



**PLANNING COMMISSION - REGULAR SESSION
COMMUNITY ROOM 1, 2ND FLOOR, BLOOMINGTON PUBLIC LIBRARY
205 E. OLIVE ST., BLOOMINGTON, IL 61701
WEDNESDAY, JULY 2, 2025, 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. Consideration and action to approve the Minutes of the June 4, 2025, regular meeting of the Bloomington Planning Commission. (Recommended Motion: The proposed Minutes be approved.)

5. Regular Agenda

- A. **Z-05-25** - Consideration, review and action on a request submitted by Lifelong Access, for the **Designation of The Daily Pantagraph Building as a Local Landmark, and a Zoning Map Amendment** to apply the S-4 (Historic Preservation District) Overlay, for the structure located at 301 W. Washington St., PIN 21-04-331-009. (Recommended Motion: Motion to establish findings of fact that subject structure **meets the criteria** to be classified as a Local Historic Landmark and reaffirm the Historic Preservation Commission's action designating it as such; Motion to establish findings of fact that the proposed Zoning Map Amendment to apply the S-4 (Historic Preservation District) Overlay is in the public interest and not solely for the benefit of the Applicant and **recommend approval** of the proposed Zoning Map Amendment; Motion to **approve**, or approve with amendments, the proposed Resolution.)
- B. **Z-04-25** - Public hearing, consideration, and action on a request by Kieser Farms, for an **Annexation Agreement and Zoning Map Amendment**, to the City A (Agriculture) District and City R-3A (Multiple-Family Residence) District upon annexation, pertaining to property commonly known as 502 Lutz Road, consisting of approximately 74.5 acres (PIN: 21-20-200-003). (Recommended Motion: Motion to establish findings of fact that the request for approval of the proposed Zoning Map Amendment to the A (Agriculture) District for Tracts A and C and to the R-3A

(Multiple-Family Residence) District for Tract B is in the public interest and not solely for the benefit of the Applicant or Property Owner and to **recommend approval** of the request. Motion to establish findings of fact that the request for approval of the proposed Annexation Agreement is in the public interest and not solely for the benefit of the Applicant or Property Owner and to **recommend approval** of the request.)

- C. **Z-06-25** - Public hearing, consideration, and action on a request by the Mark Rudicil, for a **Zoning Map Amendment** to the R-2 (Mixed Residence) District, for the property commonly known as 804 N. Clinton St. (PIN 21-04-232-013).
(Recommended Motion: Motion to establish findings of fact that the request for **approval** of the proposed Zoning Map Amendment to the R -2 (Mixed Residence) District is in the public interest and not solely for the benefit of the Applicant or Property Owner and to recommend approval of the request.)
- D. Consideration and Action to **Elect Positions** for Planning Commission leadership.
(Recommended Motion: Election of a new Chair, Vice-Chair, or both.)

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.



**PLANNING COMMISSION - REGULAR SESSION
WEDNESDAY, JUNE 4, 2025, 4:00 PM**

The Planning Commission convened in regular session at 4:04 PM, June 4, 2025. Vice Chair Beyer called the meeting to order.

Roll Call

Attendee Name	Title	Status
Jackie Beyer	Commission Vice Chair	Present
Goverdhan Galpalli	Commissioner	Present
Justin Boyd	Commission Chair	Present (4:04 PM)
Mary Ann Cullen	Commissioner	Present
Mark Muehleck	Commissioner	Present
David Lewis	Commissioner	Present
Rachel Mosley	Commissioner	Present
Thomas Krieger	Commissioner	Present
William Peradotti	Commissioner	Present
Anna Sochotsky	Commissioner	Absent

Staff Present: George Boyle, Assistant Corporation Council; Kelly Pfeifer, Director of Development Services; Jon Branham, Planner II; Alissa Pemberton, Planning Manager.

Public Comment

No public comment was provided.

Consent Agenda

Commissioner Krieger made a motion, seconded by Commissioner Muehleck, to approve the consent agenda as presented.

AYES: Lewis; Mosley; Krieger; Muehleck; Peradotti; Beyer; Galpalli; Cullen

Motion carried (viva voce).

Item 4.A. Consideration and action to approve the Minutes of the March 5, 2025, regular meeting of the Bloomington Planning Commission.

Regular Agenda

The following item was presented:

Item 5.A. **Z-02-25** - Public hearing, consideration, and action on a request by the City of Bloomington, for Zoning Map Amendments to the P-2 (Public Lands and Institutions) District, for the properties located at 801 N. Martin Luther King Jr. Dr. (PIN 14-32-351-

003), 2418 Maloney Dr. (PIN 21-02-277-017), 205 N. Prospect Rd. (PIN 21-02-253-014), and 409 E. Mulberry St. (PIN 21-04-256-005).

Ms. Pemberton presented the Staff Report, with a recommendation for approval, explaining the key motivation for the zoning change is to provide clarity about the future use of these properties for current and future property owners in the vicinity. Three properties are currently being used as detention basins and will continue to be used as such. The fourth property is a church with an associated parsonage; the church will continue to operate, while the parsonage will be demolished to create green infrastructure to alleviate localized flooding and reduce stress on combined sewers. By changing the zoning to P-2 (Public Lands and Institutions), the Zoning Map will better communicate the actual and intended use of these properties. Pemberton noted that while the current uses can continue, the zoning change helps people understand the future potential of the land and ensures the zoning accurately reflects its current and planned functions.

Vice Chair Beyer asked about allowable uses under the new zoning, specifically whether homeless shelters would be permitted by right. Ms. Pemberton confirmed that the P-2 zoning does allow Shelters as Permitted by Right, this clarified that in practice these properties are not suitable for homeless shelters due to lack of access and small size, so such development is not a realistic concern. The discussion emphasized that the zoning change is intended to provide clarity and accurately reflect the properties' actual and intended uses.

Chair Boyd arrived at 4:04 PM.

Vice Chair Beyer asked about the potential for the city to purchase adjacent lots to enable new development. Ms. Pemberton explained that such redevelopment would be extremely costly and complex, involving major infrastructure changes due to the existing use of the City-owned property as detention basin. She emphasized that adjacent lots would remain in their current zoning and any future change in zoning of additionally purchased lots would still require the normal public hearing. She also noted that if P-2 properties cease to be used for P-2 uses they revert to the R-1A district, ensuring more appropriate future use. She restated the overall goal of providing clarity and setting realistic expectations for the public regarding the future of these properties.

Vice Chair Beyer inquired whether agricultural or residential zoning would be more appropriate as a placeholder for the properties in question. Ms. Pemberton explained that agricultural zoning is often misunderstood by the public, and that P-2 zoning more accurately sets expectations for future land use. Ms. Pemberton noting that while the city and church uses are likely to remain for the foreseeable future, if use ever does cease operation, the properties would revert to residential zoning. The overall rationale is to ensure the zoning reflects both current use and realistic long-term expectations for the area.

Vice Chair Beyer opened the public hearing.

No public testimony was provided.

Vice Chair Beyer closed the public hearing.

Jon Branham noted that Chair Boyd had joined at 4:04 PM, after item review had started, and is not eligible to vote.

Commissioner Krieger made a motion, seconded by Commissioner Cullen, to establish findings of fact, as presented in the Staff Report, that the request for approval of the following Zoning Map Amendments are in the public interest and not solely for the benefit of the Applicant or Property Owner and to recommend approval of the requests:

- **Amend the property at 801 N. Martin Luther King Jr. Dr., from B-1 to P-2;**
- **Amend the property at 2418 Maloney Dr. from A to P-2;**
- **Amend the property at 205 N. Prospect Rd. (PIN 21-02-253-014), from B-1 to P-2; and**
- **Amend the property at 409 E. Mulberry St. (PIN 21-04-256-005) from R-2 to P-2.**

Vice Chair Beyer directed the clerk to call roll:

AYES: Lewis; Mosley; Krieger; Muehleck; Peradotti; Beyer; Galpalli; Cullen

ABSTAIN: Boyd

Motion passed.

Chair Boyd took over as the presiding Chair of the meeting.

The following item was presented:

Item 5.B. **Z-03-25** - Public hearing, consideration, and action on a request by the City of Bloomington, for the approval of text amendments, modifications and additions to the Zoning Code of the City of Bloomington, Illinois (Chapter 44 of the Bloomington City Code, 1960), relating to 1) allowed uses tables, (2) bulk and site standards, (3) transitional yards, (4) use provisions, and 5) administrative procedures.

Ms. Pemberton explained that the proposed amendment package is smaller than originally planned, with any items focused on allowing missing middle housing uses postponed. She presented the Staff Report, with recommendation for approval.

She explained the main focus of the first item is clarifying the distinction between use and ownership in zoning, particularly to address challenges with condominium financing and to allow for fee simple ownership of multi-unit buildings that can already be built under the current Zode. She provided the example of townhouses that can already be built, but almost exclusively result in the development of rental units due to zoning provisions that result in the governance of ownership rather than just use and form.

