

**MINUTES
BLOOMINGTON PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, JULY 9, 2014, 4:00 P.M.
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE STREET, BLOOMINGTON, ILLINOIS**

MEMBERS PRESENT: Mr. Stuckey, Mr. Diamond, Mr. Balmer, Mr. Scritchlow, Mr. Cornell, Mr. Suess, Mr. Cain, Mr. Stanczak, Mr. Pearson, Mr. Wills

OTHERS PRESENT: Mr. Mark Woolard, City Planner
Mr. Frank Koehler, Interim Director of Planning and Code Enforcement
Ms. Rosalee Dodson, Assistant Corporation Counsel

CALL TO ORDER: Chairman Cain called the meeting to order at 4:00 P.M.

ROLL CALL: Mr. Woolard called the roll. A quorum was present.

PUBLIC COMMENT: Mr. Nick Williams, 5 Timber View Drive, requested an opportunity to reserve the possibility to make a public comment after the outcome of the items on the regular agenda.

MINUTES: The Commission reviewed the June 25, 2014 minutes. On page four, in the first sentence of the last paragraph, “in” is to be after “recalled”, “was” replaces “that” and insert “lines of” before “business.”

Mr. Stanczak moved to approve the corrected June 25, 2014, minutes. Mr. Balmer seconded the motion which passed by a vote of 9-0 with following votes being cast on roll call: Mr. Diamond-yes; Mr. Balmer-yes; Mr. Scritchlow-yes; Mr. Cornell-yes; Mr. Cain-yes; Mr. Suess-yes; Mr. Stanczak-yes; Mr. Pearson-yes; Mr. Stuckey-Present; Mr. Wills-absent.

REGULAR AGENDA:

Z-04-14. Public hearing and review on the petition submitted by the City of Bloomington, Illinois, a municipal corporation, requesting the amendment of Chapter 44 (Zoning), of the Bloomington City Code, Section 44.3-2, Definitions and Section 44.7-2.H, Minimum Number of Street Parking Spaces Required to address Parking for Senior Housing.

Chairman Cain introduced the case. Mr. Woolard explained the changes from the last meeting which included changes to the definition section and the parking standard section which includes doctors and nurses who are not employees. Staff is recommending approval.

Chairman Cain opened the public hearing. Mr. Koehler stated there seemed to be confusion with the definition of senior housing. He said the initial listing should include all items within paragraph E. The others, A, B, C and D, would follow from that. He explained the 10% rule for handicap parking would be minimal and be needed for the visitors.

Mr. Pearson stated his concern was that the 10% may require too many spaces. He stated Illinois State Accessibility Code only requires 1 handicap parking space per each 25 people. Mr. Koehler said he was thinking of visiting friends and family members who may require handicap parking. He said when dealing with the general population such a retail store, 1 to 25 may fit, however when dealing with a population of 55 years and older, there may be more of a preponderance of individuals that may need the additional parking. Mr. Pearson suggested the developer would have better working knowledge of parking needs. Mr. Koehler suggested the code should read '10% of those spaces attributable to the residence of the facility, not 10% of all employees.' Mr. Pearson said this was acceptable.

Mr. Scritchlow inquired if there was a benefit to an overview of all parking requirements city wide. Mr. Koehler stated much of the zoning code needs to be updated and the comprehensive plan may be able to address some of those needs. He said until we can all take time to sit down and address the entire code, it is helpful to address the code one need at a time as in this case.

Mr. Wills arrived at 4:13 P.M.

Mr. Stuckey voiced concern over the plus one space for the visiting health care providers. He suggested maybe a group of spaces for the peak time, however not a space for each provider involved at the facility. There was discussion on the appropriate number of parking spaces for visiting providers, staff and residence.

Chairman Cain asked if there were any questions, comments, or if anyone was in favor or in opposition to the petition and no one spoke. Chairman Cain closed the public hearing.

Mr. Wills requested to keep the language simple and clear.

Mr. Balmer moved to layover the case pending cleanup of the verbiage by staff. Mr. Diamond seconded the motion which passed by a vote of 10 to 0 with the following votes being cast on roll call: Mr. Wills-yes; Mr. Diamond-yes; Mr. Balmer-yes; Mr. Pearson-yes; Mr. Stanczak-yes; Mr. Scritchlow-yes; Mr. Cornell-yes; Mr. Suess-yes; Mr. Cain-yes; Mr. Stuckey-yes.

Z-05-14. Public hearing and review on the petition submitted by the City of Bloomington, Illinois, a municipal corporation, requesting the amendment of Chapter 44 (Zoning), of the Bloomington City Code, Section 44-3.2, Definitions, Section 44.6-30 Table of Authorized Principal Uses in Each Zoning District and Section 44.10 Special Use Regulations, to address Medical Marijuana.

