



**ZONING BOARD OF APPEALS - REGULAR SESSION
GOVERNMENT CENTER CHAMBERS, 4TH FLOOR, ROOM #400
115 E. WASHINGTON STREET, BLOOMINGTON, IL 61701
WEDNESDAY, OCTOBER 16, 2024, 4:00 PM**

1. Call to Order

2. Roll Call

3. Public Comment

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

4. Consent Agenda

Items listed on the Consent Agenda are approved with one motion; Items pulled from the Consent Agenda for discussion are listed and voted on separately.

- A. Review and approval of the minutes of the September 18, 2024, regular meeting of the Bloomington Zoning Board of Appeals. (Recommended Motion: The proposed Minutes be approved.)

5. Regular Agenda

- A. **V-11-24** - Public hearing, review, and action on a request submitted by Krystyna Wojtkowski, for approval of a Variance to allow a reduced required rear yard setback for the property located at 3003 Carlene Drive. PIN: 14-36-405-015. (Recommended Motion: Motion to establish findings of fact that the **standards for approval a Variance are met**, carrying out the strict letter of the Code **does create a practical difficulty** or particular hardship for the Applicant, and to **approve** of the request for a Variance from § 44-403A, as presented.)
- B. **SP-07-24** - Public hearing, review, and action on a request submitted by Lifelong Access, representing owner Oak, LLC, for a Special Use Permit for a School (Public) in the D-2 (Downtown Transitional) District, for the property located at 301 W. Washington Street. PIN: 21-04-331-009. (Recommended Motion: Motion to establish findings of fact that all standards for approval of a Special Use Permit are met, and to recommend **approval** of the request with no conditions.)
- C. **SP-04-24** - Public hearing, review, and action on a request submitted by Mayer Zahn, with owner Ramesh Alturi, for approval of a **Special Use Permit** for a Vehicle Sales & Service Use, in the B-1 (General Commercial) District, for the property located at 1513 Morrissey Drive (PIN: 21-10-453-002). (Recommended Motion: Motion to establish findings of fact that all standards for approval of a Special Use

Permit are not met, and to recommend **denial** of the request.

Alternatively, the Zoning Board of Appeals may seek additional information from the applicant and take the following action:

Motion to establish findings of fact that all standards for approval of a Special Use Permit are met, and to recommend **approval** of the request, subject to:

- Clarifying and confirming the ownership structure at the property and provide proof that all interested parties are acceptable to the Special Use Permit application;
- Providing an updated site plan to scale, indicating parking space and drive-aisle dimensions and remove barriers to allow complete vehicular circulation throughout the site and allow access via both curb cuts on Morrissey Drive. All parking spaces for customers at both 1511 and 1513 Morrissey Drive should be identified.

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- D. **SP-06-24** - Public hearing, review, and action on a request submitted by Aruthra, LLC (1301 Shaunessey Dr.), for a Special Use Permit for Single-Family Attached Dwellings in the R-2 (Mixed Residential) District, for property generally located north of the intersection of Fox Creek Road and St. Ivans Circle, consisting of approximately 6.57 acres. PIN: 21-18-153-009. (Recommended Motion: Motion to establish findings of fact that all **standards for approval** of a Special Use Permit **are met**, and to **recommend approval** of the request as submitted.)

- E. **V-10-24** - Public hearing, review, and action on a request submitted by Aruthra, LLC (1301 Shaunessey Dr.), for Variances from § 44-1503 and § 44-403 to allow a reduction or removal of requirements in a Planned Unit Development, a minimum lot area per dwelling unit of less than 3,300 square feet, and a reduced corner front yard, for property generally located north of the intersection of Fox Creek Road and St. Ivans Circle, consisting of approximately 6.57 acres. PIN: 21-18-153-009.

(Recommended Motion: Motion to establish findings of fact that all standards for approval of the Variances are met, carrying out the strict letter of the Code **does create a practical difficulty** or particular hardship for the Applicant, and to **approve the requests** as submitted.)

6. New Business

7. 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.



REGULAR AGENDA ITEM NO. 4.A.

FOR ZONING BOARD OF APPEALS: October 16, 2024

WARD IMPACTED: City-Wide Impact

SUBJECT: Review and approval of the minutes of the September 18, 2024, regular meeting of the Bloomington Zoning Board of Appeals.

RECOMMENDED MOTION: The proposed Minutes be approved.

STRATEGIC PLAN LINK:

Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:

Objective 1c. Engaged residents that are well informed and involved in an open governance process

BACKGROUND: In compliance with the Open Meetings Act, Board Minutes must be approved thirty (30) days after the meeting or at the second subsequent regular meeting whichever is later.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

Respectfully submitted for consideration.

Prepared by: Jon Branham, City Planner

ATTACHMENTS:

[Draft ZBA Minutes - 2024-09-18](#)



**DRAFT MINUTES
ZONING BOARD OF APPEALS - REGULAR SESSION
WEDNESDAY, SEPTEMBER 18, 2024, 4:00 PM**

The Zoning Board of Appeals convened in regular session at 4:01 PM, September 18, 2024. called the meeting to order.

Roll Call

Attendee Name	Title	Status
Terry Ballantini	Vice Board Chair	Present
Michael Straza	Board Chair	Present
Zachary Zwaga	Board Member	Present
Nikki Williams	Board Member	Present
Victoria Harris	Board Member	Absent

City Staff present included Jon Branham, City Planner; Kelly Pfeifer, Assistant Director of Economic and Community Development; Alissa Pemberton, City Planner; John Myers, Assistant City Planner, and George Boyle, Assistant Corporation Counsel.

Public Comment

No public comment was provided.

Consent Agenda

Items listed on the Consent Agenda are approved with one motion; Items pulled from the Consent Agenda for discussion are listed and voted on separately.

Vice Chair Ballantini made a motion, seconded by Board Member Zwaga, to approve the consent agenda as presented.

Roll call.

AYES: Chair Straza; Vice Chair Ballantini; Board Member Williams; Board Member Zwaga

Motion passed.

Item 4.A. Review and approval of the minutes of the July 17, 2024, regular meeting of the Bloomington Zoning Board of Appeals.

Regular Agenda

The following item was presented:

Item 5.A. V-08-24 - Public hearing, review, and action on a request submitted by Habitat for Humanity of McLean County, for approval of a Variance to allow a reduced required Front Yard setback for the property located at 308 W. Stewart Street (PIN: 21-09-336-001).

Mr. Branham presented the staff report with a recommendation for approval of the Variance to the required Front Yard setback to allow a 13-foot, 6-inch front yard setback on the west side of the property. He described the property and identified the surrounding zoning and land uses. He noted the corner lot setback requirements and the undersized nature of the property. He described the location of the proposed residence in relation to the previous residence at the property.

Chair Straza opened the public hearing.

Mr. Branham noted the Applicant was not present.

Vice Chair Ballantini noted his understanding that timing may be an issue and delaying could be detrimental to the applicant.

There were no questions or discussion from the Board.

Chair Straza closed the public hearing.

Vice Chair Ballantini made a motion, seconded by Board Member Zwaga, to establish findings of fact that the standards for approval a Variance are met, carrying out the strict letter of the Code does create a practical difficulty or particular hardship for the Applicant, and to approve the request for a Variance to § 44-403A, as presented.

Roll call.

AYES: Board Chair Straza; Vice Board Chair Ballantini; Board Member Williams; Board Member Zwaga

Motion passed.

The following item was presented:

Item 5.B. **V-09-24** - Public hearing, review, and action on a request submitted by Ron Anderson & Donna Terven, for approval of a Variance to allow an Accessory Structure of greater than 1,000 square feet for the property located at 1026 Maple Hill Road (PIN: 14-31-377-003).

Mr. Branham presented the staff report with a recommendation for approval of the Variance to the required size for an Accessory Structure. He described the property and identified the surrounding zoning and land uses. He noted the location of the proposed detached garage was significantly setback from all property lines and highlighted existing screening. He also noted the larger nature of the lots in the specific area.

Chair Straza opened the public hearing.

Ron Anderson (1026 Maple Hill Road), Applicant, provided further background on the project. He also described how vehicle access would be accommodated.

Board Member Zwaga inquired about the location of the proposed structure on the aerial map provided.

Mr. Anderson clarified the location of the structure and noted other structures had been relocated or removed since the photo was taken.

Mary Ellen Schmidt (1022 Maple Hill Road), stated she was in support of the application.

Leann Williams (1024 Maple Hill Road), stated she was the neighbor located directly south of the property, and she was in support of the application.

There was no further testimony. There were no questions or discussion by the Board.

Chair Straza closed the public hearing.

Board Member Williams made a motion, seconded by Board Member Zwaga, to establish findings of fact that the standards for approval a Variance are met, carrying out the strict letter of the Code does create a practical difficulty or particular hardship for the Applicant, and to approve the request for a Variance to § 44-908D, as submitted.

Roll call.

AYES: Chair Straza; Vice Chair Ballantini; Board Member Williams; Board Member Zwaga

Motion passed.

The following item was presented:

Item 5.C. **SP-04-24** - Public hearing, review, and action on a request submitted by Mayer Zahn, with owner Ramesh Atluri, for approval of a Special Use Permit for a Vehicle Sales & Service Use, in the B-1 (General Commercial) District for the property located at 1513 Morrissey Drive (PIN: 21-10-453-002).

Mr. Branham presented the staff report with a recommendation to continue the request. He described the continuing existing issues at the property and the unique ownership structure.

Mr. Boyle outlined the process for continuing a request.

Vice Chair Ballantini made a motion, seconded by Board Member Zwaga, to continue the request to the next regularly scheduled meeting.

Roll call.

AYES: Chair Straza; Vice Chair Ballantini; Board Member Williams; Board Member Zwaga

Motion passed.

New Business - Elections – Chair and Vice Chair

Mr. Branham explained the Board was required to act on the annual election of Chair and Vice Chair.

Board Member Zwaga made a motion, seconded by Board Member Williams, to re-elect the current Chair and Vice Chair.

AYES: Chair Straza; Vice Chair Ballantini; Board Member Williams; Board Member Zwaga

Motion passed.

Mr. Branham noted staff is continuing to work on filling the existing vacancies on the Board.

Adjournment

Board Member Williams made a motion, seconded by Vice Chair Ballantini, to adjourn the meeting.

AYES: Chair Straza; Vice Chair Ballantini; Board Member Williams; Board Member Zwaga

Motion passed.

The Meeting Adjourned at 4:21PM

CITY OF BLOOMINGTON

Michael Straza, Board Chair

Jon Branham, Staff Liaison



REGULAR AGENDA ITEM NO. 5.A.

FOR ZONING BOARD OF APPEALS: October 16, 2024

WARD IMPACTED: Ward 9

SUBJECT: **V-11-24** - Public hearing, review, and action on a request submitted by Krystyna Wojtkowski, for approval of a Variance to allow a reduced required rear yard setback for the property located at 3003 Carlene Drive. PIN: 14-36-405-015.

RECOMMENDED MOTION: Motion to establish findings of fact that the **standards for approval a Variance are met**, carrying out the strict letter of the Code **does create a practical difficulty** or particular hardship for the Applicant, and to **approve** of the request for a Variance from § 44-403A, as presented.

STRATEGIC PLAN LINK:

Goal 5. Great Place - Livable, Sustainable City

STRATEGIC PLAN SIGNIFICANCE:

Objective 5b. City decisions consistent with plans and policies

BACKGROUND: The Applicant seeks a Variance from § 44-403 (Table 403A), the requirement of a minimum 30-foot distance to the Rear property line, to allow a structure with a 25-foot Rear Yard setback.

The Applicant desires to construct an addition at the property, which was originally constructed in 1988. A proposed addition to the primary structure would replace a portion of the deck in the same location and could have been enclosed by right prior to 2019. The proposed addition would encroach five (5) feet into the 30-foot rear yard setback required by the current Zoning Code. The Applicant intends to meet all other setback and bulk requirements.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Notice was published in The Pantagraph on Monday, September 30, 2024. Courtesy notices were mailed to 41 property owners within 500 feet of the subject property.

FINANCIAL IMPACT: N/A

Respectfully submitted for consideration.

Prepared by: Jon Branham, City Planner

ATTACHMENTS:

[V-11-24 - Staff Report - 3003 Carlene Dr \(2\).docx](#)

TO: ZONING BOARD OF APPEALS
FROM: Economic & Community Development Department
DATE: October 16, 2024
CASE NO: V-11-24, Variance from § 44-403A of the Zoning Code
REQUEST: Public hearing, review, and action on a request submitted by Krystyna Wojkowski, for a Variance from § 44-403A of the Zoning Code, to allow a reduced rear yard setback in the R-1B (Single-Family Residence) District, for the property located at 3003 Carlene Drive. PIN: 14-36-405-015.

BACKGROUND

Request

The Applicant seeks a Variance from § 44-403A, the requirement of a minimum of a 30-foot rear yard setback, to allow a 25-foot rear yard setback on the south side of the property.

The Applicant desires the Variance for the construction of a 256-square foot addition at the rear of the property. The proposed addition would continue along the east wall of the existing residence and encroach into the required rear yard on the south side of the property.

Notice

The application was filed in conformance with applicable procedural and public notice requirements. Notice was published in *The Pantagraph* on Monday, September 30, 2024. Courtesy notices were mailed to 41 property owners within 500 feet of the subject property.

ANALYSIS

Property Characteristics

The property at 3003 Carlene Drive consists of approximately 0.23 acres (~10,000 SF) of land near the intersection of Carlene Drive and Dianne Drive, in the First Addition to Eastmoor Subdivision. The lot is improved with a single-family residence with attached garage, constructed in 1988. The property is surrounded by single-family residential uses on three sides and a cemetery to the south. Necessary streets and infrastructure are already existing.

Surrounding Zoning and Land Uses

	Zoning	Land Uses
North	R-1B (Single-Family Residence)	Single-Family Residence
South	P-2 (Public Lands & Institutions)	Cemetery
East	R-1B (Single-Family Residence)	Single-Family Residence
West	R-1B (Single-Family Residence)	Single-Family Residence

Description of Current Zoning District

The R-1B (Single-Family Residence) District is intended to provide primarily for the establishment of areas characterized by moderate sized lots and single-family detached dwelling units for occupancy by families. In addition to these dwelling units, related recreational, religious, and cultural facilities intended to serve the immediately surrounding residents are allowed where such facilities are found to be compatible with surrounding residential development. The R-1B district allows densities of up to approximately six dwelling units per acre.

Subject Code Requirements

§ 44-403A. Table 403A: Bulk and Site Standards for R-1 Districts

Table 403A: Bulk and Site Standards R-1 Districts								
District	Lot Characteristics		Site Design			Development Intensity		
	Min. Lot Width (W)	Min. Lot Area (square feet)	Front Yard (F)	Side Yard (S)	Rear Yard (R)	Min. Lot Area per Dwelling Unit (square feet)	Max. Building Height	
			Min.	Min.	Min.		Feet	Stories
R-1A	125 feet	22,500	40 feet	16 feet	40 feet	22,500	35 feet	2.5
R-1B	70 feet	7,000	30 feet	6 feet	30 feet	7,000	35 feet	2.5
R-1C	50 feet	5,400	25 feet	6 feet	25 feet	5,400	35 feet	2.5
R-1H	50 feet	5,400	25 feet	6 feet	25 feet	5,400	35 feet	2.5

STANDARDS FOR REVIEW

As indicated in *Ch. 44, 17-8 Variations*, the Zoning Board of Appeals shall have the power to authorize Variations to this Code where there would be practical difficulties or particular hardships in carrying out the strict letter of those sections of this Code stated herein.