Vice Chair Beyer pointed out that “Fee Simple” is also a recommendation from the Opticos report on zoning barriers, so it seems related to missing middle housing. Ms. Pemberton explained that it is related to all real estate finance and that it would be an expected result of almost any report done in any jurisdiction for how to facilitate the development of any housing type.

Ms. Pemberton explained the focus of the second item is allowing for select commercial uses in the most “Urban” residential districts: R-3B and R-D. This is primarily about

facilitating Mixed Use items, like allowing a public coffee shop or gym to be integrated with a larger scale residential project that could already be constructed in those Districts. She noted that any implementation of the new uses that occurred outside of a Mixed Use development would result in the use requiring a Special Use Permit.

The third item addressed by Ms. Pemberton was a clarification of terminology for the tables in the R-2 and R-3 Districts. Since the Use Tables and the Bulk and Site Tables classify things slightly differently, notes are proposed for the Bulk and Site Tables to explain which line items correlate between the two.

Next, Ms. Pemberton explained changes proposed to improve the practical buildability of the kinds of structures that are already permitted in the Zoning Code. She explained that the Division has been working with Building Safety and private developers for an extended period of time to identify pain points where the Code does not align with practical construction practices. Duplicate and triplicate regulation has been identified (FAR in addition to size/setback/height), minimum lot areas per dwelling unit that are the same as the minimum lot size mean that ADUs are unbuildable on most conventional lots in any District (and don't align with the prescribed densities for the districts and/or other bulk/site requirements), physically described heights don't align with conventional heights described in feet, and some of the existing height limitations are not practical points of differentiation from a Building Code standpoint.

Vice Chair Beyer pointed out that many of the recommendations being made are also recommendations from the Opticos report on zoning barriers. Ms. Pemberton explained that there is going to be overlap between recommendations for how to enable and how to enable practical development of housing of any type and how to enable a specific type of housing (missing middle), since one is a subset of the other.

Director Pfiefer explained that the currently proposed changes are not coming from recommendations that have been presented by Opticos as part of the Missing Middle Housing Study. These recommendations have come from practical experience with the difficulties of developing the structures that are currently allowed in the City's Zoning Code, having been identified through working on Variances, Waivers, Development Agreements, etc.

Ms. Pemberton highlighted that no use permissions are changing that allow missing middle housing types that are not currently allowable, minimum lot widths are not recommended for change, and many of the other items that enable or create the kinds of structures referred to as "Missing Middle" housing are still barriers in the current Zoning Code, with no recommendations for correction in the current proposal.

Vice Chair Beyer said it appears that the Commission is being asked to act on things that align with recommendations in the Opticos report that Council declined to act on. Ms. Pemberton explained that conversations related to the items before the Commission have been in process for a long time, with many of the current Commissioners having been present for them. While the proposed text amendments overlap with recommendations from the Opticos report, they were developed independently by city staff to address persistent issues in the zoning code. She noted that many planners would identify the same barriers to development, regardless of the

report, and emphasized that the amendments are intended to resolve widely recognized obstacles and improve the practicality and clarity of the city's zoning regulations. The changes are not a direct response to the Opticos report, but rather reflect common best practices and local experience.

Additional discussion ensued, relating to the reasons for specific changes related to height and construction type, including commonly granted variances and waivers, language improvements and the creation of supportive imagery to improve understanding.

Chair Boyd asked about inconsistencies that continue to be found throughout the Code that was adopted in 2019. Ms. Pemberton explained that current staff has tried to identify the cause for inconsistencies with the documented discussions held by the Commission during those efforts and the results of the codified Code, but the documentation is difficult and it makes the most sense to just move forward from what is currently adopted.

Ms. Pemberton discussed the final component of the proposed text amendments which aligned terms in the Use Tables with the existing definitions in § 44-16, related to Automobile/Vehicle Service/Fueling Stations which had somehow been integrated as the same Use as Vehicle Repair & Service which is defined as a semi-heavy industrial use, including engine work, grinding, and painting, resulting in complicated overlap and the inappropriate assignment of Use Provisions to what would, otherwise, be a somewhat common development.

Finally, Ms. Pemberton noted that the changes to § 44-17 were the same in content that the Commission previous reviewed, but with enough change to language after review by the Legal Department that staff felt it was best to re-run the proposed changes back through the Commission for good measure. She clarified that the one major language change was related to the expression of how Variances that receive a majority vote of fewer than four (4) are handled, since they require a vote of four or more to be "approved."

Commissioner Lewis asked what Council would use as the information to determine whether they should grant or deny the Variance once it was referred to them. Ms. Pemberton explained they would use the Findings of Fact transmitted by the Zoning Board of Appeals (and the documented record of the public hearing).

Vice Chair Beyer asked to go back to the proposed content related to Assisted Living Facilities in P-2, asking why the addition was occurring since the use was already permitted. Ms. Beyer and staff reviewed the proposed content, a printed copy of the Zoning Code, and the official eCode version of the Zoning Code, determining that the inquiry was related to a printed copy of the Code that was no longer accurate and that the official version of the Code did no longer include the Use in P-2, as it was omitted by accident during the reorganization of the Residential Uses in the Use Tables. The inquiry was withdrawn.

Chair Boyd opened the public hearing.

Noah Tang (504 E. Olive St.) spoke in favor of the proposed text amendments. He highlighted how current zoning and subdivision codes make it difficult for multi-unit residential structures to be owner-occupied, resulting in more rental properties despite the demand for ownership. He advocated for changes that would allow fee simple ownership, which he argued would promote generational wealth, neighborhood stability, and better infill development. He also shared a personal experience about the challenges of building an accessory dwelling unit (ADU) for family use under the current code, emphasizing the need for reforms to make it easier for homeowners to provide housing for relatives and support multi-generational living.

Dakota Black, local resident from Baker Street, spoke in favor of the proposed text amendments. He highlighted the benefits of allowing retail and restaurant uses by Special Use in certain residential districts, which would enable small, neighborhood-oriented businesses like coffee shops with apartments above. He emphasized that these changes would not result in large commercial developments in residential areas, but would instead foster vibrant, walkable neighborhoods. He also shared a personal goal of owning a shop with a residence above and discusses the importance of accessory dwelling units (ADUs) for supporting multi-generational living, particularly for family members with health needs.

Chair Boyd closed the public hearing.

Vice Chair Beyer asked for clarification on whether a new definition for Vehicle Repair & Service needs to be created since the terms in the Use Provisions and Use Tables have been changed. Ms. Pemberton explained that all of the terms have existing definitions, and the tables and provisions have been corrected to align with those definitions.

Vice Chair Beyer asked why the building height was removed. Ms. Pemberton explained that the Commission had reviewed and approved multiple requests for waivers of this provision since it was adopted, and the buildings would still not be able to violate height restrictions of any subject District. Chair Boyd affirmed the history of the item.

Commissioner Muehleck left at 4:55 PM.

Vice Chair Beyer asked Corporation Council for clarification on whether the recommendations are tied to the Opticos report or whether the Commission is ok to approve them. Chair Boyd asked for clarification that the proposed recommendations are independent of the report. Ms. Pemberton confirmed, explaining that missing middle housing types are not allowed by any of the proposed amendments, but would not be harmed by the proposed amendments either. Vice Chair Beyer clarified her request to Corporate Council, asking for verification that acting on unrelated recommendations provided by staff that happen to also be present in the Opticos report is appropriate. Mr. Boyle advised that the text amendments have been proposed by City Staff and there are existing standard for review that can be applied to determine their appropriateness.

Commissioner Krieger made a motion, seconded by Commissioner Cullen, to establish findings of fact that the proposed text amendments are in the public

interest, and recommend that City Council approve the proposed text amendments, with the following language as replacement for the second sentence of § 44-1708G (Variances, Approval), “If the majority of the members who consider an application vote in favor, but the majority is less than four (4), the matter may be referred to Council for final action. For example, if only 5 members are present, and 3 of the 5 members vote to approve, the matter may be referred to council.”

Chair Boyd directed the clerk to call roll:

AYES: Boyd; Lewis; Mosley; Krieger; Peradotti; Beyer; Galpalli; Cullen

Motion passed.

New Business

The following item was presented:

Item 6.A. Presentation of the Draft Regional Strategic Land Use Map for McLean County, Town of Normal, and the City of Bloomington (City focus).

Ms. Pemberton introduced Anthony Baumann from the McLean County Regional Planning Commission (MCRPC).

Mr. Baumann presented the Strategic Land Use Map and Plan to the Commission. He explained that the map is a planning tool designed to help local planners make informed decisions about future development in the community. He described the process of creating the map, which involved gathering and refining existing land use data from multiple sources and collaborating with local staff. The resulting maps—both existing and future land use—are intended to address immediate development pressures and provide a foundation for more detailed planning and decision-making for future projects in the region. He reviewed the newly created land use classifications, noting they are intended to guide future development and provide flexibility for staff decision-making. These classifications are standardized across the City, Town, and County to ensure consistency, while still meeting the specific needs of each municipality. He also noted that the Strategic Land Use Map document includes detailed definitions and descriptions for each land use category, offering staff a clear guide for making future development decisions and ensuring clarity in the planning process.

