. The recommendations of the City Staff.

Respectfully submitted,
Glen Wetterow
City Planner

Attachments:

1. Zoning Map
2. Aerial Image(s)
3. Ground-Level View(s)
4. Petitioner Submission - Annexation Agreement w/Attachments
5. Boundary Map
6. Neighborhood Notice Map

Attachment 1 – Zoning Map

Attachment 2 - Aerial Image

Attachment 3- Ground-Level View(s)

Attachment 4 - Petitioner Submission - Annexation Agreement w/Attachment

ANNEXATION AGREEMENT

Pursuant to legislative authorization found in Article 11 Division 15.1 of the Illinois Municipal Code of 1961 as amended, (65 ILCS 5/11-15.1-1 et seq.) and for and in consideration of the mutual promises herein contained and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned

City of Bloomington, Illinois, a Municipal Corporation, hereinafter referred to as "City" and DKS Properties, Inc., an Illinois, Corporation, including any subsequent purchasers or owners of the property, hereinafter collectively referred to as "Owner" enter into this Annexation Agreement ("Agreement") for the annexation of property into the City.

WHEREAS, Owner is the owner of record of the premises hereinafter described on Exhibit "A", which is attached hereto and made a part hereof by this reference, and

WHEREAS, the Owner is desirous of having said premises annexed to the City and the City is desirous of annexing said premises; and

WHEREAS, said premises is not within the corporate limits of any municipality, but is contiguous to the City; and

WHEREAS, the Owner is desirous of having said premises zoned B-1 (General Commercial) District upon annexation to the City; and

WHEREAS, the Owner has given all notices required to be given by Section 7-1-1 of the Illinois Municipal Code (65 ILCS 5/7-1-1).

NOW, THEREFORE, for and in consideration of the mutual covenants herein contained, the receipt and sufficiency of which are hereby acknowledged, the City and Owner agree as follows:

1. ANNEXATION PETITION.

Owner subject to the terms and conditions set forth in this Agreement, will file a petition with the City of Bloomington, requesting annexation of the property described on Exhibit "A" to the City's corporate limits, within 30 days of approval of this Agreement. The City has published and gave such notices and conducted such public hearings as are required for approval of this Agreement and will provide any such required notices and public hearings to annex the premises, as required by law and ordinance.

2. ANNEXATION.

Upon the filing of an annexation petition by Owner, the City agrees, within sixty (60) days of filing of said petition, to adopt an ordinance annexing the property described on Exhibit "A" to the City of Bloomington.

3. ZONING.

City agrees to rezone the property to B-1 (General Commercial) District subsequent to any public hearings required by the City Code.

4. DEVELOPMENT OBLIGATIONS.

A. With regard to the annexation, and development of the premises, the installation of public improvements within and serving the premises; and the use and development of the premises during the life of this agreement, the parties acknowledge and note that via a previous agreement between the Owner and the City, the applicable annexation and connection fees may have already been paid, such that the following shall apply:

i. Sanitary Sewer. The premises shall be connected to the City's sanitary sewer when the property is developed and the service is needed. The parties acknowledge and note that via a previous agreement, the Owner may have already paid any and all tap on fees for connection to the sanitary sewer, in the event all tap on fees for the connection to the sanitary sewer have been paid no further such fees shall be due and owing. In the event the connection fees for the sanitary sewer have not been paid they shall be due by Owner according to City Code.

ii. Water. The premises shall be connected to the City's water mains when the property is developed and the service is needed. The parties acknowledge and note that via a previous agreement, the Owner may have already paid for any and all tap on fees for connection to the water mains, in the event all tap on fees for the connection to the water main have been paid no further such fees shall be due and owing. In the event the connection fee for the water main have not been paid they shall be due by Owner according to City Code.

5. OBLIGATION TO DEVELOP PER CODE.

In the construction and use of improvements on the subject property the Owner shall comply with all zoning subdivision, building, mechanical and other applicable codes and ordinances of the City of Bloomington in effect at that time, except as may be agreed between the parties.

6. ANNEXATION TO OTHER TAXING DISTRICTS.

That Owner as soon as practicable, but not later than 30 days from the date of annexation to the City, shall file and thereafter diligently pursue the necessary petition to annex the property to the Central Illinois Regional Airport Authority and the Bloomington and Normal Water Reclamation District.

7. COVENANTS AND AGREEMENTS

The covenants and agreements contained in the Agreement shall be deemed to be covenants running with the land during the term of this Agreement, shall inure to the benefit and be binding upon the heirs, successors and assigns of the parties hereto.

8. TERM

The term of this Agreement shall be for twenty (20) years from and after the effective date of the annexation of the Subject Property.

9. NOTICES

Any and all notices required or desired to be given hereunder shall be in writing and shall be delivered personally or sent via certified or registered mail, postage pre-paid and addressed as follows:

City of Bloomington
Attn: City Manager
115 E. Washington Street
Bloomington, IL 61701

DKS Properties, Inc.
c/o David K. Stark
1805 W. Washington St.
Bloomington, IL 61701

or to such other person or address as a party may designate in a like manner.

10. ADOPTION OF ORDINANCES

The City agrees to adopt such ordinances as may be required to give legal effect to the matters contained in this Agreement.

11. GENERAL PROVISIONS

The following general provisions shall apply to this Agreement:

A. Time of the Essence. Time is of the essence in the performance of this Agreement.

B. Rights Cumulative. Unless expressly provided to the contrary in this Agreement, each and every one of the rights, remedies, and benefits provided by this Agreement shall be cumulative and shall not be exclusive of any other rights, remedies, and benefits allowed by law.

C. Non-Waiver. The City shall be under no obligation to exercise any of the rights granted to it in this Agreement. The failure of the City to exercise at any time any right granted to the City shall not be deemed or construed to be a waiver of that right, nor shall the failure void or affect the City's right to enforce that right or any other right.

D. Consents. Unless otherwise provided in this Agreement, whenever the consent, permission, authorization, approval, acknowledgement, or similar indication of assent of any party to this Agreement, or of any duly authorized officer, employee, agent, or representative of any party to this Agreement, is required

in this Agreement, the consent, permission, authorization, approval, acknowledgement, or similar indication of assent shall be in writing.

E. Governing Law. This Agreement shall be governed by, and enforced in accordance with, the internal laws, but not the conflicts of laws rules, of the State of Illinois.

F. Severability. It is hereby expressed to be the intent of the parties to this Agreement that should any provision, covenant, agreement, or portion of this Agreement or its application to any Person or property be held invalid by a court of competent jurisdiction, the remaining provisions of this Agreement and the validity, enforceability, and application to any Person or property shall not be impaired thereby, but the remaining provisions shall be interpreted, applied, and enforced so as to achieve, as near as may be, the purpose and intent of this Agreement to the greatest extent permitted by applicable law.

G. Entire Agreement. This Agreement constitutes the entire agreement between the parties and supersedes any and all prior agreements and negotiations between the parties, whether written or oral, relating to the subject matter of this Agreement.

H. Interpretation. This Agreement shall be construed without regard to the identity of the party who drafted the various provisions of this Agreement. Moreover, each and every provision of this Agreement shall be construed as though all parties to this Agreement participated equally in the drafting of this Agreement. As a result of the foregoing, any rule or construction that a document is to be construed against the drafting party shall not be applicable to this Agreement.

I. Exhibits. The Exhibits attached to this Agreement are, by this reference, incorporated in, and made a part of this Agreement. In the event of a conflict between an exhibit and the text of this Agreement, the text of this Agreement shall control.

J. Amendments and Modifications. No amendment or modification to this Agreement shall be effective until it is reduced to writing and approved and executed by all parties to this Agreement in accordance with all applicable statutory procedures.

K. Changes in Laws. Unless otherwise provided in this Agreement, any reference to the Requirements of Law shall be deemed to include any modifications of, or amendments to, the Requirements of Law that may occur in the future.

L. Authority to Execute. The City hereby warrants and represents to the Owner that the Persons executing this Agreement on its behalf have been properly authorized to do so by the Corporate Authorities. The Owner hereby warrants and represents to the City:
(i) that Owner is the record and beneficial owner of fee simple title to the

Property,

(ii) except for a mortgage on the property, no other person has any legal, beneficial, contractual, or security interest in the Property and that annexing the property is not a violation of the security interests,

(iii) that they have the full and complete right, power, and authority to enter into this Agreement and to agree to the terms, provisions, and conditions set forth in this Agreement and to bind the Property as set forth in this Agreement,

(iv) that all legal actions needed to authorize the execution, delivery, and performance of this Agreement have been taken, and

(v) that neither the execution of this Agreement nor the performance of the obligations assumed by the Owner will

(a) result in a breach or default under any agreement to which the Owner is a party or to which it or the Property is bound or

(b) violate any statute, law, restriction, court order, or agreement to which the Owner or the Property is subject.

M. Enforcement. The parties to this Agreement may, in law or in equity, by suit, action, mandamus, or any other proceeding, including without limitation specific performance, enforce or compel the performance of this Agreement, including but not limited to compelling annexation of the property; provided, however, that the Owner agree that they will not seek, and do not have the right to seek, to recover a judgment for monetary damages against the City, or any of its elected or appointed officials, officers, employees, agents, representatives, engineers, or attorneys, on account of the negotiation, execution, or breach of this Agreement.

N. No Third Party Beneficiaries. No claim as a third party beneficiary under this Agreement by any Person shall be made, or be valid, against the City or the Owner.

O. Recording. After the Owner has paid to the City an amount sufficient to cover the cost of recording this Agreement, all necessary plats, the affidavit of service of notice as required by Section 7-1-1 of the Illinois Municipal Code, 65 ILCS 5/7-1-1, and the Annexation Ordinance, the City shall promptly cause this Agreement to be recorded in the office of the Recorder of McLean County.

