

**MINUTES
BLOOMINGTON PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, SEPTEMBER 27, 2017 4:00 P.M.
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE STREET
BLOOMINGTON, ILLINOIS**

MEMBERS PRESENT: Mr. J. Balmer, Mr. David Stanczak, Mr. James Pearson, Mr. Kevin Suess, Mr. John Protzman, Ms. Megan Headean, Mr. Eric Penn, Chairman Justin Boyd

MEMBERS ABSENT: None

OTHERS PRESENT: Mr. Tom Dabareiner, Director of Community Development; Mr. George Boyle, City Attorney; Ms. Katie Simpson, City Planner; Ms. Izzy Rivera, Assistant City Planner; Mr. Kevin Kothe, City Engineer, Tony Meizelis, Engineer II, Michael Hill, Miscellaneous Technician in Public Works Administration; Jim Karch, Public Works Director; Austin Grammer, Economic Development Coordinator; John Houseal, Houseal Lavign Associates

CALL TO ORDER Chairman Boyd called the meeting to order at 4:00 PM.

ROLL CALL: Mr. Dabareiner called the roll. With seven members in attendance, a quorum was established.

PUBLIC COMMENT: None.

MINUTES: The Commission reviewed the minutes from the August 23, 2017 regular meeting. Mr. Stanczak motioned to approve the minutes. Mr. Balmer seconded the motion. The Commission approved the minutes by a voice vote, 7-0.

REGULAR AGENDA:

Z-24-17 Public hearing, review, and action on a petition submitted by Freedom Services, Inc. requesting the rezoning of 1315 W. Market St from R-1C, Single Family Residential District to B-2, General Business Service District.

Z-25-17 Public hearing, review, and action on petitions submitted by Freedom Services, Inc. requesting the rezoning of 505 N. Hinshaw Ave from R-1C, Single Family Residential District to B-2, General Business Service District.

Chairman Boyd announced that the petitioner for agenda items Z-24-17 and Z-25-17 requested to withdraw these petitions and to remove them from the regular agenda.

Z-26-17 Public hearing, review, and action on petition submitted by Macs Convenience Store, requesting the rezoning of 1611 N Hershey Rd from C-2, Neighborhood Shopping District to B-2 General Business Service District.

Chairman Boyd introduced the cases. Ms. Simpson provided the staff report and stated that city staff is recommending in favor of the petition. She provided pictures of the property, an aerial map and zoning map, and she described the surrounding uses. Ms. Simpson provided a history of the zoning for the area and explained the development challenges for the site. She stated the surrounding uses are not compatible with the uses contemplated in the M-1 zoning districts. Ms. Simpson described the purpose and intent of the B-2 District and emphasized the districts relationship to the major traffic system. She explained that the subject is located at the intersection of two minor arterial roads. She shared traffic counts for the area, identifying the different types of roads, and explained that, while the B-2 and C-2 districts are similar, B-2 is intended to be located along busier streets. Ms. Simpson described the proposed development for the site—a motor fueling station with a carwash, restaurant and video gaming machines. Ms. Simpson shared staff's analysis of the standards for a B-2 map amendment. She stated staff determined the standards were met and the proposed zoning aligned with the intent of the Comprehensive Plan. She described the less intense surrounding uses and the physical characteristics which provide a transition between the business uses contemplated in the B-2 district and the residential uses. Ms. Simpson noted the developer would be required to accommodate storm water and to design the building appropriately for the flood plain.

Mr. Balmer requested staff describe the similarities between the intersection of GE Road and Hershey Road and Hershey Road and Route 9 as it relates to the proposed zoning. Mr. Kothe described the differences between GE Road and Route 9, emphasizing that Route 9 has twice as many vehicles daily than GE Road. Mr. Kothe explained the intersection limits the ingress and egress for the subject property requiring entrances to be set back from the intersection.

Ms. Haedean arrived at 4:14 p.m. Mr. Patrick Bennet, Petitioner and Engineer with Core State's Group, 6500 Chippewa St., St. Louis Missouri, was sworn in. Mr. Bennet described the proposed development as a fuel station with ten dispensers and twenty fueling positions, convenience store, and car wash.