Vice Chair Beyer asked why the presentation was not attached to the agenda packet. Ms. Pemberton explained that it will be attached as an Exhibit to the Minutes, but since it is a non-voting item, presented by an outside agency, the precise presentation was not available at the time the packet was published.

Mr. Baumann explained that his presentation is purely informational. The Draft Plan will be issued for public comment soon, and he hopes that all of the Commission members will review and provide their feedback on the draft.

Commissioner Peradotti asked Mr. Baumann to highlight where the biggest differences between the current and future proposed maps and explain the significance. Mr. Baumann explained that for the City, specific growth areas are called out, with short explanations of the relevance and restrictions, prepared by local staff.

Commissioner Galpalli asked for clarification on whether the maps evaluate projects already in progress. Mr. Baumann explained that the maps are informed predictions about how development pressures not included in prior iterations of the Comprehensive Plans can, or will, be addressed.

Chair Boyd asked for clarification on the timeline. City Planning Commission tonight, Town of Normal tomorrow, then another touch-base with local staff. Mr. Baumann expected the public draft to be issued sometime in the next two (2) weeks and staff will make sure the Commission receives the information to participate in the comment period.

Adjournment

Commissioner Krieger made a motion, seconded by Commission Vice Chair Beyer, to adjourn the meeting.

AYES: Boyd; Lewis; Mosley; Krieger; Peradotti; Beyer; Galpalli; Cullen

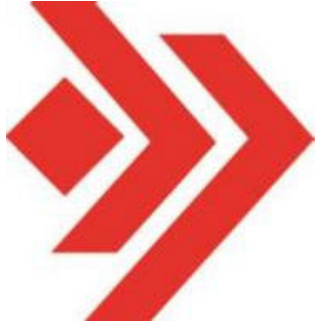
Motion carried (viva voce).

The Meeting Adjourned at 5:09 PM.

CITY OF BLOOMINGTON

Justin Boyd, Chair

Alissa Pemberton, Staff Liaison



City of Bloomington
Planning Commission
June 6, 2025



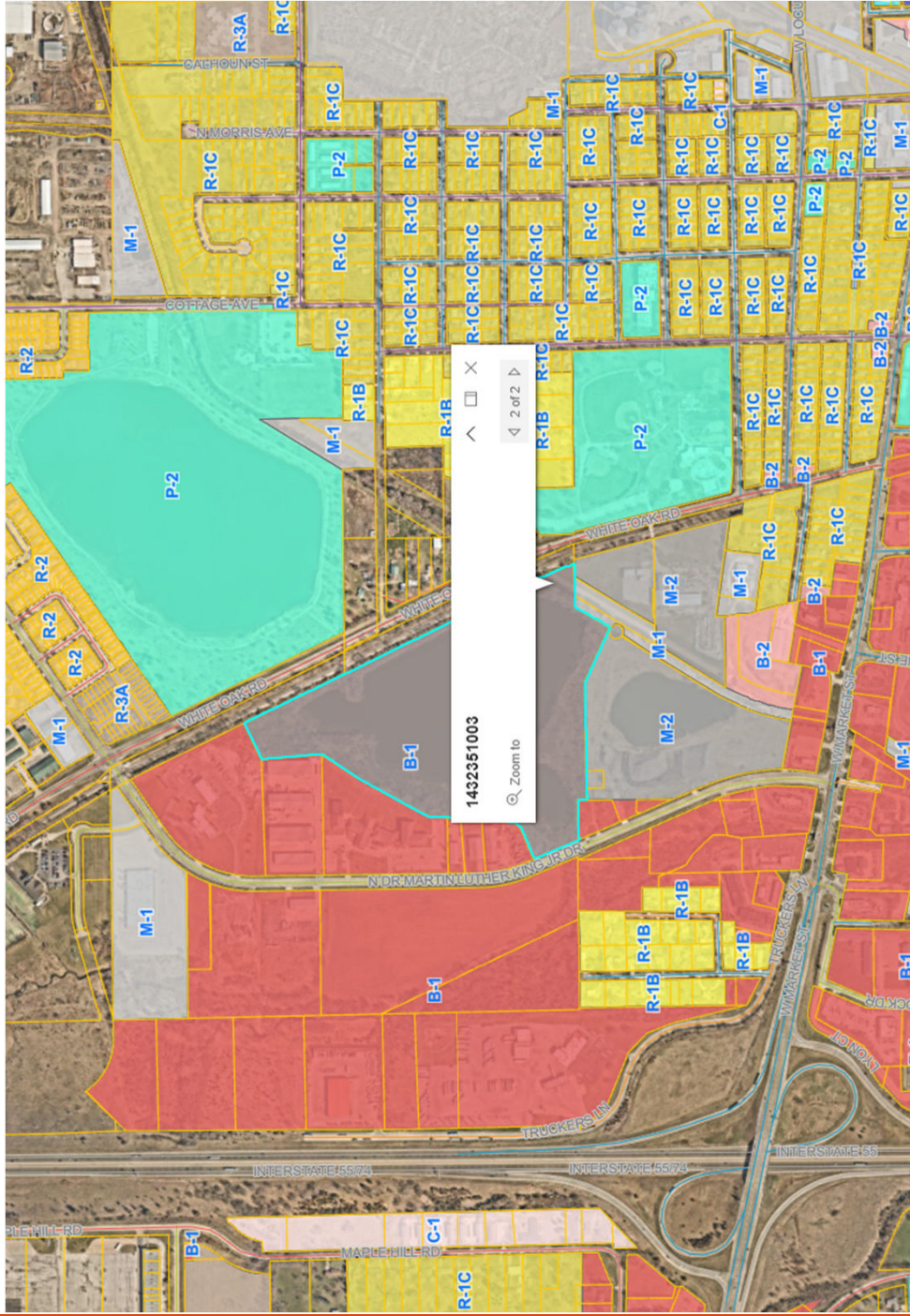
**CITY OF BLOOMINGTON
PLANNING COMMISSION
JUNE 4, 2025**

Regular Agenda

Item	Case Number	Description
4A	N/A	Consideration and action to approve the Minutes of the March 5, 2025, regular meeting of the Bloomington Planning Commission.
5A	Z-02-25	Public hearing, consideration, and action on a request by the City of Bloomington, for Zoning Map Amendments to the P-2 (Public Lands and Institutions) District, for the properties located at 801 N. Martin Luther King Jr. Dr. (PIN 14-32- 351-003), 2418 Maloney Dr. (PIN 21-02-277-017), 205 N. Prospect Rd. (PIN 21-02- 253-014), and 409 E. Mulberry St. (PIN 21-04-256-005).
5B	Z-03-25	Public hearing, consideration, and action on a request by the City of Bloomington, for the approval of text amendments, modifications and additions to the Zoning Code of the City of Bloomington, Illinois (Chapter 44 of the Bloomington City Code, 1960), relating to 1) allowed uses tables, (2) bulk and site standards, (3) transitional yards, (4) use provisions, and 5) administrative procedures.
6A	N/A	Presentation of the Draft Regional Strategic Land Use Map for McLean County, Town of Normal, and the City of Bloomington (City focus).