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

This neighborhood was developed under a previous version of the Zoning Code which assigned 25-foot front and rear yards to R-1B (Single-Family Residence) properties. Almost all of the residences in the vicinity were constructed with this minimum in the front, and on many the primary structure reaches this minimum in the rear as well. The property currently has a residence with a deck attached to the rear, which has a 25-foot setback to the rear property line.

A proposed addition to the primary structure would replace a portion of the deck in the same location and could have been enclosed by right prior to 2019. The addition would still meet a 25-foot rear yard setback and would not significantly change the visual impact of the existing home layout. The project requires the proposed dimensions to be feasible. The final construction would not differ much from other lot coverages in the neighborhood. **Standard is met.**

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

The Variance would allow for an addition at the property and would allow relief to the applicant to utilize the property in a similar location of an existing deck, which also has a 25-foot setback along the south side of the property. The request still provides for adequate setbacks from the adjacent properties to the east and west. **Standard is met.**

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

The Applicant did not create any special conditions or circumstances. The lot was created, and the residence was located at the property at a time when current setbacks would not have applied. **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 privileges would be granted to the applicant under these circumstances. Several area houses were constructed in similar locations and have structures or accessory structures which are nonconforming (encroach into the current required rear yard) in this immediate area. Granting allows the Applicant to make reasonable use of their property and the continuation of the similar and smaller footprint as the existing deck area. **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.

The granting of the Variance would not be detrimental, as the Applicant is not intending to make significant changes to the property, but rather enhance it with a new addition. The view of the home from the street once the project is completed will remain similar and appropriate setbacks will be provided along the west and east sides. The rear yard is completely screened by existing evergreen plantings. The proposed residence with the addition would still be consistent with the scale of the rest of the neighborhood. Adjacent properties will not be prevented from reasonable use of their lands, nor will public welfare be placed at risk. **Standard is met.**

STAFF RECOMMENDATION

Staff finds that the application meets all the standards for granting a Variance and recommends that the Zoning Board of Appeals take the following actions:

Motion to establish findings of fact that the standards for approval a Variance are met, carrying out the strict letter of the Code **does create a practical difficulty** or particular hardship for the Applicant, and to **approve the request** for a Variance to § 44-403A, as presented.

Respectfully submitted,
Jon Branham
City Planner

Attachments:

1. Zoning Map
2. Aerial Image
3. Ground-Level View
4. Site Plan
5. Neighborhood notice map

Attachment 1 - Zoning Map



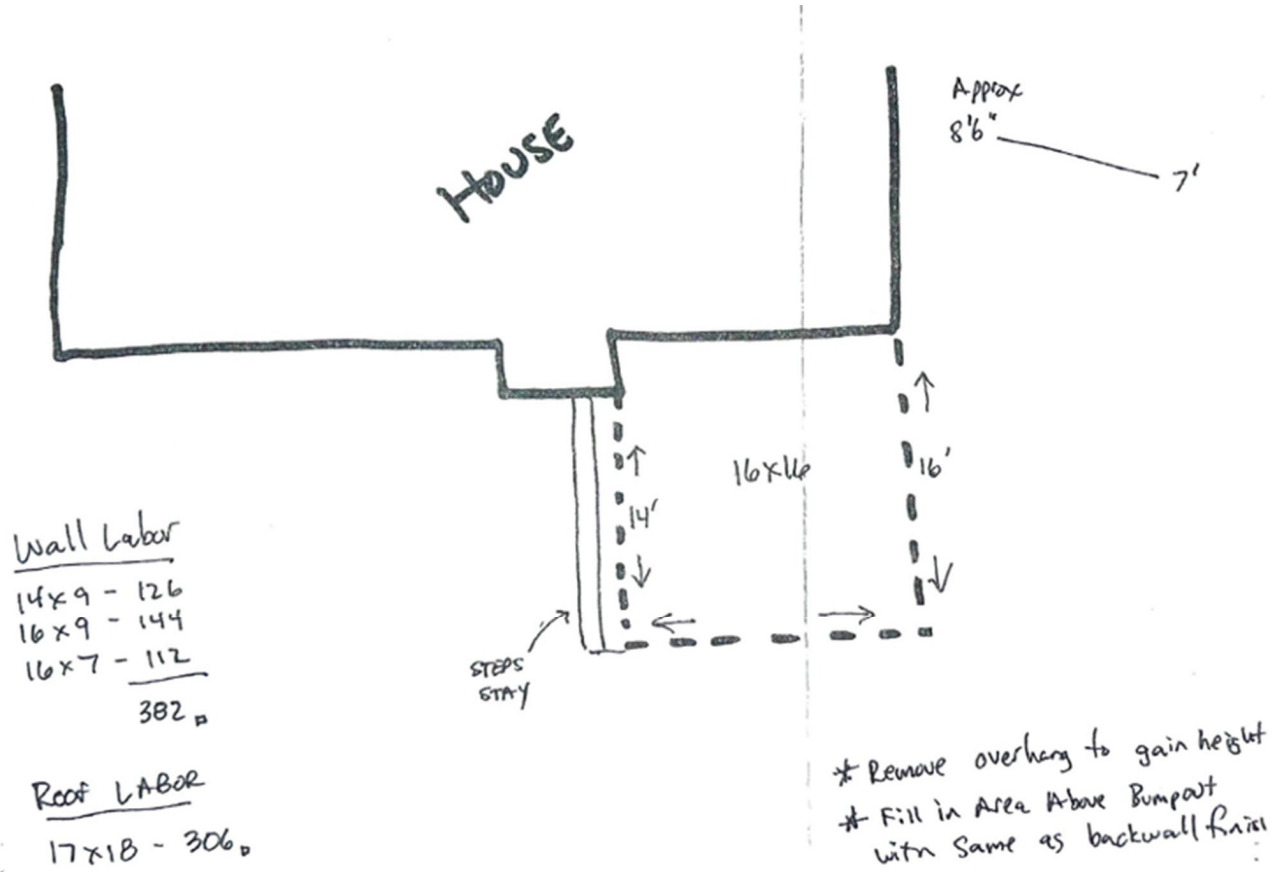
Attachment 2 - Aerial Image



Attachment 3 - Ground-Level View



Attachment 4 - Site Plan





REGULAR AGENDA ITEM NO. 5.B.

FOR ZONING BOARD OF APPEALS: October 16, 2024

WARD IMPACTED: Ward 6

SUBJECT: **SP-07-24** - Public hearing, review, and action on a request submitted by Lifelong Access, representing owner Oak, LLC, for a Special Use Permit for a School (Public) in the D-2 (Downtown Transitional) District, for the property located at 301 W. Washington Street. PIN: 21-04-331-009.

RECOMMENDED MOTION: Motion to establish findings of fact that all standards for approval of a Special Use Permit are met, and to recommend **approval** of the request with no conditions.

STRATEGIC PLAN LINK:

Goal 6. Prosperous Downtown Bloomington
Goal 5. Great Place - Livable, Sustainable City

STRATEGIC PLAN SIGNIFICANCE:

Objective 6c. Downtown becoming a community and regional destination
Objective 5a. Well-planned City with necessary services and infrastructure

BACKGROUND: The Applicant seeks a Special Use Permit to allow a School (Public) Use in the D-2 (Downtown Transitional) District, per § 44-502B.

- The Applicant proposes to occupy the building with multiple community service agencies, including the Regional Alternative School which has resided in another structure a block away for more than 20 years.
- Vehicular access will be provided via a parking area accessible via Jefferson Street.
- No exterior expansion of the building is proposed.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Notice was published in The Pantagraph on Monday, September 30, 2024. Courtesy notices were mailed to 56 property owners within 500 feet of the subject property.

FINANCIAL IMPACT: Occupancy of currently vacant downtown building. Additional staff, students, and others associated with the uses provide potential positive impact to downtown businesses.

Respectfully submitted for consideration.

Prepared by: Jon Branham, City Planner

ATTACHMENTS:

[SP-07-24 -301 W Washington St - Staff Report.docx](#)

TO: ZONING BOARD OF APPEALS

FROM: Economic & Community Development Department

DATE: October 16, 2024

CASE NO: SP-07-24, Special Use Permit for School (Public)

REQUEST: Public hearing, review, and action on a petition submitted by Lifelong Access, representing owner Oak, LLC, for a Special Use Permit for a School (Public) in the D-2 (Downtown Transitional) District, for the property located at 301 W. Washington Street. PIN: 21-04-331-009.

BACKGROUND

Request:

The Applicant seeks a Special Use Permit to allow a School (Public) in the D-2 (Downtown Transitional) District, per § 44-502B which indicates School (Public or Private) may be permitted as Special Uses in the D-2 District. No waivers to Use Provisions are requested. The Applicant proposes to renovate the existing building to include multiple community service agencies, including relocating the Regional Alternative School to the building, which is currently located across Washington Street and one block to the southwest.

Notice:

The application was filed in conformance with applicable procedural and public notice requirements. Notice was published in *The Pantagraph* on Monday, September 30, 2024. Courtesy notices were mailed to 56 property owners within 500 feet of the subject property.

ANALYSIS

Property Characteristics:

The subject property consists of 1.08 acres (~47,000 sf) located at 301 W. Washington Street, entirely bound by the block of W. Washington Street, W. Jefferson Street, N. Roosevelt Street, and N. Madison Street. The existing 76,000 square foot building located at the property is currently vacant and was formerly occupied as a *Pantagraph* newspaper facility. Neighboring properties contain a mix of commercial, office and residential uses.

Surrounding Zoning and Land Uses:

Zoning		Land Uses
North	D-2 (Downtown Transitional)	Multi-Family Residential / Parking Lot
South	D-2 (Downtown Transitional)	Mixed-Use
East	D-1 (Central Business District)	Multi-Family Residential / Parking Lot
West	D-2 (Downtown Transitional)	Mixed-Use

Description of Current Zoning District:

The intent of this D-2 Downtown Transitional District is to complement and support the uses located in the D-1 Central Business District. Office, service and civic uses, as well as residential apartments and multifamily dwelling units, are appropriate in this district. Due to its transitional location between the central business district and outlying residential areas, the D-2 District permits development at a lower intensity and density than the downtown core. Pedestrian circulation is prioritized. To this end, buildings should be located close to the sidewalk with on-site parking located to the rear of the parcel and accessed from secondary roadways or alleys, though modest setbacks for courtyards, gardens and other similar amenities may be provided. (§ 44-501D).

Subject Code Requirements:

§ 44-502A, "Allowed Uses Table" indicates School (Public or Private) permitted as a Special Use in the D-2 District.

STANDARDS FOR REVIEW

The Zoning Board of Appeals (ZBA) shall hold at least one public hearing on any proposed Special Use and report to the Council its findings of fact and recommendations. Recommendations shall be made upon the determination that the Special Use meets all of the Standards of Approval listed in § 44-1707H and discussed below.

Special Use Permit for School (Public) in the D-2 (Downtown Transitional) District.

- 1. The establishment, maintenance, or operation of the Special Use will not be detrimental to or endanger the public health, safety, comfort, or general welfare.**

The establishment, maintenance, and operation of a School is appropriate for this location and will not be detrimental to the public health, safety, comfort, or general welfare of the other surrounding uses. The school has operated efficiently for approximately 25 years at its current location one block away from the new location. The new location will also provide improved drop-off/pick-up opportunities for buses and private vehicles. ***Standard is met.***

- 2. The Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.**

The Special Use would positively impact the immediate area by restoring a vacant building to an active and functional use. The proposed Special Use can be expected to maintain property values within the neighborhood by ensuring active occupancy and maintenance of the property. ***Standard is met.***

- 3. The establishment of the Special Use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the zoning district.**

The proposed use is consistent with the character of other uses in the area. The uses adjacent to the site include compatible commercial, residential and mixed uses. The property is completely surrounded by D-1 and D-2 zoning. Improvement of surrounding properties would not be impacted. ***Standard is met.***

- 4. Adequate utilities, access roads, drainage and/or necessary facilities have been or will be provided.**

City water and sewer are already available to the property, roadway and sidewalk access is existing. **Standard is met.**

5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

Limited vehicle ingress and egress are proposed to be provided by a parking area behind the building that would be accessed via Jefferson Street. A bus plan has also been submitted. Parking standards on the surface lot proposed at the site are adequate and meet Code requirements. **Standard is met.**

6. The Special Use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may be modified by the Council pursuant to the recommendations of the Board of Zoning Appeals.

The proposed School use meets the bulk and site standards for the District. No waivers or variances are expected to be requested or provided as part of this Special Use Permit. **Standard is met.**

STAFF RECOMMENDATION

Staff finds that the application **meets** all the standards for a Special Use Permit and recommends that the Zoning Board of Appeals take the following actions:

Motion to establish findings of fact that all **standards for approval** of a Special Use Permit **are met**, and to **recommend approval** of the request with the condition that interior and perimeter parking lot landscaping be provided.

Respectfully submitted,
Jon Branham
City Planner

Attachments:

1. Zoning Map
2. Aerial Image
3. Ground-Level Views
4. Neighborhood notice map
5. Site Plan (and other exhibits submitted by Applicant) – separate attachment