P. Annexation Fees. The Owner agrees to pay any applicable annexation fees that are due.

EXECUTED and ADOPTED this_____day of_____, 2022 at Bloomington, Illinois.

CITY OF BLOOMINGTON

By:_____
Mboka Mwilambwe, Mayor

Attest:

By:_____
City Clerk

OWNER: DKS Properties, Inc., an Illinois Corporation

By:_____
David K. Stark, Its President

Exhibit A

Legal Description of Subject Premises
Tract I

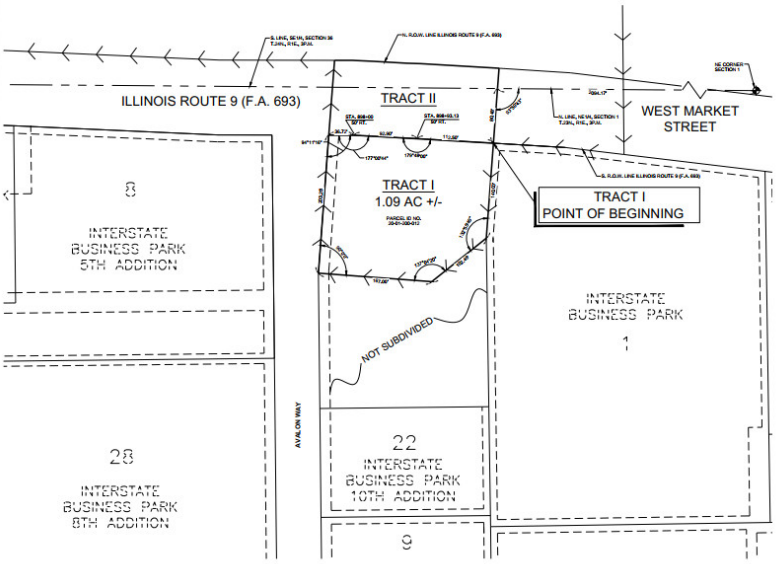
A part of Lot 4 of Motter Estates as per Chancery Record 15, Page 562, Case No. 1634, in the NE¼ of Section 1, Township 23 North, Range 1 East of the Third Principal Meridian, McLean County, Illinois, more particularly described as follows: Commencing at the northeast corner of said Section 1; thence West 2094.17 feet on the north line of said Section 1; thence South 80.48 feet on a line forming an angle of 93°-50'-43" to the right with the north line of said Section 1 to the Point of Beginning on the south right of way line of Illinois State Route 9 (F.A. 693 – Sec. 129 RW & RS); thence continuing South 140.00 feet on the prolongation of the last described course; thence Southwest 102.46 feet which course forms an angle to the left of 132°-55'-40" with the last described course; thence West 167.00 feet which course forms an angle to the left of 137°-04'-20" with the last described course; thence North 203.25 feet which course forms a 90° angle to the left with the last described course to the said south right of way line of Illinois State Route 9; thence Northeasterly 36.72 feet on said right of way line which course forms an angle to the left of 94°-11'-16" with the last described course to a point 50 feet right of Station 898+00 on the centerline of said Illinois Route 9; thence East 92.90 feet on said right of way line which course forms an angle to the left of 177°-00'-44" with the last described course to a point 50 feet right of Station 898+93.13 back – Station 898+93.23 ahead; thence East 112.50 feet on said right of way line which course forms an angle to the left of 179°-48'-00" with the last described course to the Point of Beginning, containing 1.09 acres, more or less.

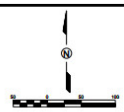
Tract II

All that portion of Illinois State Route 9/West Market Street right of way in the NE¼ of Section 1, Township 23 North, Range 1 East of the Third Principal Meridian and in the SE¼ of Section 36, Township 24 North, Range 1 East of the Third Principal Meridian, lying north of and adjoining the north line of subject premises Tract I described above.

ANNEXATION PLAT

A PART OF LOT 4 IN THE NE¼ OF SECTION 1, TOWNSHIP 23N., R1E., 3P.M., MCLEAN COUNTY, ILLINOIS





LEGEND
- BOUNDARY OF SUBJECT PREMISES
- EASEMENT LIMITS
- CORPORATE LIMITS
- CITY OF BLOOMINGTON
- BEARINGS DIMENSION NOT TO SCALE

Legal Description of Subject Premises

Tract I

A part of Lot 4 of Motter Estates as per Chancery Record 15, Page 562, Case No. 1634, in the NE¼ of Section 1, Township 23 North, Range 1 East of the Third Principal Meridian, McLean County, Illinois, more particularly described as follows: Commencing at the northeast corner of said Section 1; thence West 2084.17 feet on the north line of said Section 1; thence South 80.48 feet on a line forming an angle of 93°-50'-40" to the right with the north line of said Section 1 to the Point of Beginning on the south right of way line of Illinois State Route 9 (F.A. 693 – Sec. 129 RW & RS); thence continuing South 140.00 feet on the prolongation of the last described course; thence Southwest 71.00 feet on a line forming an angle of 177°-02'-44" to the left of the last described course; thence West 167.00 feet which course forms an angle to the left of 137°-04'-20" with the last described course; thence North 203.25 feet which course forms a 90° angle to the left with the last described course to the said south right of way line of Illinois State Route 9; thence Northeasterly 36.72 feet on said right of way line which course forms an angle to the left of 84°-11'-16" with the last described course to a point 50 feet right of Station 898+00 on the centerline of said Illinois Route 9; thence East 62.90 feet on said right of way line which course forms an angle to the left of 177°-00'-44" with the last described course to a point 50 feet right of Station 898+93.13 back – Station 898+93.23 ahead; thence East 112.50 feet on said right of way line which course forms an angle to the left of 179°-48'-00" with the last described course to the Point of Beginning, containing 1.09 acres, more or less.

Tract II

All that portion of Illinois State Route 9/West Market Street right of way in the NE¼ of Section 1, Township 23 North, Range 1 East of the Third Principal Meridian and in the SE¼ of Section 36, Township 24 North, Range 1 East of the Third Principal Meridian, lying north of and adjoining the north line of subject premises Tract I described above.

SURVEYOR'S CERTIFICATE

I, David P. Brown, Illinois Professional Land Surveyor No. 2725, do hereby certify that to the best of my knowledge and belief the plat attached hereto is an accurate representation of lands to be annexed to the City of Bloomington, McLean County, Illinois, prepared under my direction.

09/15/2022
Date

David P. Brown
Illinois Professional Land Surveyor No. 2725
License Expires 11/30/2022

DAVID P. BROWN
035-2725
PROFESSIONAL LAND SURVEYOR
STATE OF ILLINOIS

LYB
www.lybinc.com

Lewis, Yockey & Brown, Inc.
Consulting Engineers & Land Surveyors
Professional Design Firm 184-000588
913 North Main Street, Bloomington, Illinois
Ph. (309) 829-2362

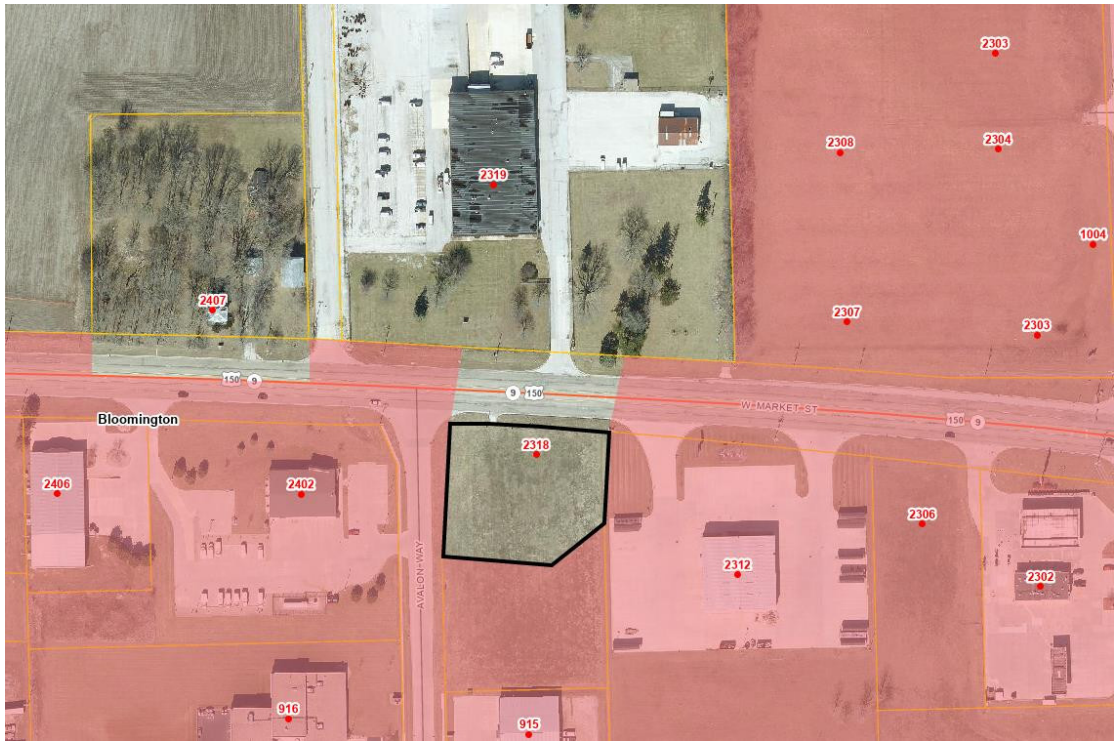
DATE	
REVISED	-
10/05/2022	-
-	-
-	-
-	-