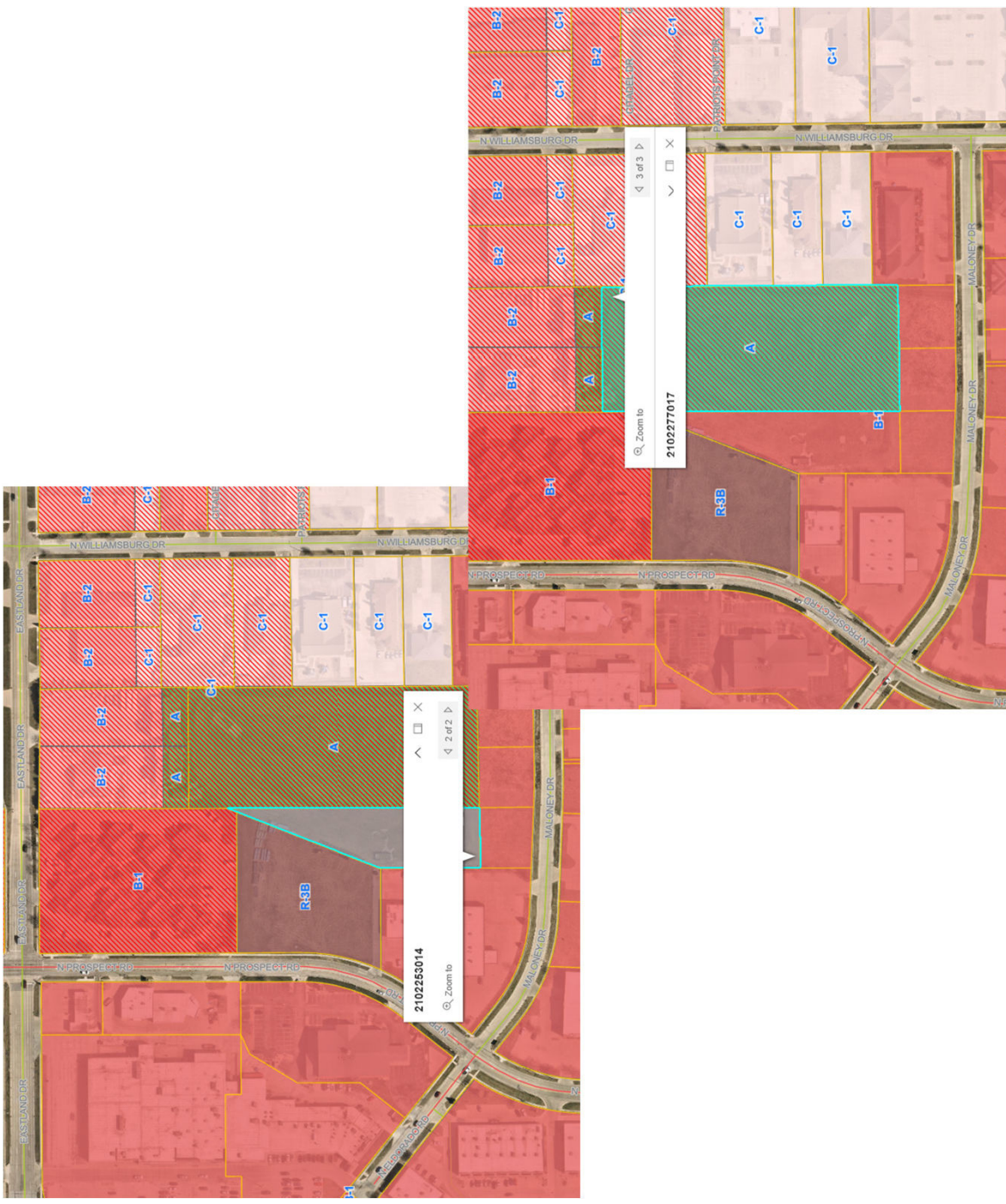
Z-02-25

Public hearing, consideration, and action on a request by the City of Bloomington, for Zoning Map Amendments to the P-2 (Public Lands and Institutions) District, for the properties located at **801 N. Martin Luther King Jr. Dr. (PIN 14-32-351-003)**, **2418 Maloney Dr. (PIN 21-02-277-017)**, **205 N. Prospect Rd. (PIN 21-02-253-014)**, and **409 E. Mulberry St. (PIN 21-04-256-005)**.



Z-02-25

Public hearing, consideration, and action on a request by the City of Bloomington, for Zoning Map Amendments to the P-2 (Public Lands and Institutions) District, for the properties located at 801 N. Martin Luther King Jr. Dr. (PIN 14-32- 351-003), 2418 Maloney Dr. (PIN 21-02-277-017), 205 N. Prospect Rd. (PIN 21-02- 253-014), and 409 E. Mulberry St. (PIN 21-04-256-005).



Z-02-25

Public hearing, consideration, and action on a request by the City of Bloomington, for Zoning Map Amendments to the P-2 (Public Lands and Institutions) District, for the properties located at 801 N. Martin Luther King Jr. Dr. (PIN 14-32- 351-003), 2418 Maloney Dr. (PIN 21-02-277-017), 205 N. Prospect Rd. (PIN 21-02- 253-014), and **409 E. Mulberry St. (PIN 21-04-256-005)**.



Standards for Review - Map Amendments

The suitability of the subject property for uses authorized by the existing zoning.

The length of time the property has remained vacant as zoned considered in the context of land development in the area.

The suitability of the subject property for uses authorized by the proposed zoning.

The existing land uses and zoning of nearby property.

Relative gain or hardship to the public as contrasted and compared to the hardship or gain of the individual property owner resulting from the approval or denial of the zoning amendment application.

The extent to which adequate streets are connected to the arterial street system and are available or can be reasonably supplied to serve the uses permitted in the proposed zoning classification.

The extent to which the proposed amendment is inconsistent with the need to minimize flood damage and that the development of the subject property for the uses permitted in the proposed zoning classification will not have a substantial detrimental effect on the drainage patterns in the area.

The extent to which adequate services (including but not limited to fire and police protection, schools, water supply, and sewage disposal facilities) are available or can be reasonably supplied to serve the uses permitted in the proposed zoning classification

The extent to which property values are diminished by the restrictions of the proposed zoning.

Whether a Comprehensive Plan for land use and development exists, and whether the amendment is in harmony with it.

Whether the City needs more of the types of uses allowed in the proposed district.



Staff Recommendation CASE Z-02-25

Staff finds that the standards for map amendments have been adequately addressed.

Recommended Actions:

Motion to establish findings of fact, as presented in the Staff Report, that the request for approval of the following Zoning Map Amendments **are in the public interest and not solely for the benefit of the Applicant or Property Owner** and to recommend **approval** of the requests:

- Amend the property at 801 N. Martin Luther King Jr. Dr., from B-1 to P-2;
- Amend the property at 2418 Maloney Dr. from A to P-2;
- Amend the property at 205 N. Prospect Rd. (PIN 21-02-253-014), from B-1 to P-2; and
- Amend the property at 409 E. Mulberry St. (PIN 21-04-256-005) from R-2 to P-2.

Z-03-25

Public hearing, review, and action on a request initiated by the City of Bloomington, for the approval of text amendments, modifications and additions to the Zoning Code of the City of Bloomington, Illinois (Chapter 44 of the Bloomington City Code, 1960), relating to 1) allowed uses tables, (2) bulk and site standards, (3) transitional yards, (4) use provisions, and 5) administrative procedures.

Separating "Use" and "Ownership" to Increase the Potential for Owner-Occupied Residential Structures

and operations to that of the proposed use, a text amendment may be initiated pursuant to Article XVII to establish parameters for permitting such use within the City of Bloomington.

- (6) Minimum Lot Width. Minimum lot width, as used in the tables below, refers to a "Zoning Lot" or the size of an area that can accommodate structures and associated setbacks, not an ownership construct. Upon subdivision, multiple "Lots of Record" may be included in the zoning lot that governs the use and buildability of property.

B. Allowed Uses Table. [Amended 2-8-2021 by Ord. No. 2021-5; 10-24-2022 by Ord. No.

Allowing for Select Commercial Uses in the Most "Urban" Residential Districts

Retail and Service													
Drug Stores and Pharmacies									S ²	S ²	S ²	S ²	S ²
Grocery Stores, Supermarkets									S ²	S ²	S ²	S ²	S ²
Retail Sales, General Restaurants									P ²	P ²	P ²	P ²	S
Specialty Food Shops									P ²	P ²	P ²	P ²	S
INDUSTRIAL													
Utilities													
Public or Private Utility Facility, Minor									P	P	P	P	P
Private Solar Energy Conversion Facilities									P	P	P	P	\$ 44-1031
Wireless Communication Facilities									S	S	S	S	\$ 44-1037

- Notes:
1. Maximum permitted height is 45 feet or three stories, whichever is lower.
 2. The use shall be located within a building containing multiple family or office uses in the C-3B District and shall not be permitted within a Mobile Home or Dwelling Unit in the R-4 District. The maximum permitted floor area is 1,000 square feet for Clothing Care, 1,000 square feet for Personal Care or 5,000 square feet for Drug Stores, Pharmacies, and Grocery Stores. Must be as part of Mixed-Use development, or becomes Special Use.
 3. Premises must be an owner/operator-occupied residential building of historic architectural significance located on a lot in an S-4 Historic Preservation District and suitable to be used as a "place of assembly," defined herein.

Z-03-25

Public hearing, review, and action on a request initiated by the City of Bloomington, for the approval of text amendments, modifications and additions to the Zoning Code of the City of Bloomington, Illinois (Chapter 44 of the Bloomington City Code, 1960), relating to 1) allowed uses tables, (2) bulk and site standards, (3) transitional yards, (4) use provisions, and 5) administrative procedures.

Notes for Uses in R-2 and R-3

Detached Residential ¹	50 feet	6,600	25 feet	6 feet	25 feet	35 feet	2-5.3
Attached and Multi-Residential ²	75 feet	7,000	25 feet	6 feet	25 feet	35 feet	2-5.3
Other Uses	50 feet	7,000	25 feet	6 feet	25 feet	25-45 feet	4-2

* May include multiple lots of record, according to a subdivision

- Includes single-family and two-family stacked structures.
- Includes single-family attached, two-family side-by-side, and multiple-family

Addressing Duplicative or Impractical Bulk and Site Standards (re: Practicality and Buildability)

Table 403B: Bulk and Site Standards R-2 District

District	Lot Characteristics				Site Design			Development Intensity		
	Min. Buildable Lot Width (W) ¹	Min. Lot Area (square feet)	Front Yard (F) Min.	Side Yard (S) Min.	Rear Yard (R) Min.	Min. Lot Area per Dwelling Unit (square feet)	Floor Area Ratio (FAR)	Max. Building Height Feet	Stories	
R-3A	50-70 feet	6,600	30-25 feet	6-10 feet	30-25 feet	6,600	—	40-35	2-5.3	
Single- and Two-Family Residential ¹	70 feet	7,000	30-25 feet	10 feet	30-25 feet	4,500	0.5	48-35	2-5.1	
Detached Residential ¹	70 feet	7,000	30-25 feet	10 feet	30-25 feet	7,000	—	48-35	2-5.1	
Other Uses										
R-3B	60 feet	5,000	20 feet	6 feet	25 feet	2,500	—	45-35	2-5.3.5	
Single- and Two-Family Residential ¹										
Detached Residential ¹				Min. 9 feet or 1/3 of building height for buildings > 3 stories	25 feet	630	0.8	80-65 ¹ -3	6	
Attached and Multi-Residential ²										

Z-03-25

Public hearing, review, and action on a request initiated by the City of Bloomington, for the approval of text amendments, modifications and additions to the Zoning Code of the City of Bloomington, Illinois (Chapter 44 of the Bloomington City Code, 1960), relating to 1) allowed uses tables, (2) bulk and site standards, (3) transitional yards, (4) use provisions, and 5) administrative procedures.