Chairman Cain introduced the case. Mr. Woolard explained the draft has changed showing a special use designation for the B and C zoning districts for dispensing centers. A summary of the Illinois law was provided by legal. Staff is recommending approval.

Chairman Cain opened the public hearing. Mr. Koehler stated the regional planning commission is working to create a map to specify the 2500' setback for the cultivation center and a 1000' setback for distribution centers and the marked state licensed day care centers.

Mr. Scritchlow inquired if there was a benefit to having the cultivation centers as a permitted use, instead of a special use, within the M-1 and M-2 districts. Mr. Koehler stated the special use would allow for public hearings however no changes could be made contrary to the state mandated requirements. There was discussion on special uses verses permitted uses within a district. Mr. Koehler said there will be only one dispensing center and one cultivation center allowed within McLean County.

Mr. Woolard explained the use regulations can be thought of in three general categories for land uses which are permitted, prohibited or allowed with a special use permit. Mr. Koehler stated the dispensing center cannot be allowed in a residential building and is bound by the 1000' separation from schools and day cares.

Chairman Cain asked if there was anyone with questions, or who was in favor or in opposition to the petition. Mr. Nick Williams, 5 Timber View Drive, was sworn in and stated he is an attorney and that the documents which are required by the Illinois State statute are extensive and require much detail and cost. He said some of the requirements include an architectural plan including security aspects such as bullet proof glass and vault workings. Mr. Williams stated the state has already placed a special use designation onto this type of business and there is no need for a special use. He requested that the commission consider the distribution centers as permitted uses within the B and C districts and since there is a development committee to pole state licensed daycare and schools, there would be no need for a special use. He explained business owners don't want to come before a commission to be denied a special use permit after investing \$15,000 - \$20,000 to develop plans for the state application phase.

Chairman Cain asked if there was anyone else with questions, or who was in favor or in opposition to the petition and no one spoke. Chairman Cain closed the public hearing.

Mr. Balmer moved to recommend approval for case Z-05-14 and for the dispensary centers with permitted uses in C1, C2, C3, B1, B2, B3, M1 and M2. Mr. Wills seconded the motion which was passed by a vote of 8 to 2 with the following votes being cast on roll call: Mr. Wills-yes; Mr. Diamond-yes; Mr. Balmer-yes; Mr. Pearson-no; Mr. Stanczak-yes; Mr. Scritchlow-no; Mr. Cornell-yes; Mr. Suess-yes; Mr. Cain-yes; Mr. Stuckey-yes.

Z-06-14. Public hearing and review on the petition submitted by Evergreen Memorial Cemetery requesting the approval of a Rezoning from R-1C, Single-Family Residence District to S-2, Public Lands and Institutions, District for 1006 Wright Street.

Chairman Cain introduced the case. Mr. Woolard stated the applicants' intention is to place a parking lot onto the property for the cemetery patrons. He explained how possible uses of the property are compatible with the residential or unlikely because of the site's location and size. He said staff recommends approval of the rezoning.

Chairman Cain opened the public hearing and invited the petitioner representative to speak. Ms. Amelia Buragas, 23 Whites Place, Vice President of the Evergreen Memorial Cemetery Board of Trustees, was sworn in and stated the property acquisition is part of the cemetery's long term

plan. The new parking lot will not increase traffic as egress will be through the cemetery and not Wright Street. Ms. Buragas stated since this property is a township entity; this proposal has already been reviewed and approved several times. She said this is one way to improve services for patrons and not disturb the neighborhood. She also explained this lot may relieve some of the current on-street parking.

Chairman Cain asked if there were any questions, comments or if anyone was in favor or opposed to the petition from the audience. There was none and Chairman Cain closed the public hearing.

Mr. Cornell stated the proposed lot may reduce the on-street parking and is located in an advantageous spot for the cemetery.

Mr. Diamond moved to recommend rezoning approval for case Z-06-14 from R-1C to S-2. Mr. Cornell seconded the motion. Case Z-06-14 passed by a vote of 10 to 0 with the following votes being case on roll call: Mr. Wills-yes; Mr. Diamond-yes; Mr. Balmer-yes; Mr. Pearson-yes; Mr. Stanczak-yes; Mr. Scritchlow-yes; Mr. Cornell-yes; Mr. Suess-yes; Mr. Cain-yes; Mr. Stuckey-yes.

NEW BUSINESS: None

OLD BUSINESS:

Discussion of Comprehensive Plan: Mr. Woolard said there is information on the website and the plan is moving forward. Chairman Cain stated he will follow up regarding the status of the working groups.

ADJOURNMENT: There being no further business to come to the Bloomington Planning Commission's attention, Mr. Wills moved to adjourn this meeting. Mr. Balmer seconded the motion which was approved unanimously. The meeting was adjourned at 5:03 p.m.

Respectfully submitted,

Mark Woolard, City Planner

For further information contact:

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