Rev.	X
DRN.	JSB
DES.	X
SPK.	DPB

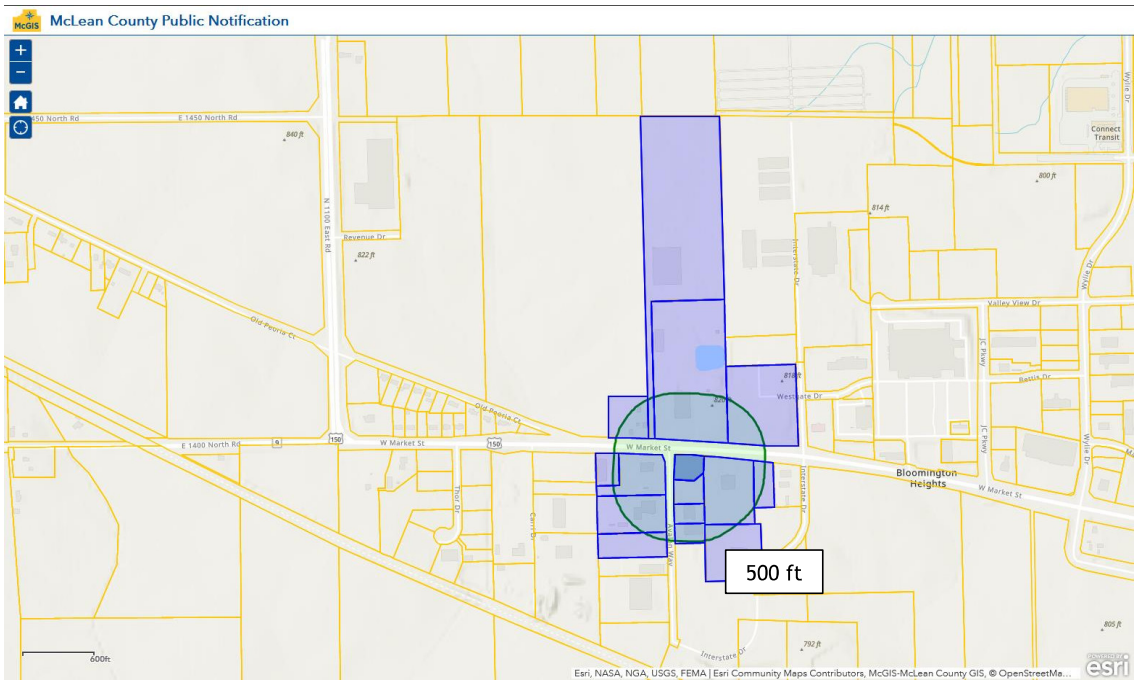
ANNEXATION PLAT
INTERSTATE BUSINESS PARK
SECOND AMENDED PRELIMINARY PLAN
CITY OF BLOOMINGTON
MCLEAN COUNTY, ILLINOIS

SHEET 1 OF 1
JOB # 4561.071

Attachment 5 – Boundary Map



Attachment 6 - Neighborhood Notice Map



PLANNING COMMISSION

TO:	Planning Commission
FROM:	Economic & Community Development Department
DATE:	November 2, 2022
CASE NO:	PS-04-22, Seconded Amended Preliminary Plan for Interstate Business Park
REQUEST:	Public hearing, review and action on a petition submitted by DKS Properties Inc requesting approval of the Second Amended Preliminary Plan for Interstate Business Park for the properties generally located near the intersection of W. Market Street and Avalon Way and along Interstate Drive. PINs: 20-01-200-010, 20-01-200-012, 20-01-200-050, and 20-01-200-051.

BACKGROUND

Petitioners' request:
This request is associated with case Z-12-22. The original Annexation Agreement, from 1997, for Interstate Business Park did not include the property presently located at 2813 W. Market Street (PIN: 0-01-200-012). The annexation plat is included as an attachment to this report. The original Preliminary Plan, from 1997, for Interstate Business Park identified this property but clearly delineated, the city boundary is indicated by a thick black line, that it was not part of the Preliminary Plan as it was outside of the City. This Preliminary Plan is also included as an attachment to this report. An Amended Preliminary Plan was submitted and approved in 2004 for Interstate Business Park. In this Preliminary Plan, the property was mistakenly included as part of the Preliminary Plan and thus implied to be part of the City. The Petitioner was seeking to Final Plat a piece of property within Interstate Business Park when it was discovered the existing Preliminary Plan for Interstate Business Park had expired. The Petitioner desired to have the Preliminary Plan reinstated and was going through the processes of doing so when it was discovered the property at 2813 W. Market Street was not within the City and thus could not be a part of the Preliminary Plan. Case Z-12-22 seeks to annex the piece of property into the City. The petitioner can then include it as part of the Second Amended Preliminary Plan for Interstate Business Park allow for the final platting of another piece of property within the Interstate Business Park. No amendments have been requested to the previously approved waivers.

Property Characteristics:
The subject properties contain approximately 25.21 acres of land which is currently undeveloped. The Second Amended Preliminary Plan indicates the inclusion of property being annexed into the City. The Second Amended Preliminary Plan also more accurately reflects the properties as they are today. Several of the properties have been combined and others subdivided. Access to the properties will be available from W. Market Street, Avalon Way and Interstate Drive. The surrounding properties are

agriculturally, industrially, and commercially zoned. The properties to the north, south, and east are located within the County.

Notice:
The application has been filed in conformance with applicable procedural and public notice requirements. Notice was published in *The Pantagraph* on Monday, August 18, 2022. Courtesy notices were mailed to 28 property owners within 500 feet of the subject property.

Surrounding Zoning and Land Uses

	Zoning	Land Uses
North	M-1 (Restricted Manufacturing, County) & B-1 (General Commercial)	Office, Warehouse & Farmland (Vacant)
South	A (Agricultural, County)	Farmland (Vacant)
East	M-1 (Restricted Manufacturing, County)	Farmland (Vacant)
West	B-1 (General Commercial) & M-1 (Restricted Manufacturing)	Office

ANALYSIS

Compliance with the Comprehensive Plan:
The proposed Amended Preliminary Plan contributes to Goals ED-4.1 (Plan for a diversity of ready-to-build sites to meet the demand), ED-4.2 (Prioritize infill and redevelopment to spur growth and reinvestment in the City), TAQ-1. (A safe and efficient network of streets, bicycle-pedestrian facilities and other infrastructure to serve users in any surface transportation mode), and TAQ-1.1 (Maintenance and development of a continuous network of arterial, collector and local streets that provides for safe and efficient movement of people, goods and services between existing and proposed residential areas and major activity centers, maximizes walkability, and provides multimodal linkages to the state and interstate highway system) of the 2035 Comprehensive Plan.

Preliminary Plans are reviewed for consistency with the Comprehensive Plan. The 2035 Comprehensive Plan's Future Land Use map identifies this area as an employment center within the built areas. The Land Use Priorities map identifies this area as Tier-1 priority which is Vacant and under-utilized land for infill development or redevelopment within the City. Additionally, the Opportunities for Infill Development and Redevelopment map identifies this area as non-residential vacant property.

STANDARDS FOR REVIEW

The Planning Commission shall hold at least one public hearing on any proposed Preliminary Plan and report to the Council its findings of fact and recommendations. Recommendations shall be made upon the determination that the Preliminary Plan conforms with the standards and purpose of the Subdivision Code as listed in § 24-203A-L and discussed below.

Request for Second Amended Preliminary Plan for Interstate Business Park

1. **To protect, provide and promote the public health, safety and general welfare of the City.**

   The proposed subdivision has access to City utilities (water and sewer) for proper sanitation. Stormwater management will be addressed when construction is proposed for the properties. Lot characteristics proposed by the subject Preliminary Plan are in compliance with the requirements of the M-1 (Restricted Manufacturing) District and B-1 (General Commercial) District and supportive of the prescribed site design and development intensities for these Districts.

2. **To guide the future growth and development of the City, in accordance with the Comprehensive Plan.**

   The Comprehensive Plan identifies this area between Avalon Way and Interstate Drive and south of W. Market Street as an employment center within the built areas. The Land Use Priorities map identifies this area as Tier-1 priority which is Vacant and under-utilized land for infill development or redevelopment within the City. Additionally, the Opportunities for Infill Development and Redevelopment map identifies this area as non-residential vacant property.

3. **To provide for adequate light, air and privacy, to secure safety from fire, flood, and other danger, and to prevent overcrowding of the land and undue congestion of population.**

   The proposed subdivision will provide adequate separation between buildings, promoting light and air circulation. The configuration of the lots meets City requirements and will ensure overcrowding does not occur. The infrastructure indicated ensures efficient flow of traffic through the area. The proposed infrastructure and associated waivers have been reviewed and approved by the City's Public Works Department.

4. **To protect the character and the social and economic stability of all parts of the City and to encourage the orderly and beneficial development of all parts of the community.**

   The lots indicated on the Amended Preliminary Plan are currently will be or are zoned either, B-1 (General Commercial) or M-1 (Restricted Manufacturing); they are adjacent to either commercial or industrially zoned properties. The properties to the north and west have already been final platted and developed according to similar standards. The properties to the east and south are within the County and have not been final platted or developed to the current zoning standards of those properties. However, the uses permitted within the County zonings M-1 (Restricted Manufacturing) District and A (Agriculture) District will be in character with the existing uses surrounding the properties. This area is still very undeveloped, and this preliminary plan serves to identify only a piece of the overall development in the area.

5. **To protect and conserve the value of land throughout the City and the value of buildings and improvements upon the land, and to minimize the conflicts among the uses of land and buildings.**

   The proposed subdivision and zoning are compatible with adjacent zoning and uses.