305

301

212

405

407

316

318

110

210

W Jefferson St

N Roosevelt Ave

W Washington St

31

D-2

D-1

W JEFFERSON ST

N ROOSEVELT AVE

N MADISON ST

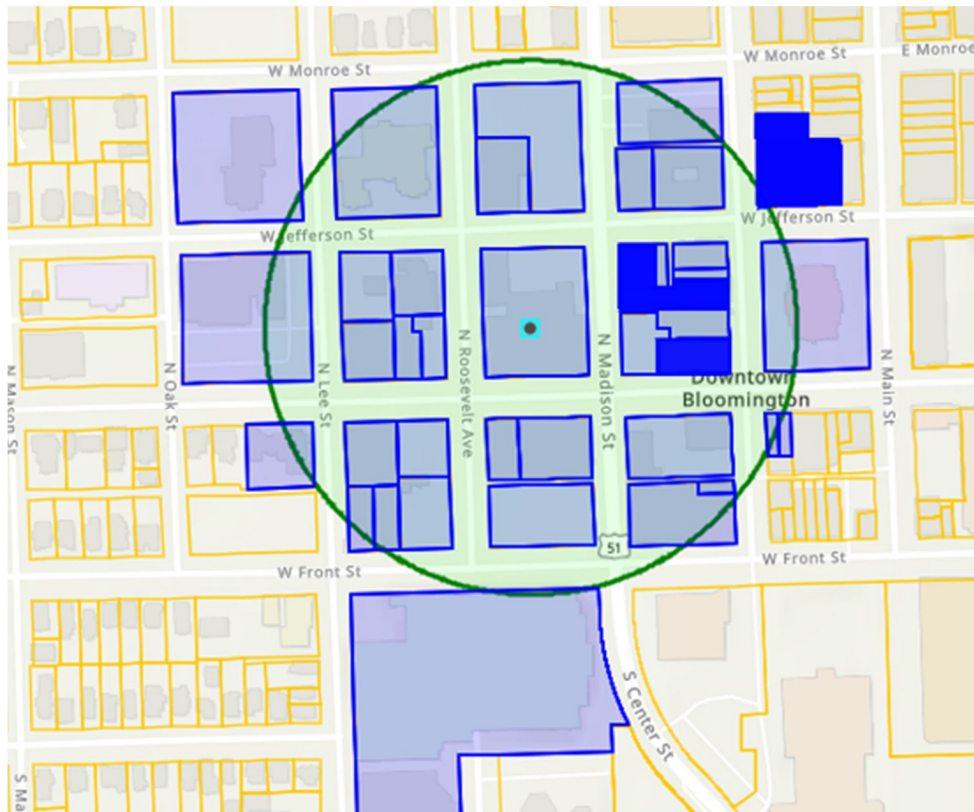
W WASHINGTON ST

56
51

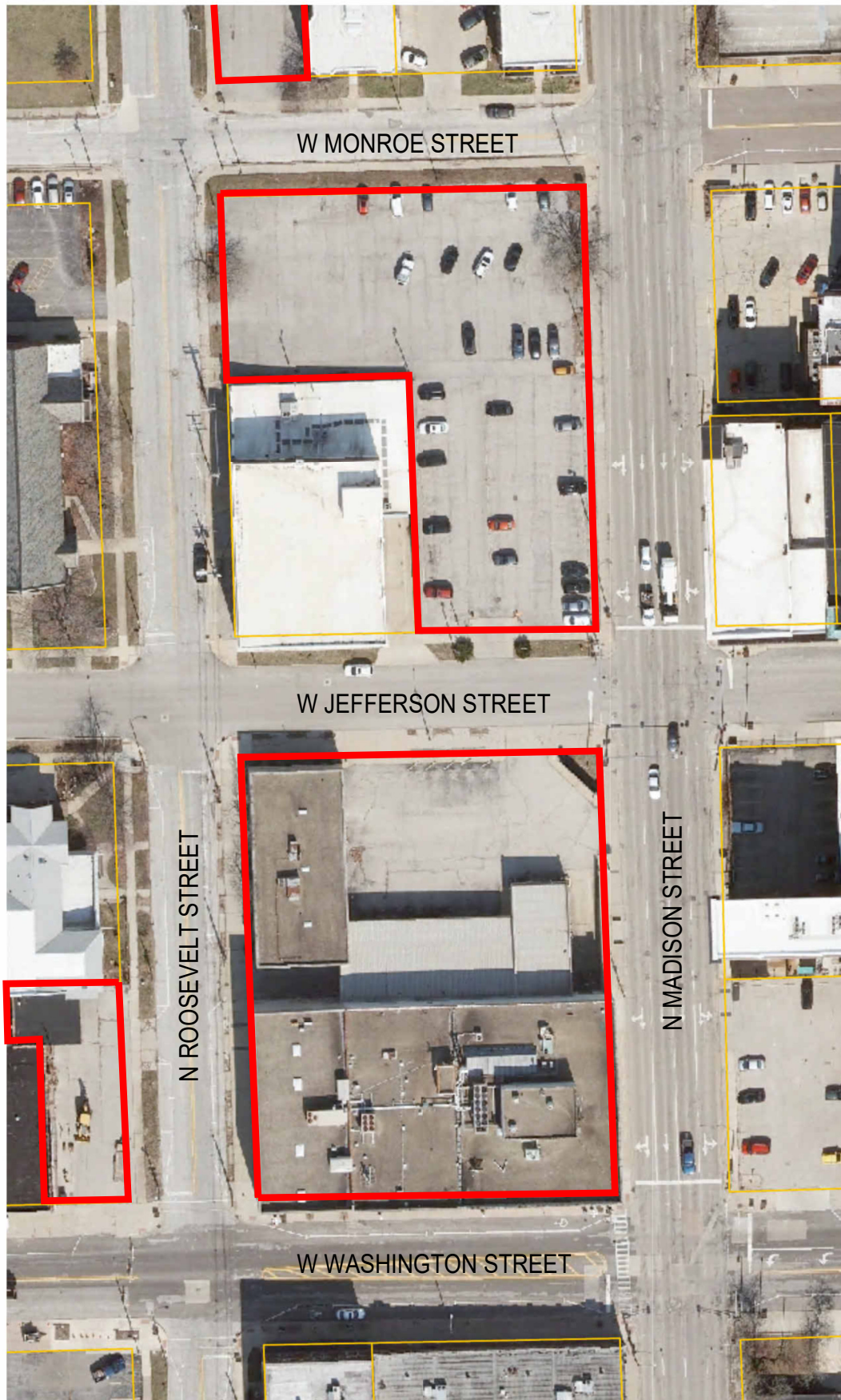
Attachment 3- Ground-Level Views



Attachment 4 - Neighborhood notice map

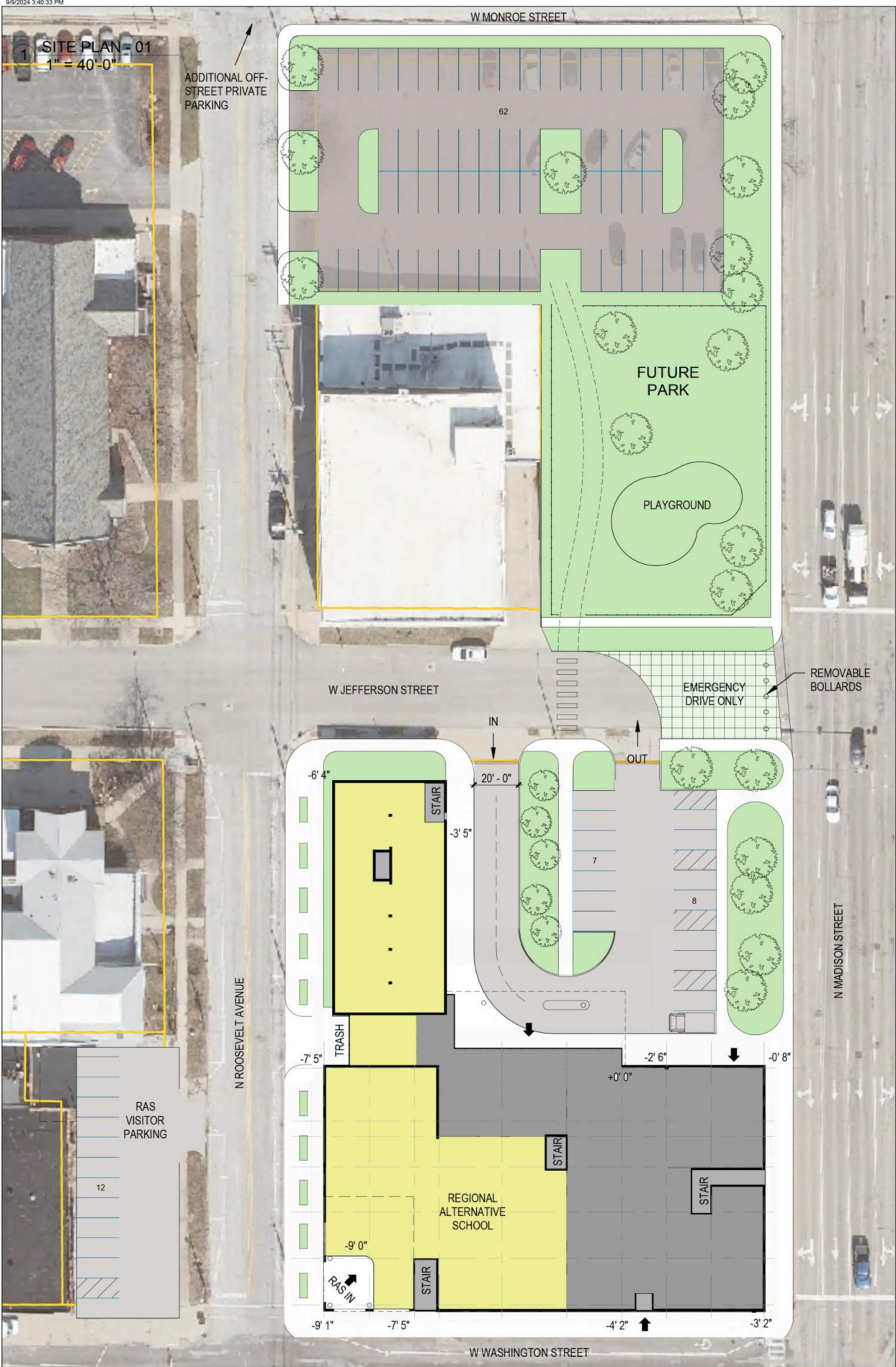


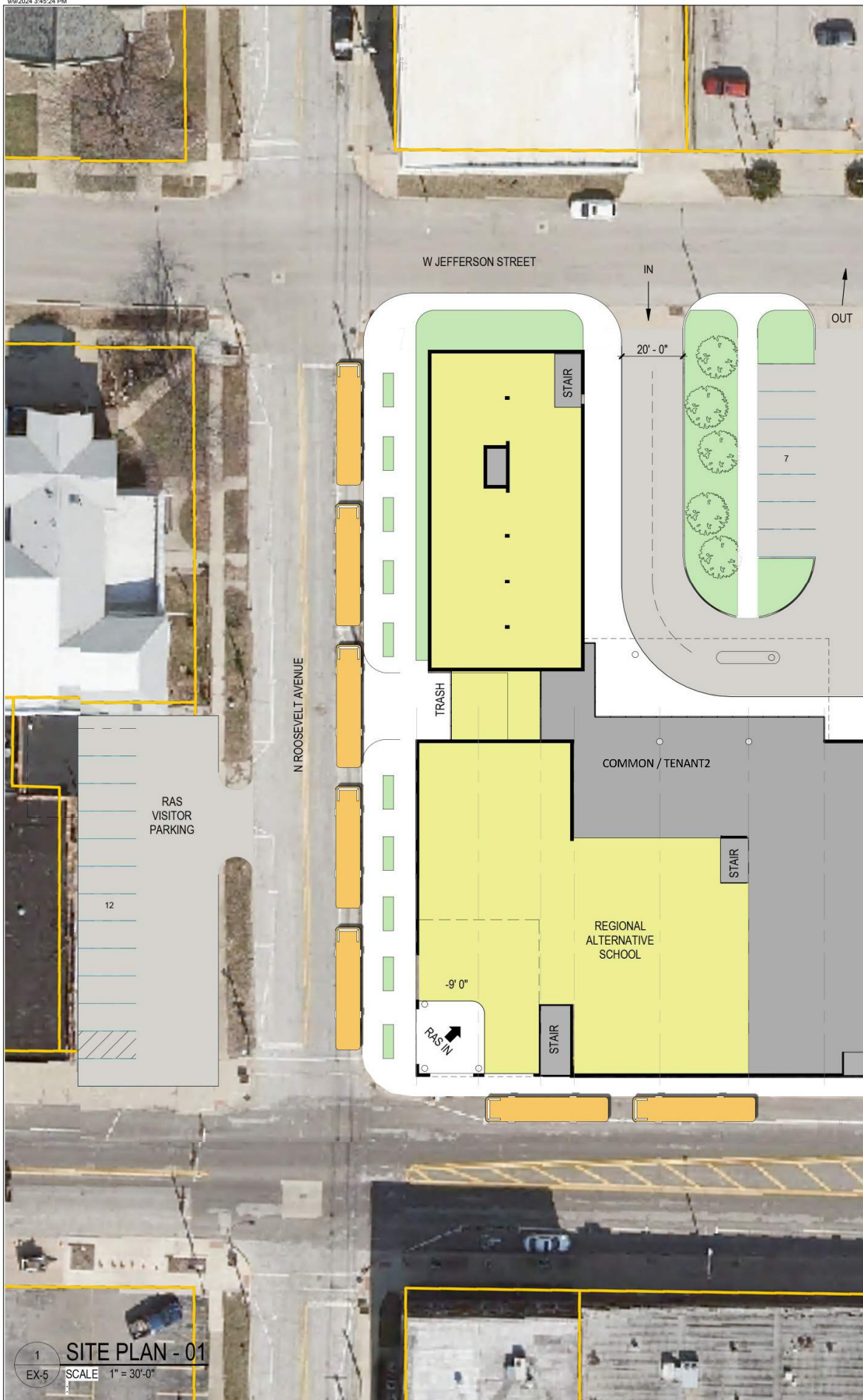






① AERIAL - RAS (EXISTING LOCATION)
1" = 40'-0"





1 SITE PLAN - 01
EX-5 SCALE 1" = 30'-0"



REGULAR AGENDA ITEM NO. 5.C.

FOR ZONING BOARD OF APPEALS: October 16, 2024

WARD IMPACTED: Ward 1

SUBJECT: **SP-04-24** - Public hearing, review, and action on a request submitted by Mayer Zahn, with owner Ramesh Alturi, for approval of a **Special Use Permit** for a Vehicle Sales & Service Use, in the B-1 (General Commercial) District, for the property located at 1513 Morrissey Drive (PIN: 21-10-453-002).

RECOMMENDED MOTION: Motion to establish findings of fact that all standards for approval of a Special Use Permit are not met, and to recommend **denial** of the request.

Alternatively, the Zoning Board of Appeals may seek additional information from the applicant and take the following action:

Motion to establish findings of fact that all standards for approval of a Special Use Permit are met, and to recommend **approval** of the request, subject to:

- Clarifying and confirming the ownership structure at the property and provide proof that all interested parties are acceptable to the Special Use Permit application;
- Providing an updated site plan to scale, indicating parking space and drive-aisle dimensions and remove barriers to allow complete vehicular circulation throughout the site and allow access via both curb cuts on Morrissey Drive. All parking spaces for customers at both 1511 and 1513 Morrissey Drive should be identified.

STRATEGIC PLAN LINK:

Goal 5. Great Place - Livable, Sustainable City

Goal 3. Grow the Local Economy

STRATEGIC PLAN SIGNIFICANCE:

Objective 5b. City decisions consistent with plans and policies

Objective 3a. Retention and growth of current local businesses

BACKGROUND: This item was continued from the July 17, 2024, and September 18, 2024, meetings. Additional information, including an updated site plan and confirmation of ownership structure at the property was requested and not received.

The Applicant seeks a Special Use Permit to allow a Vehicle Sales & Service Use in the B-1 (General Commercial) District, per § 44-502B.

- The Applicant proposes to occupy a former Vehicle Fueling Station use into a Vehicle Sales & Service Use.
- Vehicular access will be provided via an existing curb(s) cut along Morrissey Drive.
- No exterior modifications to the existing building at the property is proposed.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Notice was published in The Pantagraph on Monday, July 11, 2024. Courtesy notices were mailed to 13 property owners within 500 feet of the subject property. No additional notice is required, as this case was continued to a date-certain.

FINANCIAL IMPACT: Growth of local tax base.

Respectfully submitted for consideration.

Prepared by: Jon Branham, City Planner

ATTACHMENTS:

[SP-04-24 - Staff Report - 1513 Morrissey Dr \(3\).docx](#)

TO: ZONING BOARD OF APPEALS

FROM: Economic & Community Development Department

DATE: October 16, 2024

CASE NO: SP-04-24, Special Use Permit for Vehicle Sales & Service

REQUEST: Public hearing, review, and action on a petition submitted by Mayer Zahn, with owner Ramesh Alturi, requesting approval of a Special Use Permit for a Vehicle Sales & Service Use in the B-1 (General Commercial) District, for the property located at 1513 Morrissey Drive. PIN: 21-10-453-002.

BACKGROUND

Request:

The Applicant seeks a Special Use Permit to allow a Vehicle Sales & Service in the B-1 (General Commercial) District, per § 44-502B which indicates Vehicle Sales & Service may be permitted as Special Uses in the B-1 District. No waivers to Use Provisions are requested. The Applicant proposes to minimally modify the interior to accommodate the proposed use. There are no anticipated exterior modifications proposed for the existing building at this time. According to the Applicant, the property will be primarily utilized for vehicle sales (approximately 25-35 vehicles at any given time). No servicing of vehicles is expected at the property.

