



MINUTES

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

Government Center Chambers (4th Floor) Room #400

115 E Washington St

BLOOMINGTON, IL

WEDNESDAY, September 22, 2021 4:00 P.M.

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

The Planning Commission convened in Regular Session in person with Assistant City Planner Glen Wetterow, Assistant Director Kimberly Smith, and Assistant City Attorney George Boyle present in the Community Room at 4:00 p.m., Wednesday, September 22, 2021.

The meeting was called to order by Chairperson Mohr.

ROLL CALL

Attendee Name	Title	Status
Mr. Tyson Mohr	Chair	Present
Mr. Justin Boyd	Vice Chair	Present
Mr. Thomas Krieger	Commissioner	Present
Mr. Mark Muehleck	Commissioner	Present
Mr. David Stanczak	Commissioner	Absent
Mr. John Danenberger	Commissioner	Present
Mr. Brady Sant-Amour	Commissioner	Present
Mr. Benjamin Muncy	Commissioner	Absent
Mr. George Boyle	Assistant Corporate Counsel	Present
Ms. Melissa Hon	Director of Economic & Community Development	Present
Mr. Glen Wetterow	City Planner	Present

PUBLIC COMMENT

No public comment.

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Mr. Boyd motioned to approve the minutes from the regular June 23, 2021 meeting with corrections (Under Regular Agenda Item A - Inquiry was made by Mr. Meuhleck and Mr. Moyr' s last name was misspelled). Mr. Muehleck seconded. Voice Vote: The ayes were unanimous, and the motion carried.

REGULAR AGENDA

- A. Z-22-21** 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 repair and 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.

Mr. Wetterow spoke on behalf of the City of Bloomington for the proposed text amendments. Mr. Wetterow informed the Planning Commission that only one text amendment was going to be brought before them today. The original intent was to present several text amendments, but only one text amendment is going to be addressed today and it is for auto repair and sale exclusions, definition, and zoning. This text amendment relates to the following case being presented to the Planning Commission and had to be addressed before the following case could be heard. At the regular City Council meeting on August 23rd 2021 City Council approved resolution 2021-31. This resolution allowed the City Council the authority to initiate text amendments to its zoning regulations, Chapter 44 of the Bloomington City Code and to direct the Bloomington Planning Commission to hold public hearings on said amendments. A need to modify the code as it related to automobile sales and services was identified. This why this amendment is before the Commission. Other amendments listed will be addressed at future Planning Commission meetings.

The City's Zoning Code underwent a comprehensive rewrite that was adopted in March 21, 2019 and after said rewrite some deficiencies related to auto repair were noted. One key deficiency was vehicle sale and service was not listed as a permitted use in B-1 zoning, but the older version of the code did permit vehicle sale and service in the B-1 zoning. Currently, auto repair and service is a Special Use in B-1 zoning. The definition of auto repair and service requires you refer to automobile service station. Many of the activities associate with automotive repair are not allowed under the definition of automobile service station. The permitted use table and the definitions of uses did not algin. Staff did not see the need to modify the permitted use table as the uses align with the zoning but did see the need for a change in the definition of vehicle repair and service to include the activities associated with this type of use. This change in definition now allows for vehicles repair and service use to better align with the permitted use table. Staff's recommendation is for Planning Commission to approve the change in definition as presented.

Chairmain Mohr asked if it would be fair to summarized this as a correction to an unintended consequence of the code change back in 2019. Mr. Wetterow stated that would be correct. Staff had consulted with the consultant who had assisted with the code change back in 2019

and in a version they had presented the definition had been reviewed. However, the version adopted did not have the revision. It is believed to have been an oversight.

No additional questions for staff.

Petitioner was present but did not have any questions or comments.

Public Hearing was closed.

Mr. Krieger motioned to accept the text amendment as presented. Mr. Muehleck seconded the motion. Roll call vote: Mr. Danenberger - Yes, Mr. Boyd - Yes, Mr. Muehleck - Yes, Mr. Krieger - Yes, Mr. Sant Amour - Yes, Mr. Mohr - Yes. The motion was approved (6-0-0).

- B. PR-07-21** Public hearing, review, and action on a petition submitted by Tim Dearman on behalf of Oldacre McDonald, LLC for an update to the Preliminary Planned Unit Development; and Legislative Site Review, with a Special Use Permit and possible variances, to allow vehicle repair and service in the B-1 (General Commercial) District, for the property located at 1106 S Veterans Parkway, Bloomington, IL 61704, PIN(S): 21-11-351-024, 21-11-351-025 (Ward 8)

Mr. Wetterow presented the case to the Planning Commission. He emphasized the previous text amendment was needed to proceed with this case. This case is for an automobile collision and repair service station. The business is located at 1006 S Veterans Parkway Rear. The address was incorrectly identified in the presentation and Mr. Wetterow noted that. The case mentions the need for potential variances. These variances were a result of deficiencies identified in the initial site plan provided and it was determined the best way to keep this case moving forward was to address the deficiencies as variances. Between the time the Commission received their packet and now, staff has been in communication with the petitioner and a revised site plan has been provided which addresses all the deficiencies in the initial site plan. There is no longer a need for any variances to be requested. The request before the Commission now is to approve as presented, with the revised site plan. Mr. Wetterow then went over his presentation on the case.