6. **To guide public and private policy and action in order to provide adequate and efficient transportation, water, sewerage, schools, parks, playgrounds, recreation and other public requirements and facilities.**

The properties have access to City services (water, sewer and streets). The Land Use Priorities map identifies these lots as a Tier 1 priority (vacant and under-utilized land for infill development or redevelopment within the City.)

7. **To provide the most beneficial relationship between the uses of land and buildings and the circulation of traffic throughout the City, having particular regard to the avoidance of congestion in the streets and highways, and the pedestrian traffic movements appropriate to the various uses of land and buildings, and to provide for the proper location and width of streets and building setback lines.**

   The lots proposed will have frontage off either W. Market Street, Avalon Way or Interstate Drive. New approaches will be created to ensure points of ingress and egress from each property; the number and location have will be approved by Public Works for Avalon Way and Interstate Drive to limit traffic congestion ensure traffic easily flows through the entire subdivision. W. Market Street is a State route and points of access are dictated via the Illinois Department of Transportation (IDOT). Thus, will have to be reviewed and approved by IDOT. The expansion of Interstate Drive will provide a means for improved traffic circulation through the Interstate Business Park subdivision. Sidewalks will be installed as per the requested waiver; the waiver has been reviewed and approved by the Public Works department.

8. **To establish reasonable standards of design and procedures for subdivision codes and resubdivisions, in order to further the orderly layout and use of land, and to insure proper legal descriptions and monumenting of subdivided land.**

   The Bloomington Subdivision Ordinance and Zoning Code ensure standards for design, subdivision and final platting; the proposed Preliminary Plan follows the required procedures and meets the standards identified within.

9. **To ensure that public facilities are available and will have a sufficient capacity to serve the proposed subdivision code and areas reasonably anticipated to be served by such facilities.**

   The lots can be served by existing City police and fire services. The lots are served by Unit 5 School District. The Tier 1 Priority classification considers access to existing public infrastructure and services.

10. **To prevent the pollution of air, streams, and ponds; to assure the adequacy of drainage facilities; to safeguard the water table; and to encourage the wise use and management of natural resources throughout the City in order to preserve the integrity, stability and beauty of the community and the value of the land.**

    An Erosion and Sediment Control Permit will have to be reviewed and approved by the Public Works department as part of any construction permitting and will be required as part of the Legislative Site Plan Review process for which it is required. Both processes will ensure natural features such as streams and lakes are not negatively impacted. There is already existing stormwater infrastructure provided to accommodate these and surrounding properties. However, a stormwater plan is still required and must be approved by the City Engineering Division as part of the final platting process.

11. **To preserve the natural beauty and topography of the City and to insure appropriate development with regard to these natural features.**

An Erosion and Sediment Control Permit will have to be reviewed and approved by the Public Works department when construction is proposed for the properties. For the B-1 zoned properties a Legislative Site Plan Review will be required. These permits and review processes will ensure the natural beauty and topography are not negatively impacted. There is already existing stormwater infrastructure provided to accommodate these and surrounding properties on Lot 36 but will be revaluated for each development project in the area.

12. **To provide for open spaces through the most efficient design and layout of the land, including the use of average density in providing for minimum width and area of lots, while preserving the density of land as established in the City's zoning ordinance.**

    The applicant has selected to subdivide the property to ensure development occurs in a manner that meets the design and density requirements of the City's Zoning Code and those desired by the petitioner, thus ensuring the most efficient layout of the lots and future structures. The waivers requested relate to infrastructure items which the Engineer Division has reviewed and approved and were previously approved under the First Amended Preliminary Plan.

STAFF RECOMMENDATION

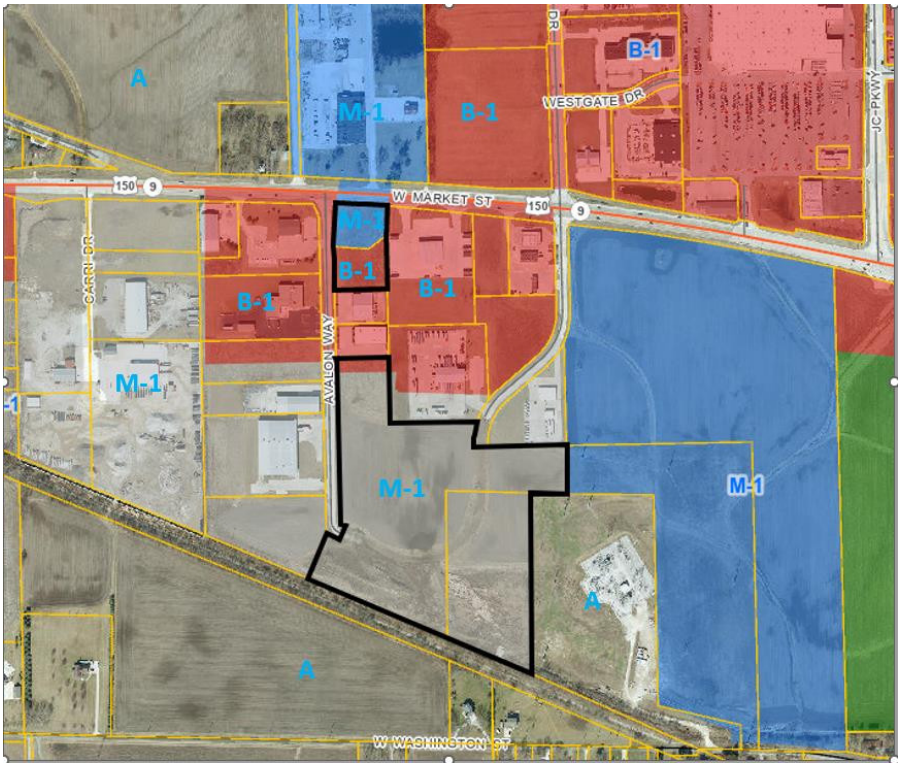
Staff finds that the request for approval of the Preliminary Plan conforms with the standards and purpose of the Subdivision Code and recommends that the Planning Commission take the following actions:

> Motion to establish findings of fact that the proposed Seconded Amended Preliminary Plan for Interstate Business Park ***conforms with the standards and purpose of the Subdivision Code*** and recommend ***approval*** of the petition to City Council.

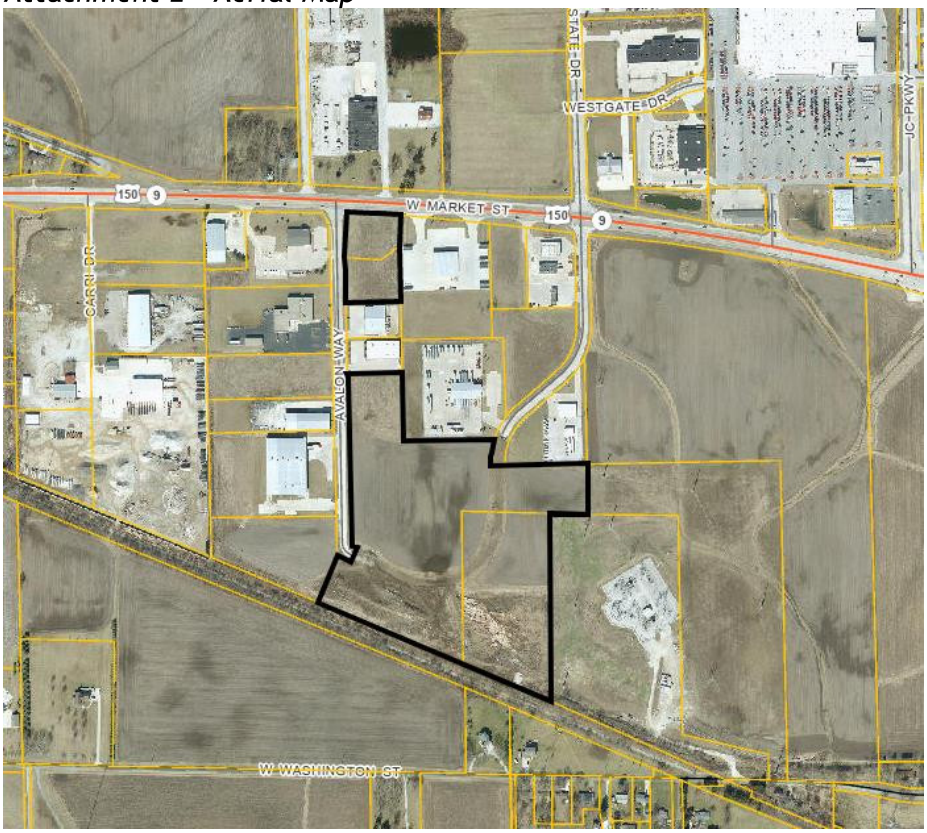
Respectfully submitted,
Glen Wetterow
City Planner

Attachments:
1. Zoning Map
2. Aerial Map
3. Ground-Level View(s)
4. Original Annexation Plat for Interstate Business Park
5. Preliminary Plan for Interstate Business Park
6. First Amended Preliminary Plan for Interstate Business Park
7. Seconded Amended Preliminary Plan for Interstate Business Park
8. Neighborhood Notice Map