Clarifying Transitional Yards in Residential Districts

as a line or demarcation.

- (2) In addition to the minimum requirements of the underlying zoning district, lots rezoned to the R-3A, R-3B and R-4 District that are adjacent to a lot in the R-1A, R-1B, R-1C, R-1H or R-2 District shall provide additional transitional front, side and rear yards equivalent to half of the difference between the required yard of the subject property, and of the required yard of the adjacent District as follows: See the example in Figure 404B.
 - (a) Front yard: equal to of the adjacent R-1A, R-1B, R-1C, R-1H or R-2 District.
 - (b) Side yard: equal to 10 feet plus the required minimum side yard of the adjacent R-1A, R-1B, R-1C, R-1H or R-2 District.
 - (c) Rear yard: equal to 15 feet plus the required minimum rear yard of the adjacent R-1A, R-1B, R-1C, R-1H, or R-2 District.

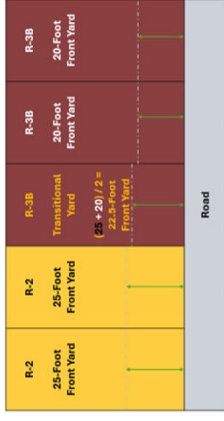


Figure 404B

Correcting/Clarifying Vehicle Fueling/Automobile Service/Repair and Service

Dwelling, Single-Family Attached	S	P	S	S	P	P ¹	P ¹	\$ 44-1046
Dwelling, Two-Family	P	P	S	S	P	P ¹	P ¹	\$ 44-1046
...								
COMMERCIAL								
...								
Vehicle Fueling and Automobile Service Stations			P	S				
Vehicle Repair and Service			S					\$ 44-1034
...								

Synonyms in the Definitions section

Z-03-25

Public hearing, review, and action on a request initiated by the City of Bloomington, for the approval of text amendments, modifications and additions to the Zoning Code of the City of Bloomington, Illinois (Chapter 44 of the Bloomington City Code, 1960), relating to 1) allowed uses tables, (2) bulk and site standards, (3) transitional yards, (4) use provisions, and 5) administrative procedures.

Administrative Procedures

§ 44-1702 [Ch. 44, 17-2] **Decision-making Bodies** (Zoning Board of Appeals, Historic Preservation Commission, Planning Commission).
A. General

- ... (3) Meetings.
 - (a) A quorum shall consist of a majority of the members currently serving. All decisions or actions of the Board or commission shall be made by a majority vote of those members present and voting at any meeting where a quorum exists.
 - (b) ~~The Decision-Making Bodies identified in this section shall establish annual meeting schedules, which shall include at least one meeting per month to be held at a regular time and place. Additional meetings shall may also be held at scheduled at regularly-scheduled times established herein or at any time upon the call of the chairperson, and shall comply with the requirements of the Illinois Open Meetings Act.~~
 - (c) No member of the Board or commission shall vote on any matter that may materially or apparently affect the property, income, or business interest of that member.
 - (d) The chairperson, and in his or her absence the acting chairperson, may administer oaths and compel the attendance of witnesses.
 - (e) All meetings shall be conducted in accordance with the Open Meetings Act, 5 Illinois Compiled Statutes 120/1, et seq., ~~and the requirements set out in this Code.~~

Additional clarification:

- G. Approval. An affirmative vote of four members is required to approve a the variance. ~~If a winning majority vote in favor of a variance is by fewer than four members then the case may be referred to City Council for final action.~~

If the majority of the members who consider an application vote in favor, but the majority is less than four (4), the matter may be referred to Council for final action. For example, if only 5 members are present, and 3 of the 5 members vote to approve, the matter may be referred to council.

Compliance with the 2035 Comprehensive Plan

The proposed Text Amendments contribute to:

- N-1.1a (Update the ordinances and regulations as needed to accomplish the goals of the Comprehensive plan); and,
- N-1.2d (Identify and eliminate the barriers for infill development); and,
- H-1.1a (Review and improve the current ordinances, codes, regulations, and permitting processes and fees, as needed and desirable, to provide more efficient mechanisms for new developments and redevelopment opportunities); and,
- ED-4.2 (Prioritize infill and redevelopment to spur growth and reinvestment in the City); and,
- ED-4.5 (Identify and reduce barriers for local growth and economic development).

Standards for Review - Text Amendments

The extent to which the proposed amendments are consistent with the public interest, giving due consideration for the purpose and intent of this code as set forth in § 44-1701 herein.

The extent to which property values are diminished by the proposed particular zoning restriction.

The extent to which the destruction of property values promotes the health, safety, morals, or general welfare of the public.

Whether a Comprehensive Plan for land use and development exists, and whether the amendment is in harmony with it.

Whether the City needs the additional types of uses or development allowed by the proposed amendment.

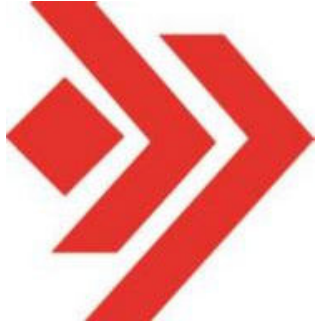


CASE Z-03-25

Recommended Action(s):

Motion to establishing findings of fact that the proposed text amendments are or are not in the public interest, and recommending that City Council approve or deny the proposed text amendments.

Reminder: We will walk through what the *facts* are for each standard, including any the Commission would like to adopt from the Staff Report, and adding any presented during public testimony that the Commission feels is relevant, then a motion to adopt all at one may be made.



Next Meeting

June 2, 2025

Strategic Land Use Map

For McLean County, Bloomington, & Normal

Progress Report

June 4th, 2025



MCLEAN COUNTY
Regional Planning Commission

Background

- A Strategic Land Use Map is a planning tool that allows planners to make informed decisions on future development projects in the community.
- The Strategic Land Use Map provides the foundation for a more in-depth review and analysis of land use in the McLean County Comprehensive update, as well as the City and Town Comprehensive plan updates.
- This map is intended to address the immediate development pressures in Bloomington-Normal without having to wait years for the development of the City and Town Comprehensive Plan updates.

Existing Land Use Map Data

- The Existing Land Use Map was created using these three data sources.