Notice:

The application was filed in conformance with applicable procedural and public notice requirements. Notice was published in *The Pantagraph* on Monday, July 1, 2024. Courtesy notices were mailed to 13 property owners within 500 feet of the subject property.

Update:

This item was continued from the July 17, 2024 and September 18, 2024 meetings. Additional information, including an updated site plan and confirmation of ownership structure at the property was requested, and has not been received. The owner of the building located directly to the north and also part of the overall property did provide an email stating they had reviewed the necessary covenants and restrictions with the Applicant.

ANALYSIS

Property Characteristics:

The subject property consists of 0.56 acres of land located near the intersection of Gilmore Drive and Morrissey Drive. There are two separate buildings on the site under a unique ownership structure which includes a condominium agreement for the retail building located at 1511 Morrissey Drive. The subject site was formerly occupied as a Vehicle Fueling Station. Other neighboring properties contain a mix of commercial uses.

Surrounding Zoning and Land Uses:

Zoning		Land Uses
North	B-1 (General Commercial)	General Retail Sales
South	B-1 (General Commercial)	Restaurant
East	B-1 (General Commercial)	Vehicles Sales & Service
West	B-1 (General Commercial)	Office / Construction Services

Description of Current Zoning District:

The B-1 (General Commercial) District is intended 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. (§ 44-501A).

Subject Code Requirements:

§ 44-502B, "Allowed Uses Table" indicates Vehicle Repair & Service permitted as a Special Use in the B-1 District.

§ 44-1034, Vehicle Sales and Service Use Provisions.

STANDARDS FOR REVIEW

The Zoning Board of Appeals (ZBA) shall hold at least one public hearing on any proposed Special Use and report to the Council its findings of fact and recommendations. Recommendations shall be made upon the determination that the Special Use meets all of the Standards of Approval listed in § 44-1707H and discussed below.

Special Use Permit for Vehicle Sales & Service in the B-1 (General Commercial) District.

- 1. The establishment, maintenance, or operation of the Special Use will not be detrimental to or endanger the public health, safety, comfort, or general welfare.**

The establishment, maintenance, and operation of a Vehicle Repair & Service Use would be appropriate for this location and should not be detrimental to the public health, safety, comfort, or general welfare of the other surrounding uses. ***Standard is met.***

- 2. The Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.**

The proposed Special Use would not have a negative impact on other uses appropriate for within that designation. The Special Use would contribute to Goal ED-4 (Enhance the image of Bloomington as a business-friendly City), and Objective ED-4.2 (Prioritize infill and redevelopment to spur growth and reinvestment in the City) of the 2035 Comprehensive Plan. The proposed Special Use should not be

expected to diminish and impair property values within the neighborhood by ensuring active occupancy and maintenance of the property. **Standard is met.**

3. The establishment of the Special Use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the zoning district.

The proposed use is consistent with the character of other uses in the area. The uses adjacent to the site include a Vehicle Sales & Service Use across Morrissey Drive to the east and other compatible commercial uses are located nearby and within the corridor. **Standard is met.**

4. Adequate utilities, access roads, drainage and/or necessary facilities have been or will be provided.

City water and sewer are already available to the property, roadway and sidewalk access is existing. **Standard is met.**

5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

Ingress and egress are provided by existing curb cuts along Morrissey Drive, which serve both buildings on the site. However, the Applicant has blocked vehicular access from the northern curb cut to the southern curb cut, so circulation throughout the entire site is not possible. Vehicle access and circulation throughout the site should be allowed. Parking standards on the surface lot at the site should be further defined, including providing parking space dimensions for customers and vehicles for sale, to meet Code requirements. The Applicant should further identify three required parking spaces that meet the parking requirements for the Vehicle Sales & Service Use as well as 11 required spaces for the General Retail use at the north building on the site. **Standard is not met.**

6. The Special Use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may be modified by the Council pursuant to the recommendations of the Board of Zoning Appeals.

The Use would be required to meet the standards for the District, including provisions for parking. **Standard is not met.**

STAFF RECOMMENDATION

Staff finds that the application **does not meet** all the standards for a Special Use Permit and recommends that the Zoning Board of Appeals take the following actions:

Motion to establish findings of fact that all **standards for approval** of a Special Use Permit **are not met**, and to **recommend denial** of the request.

The Zoning Board of Appeals may seek additional information from the applicant and alternatively take the following action:

Motion to establish findings of fact that all **standards for approval** of a Special Use Permit **are met**, and to **recommend approval** of the request, subject to:

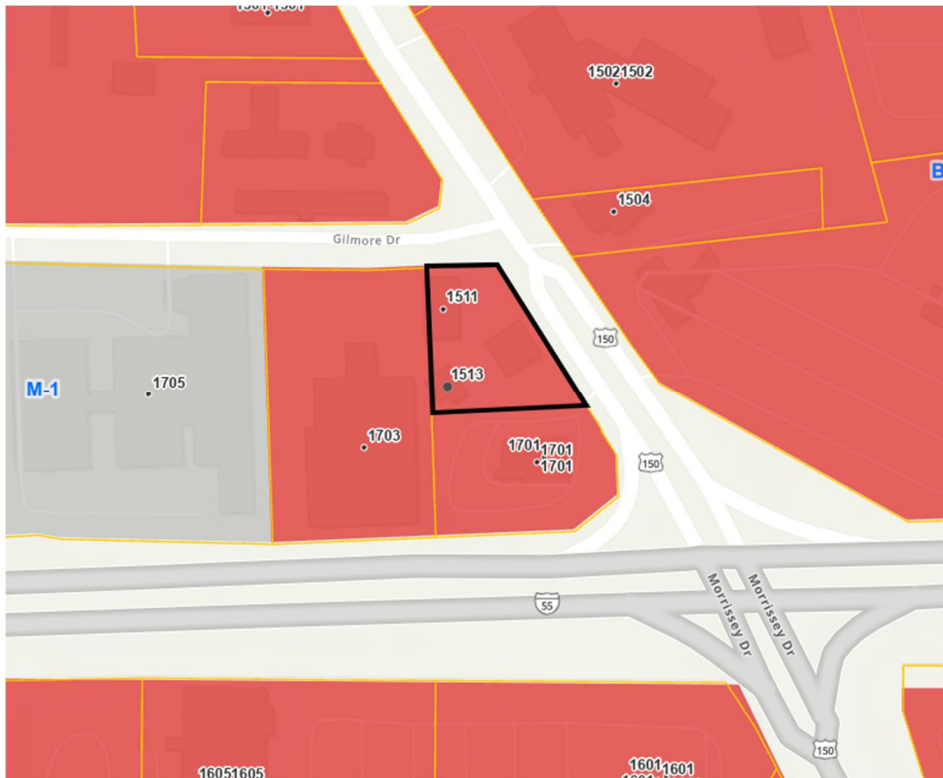
- Clarifying and confirming the ownership structure at the property and provide proof that all interested parties are acceptable to the Special Use Permit application;
- Providing an updated site plan to scale, indicating parking space and drive-aisle dimensions and remove barriers to allow complete vehicular circulation throughout the site and allow access via both curb cuts on Morrissey Drive. All parking spaces for customers at both 1511 and 1513 Morrissey Drive should be identified.

Respectfully submitted,
Jon Branham
City Planner

Attachments:

1. Zoning Map
2. Aerial Image
3. Site Photos
4. Neighborhood notice map

Attachment 1 - Zoning Map



Attachment 2 - Aerial Image

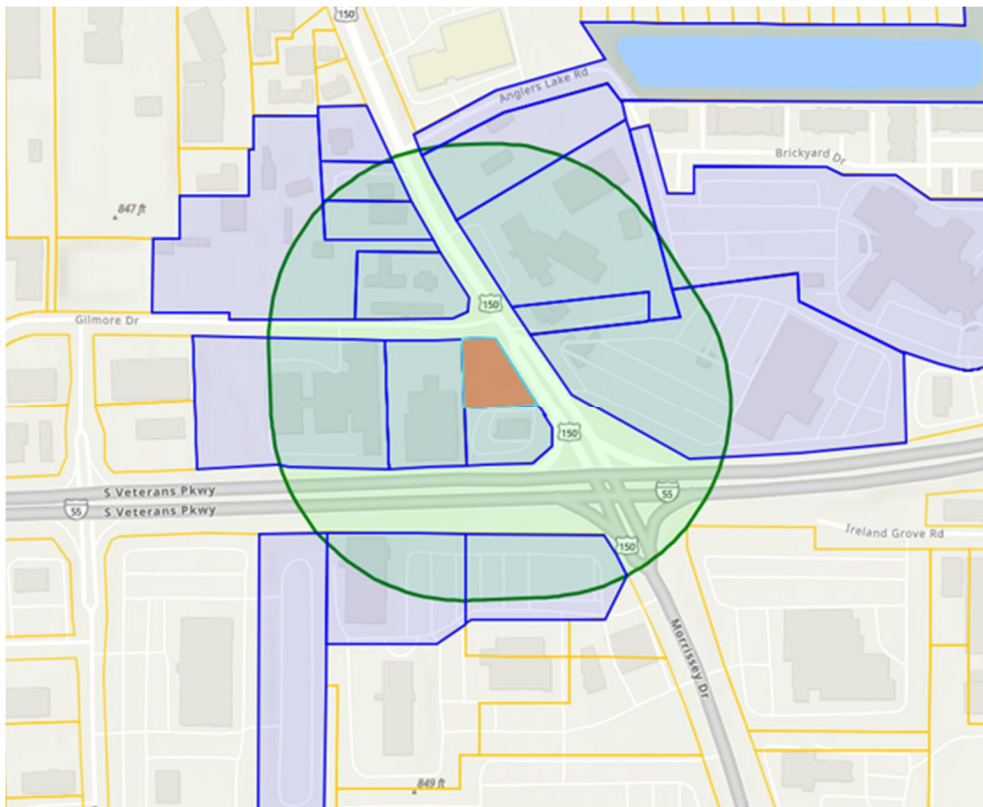


Attachment 3 – Site Photos





Attachment 4 - Neighborhood notice map





REGULAR AGENDA ITEM NO. 5.D.

FOR ZONING BOARD OF APPEALS: October 16, 2024

WARD IMPACTED: Ward 2

SUBJECT: **SP-06-24** - Public hearing, review, and action on a request submitted by Aruthra, LLC (1301 Shaunessey Dr.), for a Special Use Permit for Single-Family Attached Dwellings in the R-2 (Mixed Residential) District, for property generally located north of the intersection of Fox Creek Road and St. Ivans Circle, consisting of approximately 6.57 acres. PIN: 21-18-153-009.

RECOMMENDED MOTION: Motion to establish findings of fact that all **standards for approval** of a Special Use Permit **are met**, and to **recommend approval** of the request as submitted.

STRATEGIC PLAN LINK:

Goal 5. Great Place - Livable, Sustainable City
Goal 3. Grow the Local Economy

STRATEGIC PLAN SIGNIFICANCE:

Objective 5b. City decisions consistent with plans and policies
Objective 4c. Preservation of property/home valuations

BACKGROUND: The Applicant seeks a Special Use Permit to allow Single-Family Attached Dwellings in the R-2 (Mixed Residence) District, per § 44-402A.

- No waivers of Use Provisions are requested.
- The proposed development would include a total of up to 58-units within enclosed garage parking spaces and exterior driveway spaces.
- The Applicant proposes to occupy currently vacant property.
- Vehicular access will be provided via a new curb cut along Fox Creek Road.

Final approval of this request is contingent upon approval of a related Annexation Agreement and Zoning Map Amendment (Z-11-24).

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Notice was published in The Pantagraph on Monday, September 30, 2024. Courtesy notices were mailed to 54 property owners within 500 feet of the subject property.

FINANCIAL IMPACT: Growth of local tax base.

Respectfully submitted for consideration.

Prepared by: Jon Branham, City Planner

ATTACHMENTS:

SP-03-24 - Ridgewood West - Staff Report

Concept Plan - Ridgewood West Neighborhood Master Plan

Concept Plan - Ridgewood West PUD Plan

Draft Floor Plans Showing Dwelling Unit Footprint

Building Design & Character (Similar Duplex Model)

TO: ZONING BOARD OF APPEALS

FROM: Economic & Community Development Department

DATE: October 16, 2024

CASE NO: SP-06-24, Special Use Permit for Single-Family Attached Dwellings (Townhouses)

REQUEST: Public hearing, review, and action on a petition submitted by Aruthra, LLC (1301 Shaunessey Dr.), requesting approval of a Special Use Permit for Single-Family Attached Dwellings in the R-2 (Mixed Residence) District, for property generally located north of the intersection of Fox Creek Road and St. Ivan's Circle, consisting of approximately 6.57 acres PIN: 21-18-153-009.

BACKGROUND

Request

The Applicant seeks a Special Use Permit to allow Single-Family Attached Dwellings (Townhouses) in the R-2 (Mixed Residence) District, per § 44-402A which indicates Single-Family Attached Dwellings may be permitted as Special Uses in the R-2 District. No waivers to Use Provisions are requested. The Applicant proposes to construct approximately 58 Single-Family Attached Dwellings at the property, pending final engineering of the site. Private streets and services are proposed. Parking will be provided in attached enclosed garage spaces and driveway spaces. Parking will not be permitted on any street. A private stormwater detention basin will be provided. A sidewalk is proposed on one side of all streets.

This request is part of an Annexation Agreement and Zoning Map Amendment (County R-2 to City R-2) request which were recommended for approval by the Planning Commission on October 2, 2024. Any recommendation of approval of the Special Use Permit request would be pending final approval of the aforementioned items by the City Council.

Notice

The application was filed in conformance with applicable procedural and public notice requirements. Notice was published in *The Pantagraph* on Monday, September 30, 2024. Courtesy notices were mailed to 54 property owners within 500 feet of the subject property.

ANALYSIS

Property Characteristics

The subject property consists of approximately 6.5 acres of vacant land, zoned County R-2, located north of Fox Creek Road, near the intersection with St. Ivan's Circle. Surrounding properties contain a mix of largely residential uses, some cropland, and a public golf course.

Surrounding Zoning and Land Uses

Zoning		Land Use(s)
North	County R-2 (Two-Family Residential)	Single-Family Residences, Park
South	City R-2 (Mixed-Residence) & City B-2 (Local Commercial)	Right-of-Way, Two-Family Residences
East	City R-1C (Single-Family Residential)	Drainage Way, Single-Family Residences
West	County A (Agricultural)	Large Lot Single-Family Residences, Cropland

Description of Proposed Zoning District

The R-2 (Mixed Residence) District is intended to accommodate development characterized by a mixture of housing types at a high single-family and a low multiple-family dwelling unit density. Densities of up to approximately 13 dwelling units per acre are allowed. This district allows for the conversion of dwelling units in older residential areas of mixed dwelling unit types in order to extend the economic life of these structures and allow owners to justify expenditures for repairs and modernization and serves as a zone of transition between lower density residential districts and residential districts that permit greater land use intensity and dwelling unit density. (§ 44-401E).

Subject Code Requirements

§ 44-402A, "Allowed Uses Table" indicates Single-Family Attached Dwellings permitted as a Special Use in the R-2 District.

§ 44-1046, Single-Family Attached Dwellings, Use Provisions.