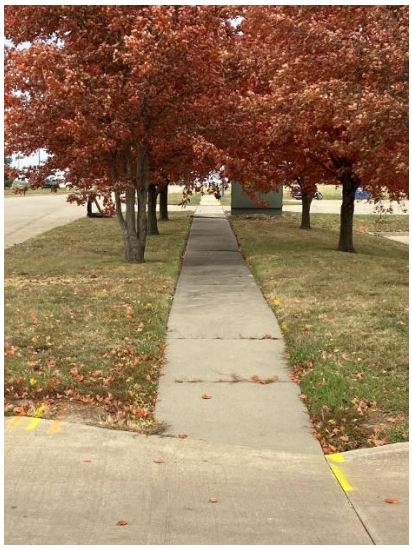
Attachment 1 – Zoning Map

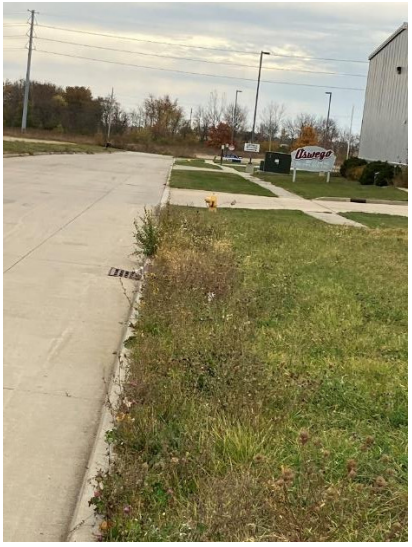


Attachment 2 – Aerial Map

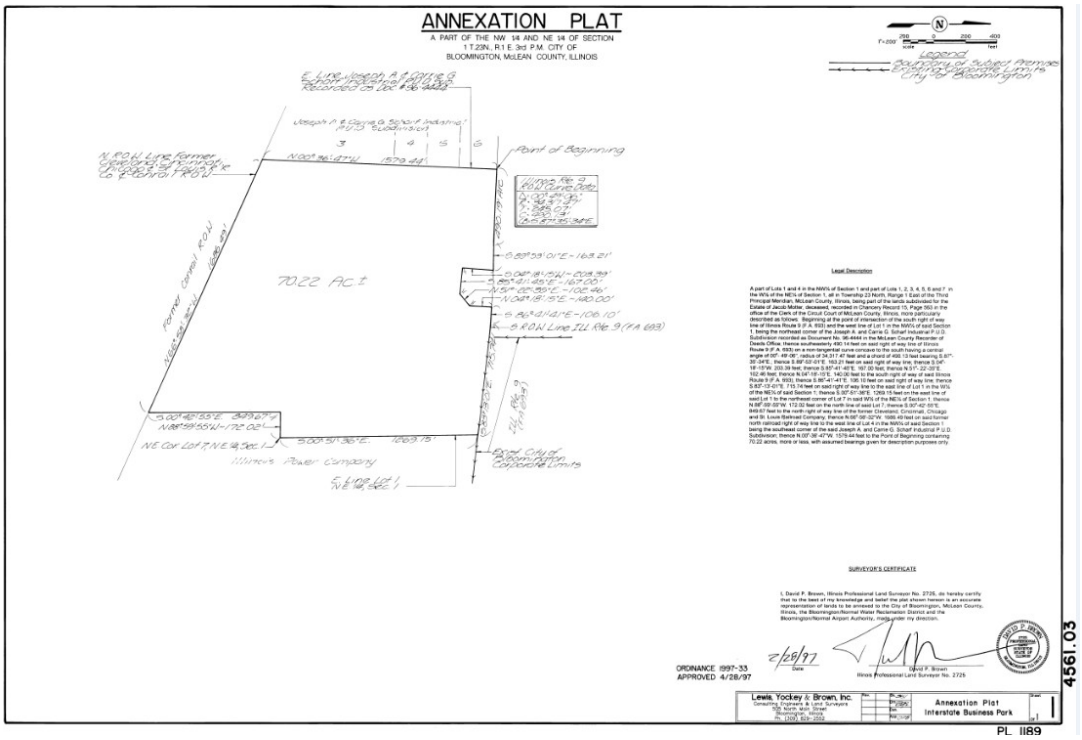


Attachment 3 – Ground Level Views

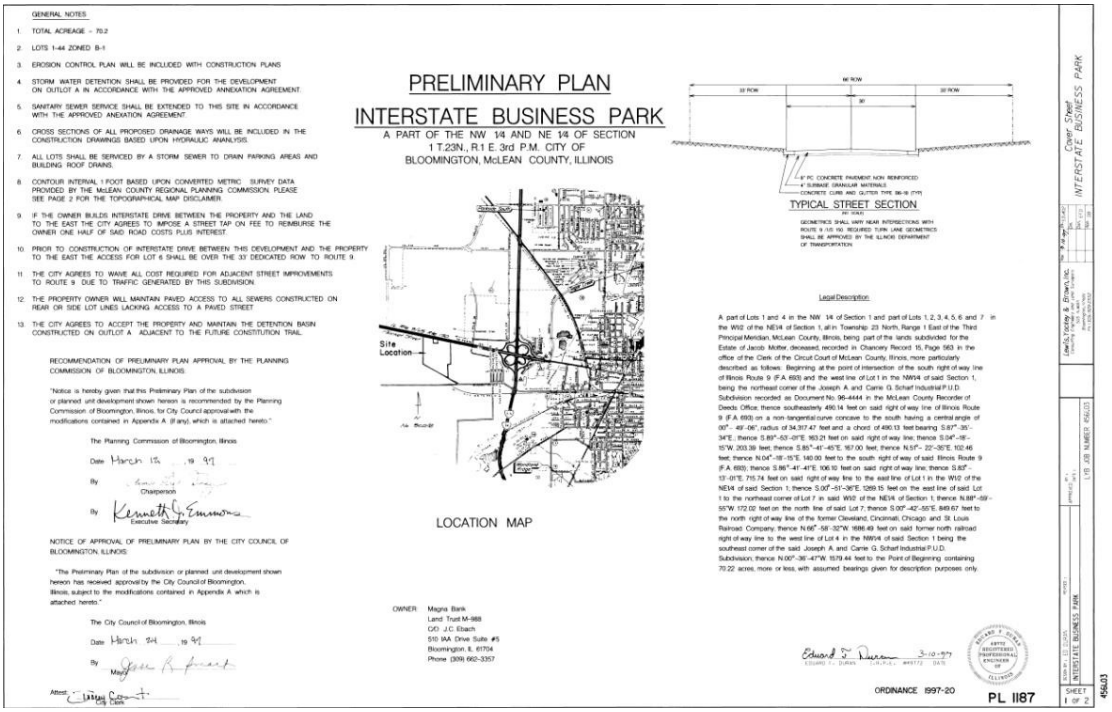


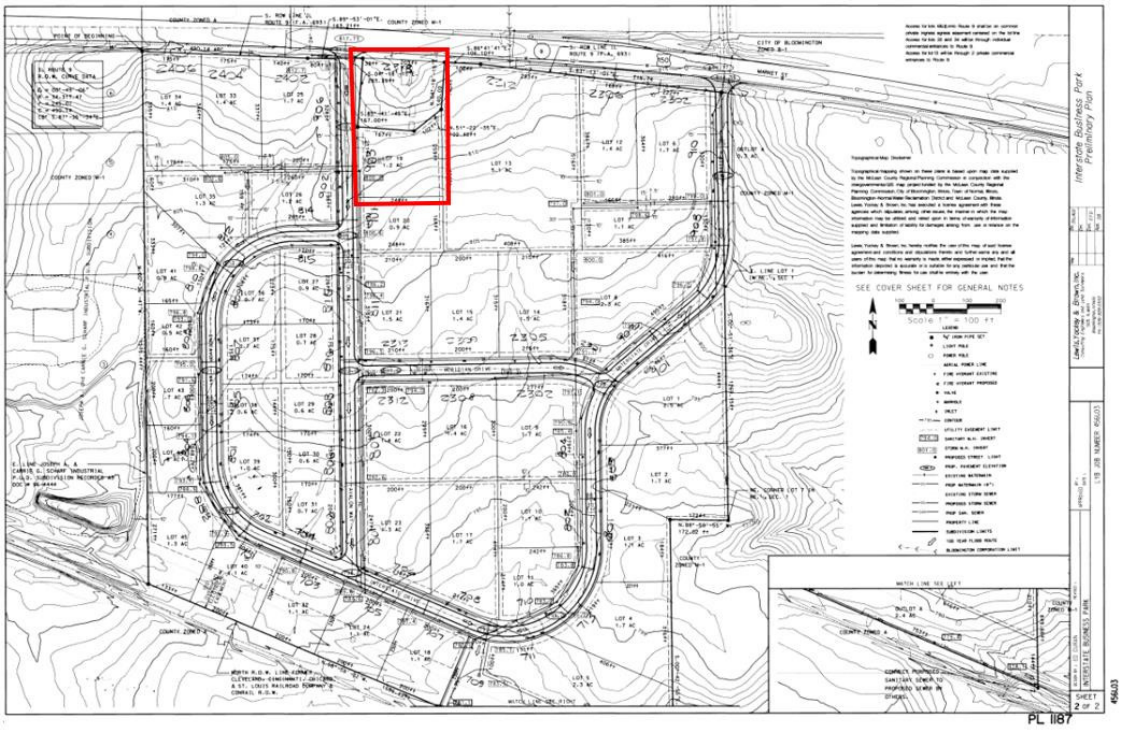


Attachment 4 – Annexation Plat

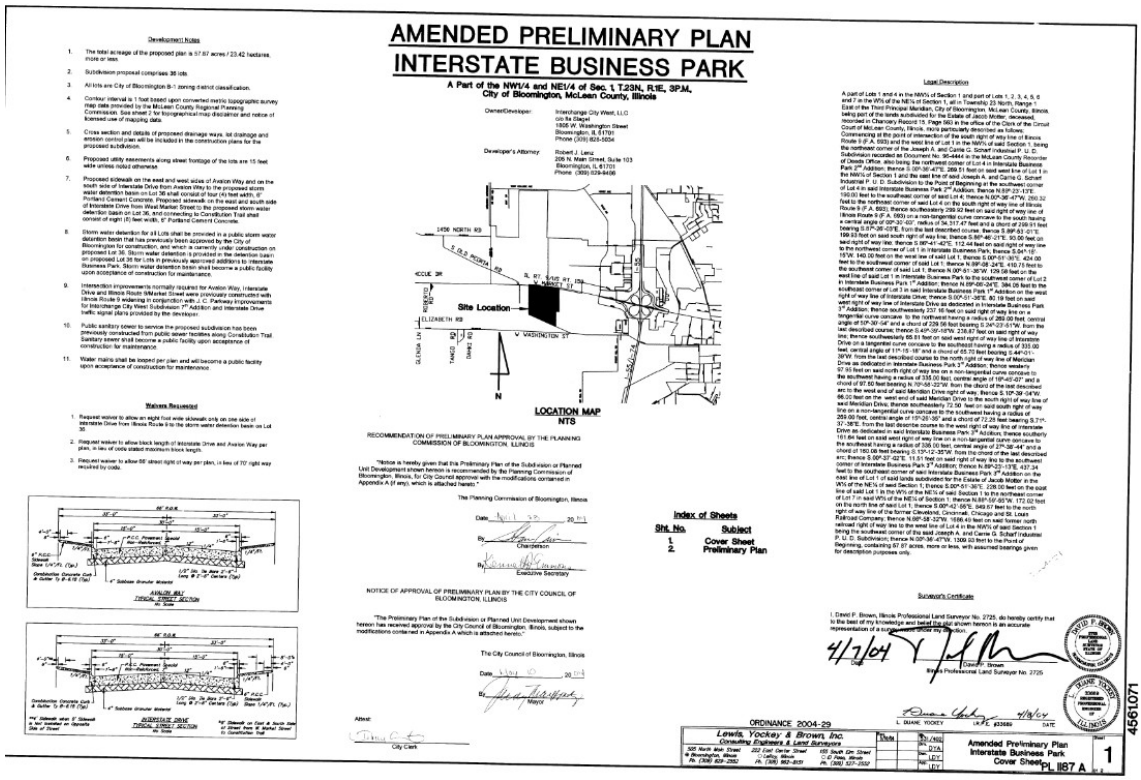


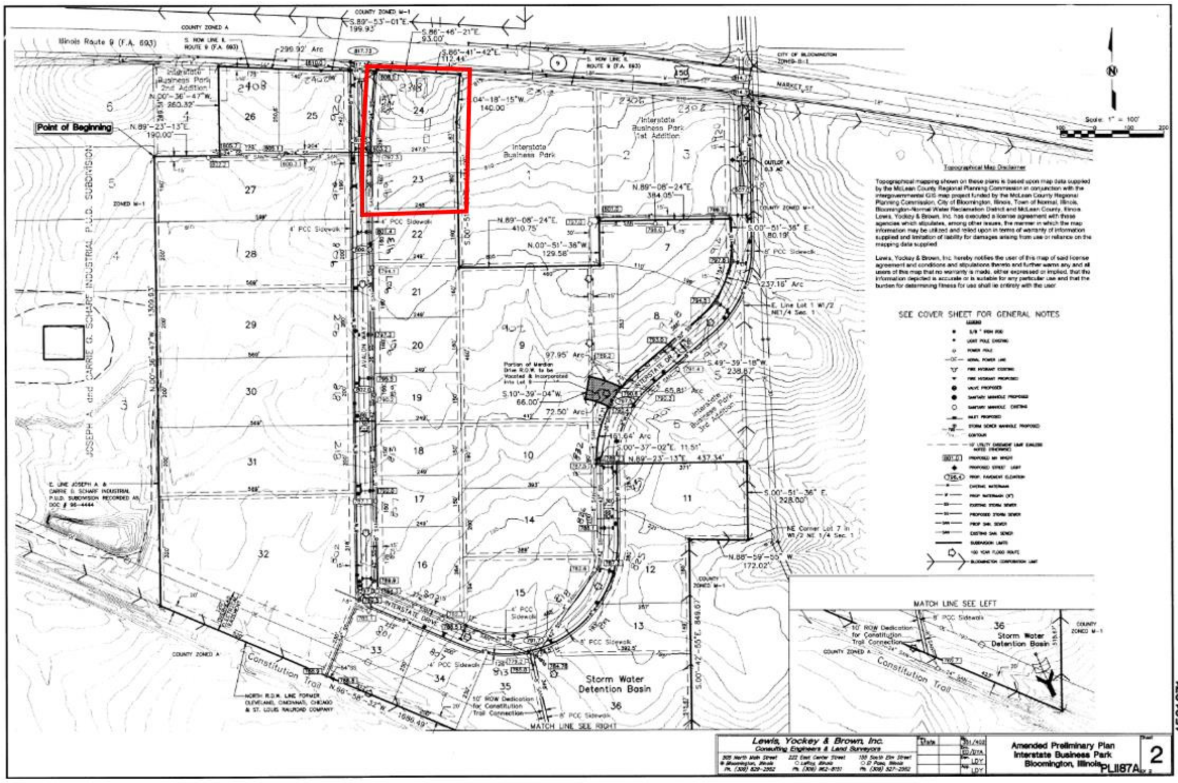
Attachment 5 – Preliminary Plan for Interstate Business Park



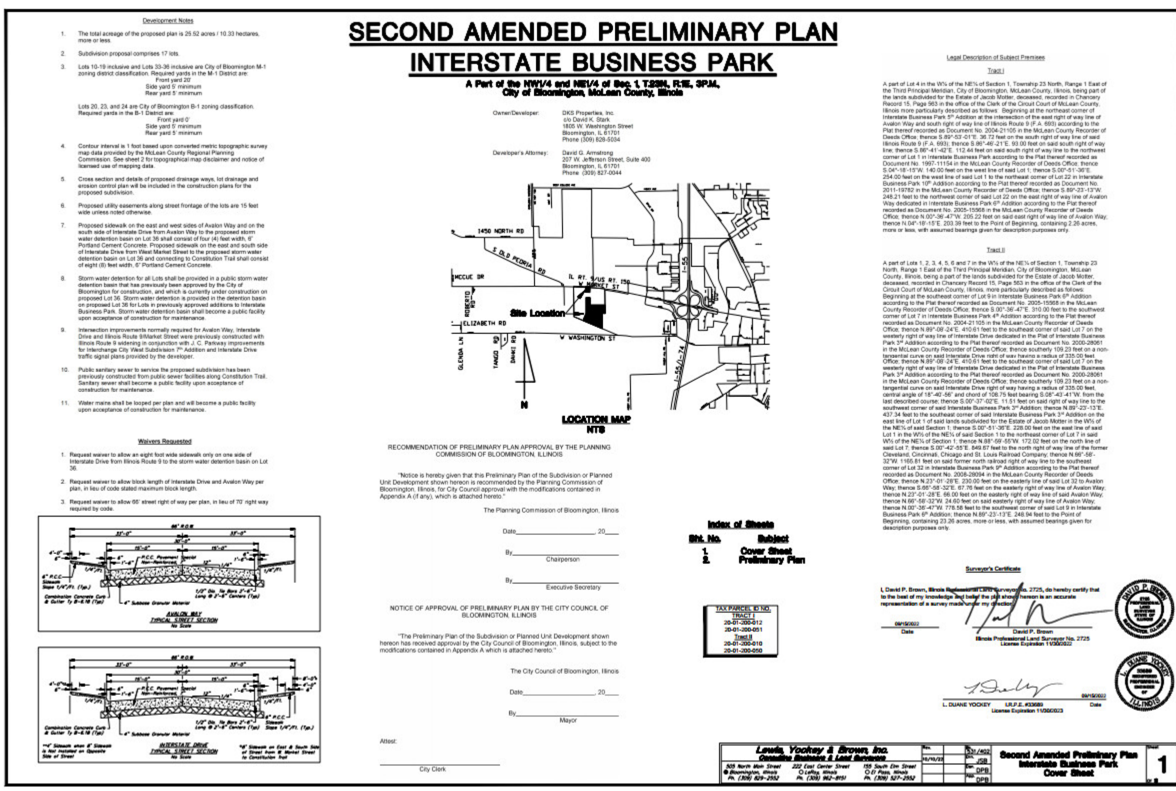


Attachment 6 – Amended (1st) Preliminary Plan for Interstate Business Park





Attachment 7 – Amended (2nd) Preliminary Plan for Interstate Business Park



SECOND AMENDED PRELIMINARY PLAN
INTERSTATE BUSINESS PARK

A Part of the NW1/4 and NE1/4 of Sec. 1, T.23N, R.1E, 3P.M., City of Bloomington, McLean County, Illinois

Owner/Developer: DKS Properties, Inc.
c/o David K. Stark
1805 W. Washington Street
Bloomington, IL 61701
Phone (309) 828-5034

Developer's Attorney: David G. Armstrong
207 W. Jefferson Street, Suite 400
Bloomington, IL 61701
Phone (309) 827-0044

Development Notes

1. The total acreage of the proposed plan is 25.52 acres / 10.33 hectares, more or less.
2. Subdivision proposal comprises 17 lots.
3. Lots 10-19 inclusive and Lots 33-36 inclusive are City of Bloomington M-1 zoning district classification. Required yards in the M-1 District are:
   Front yard 20'
   Side yard 5' minimum
   Rear yard 5' minimum