No one spoke in favor of the petition. Mark Sperry, Mechanical Devices Owner, spoke against the petition. He described the Mechanical Devices property located east of the subject site and provided a history of the zoning. He expressed concerns about potentially allowing adult uses, gun shops, and a medical marijuana facility by changing the zoning. Mr. Sperry requested the Commission consider allowing a special use permit rather than changing the zoning. He stated he is concerned about allowing alcohol sales near a manufacturing plant. Mr. Sperry stated he is concerned about the development's ability to manage storm water.

Ms. Betty Toland, spoke in opposition of the petition and expressed concerns about the business locating in the flood plain, and near a day care and playground. Ms. Toland also stated the city has an abundance of gas stations and video gaming.

Mr. Bennet responded to the concerns raised by citizens. He stated Circle K plans to detain water on the property and control the discharge rate. Mr. Pearson asked what the petitioner cannot accomplish under the existing zoning. Ms. Simpson explained the gas station and car wash are not permitted at all in the C-2 district and the City does not issue special use permits for uses not previously identified in Chapter 44.6-40 as requiring a special use permit in that zoning district.

Ms. Simpson explain the adult uses not permitted in the B-2 if they are located within 500 feet of a day care. Mr. Bennet described the detention area and the site plan. Mr. Suess asked for more information about development in the flood plain. Mr. Kothe explained the volume in the flood plain cannot change, the petitioner is providing detention in the higher corner of the property in addition to the detention in the flood plain. Mr. Stanczak asked Mr. Kothe if this site would improve detention from the existing condition. Mr. Kothe confirmed the site would provide detention that is not currently provided and the development would result in a benefit. Mr. Kothe explained the flood plain may be less than what is currently identified due to an increased number of basins on the east side of Bloomington. Ms. Headean asked if there is concern about a spot zone. Ms. Simpson stated the proposed district aligns with the intentions of the Comprehensive Plan and is very similar to the C-2 district. Mr. Dabareiner reinforced that the city is considering combining the B-2 and C-2 districts in the new zoning ordinance.

Mr. Sperry stated a ‘gas regulatory station’ is permitted in C-2. Ms. Simpson explained a ‘gas regulatory station’ refers to the natural ‘gas’ utility and not the term “motor fuel” station refers to a gas station that sells fuel. Mr. Boyle stated that the zoning ordinance differentiates between the gas utility and motor fuel. Chairman Boyd clarified the ordinance would not allow an adult use in this location due to the proximity of the day care. Mr. Balmer explained there are other parts of the ordinance that regulate the location of certain uses.

Mr. Balmer motioned to approve case Z-26-17. Mr. Stanczak seconded the motion. The motion was approved by the Planning Commission by a vote of 7-0-1, with the following votes cast: Mr. Balmer—yes, Mr. Stanczak—yes, Mr. Pearson—yes, Mr. Suess—yes, Mr. Protzman—yes, Ms. Headean—abstain, Mr. Penn—yes, Chairman Boyd—yes.

Z-27-17 Text Amendment Public hearing, review, and action on petition submitted by the City of Bloomington requesting a text amendment to City of Bloomington Zoning Code, to rename the Planning and Code Enforcement Department as the Community Development Department and to change the location for filing certain applications with the Community Development Department instead of the City Clerk.

Chairman Boyd introduced the case. Mr. Dabareiner provided the staff report. He explained the Planning, Code Enforcement, and Building Safety functions were combined into one department. The Community Development name is more common across the state for this type of division and consistent with what developers are familiar with. He explained the name change will happen throughout the entire code and the Planning Commission is being asked to review changes specific to Chapter 44, the Zoning Ordinance. He noted Council will review the changes for the 45 chapters of the City Code. Mr. Dabareiner described consolidating the land use applications into one location is an effort to provide better customer service and move the City closer to the one-stop-shop initiative.

Mr. Balmer asked if this amendment would impact the boards. Mr. Dabareiner clarified the amendment does not address combining the Zoning Board and Planning Commission. Mr. Pearson asked if the change would impact the procedures for submitting building plans to the Community Development Department. Mr. Dabareiner stated developers will not have to submit land use plans to the City Clerk. Mr. Boyle stated the advantages of consolidating the

application locations will allow for easier communication between those receiving the applications and those processing them.