Table 403B: Bulk and Site Standards R-2 District								
District	Lot Characteristics		Site Design			Development Intensity		
	Min. Lot Width (W)	Min. Lot Area (square feet)	Front Yard (F)	Side Yard (S)	Rear Yard (R)	Min. Lot Area per Dwelling Unit (square feet)	Max. Building Height	
			Min.	Min.	Min.		Feet	Stories
R-2								
Detached Residential	50 feet	6,600	25 feet	6 feet	25 feet	6,600	35 feet	2.5
Attached and Multi-Residential	75 feet	7,000	25 feet	6 feet	25 feet	3,300	35 feet	2.5
Other Uses	50 feet	7,000	25 feet	6 feet	25 feet	7,000	15 feet	1

STANDARDS FOR REVIEW – SPECIAL USE PERMIT

The Zoning Board of Appeals (ZBA) shall hold at least one public hearing on any proposed Special Use and report to the Council its findings of fact and recommendations. Recommendations shall be made upon the determination that the Special Use meets all of the Standards of Approval listed in § 44-1707H and discussed below.

Special Use Permit for Single-Family Attached Dwellings in the R-2 (Mixed Residence) District.

1. The establishment, maintenance, or operation of the Special Use will not be detrimental to or endanger the public health, safety, comfort, or general welfare.

The establishment, maintenance, and operation of Single-Family Attached Dwellings is appropriate for this location and will not be detrimental to the public health, safety, comfort, or general welfare of the other surrounding uses. Conventional single-family, duplexes, narrow-lot duplexes, 4-unit townhomes, and apartments all exist within a ½ mile radius of the subject property. Elevations range from 1-story to 3-story, with attached or detached garages, surface parking, or a combination thereof. Examples of different structure types may be found in: Fox Creek Country Club 11th, St Ivan's at Fox Creek PUD, St Ivan's Apartments at Fox Creek, Fox Hollow 3rd, Fox Hollow 5th, Fox Hollow 1st, and Danbury Court Apartments. The dwellings will provide needed housing to the community and are planned for a density at the low end of what is permissible for the proposed zoning district. Existing residential densities within a ½ mile—accessible by the Fox Creek Road arterial—range from 2.8 DU/Ac to 14.2 DU/Ac. **Standard is met.**

2. The Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.

The designation on the City's Future Land Use Map for this area is "New Neighborhood" – Emerging Area, surrounded by a combination of medium-density and low-density residential; the proposed Special Use would not have a negative impact on other uses appropriate for within that designation. The establishment of the single-family attached dwelling units at this location would not be injurious to the use and enjoyment of other property in the immediate vicinity, as it would seemingly blend well with surrounding uses. Long-term, the proposed Special Use can be expected to maintain property values within the neighborhood by ensuring active occupancy and maintenance of the property¹. **Standard is met.**

3. The establishment of the Special Use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the zoning district.

The proposed use is consistent with the character of other uses in the area. The site is surrounded by single-family attached, detached, two-family dwellings, and multi-family dwellings. The property is mostly surrounded by residential zoning and limited agriculture zoning. Uses permissible in the City R-2 (Mixed Residence) District are similar to those permissible on nearby County and City R-2 parcels. Additionally, the proposed density (<9 units/acre) is appropriate for the intensity of development in the area. The R-2 District allows approximately 13 dwelling units per acre, with the adjacent R-1C District allowing approximately eight (8) dwelling units per acre; the project as proposed would be developed at a maximum density of 8.8 units per acre, with a likely outcome of 8.5 units per acre once the site has been fully engineered to accommodate drainage and stormwater management. **Standard is met.**

¹ New residential construction in proximity to existing can slightly reduce existing values for a short period of time by increasing supply while demand remains constant, but given the difference in size and price-point, the high level of demand, and the differentiation in structure type, the difference can be expected to be minimal, if realized at all. (Velma Zahirovich-Herbert, Karen M. Gibler. "The effect of new residential construction on housing prices." Journal of Housing Economics. Volume 26, 2014, Pages 1-18.) The positive or negative impacts of new residential construction on existing property values are less about size and structure type, and more about quality and context. Quality being equal, smaller new homes may drive the desire for the few available existing larger homes, increasing those values, while the construction of new larger homes may drive up the value of existing smaller homes... "additionally, new construction can lead to improved local infrastructure, such as new roads, parks, or schools, which can make the community more desirable and further increase home values...a well-built and thoughtfully designed development may positively impact home values, while a poorly constructed and unattractive development could have a negative impact" (Ruden, Jackie. "Will Nearby New Construction Change the Value of My Home?" Jackie Ruden Realty Team, KellerWilliams Realty.)

4. **Adequate utilities, access roads, drainage and/or necessary facilities have been or will be provided.**

City water and sewer are already available to the property, roadway and sidewalk access is existing.
Standard is met.

5. **Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.**

Ingress/egress from the dwelling units will be via a private road with sufficient space for queuing onto Fox Creek Road, when necessary. No dwelling units will have access directly onto Fox Creek Road, minimizing the number of direct access points to reduce traffic congestion on the public roadway.
Standard is met.

6. **The Special Use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may be modified by the Council pursuant to the recommendations of the Board of Zoning Appeals.**

In the R-2 District more than one principal building may be located on a lot of record in cases of “planned unit developments, special uses and developments that require site plan review...” (§ 44-905A). The proposed Single-Family Attached Dwellings will meet all the bulk and site standards for the District on the existing single lot of record. No waivers to the additional Use Provisions are requested or provided as part of this Special Use Permit. A separate case, V-10-24, is related to a request for Variances that would allow the townhome units to be split and sold with the underlying property (fee-simple with Homeowners Association), rather than rented or sold as condominium properties; the form of ownership is not a consideration for the Special Use Permit. **Standard is met.**

STAFF RECOMMENDATIONS

Staff finds that the application **meets** all the standards for a Special Use Permit and recommends that the Zoning Board of Appeals take the following actions:

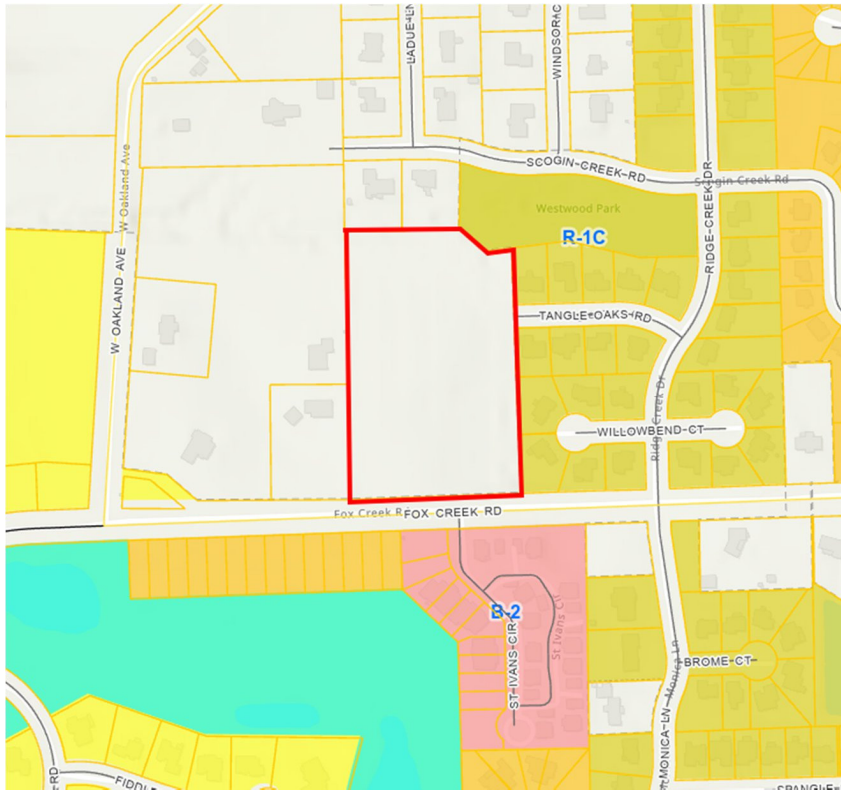
Motion to establish findings of fact that all **standards for approval** of a Special Use Permit **are met**, and to **recommend approval** of the request as submitted.

Respectfully submitted,
Jon Branham
City Planner

Attachments:

1. Zoning Map
2. Aerial Image
3. Ground-Level Views
4. Neighborhood notice map
5. Conceptual Site Plan (separate attachment)

Attachment 1 - Zoning Map (Proposed R-2)



Attachment 2 - Aerial Image



Attachment 3- Ground-Level View

Direct View of Site



View East of Site



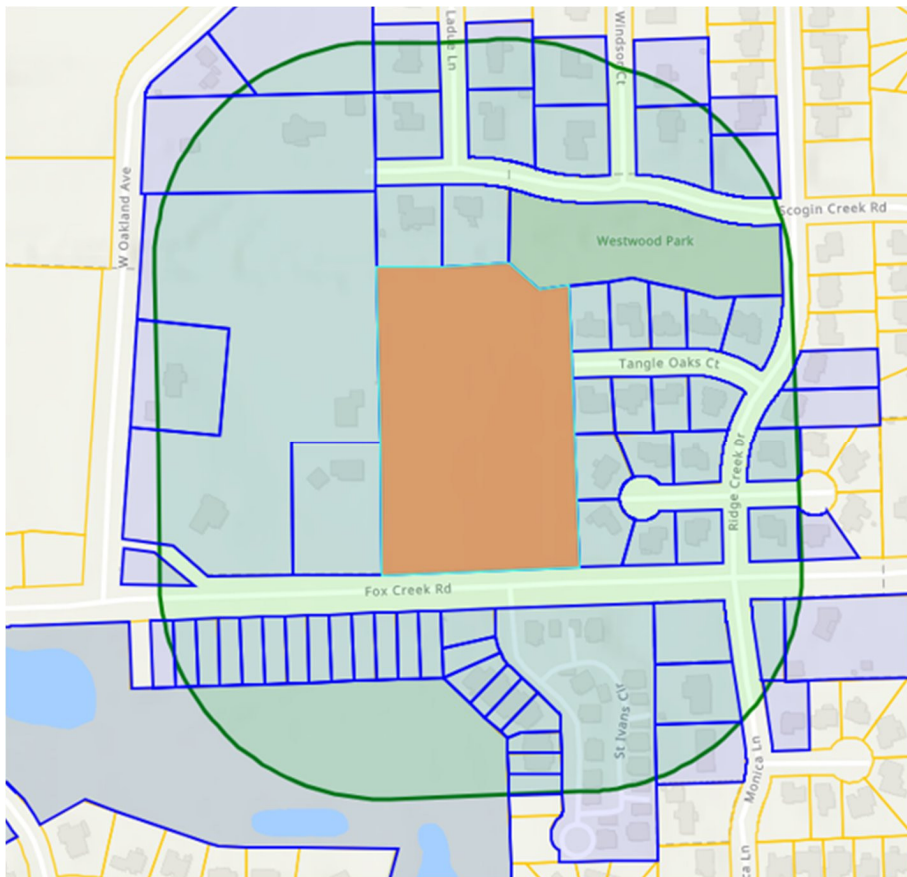
View West of Site

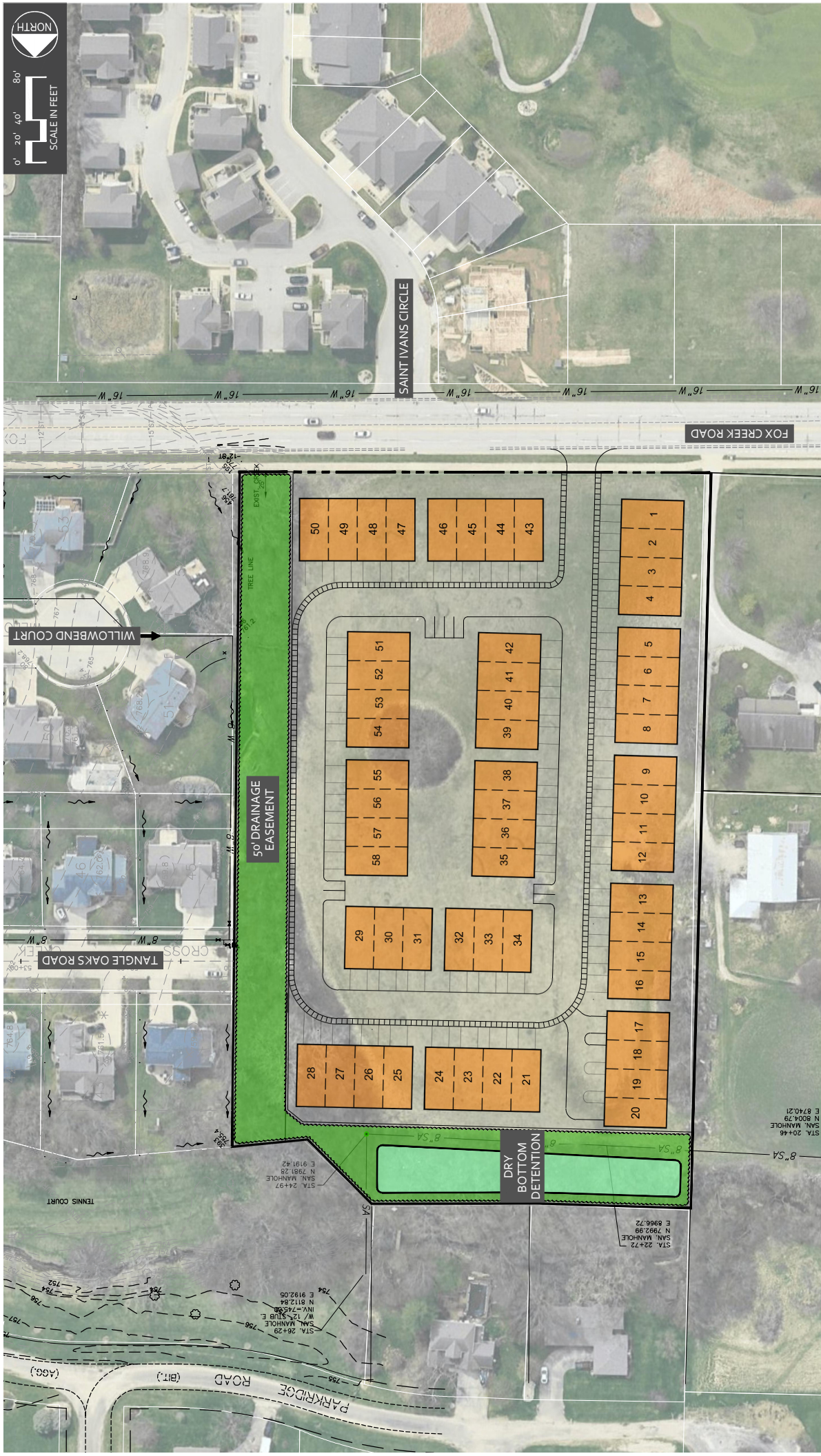


View South of Site



Attachment 4 - Neighborhood notice map





RIDGEWOOD WEST

NEIGHBORHOOD MASTER PLAN
BLOOMINGTON, ILLINOIS | 29 NOVEMBER 2023

AWESOME JAKS LLC

Farnsworth
GROUP

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Farnsworth
GROUP

2709 MAGRAW DRIVE
COLUMBIANA, IL 61704
(815) 453-5437 / info@fng.com

www.fng.com
Engineers | Architects | Scientists
DATE: DESCRIPTION:

Preliminary Plan
NOT FOR CONSTRUCTION

ARUTHRA LLC

RIDGEWOOD WEST

BLOOMINGTON, IL

DATE: 07/02/2024
DESIGNED: SPI
DRAWN: SPI
REVIEWED: CNF
FIELD BOOK NO.: BM13427
REV: 014

CONCEPT PLAN -
OVERALL

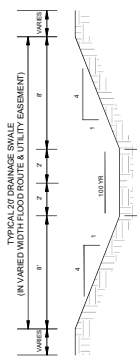
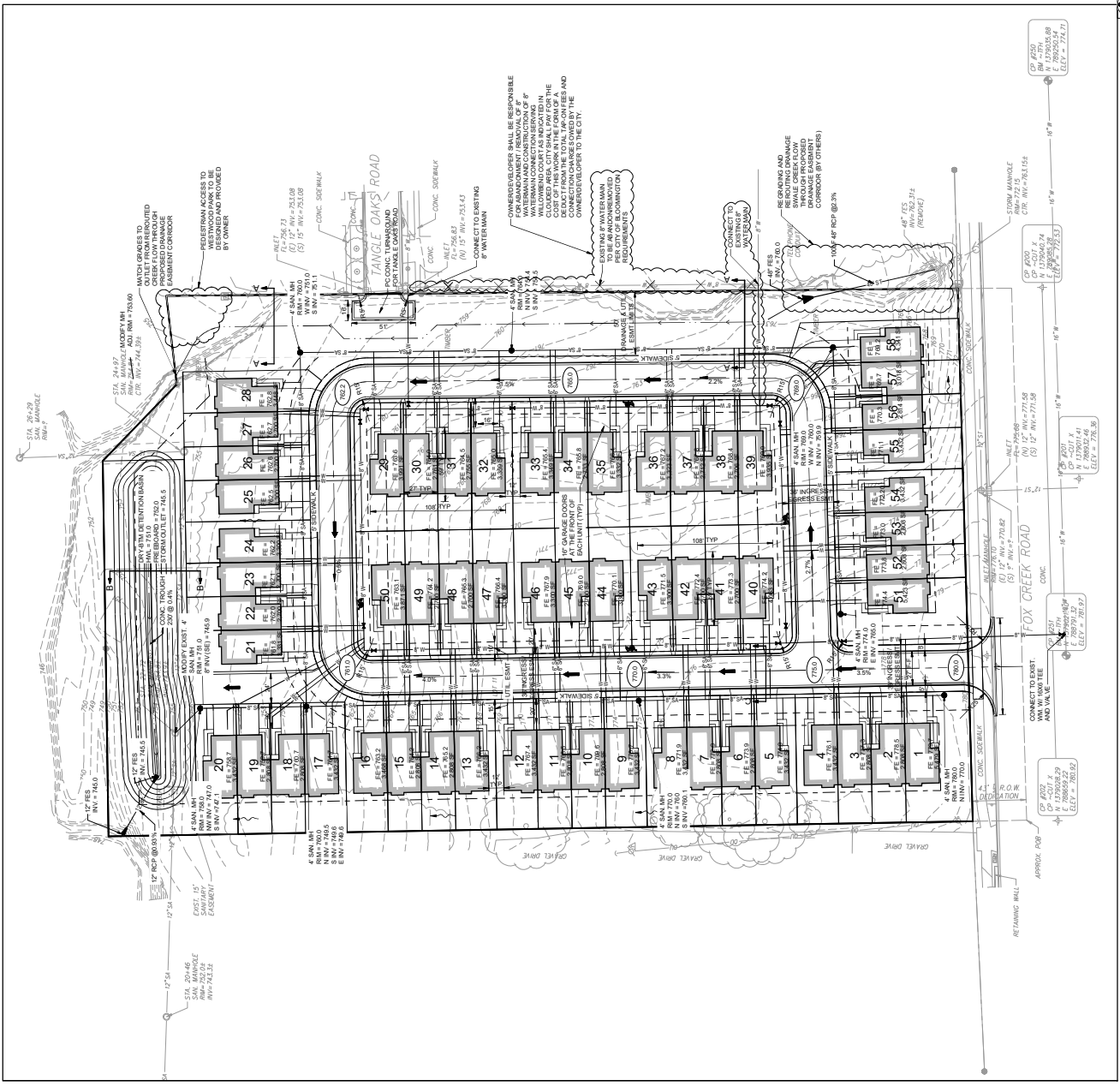
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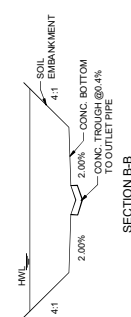
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CONCEPT PLAN - OVERALL

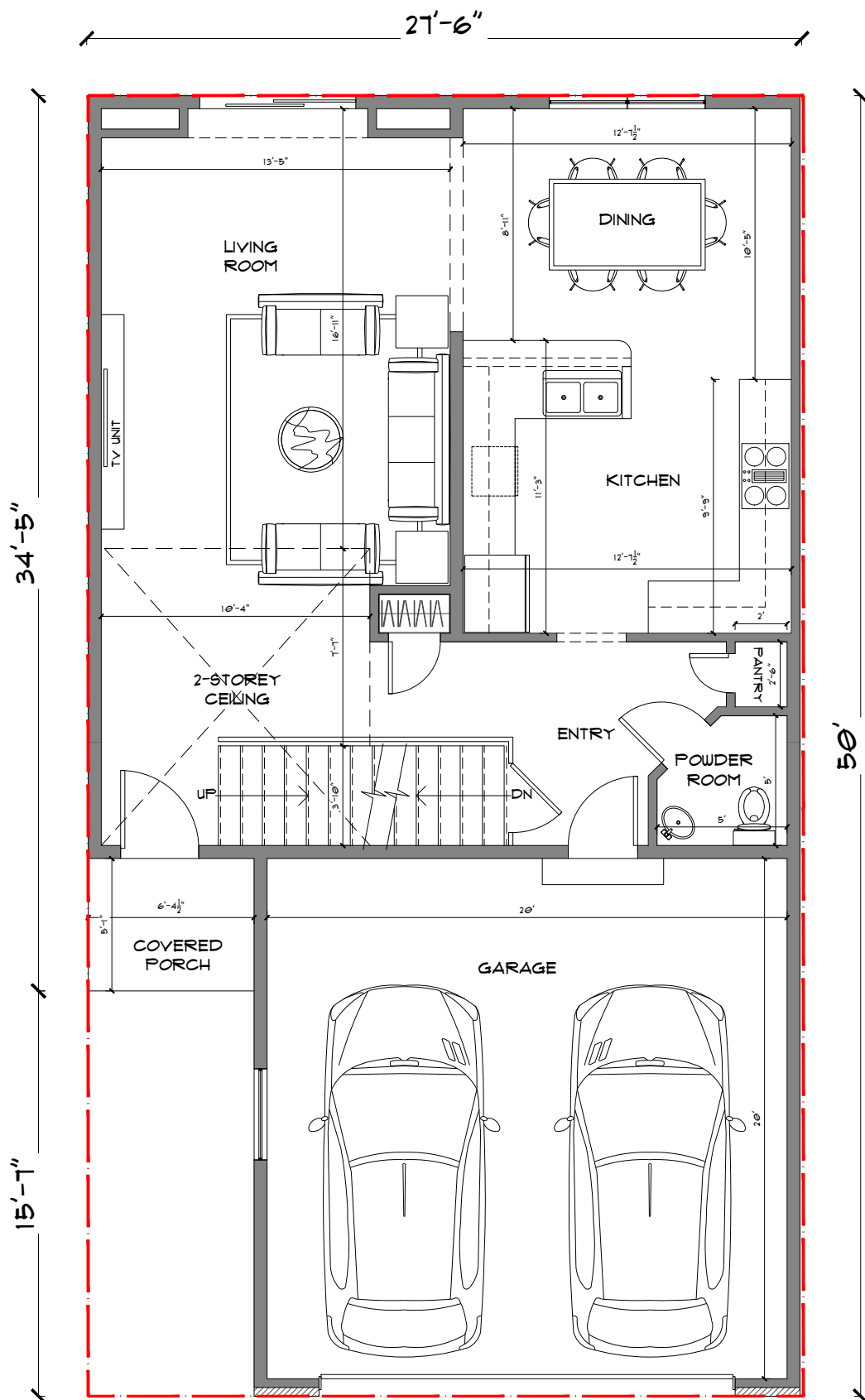
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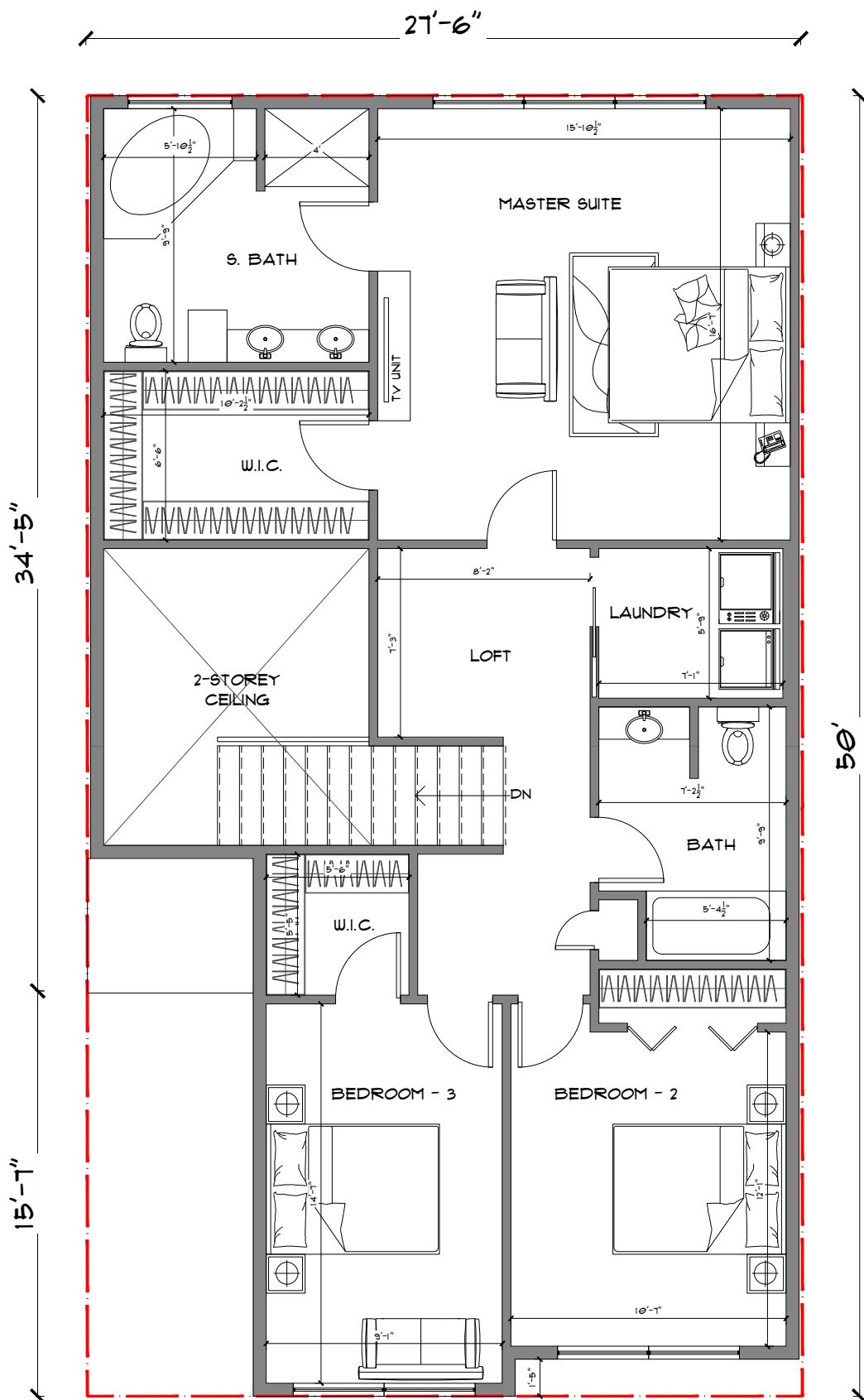
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DETENTION BASIN SECTION