**McLean County
Supervisor of
Assessments**

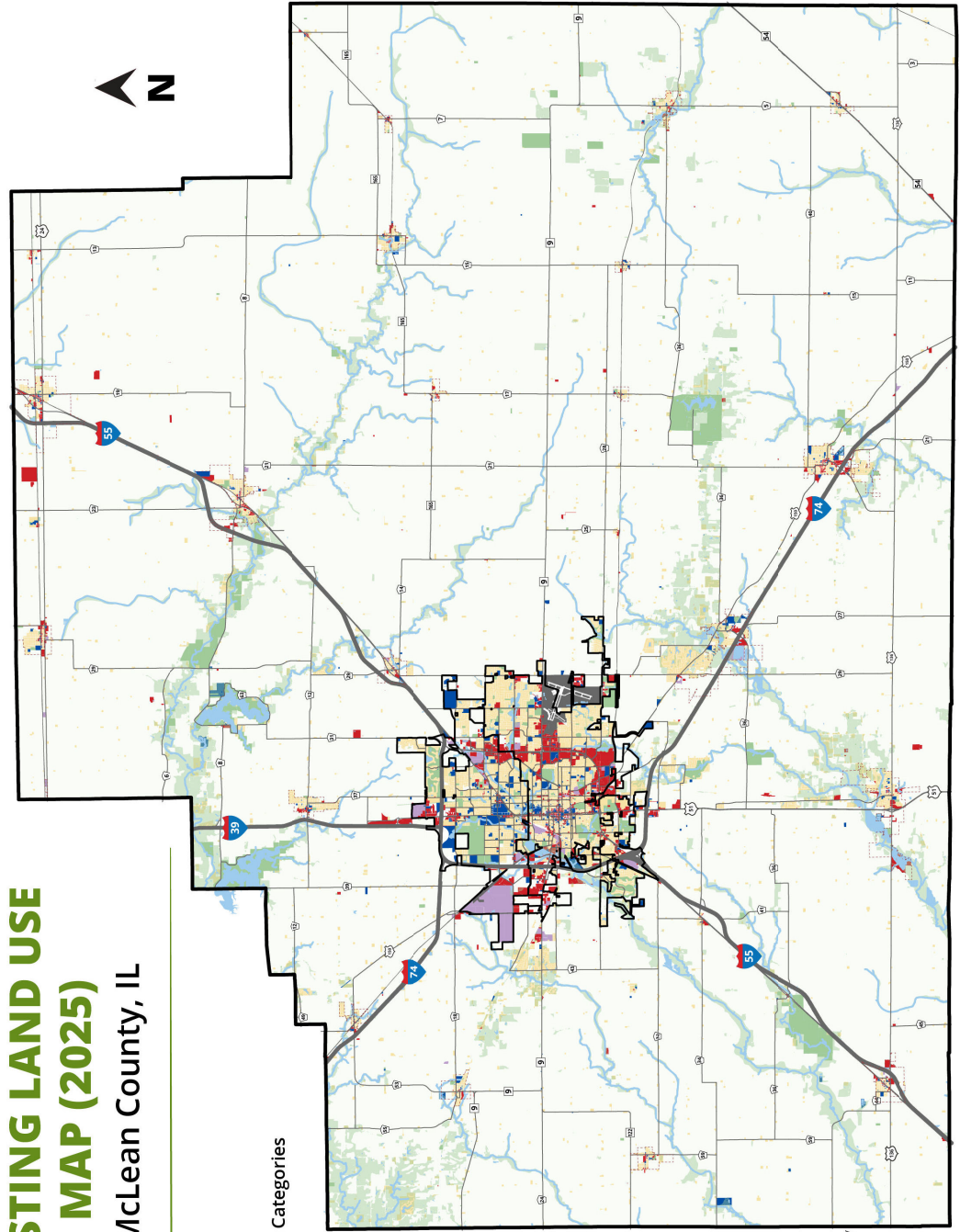
**City of Bloomington
Township Assessor**

**Normal Township
Assessor**

- These data list the current land use of each parcel based on assessor classifications.
- The data was further refined via the assistance of planning staff from the City, Town, and County to ensure “on-the-ground” accuracy.

Land Use Category (approved Dec. 2024)	Use Code as Defined By McLean County Assessor	Use Code as Defined By COBT Assessor	Use Code as Defined By Normal Twp. Assessor
Agriculture & Open Space	11 – Farmland with Buildings 21 – Farmland 26 – Solar Farm 27 – Wind Farm 28 – Conservation Stewardship 65 – Commercial Entity on Farm	11 – Rural Improved 21 – Rural Not Improved	11 – Farmland with Buildings
Commercial	50 – Commercial Vacant Land 52 – 10-30 Subdivider Commercial Vacant 60 – Commercial with Buildings 62 – Subdivider Commercial Vacant Land 8060 – Leasehold Commercial 70 – Commercial Office	60 – Commercial Business 20062 – Commercial Developers Rate 70 – Commercial Office	52 – Comm Vacant Land 60 – Commercial 70 – Commercial Office
Industrial	80 – Industrial	80 – Industrial	80 – Industrial
Public/Institutional	90 – Tax Exempt	90 – Tax Exempt	0000 – Exempt
Residential – SF/Low Density	30 – Residential Vacant Land 32 – Subdivider Residential Vacant Land 40 – Residential with Buildings 41 – Residential Model Home	30 – Residential Vacant Land 40 – Single Family 44 – Zero Lot Line 20032 – Residential Developers Rate	40 – Residential
Residential – MF/High Density	--	42 – Conversion 43 – Apartments <=6 Units 50 – Apartments > 6 Units	50 – Comm Res More than 6 Units
Transportation	4500 – State Assessed Railroad 5060 – Commercial Railroad	8021 – Airport Farmland Leased 8060 – Airport, Land Not Improved	--

DRAFT
EXISTING LAND USE
MAP (2025)
 McLean County, IL

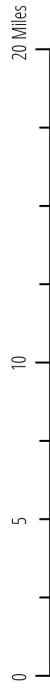


Legend
 Existing Land Use Categories

- Agriculture/Undeveloped
 - Commercial
 - Industrial
 - Public/Institutional
 - Recreation & Open Space
 - Residential
 - Transportation
- Roadways**
- Interstate
 - U.S. Highway
 - IL. State Route
 - County Highway
- Other Elements**
- McLean County Border
 - Forests
 - Overlay (NLCD)
 - Rural Municipality Boundary
 - Urban Municipality Boundary
 - Water

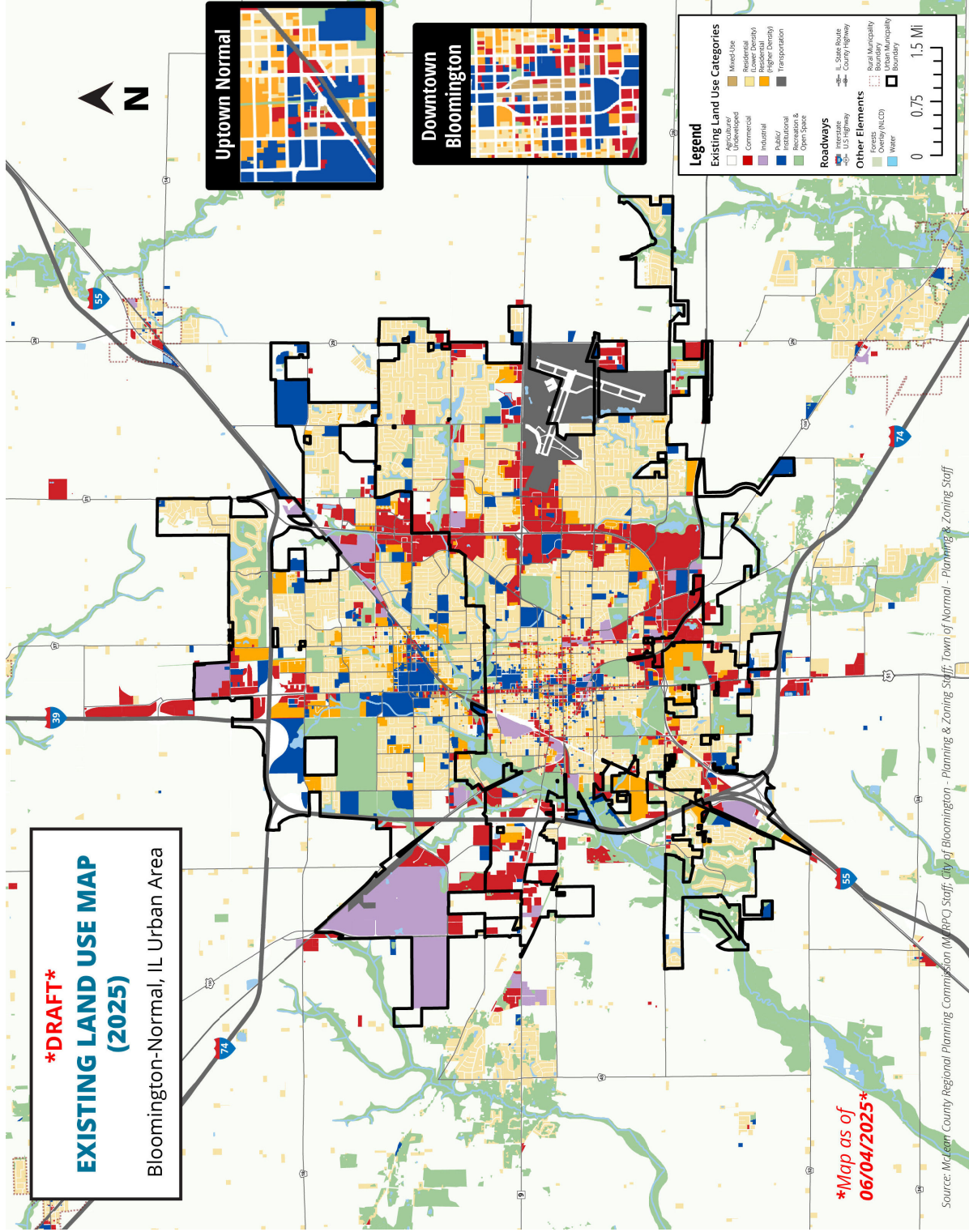
Map As of 06/04/2025

Source: McLean County Regional Planning Commission (MCRPC) Staff; McLean County Building & Zoning Staff; Town of Normal - Planning & Zoning Staff; City of Bloomington - Planning & Zoning Staff