Mr. Protzman motioned to approve case Z-27-17. Mr. Balmer seconded the motion. The motion was approved by the Planning Commission by a vote of 8-0, with the following votes cast: Mr. Protzman—yes, Mr. Balmer—yes, Mr. Stanczak—yes, Mr. Pearson—yes, Mr. Suess—yes, Ms. Headean—yes, Mr. Penn—yes, Chairman Boyd—yes.

BRKPLN-1-17 Brick Streets Master Plan Public hearing, review, and action on a recommendation to City Council for the approval of a resolution approving the Brick Streets Master Plan for the City of Bloomington.

Chairman Boyd introduced the case. Mr. Karch presented the staff report. He explained the Historic Preservation Report reviewed the document and recommended in favor of the plan. He stated the city is working with a consultant to verify the costs associated with the plan. Mr. Karch stated the plan intends to preserve the 3.5 miles of brick streets existing in the city. He described the three categories of streets described in the proposed plan: reconstruct, patch, and serviceable. He described the tools presented in the plan such as ordinances and policies for truck routes, utility cuts, modifying the Complete Streets ordinance and salvaging bricks. He described the rating systems and prioritization proposed by the Plan. The Plan gives consideration to historic districts and future historic districts. Mr. Karch describes the costs associated with the reconstruction and patching of brick streets and stated the estimate provided by Hansen Consulting will most likely be more than what is presented in the plan. He described the future goals identified in the proposed plan regarding restoration and conversion of asphalt streets to brick, preservation of stone curbing, and other prioritization methods.

Mr. Pearson inquired about funding mechanisms. Mr. Karch stated the Plan does not identify a funding source. Mr. Karch clarified the proposed heavy truck route would not apply to moving vans but to is intended to prevent through truck traffic. Mr. Karch discussed planning for future brick streets including the possibility of removing asphalt from overlaid brick streets. Mr. Protzman asked if vegetation between bricks could be attributed to the subbase. He stated some streets that are 20 years old are still in very good condition. Mr. Karch explained the construction of the brick street. Mr. Pearson asked about a Special Service Area. Mr. Karch explained this is a state tool available for improvements to neighborhoods. Mr. Balmer asked if the city has information about the streets that have been overlaid with asphalt. Mr. Karch stated the city has a good idea based on old records but it is not 100 percent accurate.

Mr. Julian Westerhaut, 800 block of E. Monroe St., spoke in favor of the petition. He stated the area is one of the oldest streets in Bloomington. The current brick street dates to the early 1920s and is in poor shape due to utility patches. Mr. Westerhaut stated the neighborhood is extremely supportive of maintaining the brick street but residents were not confident the city would support maintaining the brick since the neighborhood is not a designated historic district. Mr. Westerhaut stated that since the city has revisited the Brick Streets Master Plan, the residents are excited about the possibility of maintaining the street and have renewed faith in the city.

Mr. Pearson asked about the relationship of brick streets and complete streets. Mr. Karch explained the Complete Streets ordinance would need amending because brick streets are not ideal for bicycles but does not anticipate an issue of striping brick streets because no brick streets are included in the Bike Master Plan.

Chairman Boyd stated he believes Bloomington's history and heritage is one of its greatest assets and sees the plan as another element towards preservation. Mr. Pearson asked for clarification about the future historic districts. Ms. Simpson explained the Historic Preservation Plan, updated in 2004, has six historic districts and many areas identified as potential and future areas ideal for designation. She explained these are located in the Miller Park and South Hill area and Illinois Wesleyan's Campus. She stated incorporating these areas into the Plan allows the city to preserve the streets located in districts and protect streets that could contribute to the establishment of a district.

Mr. Balmer motioned to approve the Brick Streets Master Plan, case BRKPLN-1-17. Mr. Suess seconded the motion. The motion was approved unanimously by the Planning Commission by a vote of 8-0, with the following votes cast: Mr. Balmer—yes, Mr. Suess—yes, Mr. Stanczak—yes, Mr. Pearson—yes, Mr. Protzman—yes, Ms. Headean—yes, Mr. Penn—yes, Chairman Boyd—yes.