This case has three parts to it that need to be reviewed and approved by the Commission. Chapter 44, Section 17-9 requires a Legislative Site Plan Review. Chapter 44, Section 17-7 requires a review of the standards and conditions for a Special Use. Chapter, 44 Section 10-34 requires a review of the use, vehicle repair and service.

Mr. Wetterow asked the Commission how they would like him to proceed with his presentation based upon the revised site plan as it had impacted the the decision on some of the standards for review being met. Chairman Mohr suggested Mr. Wetterow address the standards where the determination had changed. Mr. Wetterow then proceeded with his presentation addressing only those standards where the determination had changed.

The site plan does indicate parking area conforms with the 12-foot setback from front yards and 6-foot setback from side and rear yards. The drive access does meet the 3-foot minimum requirement from side lot line and the number of parking spaces indicated does meet the number required by code (42). The parking is based upon the number of bays and there were

17 bays indicated within the building. An additional handicap parking space is indicated because it was required by the Illinois Accessibility Code.

The fence and landscaping indicated on the site plan that will ensure the impact on surrounding properties is minimized. The fence will screen the vehicles being stored outdoors. The Special Use also has a requirement for screening which is met via the indicated fence and landscaping.

Chairman Mohr highlighted this is a flowing process because staff is working with the petitioner to arrive at a mutually agreeable solution which he feels is a constructive way to approach it.

Chairman Mohr has a question about the site plan. He inquired about the bubbled area on the plan. Mr. Wetterow stated it is depicting existing foliage. He was not concerned, just curious.

No additional questions for staff.

Samantha Walley of Meyr Capel (202 N Center St) spoke on behalf of the petitioner, Tim Dearman. Ms. Walley highlighted that the legal description in exhibit A was not correct and the parcel identification numbers were also not incorrect. The phase 4 map and legal description did match. Ms. Walley called out that the proposed ordinance identifies a condition that the petitioner provide an updated preliminary site plan for the PUD prior to future development. Ms. Walley stated the petitioner will be happy to comply with this to the best of their ability, but the petitioner only purchased this portion of the subdivision and has not future development plans with the subdivision. They are unable to comply with this condition because it is dependent upon the subdivision property owner providing the updated plan, but will be happy to assist in helping update the future PUD plan. Mr. Wetterow apologize for interjecting, but he wanted to note that he had spoken to the petitioner about this condition and addressed it with the City's legal counsel and this condition is being removed.

Chairman Mohr asked Mr. Wetterow if exhibit A will be revised. Mr. Wetterow stated it would be apologized for the error.

The Commission had no questions for Mr. Walley and there were no other individuals wishing to speak on the case.

Chairman Mohr had a procedural question for Mr. Boyle. Since the conditions had been met by the updated site plan, did the conditions still need to be noted or can they proceed forward with the request. Mr. Boyle stated that the Commission could proceed forward with the request based upon the site plan (revised) as presented. Mr. Boyle did not see the need to refer to the conditions if they have been met.

Mr. Krieger motioned to approve to establish findings of fact that the subject property meets the site plan review criteria in Chapter 44.17-9 and Special Use criteria in Chapter 44.17-7 of the City Code. the proposed request the text amendment as presented. Mr. Danenberger seconded the motion. Voice vote: Ayes were unanimous, and the motion carried.

Mr. Muehleck motioned to recommend approval of the petition submitted by Tim Dearman on behalf of Oldacre McDonald, LLC for an update to the Preliminary Planned Unit Development; and Legislative Site Review, with a Special Use Permit, to allow vehicle repair and service in the B-1 (General Commercial) District with an updated exhibit A to reflect the accurate information about the parcel. Mr. Krieger seconded the motion. Voice vote: Ayes were unanimous, and the motion carried.

OLD BUSINESS

No items.

NEW BUSINESS

Chairman Mohr would like to find a time for the Commission to sit down together and get better acquainted as there has been a recent shift in the members on the Commission.

ADJOURNMENT

Mr. Danenberger motioned to adjourn. Mr. Muehlck seconded. Voice Vote: Ayes were unanimous, and the motion carried. The meeting was adjourned at 4:29 PM.