SECTION B-B
DETENTION BASIN SECTION

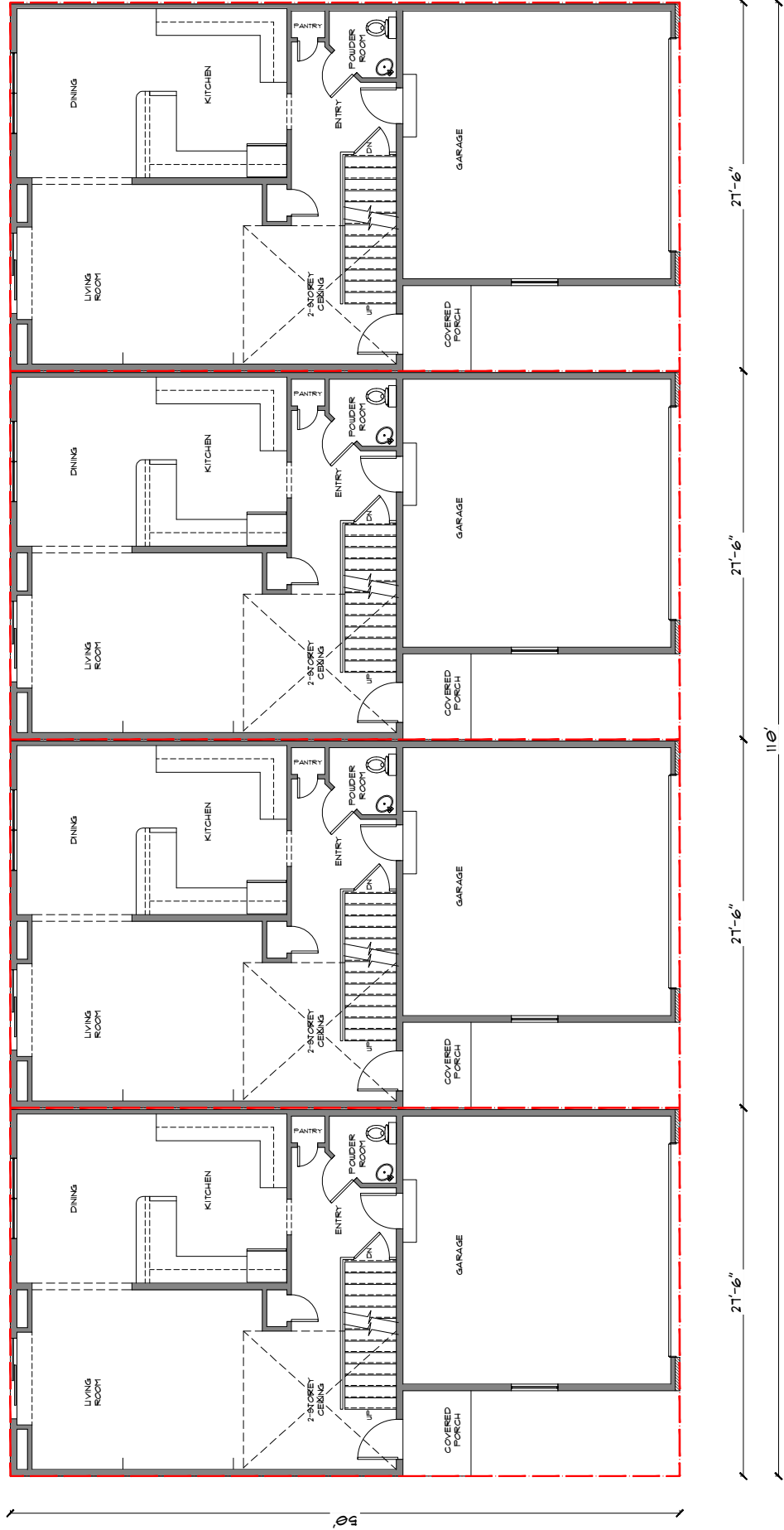


FIRST FLOOR PLAN

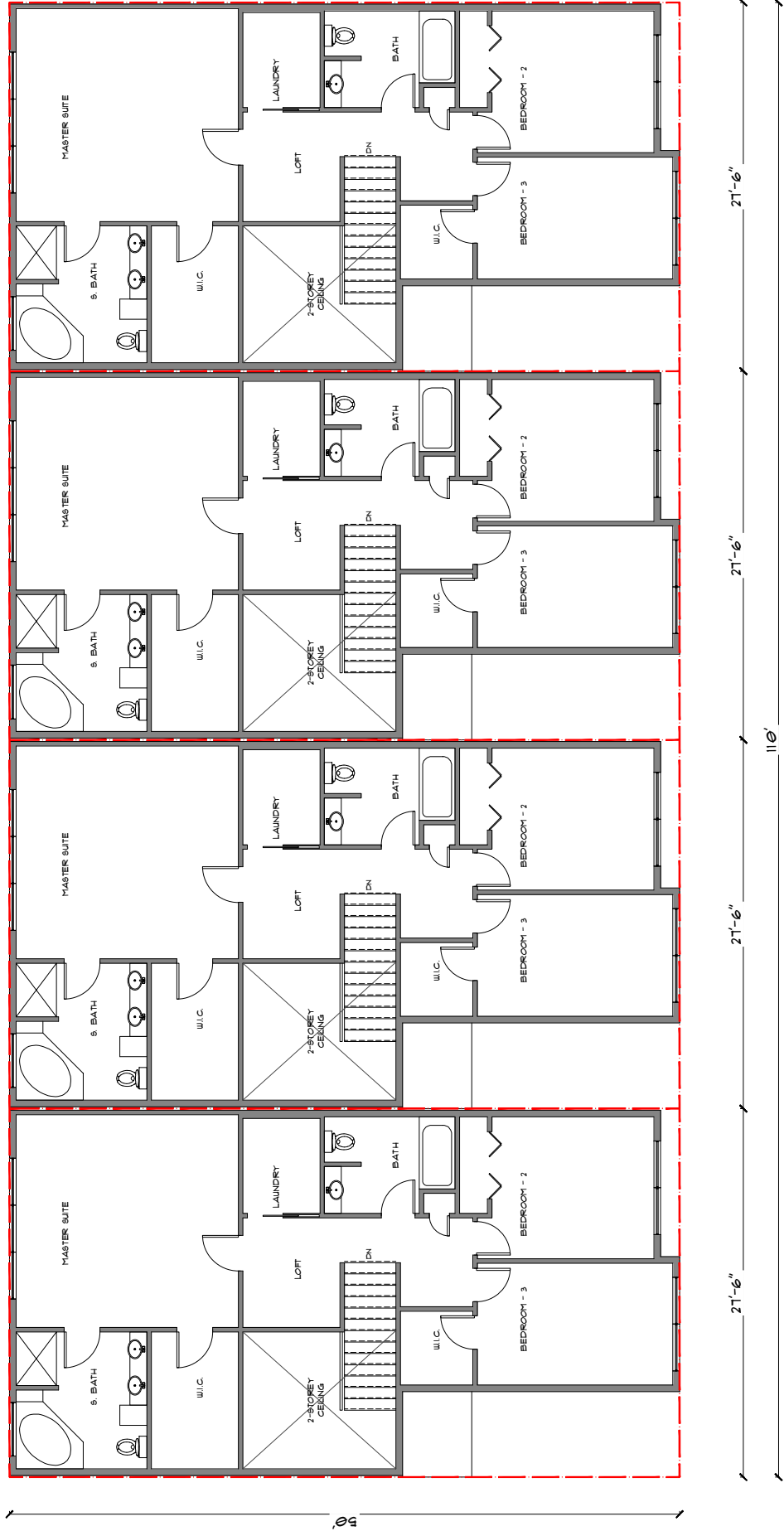


SECOND FLOOR PLAN

FIRST FLOOR PLAN



SECOND FLOOR PLAN







REGULAR AGENDA ITEM NO. 5.E.

FOR ZONING BOARD OF APPEALS: October 16, 2024

WARD IMPACTED: Ward 2

SUBJECT:

V-10-24 - Public hearing, review, and action on a request submitted by Aruthra, LLC (1301 Shaunessey Dr.), for Variances from § 44-1503 and § 44-403 to allow a reduction or removal of requirements in a Planned Unit Development, a minimum lot area per dwelling unit of less than 3,300 square feet, and a reduced corner front yard, for property generally located north of the intersection of Fox Creek Road and St. Ivans Circle, consisting of approximately 6.57 acres. PIN: 21-18-153-009.

RECOMMENDED MOTION: Motion to establish findings of fact that all standards for approval of the Variances are met, carrying out the strict letter of the Code **does create a practical difficulty** or particular hardship for the Applicant, and to **approve the requests** as submitted.

STRATEGIC PLAN LINK:

Goal 5. Great Place - Livable, Sustainable City
Goal 3. Grow the Local Economy

STRATEGIC PLAN SIGNIFICANCE:

Objective 5b. City decisions consistent with plans and policies
Objective 4c. Preservation of property/home valuations

BACKGROUND: The Applicant seeks Variances to allow a reduction of removal of requirements in a Planned Unit Development, a minimum lot area per dwelling unit of less than 3,300 square feet, and a reduced corner and front side yard.

- No waivers of Use Provisions are requested. The Variance requests are separate from Use Provisions.
- The proposed development would include a total of up to 58-units within enclosed garage parking spaces and exterior driveway spaces.
- The Applicant proposes to occupy currently vacant property.
- Vehicular access will be provided via a new curb cut along Fox Creek Road.

Final approval of this request is contingent upon approval of a related Annexation Agreement and Zoning Map Amendment (Z-11-24) and Special Use Permit (SP-06-24).

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Notice was published in The Pantagraph on Monday, September 30, 2024. Courtesy notices were mailed to 54 property owners within 500 feet of the subject property.

FINANCIAL IMPACT: Growth of local tax base.

Respectfully submitted for consideration.

Prepared by: Jon Branham, City Planner

ATTACHMENTS:

V-10-24 - Ridgewood West - Staff Report

Concept Plan - Ridgewood West Not Subdivided

Concept Plan - Ridgewood West PUD (estimated lot lines included)

TO: ZONING BOARD OF APPEALS

FROM: Economic & Community Development Department

DATE: October 16, 2024

CASE NO: V-10-24, Variances from § 44-1503 and § 44-403 of the Zoning Code

REQUEST: Public hearing, review, and action on a petition submitted by Aruthra, LLC (1301 Shaunessey Dr.), requesting approval of Variances from § 44-1503 and § 44-403 of the Zoning Code, to allow a reduction or removal of requirements in a Planned Unit Development, a minimum lot area per dwelling unit of less than 3,300 square feet, and a reduced corner and front side yard, for property generally located north of the intersection of Fox Creek Road and St. Ivan's Circle, consisting of approximately 6.57 acres PIN: 21-18-153-009.

BACKGROUND

Request

The Applicant seeks Variances from § 44-403 of the Zoning Code, to 1) allow a reduced minimum lot area per dwelling unit, from 3,300 square feet to 2,700 square feet, 2) allow a reduced corner-side front yard on the north side of Concept Plan units 50 and 29, and the south side of Concept Plan units 39 and 40, from a 25-foot setback to a 10-foot setback. All Variances are requested with the goal of allowing proposed dwelling units to be subdivided and sold with the underlying property (fee-simple with Homeowners Association), rather than rented or sold as condominium properties. The proposed "Single-Family Attached" (townhome) structures may be built on the existing single lot of record without the requested Variances, pending approval of a Special Use Permit for such. To support a fee-simple form of ownership it is expected that subdivision as a PUD will be required.

The Applicant also seeks Variances from § 44-1503 to allow a reduction or removal of the maximum floor area, minimum open space, and minimum common recreation space requirements in a Planned Unit Development (PUD), as they are practically difficult for small developments that are not part of a larger, neighborhood-scale community plan; these requirements have been alternatively evaluated via residential dwelling unit density or provided via alternate method for this project.

These requests are part of an Annexation Agreement and Zoning Map Amendment (County R-2 to City R-2) request which were recommended for approval by the Planning Commission on October 2, 2024, as well as a Special Use Permit request also being reviewed by the Zoning Board of Appeals. Any approval of the Variance requests would be pending final approval of those aforementioned items by the City Council.

Notice

The application was filed in conformance with applicable procedural and public notice requirements. Notice was published in *The Pantagraph* on Monday, September 30, 2024. Courtesy notices were mailed to 54 property owners within 500 feet of the subject property.

ANALYSIS

Property Characteristics

The subject property consists of approximately 6.5 acres of vacant land, zoned County R-2, located north of Fox Creek Road, near the intersection with St. Ivan's Circle. Surrounding properties contain a mix of largely residential uses, some cropland, and a public golf course.

Surrounding Zoning and Land Uses

	Zoning	Land Use(s)
North	County R-2 (Two-Family Residential)	Single-Family Residences, Park
South	City R-2 (Mixed-Residence) & City B-2 (Local Commercial)	Right-of-Way, Two-Family Residences
East	City R-1C (Single-Family Residential)	Drainage Way, Single-Family Residences
West	County A (Agricultural)	Large Lot Single-Family Residences, Cropland

Description of Proposed Zoning District

The R-2 (Mixed Residence) District is intended to accommodate development characterized by a mixture of housing types at a high single-family and a low multiple-family dwelling unit density. Densities of up to approximately 13 dwelling units per acre are allowed. This district allows for the conversion of dwelling units in older residential areas of mixed dwelling unit types in order to extend the economic life of these structures and allow owners to justify expenditures for repairs and modernization and serves as a zone of transition between lower density residential districts and residential districts that permit greater land use intensity and dwelling unit density. (§ 44-401E).

Subject Code Requirements

§ 44-403B (Table 403B: Bulk and Site Standards R-2 District)

Table 403B: Bulk and Site Standards R-2 District								
District	Lot Characteristics		Site Design			Development Intensity		
	Min. Lot Width (W)	Min. Lot Area (square feet)	Front Yard (F)	Side Yard (S)	Rear Yard (R)	Min. Lot Area per Dwelling Unit (square feet)	Max. Building Height	
			Min.	Min.	Min.		Feet	Stories
R-2								
Detached Residential	50 feet	6,600	25 feet	6 feet	25 feet	6,600	35 feet	2.5
Attached and Multi-Residential	75 feet	7,000	25 feet	6 feet	25 feet	3,300	35 feet	2.5
Other Uses	50 feet	7,000	25 feet	6 feet	25 feet	7,000	15 feet	1

§ 44-1503H (Table 1503: Residential Planned Unit Development Standards)

Table 1503: Residential Planned Unit Development Standards			
	Max. Floor Area (percent of land area)	Min. Open Space (% of land area)	Min. Common Recreation Space (% of land area)
R-1A	10.0	80.0	2.5
R-1B	20.0	76.0	3.6
R-1C	34.8	73.0	4.9
R1-H	34.8	73.0	4.9
R-2	40	72.0	5.2
R-3A	52.8	71.0	6.2
R-3B	80.0	68.0	8.0
R-4	34.0	73.0	4.9

STANDARDS FOR REVIEW - VARIANCE

As indicated in *Ch. 44, 17-8 Variations*, the Zoning Board of Appeals shall have the power to authorize Variations to this Code where there would be practical difficulties or particular hardships in carrying out the strict letter of those sections of this Code stated herein.

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

The project had previous iterations that ultimately became infeasible to execute, given the site constraints. A major drainage way runs along the entire eastern border, approximately 50-feet, and the site drops by about 30 feet from south-to-north, and 15-feet west-to-east. The site is therefore restrictive as compared to other sites of similar size. Alternatives such as increasing land area per unit or reducing building size were examined but ultimately considered impractical. There is not available adjacent land for sale, and redesigning the project would require significant alterations and jeopardize project viability. In addition, the restrictions requested for these variances are restricting the form of ownership of the property, not the development of the use itself, which is not the goal of the Zoning Code that is designed to “foster the use and development of land in an orderly manner” (§ 44-102A). **Standard is met.**

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

The Variances would allow for development of the property with a suitable and compatible development for the area. The Planned Unit Development standards for maximum floor area (40% land area), minimum open space (72% land area), and minimum common recreation space (5.2% land area) pose unreasonable burdens and are practically impossible to attain on smaller properties. Also, the minimum lot size of 3,300 square feet is infeasible as previously stated, and the few front/corner setback variance requests minimally vary from the requirements (less than 10%) and are generally harder to meet given the smaller lot sizes. All requests for varied setbacks are internal to the project and would not reduce distances to adjacent properties. **Standard is met.**

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

The Applicant did not create any special conditions or circumstances. The Applicant has requested the Variances after exhausting all other alternatives, in pursuit of an ownership type that the wider community and market have expressed as preferential. **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 privileges would be granted to the applicant under these circumstances. Granting allows the Applicant to make reasonable use of their property given the limited constraints. Variation of the on-site open space and recreation space, in favor of direct connection to an adjacent public multipurpose recreational space (which a fee-in-lieu payment for parkland dedication, resulting from annexation, will help to maintain) is in alignment with the requirements of other subdivision and development projects, and current Parks & Recreation Department's desire to focus resources on existing properties, as well as the Comprehensive Plan's goal to "ensure the community facilities provide the greatest cost-benefit ratio to the population served" (CF-1.2). **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.**

The granting of the Variance would not be detrimental, and it which would not impact the character of the neighborhood. The proposed development is consistent with the scale of other developments in direct vicinity. Adjacent properties will not be prevented from reasonable use of their lands, nor will public welfare be placed at risk. All Variances are requested with the goal of allowing proposed dwelling units to be subdivided and sold with the underlying property (fee-simple with Homeowners Association), rather than rented or sold as condominium properties. The proposed "Single-Family Attached" (townhome) structures may be built on the existing single lot of record without the requested Variances, pending approval of a Special Use Permit for such. **Standard is met.**

STAFF RECOMMENDATIONS

Staff finds that the application **meets** all the standards for granting Variances and recommends that the Zoning Board of Appeals take the following actions:

Motion to establish findings of fact that the standards for approval of Variances are met, carrying out the strict letter of the Code **does create a practical difficulty** or particular hardship for the Applicant, and to **approve the request** for Variances to § 44-1503 and § 44-403, as presented.