6. OLD BUSINESS 1:24:02

City of Bloomington Zoning Ordinance Update: Section 44.5 Business District Regulations

Mr. John Houseal, Houseal Lavign Associates, presented proposed changes to the Business District Section of the Zoning Ordinance. Mr. Houseal explained the purpose and intent of the business districts; the purpose and intent statement express the goal for the regulations. The city proposes to combine and eliminate redundant or unnecessary districts in an effort to simplify the ordinance. He noted the proposed B-1 General Commercial District is a combination of the former C-3 and B-1 districts, directed at a regional commercial market and located along major highways and corridors. The most salient change is the site plan requirement for the newly proposed B-1 district. He explained the proposed B-2, Local Commercial District, a combination of the C-2 and B-2 District, intended to provide commercial development, goods and services, appropriate to a localized population rather than a regional audience. The Local Commercial District is contemplated near or within a neighborhood. Mr. Dabareiner explained the proposed B-2 district eliminates adult businesses as a permitted use due to the proximity to residential. Mr. Houseal noted no changes are proposed for the C-1, Office District.

Mr. Houseal focused on the newly created D-1, Central Business District, D-2, Downtown Transition District, and D-3, Downtown Warehouse and Arts District. He explained the inadequacy of the existing B-3 district and the need for a tighter downtown core and transition area. He shared the purpose and intent of each of the proposed districts. He explained the D-2 District, is new and does not exist. The intention is to complement the D-1, Central Business District and to provide a transition between the core area and outlying residential areas. The D-2 and D-1 districts differ in setbacks, parking requirements, and uses; the D-2 District is less intense than the D-1 District. Mr. Houseal explained the intention of the D-3 Downtown Warehouse and Arts District stems from the recommendations of the Comprehensive Plan. Mr. Houseal shared a map of the area and discussed the intention of each proposed district. Mr.

Dabareiner explained the existing B-3 District, which spans an area of 26 blocks, should be reduced to focus on a core because the 26 block emphasis is too large for a city the size of Bloomington. Naperville, he explained, is twice the size of Bloomington and has a five to six square block core. Mr. Dabareiner prepared the map to have a six block core and a gradual transition area. Mr. Stanczak asked about the north area shown on the map. Mr. Dabareiner explained the area has potential for future expansion but has too many surface lots that break up the pedestrian experience. Mr. Dabareiner explained the Downtown Task Force reviewed the map and agreed on the proposed boundaries of the districts. Mr. Houseal explained one of the most common mistakes a community can make is to dilute the downtown; the downtown itself should be a destination, and in order for that to work, the visitor needs to be able to walk downtown not have to park and drive from one end to the other.

Mr. Houseal discussed the structure of the ordinance and the permitted use table. He explained the special requirements and bulk requirements for each district. He discussed the general standards that apply to every business district, the development standards and site review criteria. Mr. Houseal explained the transitional yard setbacks proposed in the D-2 and explained there needs to be sensitivity towards the residential districts when commercial abuts residential. The intention is to provide buffering and he explained the intention is to reduce ambiguity of interpretation. He discussed the transparency ratios and the need for windows. The Commission discussed nonconforming structures that do not comply with the general standards and how the zoning district pertains to nonconforming structures. Mr. Dabareiner explained the site plan review requirements for the city are low, and staff would like additional ability to review site plans and ensure standards are met. Site plan review encourages better design.

7. NEW BUSINESS

Approve 2018 Meeting dates.

Mr. Balmer motioned to approve the meeting dates for 2018. Mr. Stanczak seconded the motion. The motion passed unanimously by voice vote 8-0.

Election of Vice Chairman

Mr. Ryan Scritchlow, former Vice Chairman, expressed his gratitude to the Commission for allowing him to serve as Vice Chair and thanked the Commission and City for the time he served as a Commissioner. Mr. Suess nominated Mr. Protzman for Vice Chair. Mr. Balmer seconded the motion. The Commission voted unanimously to appoint Mr. Protzman to vice chair.

8. ADJOURNMENT

The meeting adjourned at 6:33 unanimously by voice vote; motioned by Mr. Balmer and seconded by Mr. Protzman.

Respectfully,

Katie Simpson
City Planner