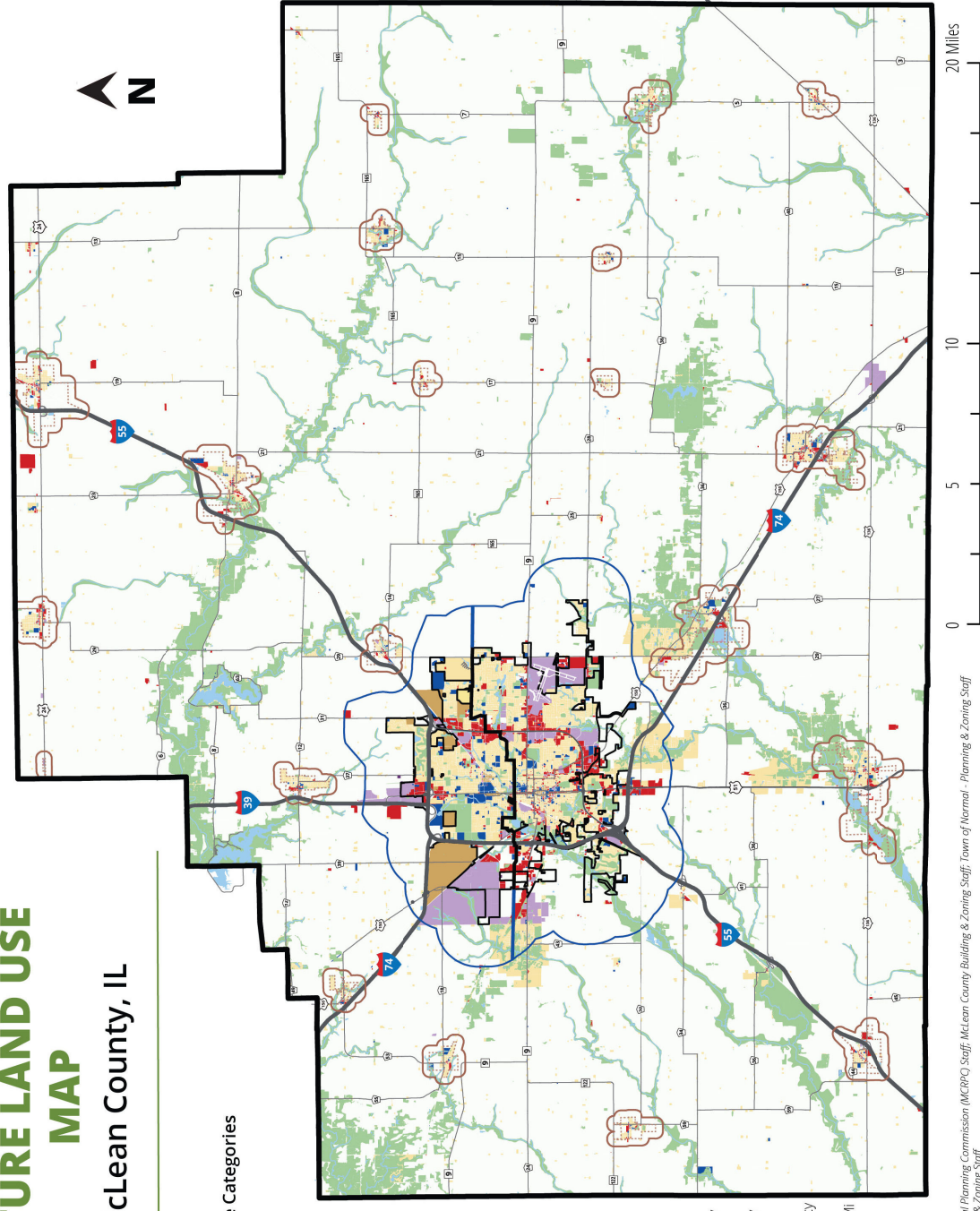
Draft
2025
Existing Land Use Map
 County-level

****Draft****
2025
Existing Land Use Map
 Urban Area-level



DRAFT/PROPOSED
FUTURE LAND USE
MAP

McLean County, IL



Legend

Future Land Use Categories

- Agriculture/Undeveloped
- Commercial/Retail
- Industrial/Employment Center
- Public & Institutional Development
- Mixed-Use Development
- Natural Resources
- Residential Development

Roadways

- Interstate
- U.S. Highway
- IL. State Route
- County Highway

Other Elements

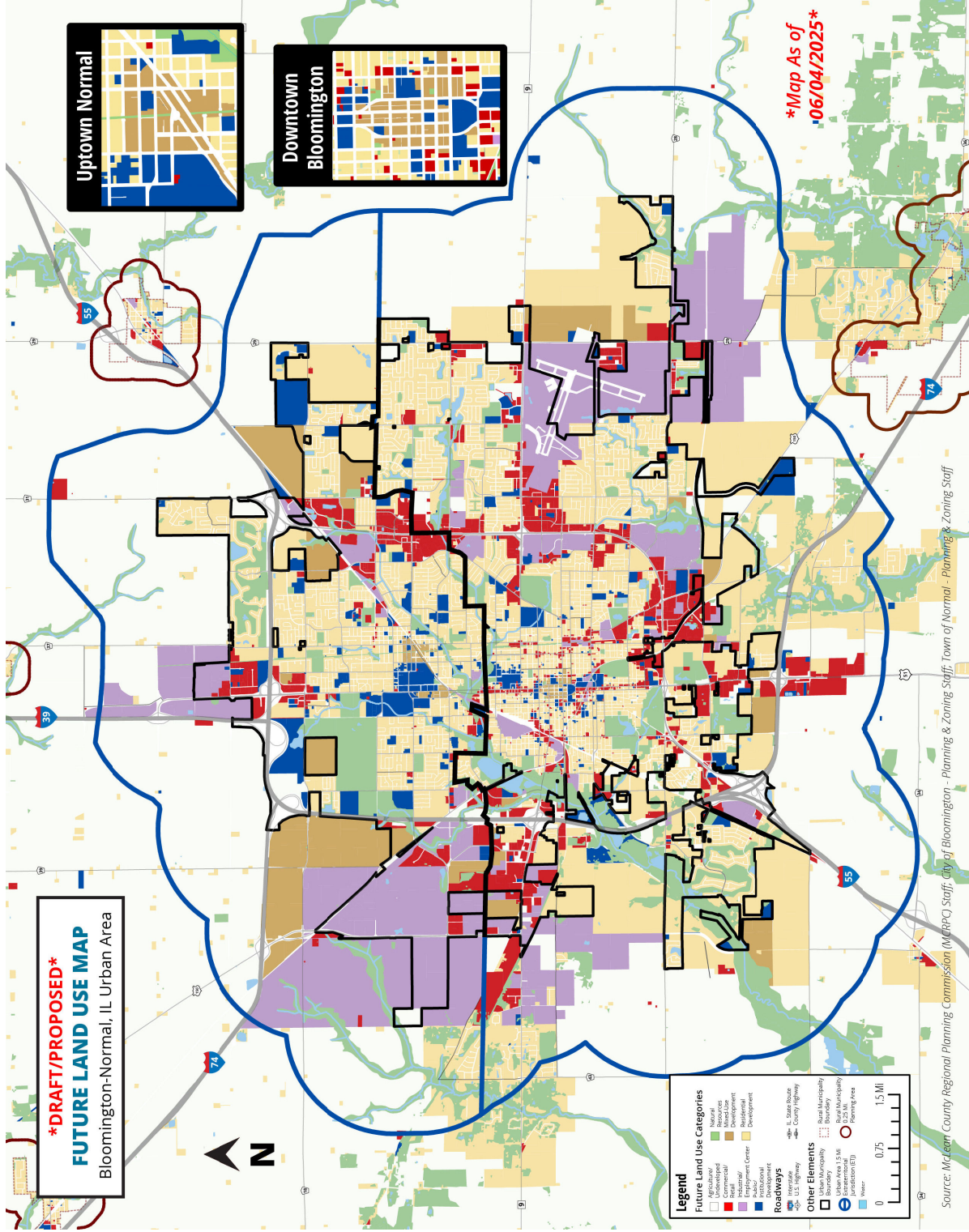
- McLean County Border
- Rural Municipality Boundary
- Rural Municipality 0.25 Mile Planning Area
- Urban Municipality Boundary
- Urban Area 1.5 Mi Extraterritorial Jurisdiction
- Water