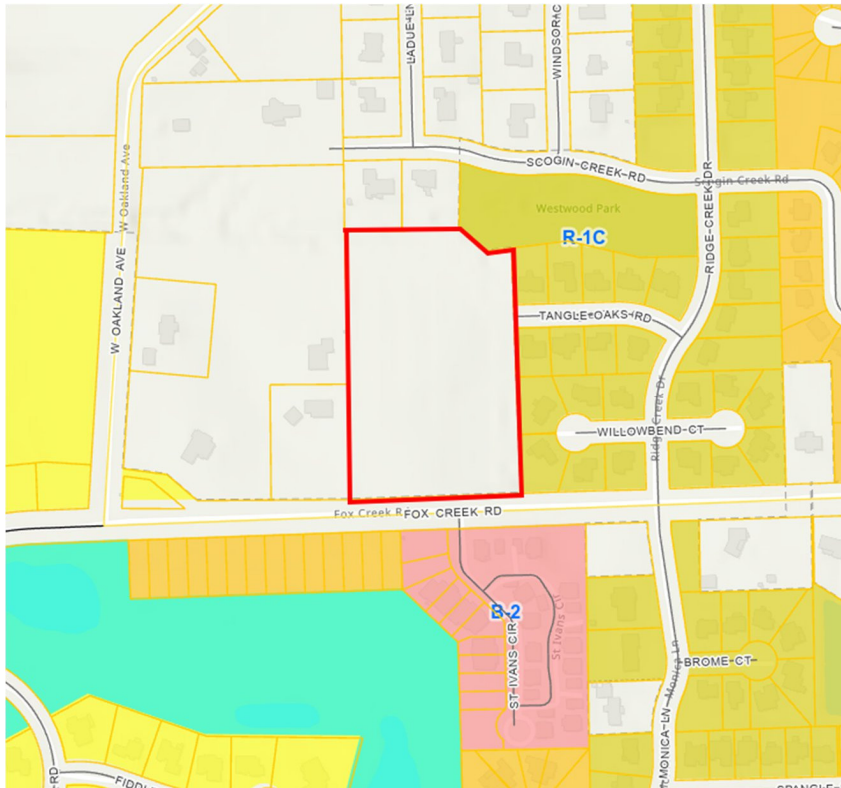
Respectfully submitted,
Jon Branham
City Planner

Attachments:

1. Zoning Map
2. Aerial Image
3. Ground-Level Views
4. Neighborhood notice map

5. Conceptual PUD Site Plan(s) (separate attachment); indicating property lines if subdivided, and proposed setbacks

Attachment 1 - Zoning Map



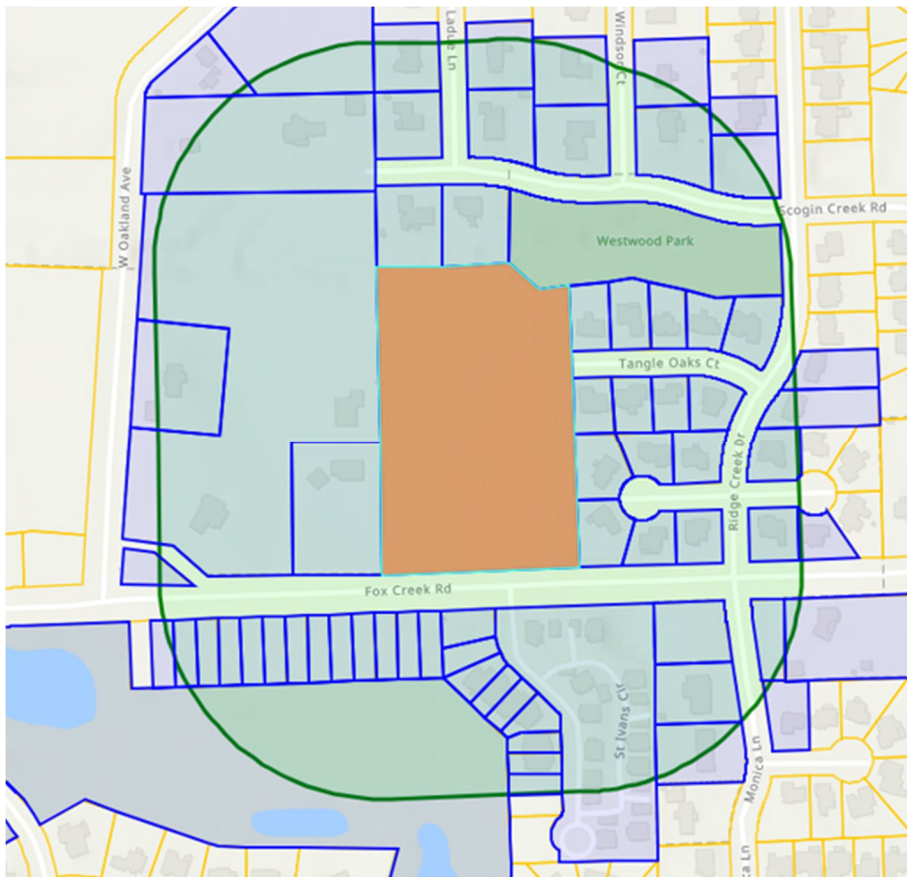
Attachment 2 - Aerial Image



Attachment 3- Ground-Level View



Attachment 4 - Neighborhood notice map





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Engineers: Architects: Scientists:

DATE: DESCRIPTION:

Preliminary Plan
NOT FOR CONSTRUCTION

PROJECT
ARUTHRA LLC

RIDGEWOOD WEST

BLOOMINGTON, IL

DATE: 07/02/2024
DESIGNED: SPB
DRAWN: SPI
REVIEWED: CNF
FIELD BOOK NO.: BM13427
SHEET 01/04

**CONCEPT PLAN -
OVERALL**

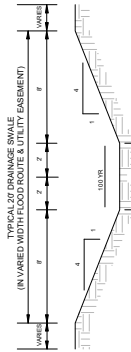
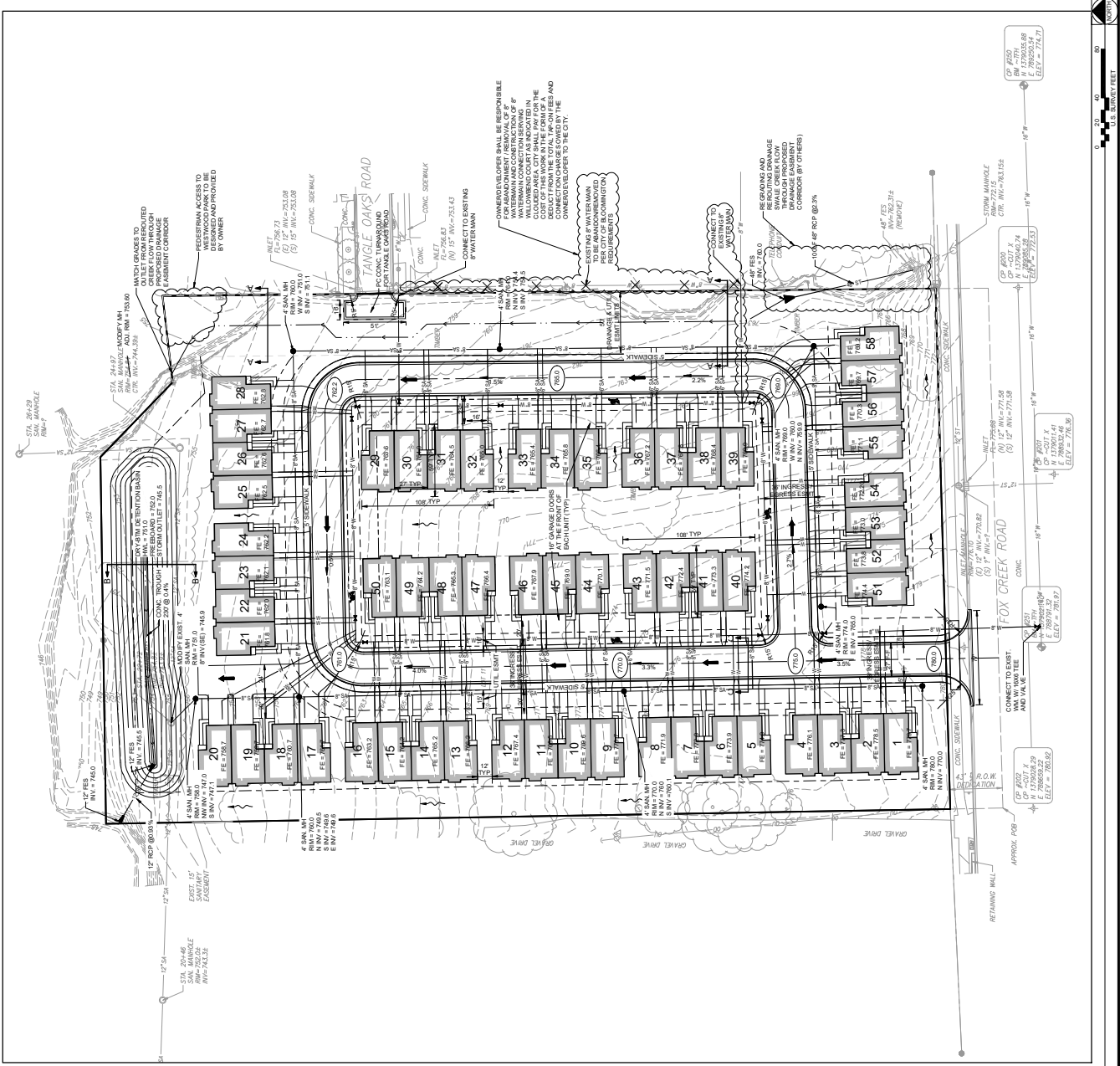
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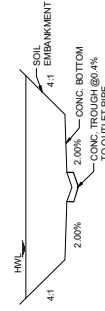
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CONCEPT PLAN - OVERALL

SCALE: 1" = 40'



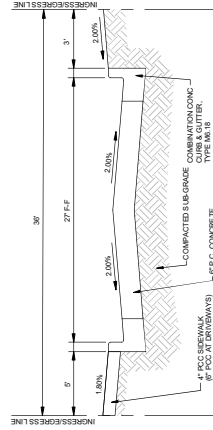
SECTION A-A
DETENTION BASIN SECTION



SECTION B-B
DETENTION BASIN SECTION

BLOOMINGTON, ILLINOIS
NW 1/4 Sec. 18, T.23 N., R.2 E. McLean County

PIN 21-18-153-009



SECTION C-C: TYPICAL INGRESS / EGRESS & UTILITY EASEMENT STREET SECTION

"Notice is hereby given that this Preliminary Planned Unit Development of Ridgewood West 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."

But

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

Attest:

DATE 11/30/25

SHEET TITLE:

PROJECT NO.: 0240889.00

Engineers | Architects | Surveyors | Scientists
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 F.W. SCHMIDT & ASSOCIATES, INC.
 11000 W. 15th Ave., Suite 100, Denver, CO 80202
 Tel: 303.751.1100 Fax: 303.751.1101
 E-mail: info@f-w.com

RIDGEWOOD WEST

1.0 COVER SHEET
2.0 CONCEPT PLAN - OVERALL

ATTORNEY:
DAVID G. ARMSTRONG
207 W. JEFFERSON ST. STE 400
BLOOMINGTON, IL 61701
309-827-0044

10. THE SITE LIGHTING PLAN FOR THE ENTIRE DEVELOPMENT SHALL BE PROVIDED BY THE ARCHITECT WITH USE OF WALLS OR FIXTURES OR YARD LIGHTS YET TO BE SELECTED.

1



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Engineers | Architects | Scientists
DATE: DESCRIPTION:

Preliminary Plan
NOT FOR CONSTRUCTION

ARUTHRA LLC

RIDGEWOOD WEST

BLOOMINGTON, IL

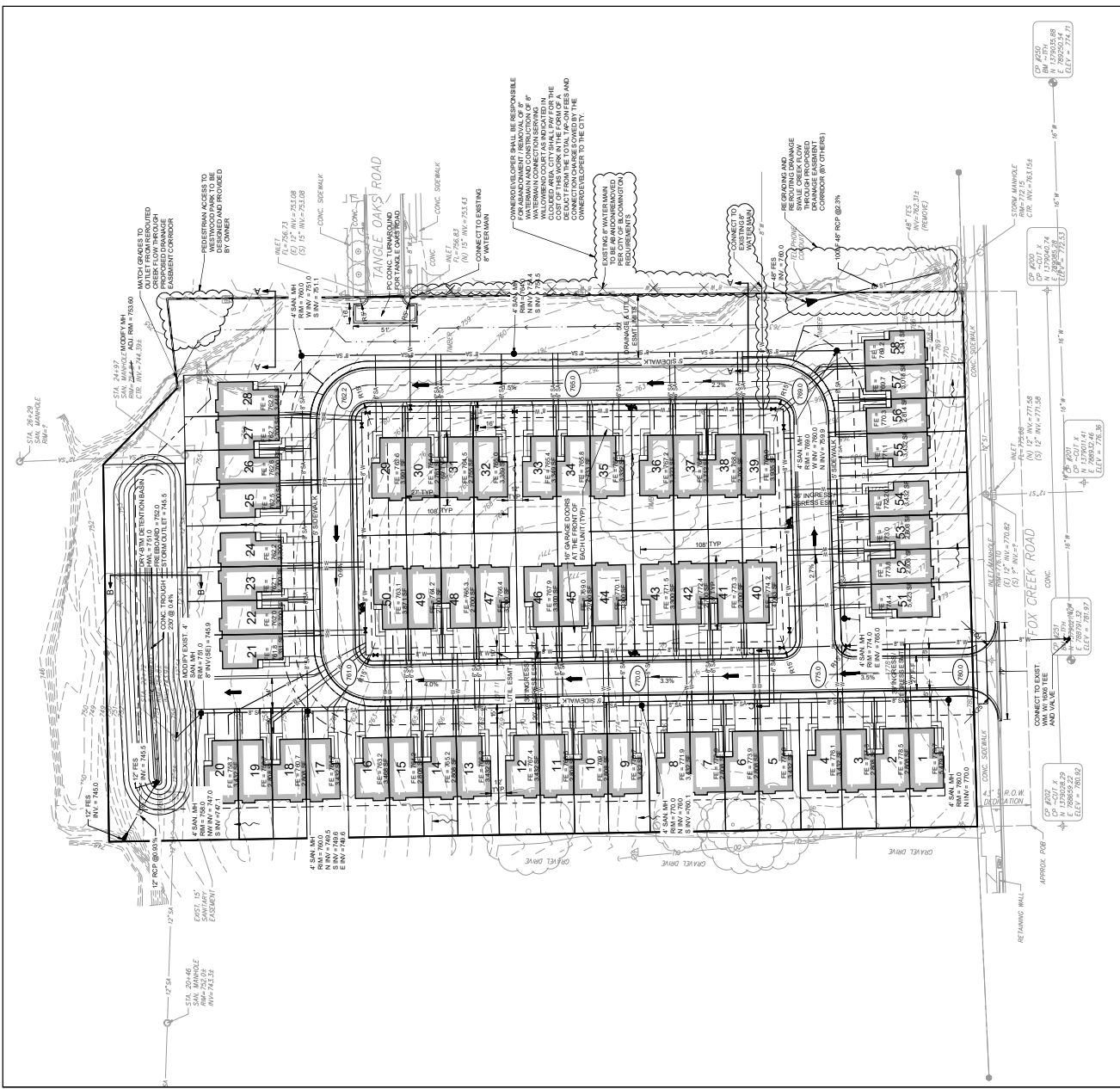
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DESIGNED: SPI
DRAWN: SPI
REVIEWED: CNF
FIELD BOOK NO.: BM13427
REV: 014

CONCEPT PLAN -
OVERALL

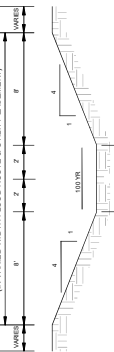
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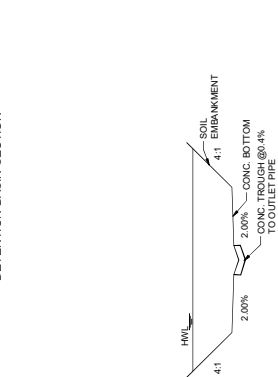
SCALE: 1" = 40'



SECTION A-A
DETENTION BASIN SECTION



SECTION B-B
DETENTION BASIN SECTION



CONCEPT PLAN - OVERALL

SCALE: 1" = 40'