



MINUTES

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

MEETING MINUTES

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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. Muehleck 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 about where the tires would be stored. Mr. Merzwicki stated the tires would be stored indoors.

Commissioner Beyer inquired if pedestrian access and bicycling parking and access would be provided. Mr. Merzwicki stated the site would provide a means for pedestrians to reach the site and bicycle parking would be provided per code requirements.

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. Muehleke seconded.

Mr. Krieger - Yes, Mr. Muehleke - 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. Muehleke - 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 Muehleke 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.

From: Brandon Newbanks <tuffyofbloomington@gmail.com>
Sent: Thursday, October 6, 2022 11:07 AM
To: Public Comment
Subject: Belle Tire

To Whom It May Concern:

Prior to covid-19 becoming a factor the hiring of professional technicians was difficult, it is even more so today. Rivian has hired many mid to low level technicians from service shops, while I have not lost technicians because I pay my employees, this is a concern for the viability of our future.

We have an outstanding reputation in town and we conduct business very differently than most, with digital inspections and free loaner vehicles we have done very well and would like to continue. In addition we help the community by discounting some services for low income people within the community.

Having another shop so close to us is a bit egregious to our customer base. Many shops are struggling to stay afloat, although we are not at this time, I have to be mindful of the future for my employees and the community in which I reside.

The last thing this community needs is yet another auto repair center as it does not have properly certified employees.

Please keep in mind we are locally owned, we have a stake in the community.

Thank you for your time.

Russ Wolf ~ General Manager
Tuffy Auto Service Center
1505 E Vernon Ave
Bloomington, IL 61701
309-662-0537

Websense: Click [here](#) to report this email as spam.

From: Bloomington Midas <iaamidas@gmail.com>
Sent: Thursday, October 6, 2022 1:45 PM
To: Public Comment
Subject: PR-09-22

My name is Thomas Parkinson and I am the shop manager at the Bloomington Midas. I am sending this email in regards to the proposed Belle Tire at the old Biaggi's location 1501 N veterans parkway. There are already over 10 repair shops within a 2 mile radius of that location. It's over saturation of the market. I would also like to know how the traffic flow will be handled in that type of location. It's already ridiculous with the Beyond Hello, Walgreens and Giordanos over there. A repair facility will double the mess it already is with traffic over there. The repair shops in the area are mostly independently owned family business. Our franchise has been family owned and operated for 35 years. Competition is always a good thing but there are too many well established shops that have been around for years. That is what I would like to say as my public comment. All said shops are all having trouble fully staffing right now. Putting another business like that right there could potentially rob some of these shops of their already tight staff. There are shops offering a thousand dollar sign on bonus and theyre having trouble getting qualified help. I was under the impression that Bloomington prides itself on supporting local which a majority of the shop owners in the area are. Hopefully this makes it through and make sense. I do realize that it is about the almighty dollar. I would also like to point out that there has been a vacant eye sore at the old Lonestar, a beat up building, beat up parking lot and just generally looks bad to folks driving on IAA. Put up a brand new building across the street from an eyesore that nothing has been done about for over five years??

Sincerely,

Thomas P Parkinson

Websense: Click [here](#) to report this email as spam.