   Lots 20, 23, and 24 are City of Bloomington B-1 zoning classification. Required yards in the B-1 District are:
   Front yard 0'
   Side yard 5' minimum
   Rear yard 5' minimum
4. Contour interval is 1 foot based upon converted metric topographic survey map data provided by the McLean County Regional Planning Commission. See sheet 2 for topographical map disclaimer and notice of licensed use of mapping data.
5. Cross section and details of proposed drainage ways, lot drainage and erosion control plan will be included in the construction plans for the proposed subdivision.
6. Proposed utility easements along street frontage of the lots are 15 feet wide unless noted otherwise.
7. Proposed sidewalk on the east and west sides of Avalon Way and on the south side of Interstate Drive from Avalon Way to the proposed storm water detention basin on Lot 36 shall consist of four (4) feet width, 6" Portland Cement Concrete. Proposed sidewalk on the east and south side of Interstate Drive from West Market Street to the proposed storm water detention basin on Lot 36 and connecting to Constitution Trail shall consist of eight (8) feet width, 6" Portland Cement Concrete.
8. Storm water detention for all Lots shall be provided in a public storm water detention basin that has previously been approved by the City of Bloomington for construction, and which is currently under construction on proposed Lot 36. Storm water detention is provided in the detention basin on proposed Lot 36 for Lots in previously approved additions to Interstate Business Park. Storm water detention basin shall become a public facility upon acceptance of construction for maintenance.
9. Intersection improvements normally required for Avalon Way, Interstate Drive and Illinois Route 9/Market Street were previously constructed with Illinois Route 9 widening in conjunction with J. C. Parkway improvements for Interchange City West Subdivision 7th Addition and Interstate Drive traffic signal plans provided by the developer.
10. Public sanitary sewer to service the proposed subdivision has been previously constructed from public sewer facilities along Constitution Trail. Sanitary sewer shall become a public facility upon acceptance of construction for maintenance.
11. Water mains shall be looped per plan and will become a public facility upon acceptance of construction for maintenance.

Waivers Requested

1. Request waiver to allow an eight foot wide sidewalk only on one side of Interstate Drive from Illinois Route 9 to the storm water detention basin on Lot 36.
2. Request waiver to allow block length of Interstate Drive and Avalon Way per plan, in lieu of code stated maximum block length.
3. Request waiver to allow 66' street right of way per plan, in lieu of 70' right way required by code.

AVALON WAY TYPICAL STREET SECTION No Scale

INTERSTATE DRIVE TYPICAL STREET SECTION No Scale

LOCATION MAP NTS

RECOMMENDATION OF PRELIMINARY PLAN APPROVAL BY THE PLANNING COMMISSION OF BLOOMINGTON, ILLINOIS

"Notice is hereby given that this Preliminary Plan of the Subdivision or Planned Unit Development shown hereon is recommended by the Planning Commission of Bloomington, Illinois, for City Council approval with the modifications contained in Appendix A (if any), which is attached hereto."

The Planning Commission of Bloomington, Illinois

Date________________, 20____

By________________ Chairperson

By________________ Executive Secretary

NOTICE OF APPROVAL OF PRELIMINARY PLAN BY THE CITY COUNCIL OF BLOOMINGTON, ILLINOIS

"The Preliminary Plan of the Subdivision or Planned Unit Development shown hereon has received approval by the City Council of Bloomington, Illinois, subject to the modifications contained in Appendix A which is attached hereto."

The City Council of Bloomington, Illinois

Date________________, 20____

By________________ Mayor

Attest:

________________ City Clerk

Index of Sheets

Sht. No.	Subject
1.	Cover Sheet
2.	Preliminary Plan

TAX PARCEL ID NO.
TRACT I
20-01-200-012
20-01-200-051
Tract II
20-01-200-010
20-01-200-050

Legal Description of Subject Premises

Tract I

A part of Lot 4 in the W½ of the NE¼ of Section 1, Township 23 North, Range 1 East of the Third Principal Meridian, City of Bloomington, McLean County, Illinois, being part of the lands subdivided for the Estate of Jacob Motter, deceased, recorded in Chancery Record 15, Page 563 in the office of the Clerk of the Circuit Court of McLean County, Illinois more particularly described as follows: Beginning at the northeast corner of Interstate Business Park 5th Addition at the intersection of the east right of way line of Avalon Way and south right of way line of Illinois Route 9 (F.A. 693) according to the Plat thereof recorded as Document No. 2004-21105 in the McLean County Recorder of Deeds Office; thence S.89°-53'-01"E. 36.72 feet on the south right of way line of said Illinois Route 9 (F.A. 693); thence S.86°-46'-21"E. 93.00 feet on said south right of way line; thence S.86°-41'-42"E. 112.44 feet on said south right of way line to the northwest corner of Lot 1 in Interstate Business Park according to the Plat thereof recorded as Document No. 1997-11154 in the McLean County Recorder of Deeds Office; thence S.04°-18'-15"W. 140.00 feet on the west line of said Lot 1; thence S.00°-51'-36"E. 254.00 feet on the west line of said Lot 1 to the northeast corner of Lot 22 in Interstate Business Park 10th Addition according to the Plat thereof recorded as Document No. 2011-19782 in the McLean County Recorder of Deeds Office; thence S.89°-23'-13"W. 248.21 feet to the northwest corner of said Lot 22 on the east right of way line of Avalon Way dedicated in Interstate Business Park 6th Addition according to the Plat thereof recorded as Document No. 2005-15568 in the McLean County Recorder of Deeds Office; thence N.00°-36'-47"W. 205.22 feet on said east right of way line of Avalon Way; thence N.04°-18'-15"E. 203.39 feet to the Point of Beginning, containing 2.26 acres, more or less, with assumed bearings given for description purposes only.

Tract II

A part of Lots 1, 2, 3, 4, 5, 6 and 7 in the W½ of the NE¼ of Section 1, Township 23 North, Range 1 East of the Third Principal Meridian, City of Bloomington, McLean County, Illinois, being a part of the lands subdivided for the Estate of Jacob Motter, deceased, recorded in Chancery Record 15, Page 563 in the office of the Clerk of the Circuit Court of McLean County, Illinois, more particularly described as follows: Beginning at the southeast corner of Lot 9 in Interstate Business Park 6th Addition according to the Plat thereof recorded as Document No. 2005-15568 in the McLean County Recorder of Deeds Office; thence S.00°-36'-47"E. 310.00 feet to the southwest corner of Lot 7 in Interstate Business Park 4th Addition according to the Plat thereof recorded as Document No. 2004-21105 in the McLean County Recorder of Deeds Office; thence N.89°-08'-24"E. 410.61 feet to the southeast corner of said Lot 7 on the westerly right of way line of Interstate Drive dedicated in the Plat of Interstate Business Park 3rd Addition according to the Plat thereof recorded as Document No. 2000-28061 in the McLean County Recorder of Deeds Office; thence southerly 109.23 feet on a non-tangential curve on said Interstate Drive right of way having a radius of 335.00 feet, Office; thence N.89°-08'-24"E. 410.61 feet to the southeast corner of said Lot 7 on the westerly right of way line of Interstate Drive dedicated in the Plat of Interstate Business Park 3rd Addition according to the Plat thereof recorded as Document No. 2000-28061 in the McLean County Recorder of Deeds Office; thence southerly 109.23 feet on a non-tangential curve on said Interstate Drive right of way having a radius of 335.00 feet, central angle of 18°-40'-56" and chord of 108.75 feet bearing S.08°-43'-41"W. from the last described course; thence S.00°-37'-02"E. 11.51 feet on said right of way line to the southwest corner of said Interstate Business Park 3rd Addition; thence N.89°-23'-13"E. 437.34 feet to the southeast corner of said Interstate Business Park 3rd Addition on the east line of Lot 1 of said lands subdivided for the Estate of Jacob Motter in the W½ of the NE¼ of said Section 1; thence S.00°-51'-36"E. 228.00 feet on the east line of said Lot 1 in the W½ of the NE¼ of said Section 1 to the northeast corner of Lot 7 in said W½ of the NE¼ of Section 1; thence N.88°-59'-55"W. 172.02 feet on the north line of said Lot 7; thence S.00°-42'-55"E. 849.67 feet to the north right of way line of the former Cleveland, Cincinnati, Chicago and St. Louis Railroad Company; thence N.66°-58'-32"W. 1165.81 feet on said former north railroad right of way line to the southeast corner of Lot 32 in Interstate Business Park 9th Addition according to the Plat thereof recorded as Document No. 2008-28094 in the McLean County Recorder of Deeds Office; thence N.23°-01'-28"E. 230.00 feet on the easterly line of said Lot 32 to Avalon Way; thence S.66°-58'-32"E. 67.76 feet on the easterly right of way line of Avalon Way; thence N.23°-01'-28"E. 66.00 feet on the easterly right of way line of said Avalon Way; thence N.66°-58'-32"W. 24.60 feet on said easterly right of way line of Avalon Way; thence N.00°-36'-47"W. 778.58 feet to the southwest corner of said Lot 9 in Interstate Business Park 6th Addition; thence N.89°-23'-13"E. 248.94 feet to the Point of Beginning, containing 23.26 acres, more or less, with assumed bearings given for description purposes only.

Surveyor's Certificate

I, David P. Brown, Illinois Professional Land Surveyor No. 2725, do hereby certify that to the best of my knowledge and belief the plat shown hereon is an accurate representation of a survey made under my direction.

09/15/2022
Date

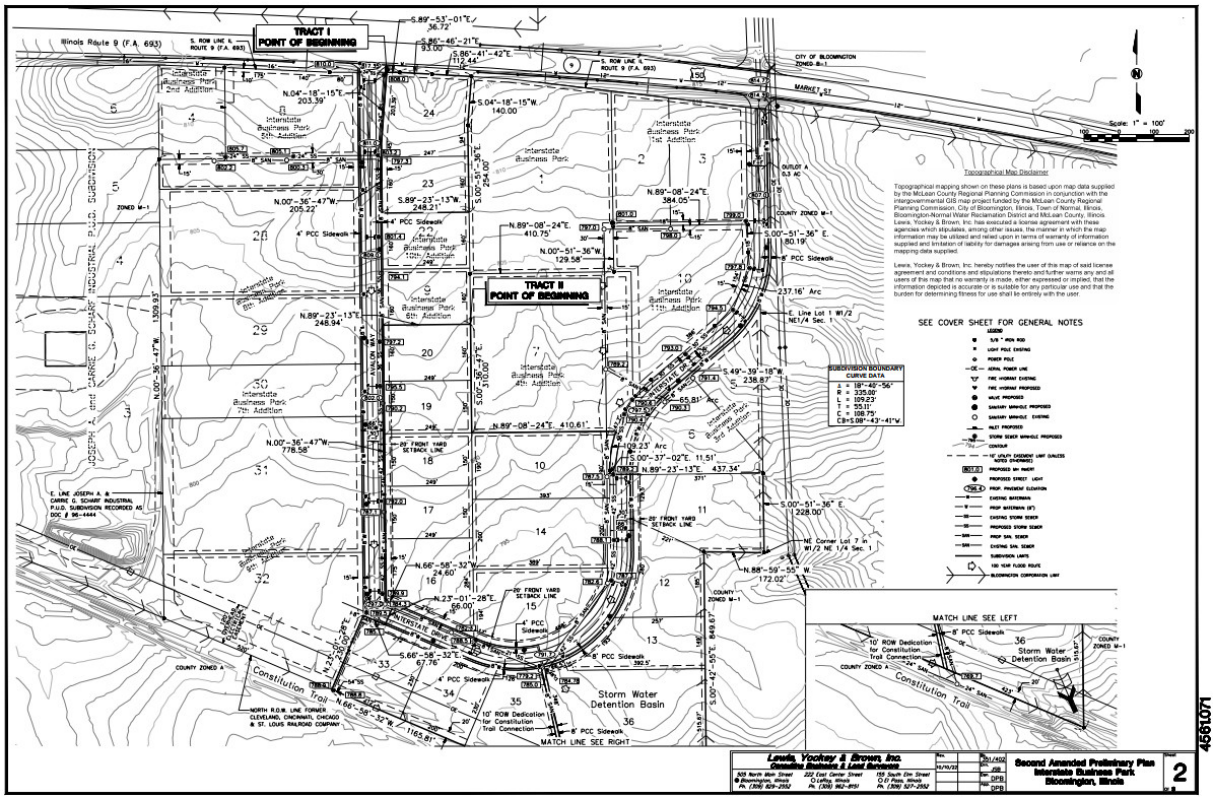
David P. Brown
Illinois Professional Land Surveyor No. 2725
License Expiration 11/30/2022

L. DUANE YOCKEY I.R.P.E. #33689
License Expiration 11/30/2023
09/15/2022
Date

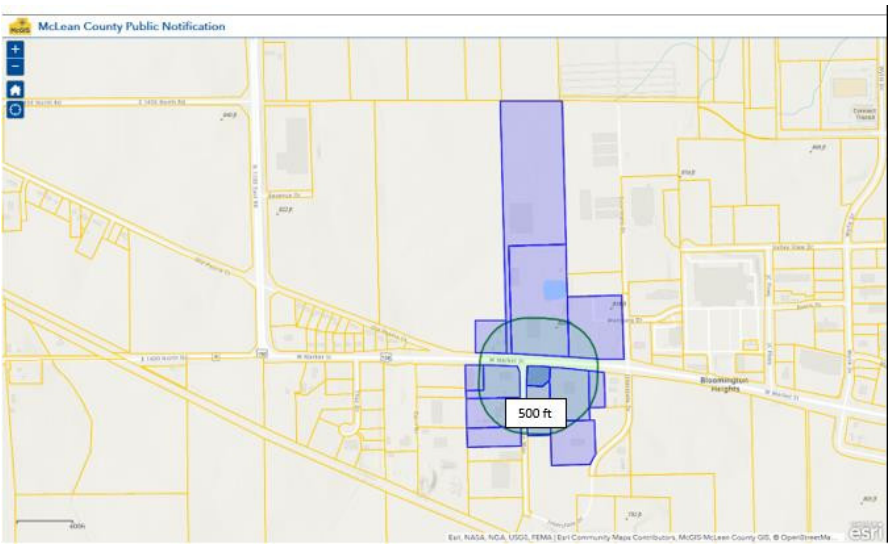
Lewis, Yockey & Brown, Inc.
Consulting Engineers & Land Surveyors
505 North Main Street, Bloomington, Illinois, Ph. (309) 829-2552
222 East Center Street, LeRoy, Illinois, Ph. (309) 962-8151
155 South Elm Street, El Paso, Illinois, Ph. (309) 527-2552

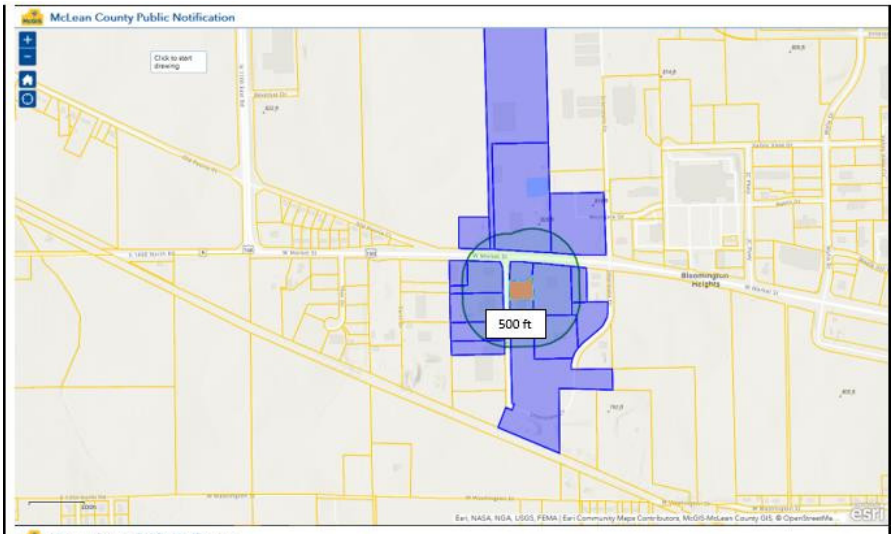
Second Amended Preliminary Plan
Interstate Business Park
Cover Sheet
Sheet 1

4561071



Attachment 7 – Neighborhood Notice Maps

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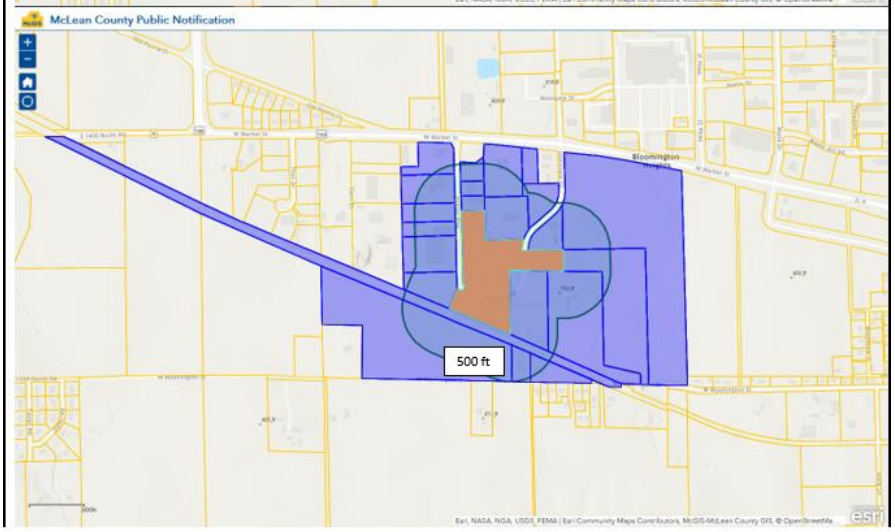
McLean County Public Notification
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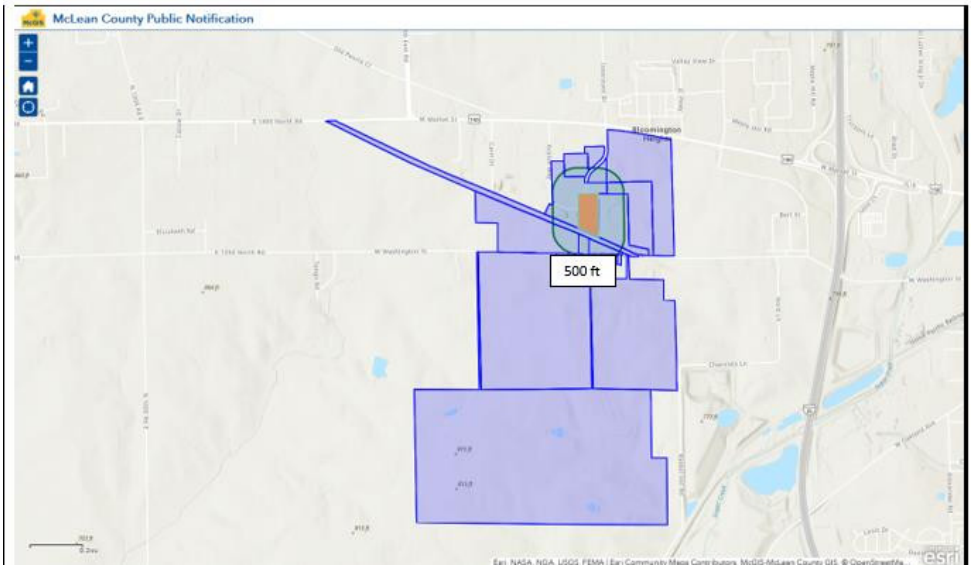
McLean County Public Notification
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