Map As of 06/04/2025

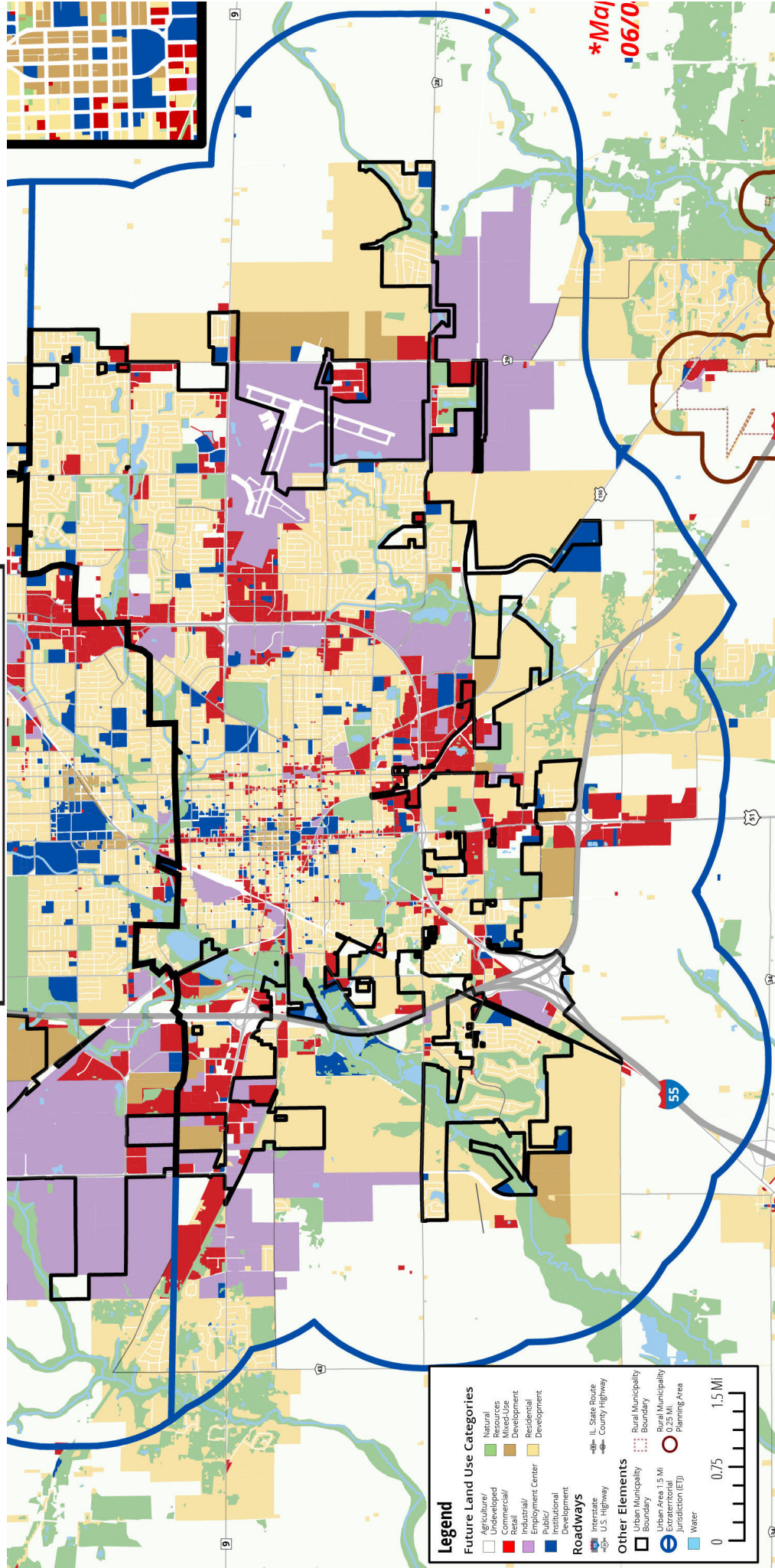
Source: McLean County Regional Planning Commission (MCRPC) Staff; McLean County Building & Zoning Staff; Town of Normal - Planning & Zoning Staff; City of Bloomington - Planning & Zoning Staff

Draft/Proposed
Future Land Use Map
 County-level

****Draft/Proposed****
Future Land Use Map
Bloomington-Normal



DRAFT/PROPOSED
FUTURE LAND USE MAP
 Bloomington-Normal, IL Urban Area



Legend

Future Land Use Categories

- Undeveloped
- Agriculture/ Resources
- Mixed-Use
- Commercial/ Development
- Industrial/ Residential
- Employment Center
- Public/ Institutional
- Development

Roadways

- Interstate
- U.S. Highway
- L. State Route
- County Highway

Other Elements

- Urban Municipality Boundary
- Rural Municipality Boundary
- Urban Area 1.5 Mi Jurisdiction (ET)
- Rural Municipality 0.25 Mi Planning Area
- Water

0 0.75 1.5 Mi



Strategic Land Use Map

McLean County | City of Bloomington | Town of Normal

August
2025



Agriculture / Undeveloped

This land use type primarily includes active row crop agriculture, pastureland, and related farm structures such as pole barns and livestock facilities. Compatible uses may also include renewable energy projects, which align with the area's agricultural character. The highest priority for the agriculture/undeveloped land use is the preservation of prime farmland and the protection of the county's rural character. Limited single-family residential, small-scale commercial, light industrial, and institutional uses may also be present, typically on large lots with buildings set back from roadways. These areas are generally served by private wells and septic systems rather than municipal utilities. Land within the 1.5-mile municipal extrajurisdiction may experience greater development pressure, in turn, allowing for more flexibility in development decisions.

INTENT

- Support and preserve agricultural activities while minimizing incompatible land uses.
- Preserve and enhance natural resources and scenic areas.
- Encourage renewable energy development that aligns with agricultural character.
- Regulate non-agricultural development in areas less suitable for farming.

PRIMARY USES

- Agriculture
- Renewable Energy (wind, solar, etc.)

SECONDARY USES

- Single-family residential
- Small-scale commercial/retail
- Light industrial
- Public and institutional uses

This land use designation is designed to blend residential, commercial, institutional, and sometimes light industrial uses in a compact, walkable environment. These areas are typically located near downtowns, major corridors, or transit hubs, and are intended to support vibrant, livable neighborhoods where people can live, work, and shop within the same area. Developments may include buildings with ground-floor retail or services and residential or office spaces above. This land use type encourages efficient use of infrastructure, reduces reliance on cars, and supports public transit. It also helps create dynamic community spaces and fosters economic growth by concentrating activity and investment. Mixed-use areas are essential for promoting infill development, supporting housing diversity, and building stronger, more resilient communities.

INTENT

- Encourage a blend of residential, commercial, and institutional uses within walkable, well-connected areas
- Foster infill and redevelopment of underused or vacant properties in urban areas.
- Create flexibility that allows for evolving community needs and innovative development patterns.
- Align mixed-use development with existing transit corridors to reduce car dependency and improve mobility.

PRIMARY USES

- Residential Development
- Neighborhood Scale Commercial/Retail
- Public and Institutional Buildings
- Parks and Open Space
- Transit Nodes

SECONDARY USES

- Light industrial
- Employment centers

Mixed-Use Development

Residential Development

This land use designation encompasses a range of housing densities and typologies intended to support diverse community needs across both urban and unincorporated areas of McLean County. This category includes both low-density residential developments, such as detached single-family homes, and higher density housing options, including duplexes, townhomes, apartments, and multi-family buildings with three or more units. The intent of this generalized category is to promote the development of residential dwelling units in a time where the housing crisis is one of the biggest issues facing McLean County and the Nation. This designation encourages development patterns that align with Smart Growth principles, supporting compact urban form while minimizing sprawl and infrastructure strain. In unincorporated areas, the Residential Development designation allows for carefully planned growth in proximity to existing infrastructure. It encourages clustered residential development that preserves surrounding farmland and open space, consistent with agricultural land conservation goals. Growth boundaries and rural design guidelines may be applied to maintain rural character and prevent unmanaged expansion.

INTENT

- Provide flexibility in housing options for future development.
- Encourage infill development to reduce the impacts of urban sprawl and infrastructure strain.
- Improve streetscape features such as consistent sidewalk lighting, green space, and safety.
- Allow neighborhood-scale commercial or mixed-use development where appropriate.
- Regulate residential development in agriculturally productive areas of the county.

PRIMARY USES

- Single-family (attached & detached)
- Two-family residential
- Multi-family residential

SECONDARY USES

- Local-scale commercial/retail
- Parks and open space
- Public and institutional buildings

Industrial / Employment Center

This land use type is intended to support a wide range of employment-generating uses such as manufacturing, warehousing, logistics, research and development, and emerging technologies. It includes larger-scale facilities like factories, distribution centers, business parks, and innovation hubs, often located near major highways or transportation corridors to ensure efficient freight movement and regional access. These areas may also accommodate light industrial uses, office space, and limited commercial support services that serve workers and businesses within the district. Site layouts typically include larger building footprints, outdoor storage or staging areas, and buffers to mitigate impacts on nearby residential or agricultural uses. Utility infrastructure, roadway capacity, and broadband access are critical to support continued growth in these areas. Thoughtful land use planning in Employment Centers ensures job creation, supports economic resilience, and balances industrial development with environmental stewardship and community compatibility.

INTENT

- Support a diverse range of employment opportunities.
- Facilitate economic growth by providing flexible spaces for large-scale businesses.
- Promote efficient use of transportation infrastructure by locating employment centers near major highways and transportation corridors.
- Encourage development that is compatible with surrounding uses through buffering and proper site planning.

PRIMARY USES

- Light industrial
- Heavy industrial
- Large-scale commercial
- Business/Office parks
- Hospitals/Large medical centers
- Transit Nodes

SECONDARY USES

- Parks and open space
- Public and institutional buildings
- Retail

Public & Institutional Development

This land use designation includes properties dedicated to civic, educational, religious, and governmental functions that serve the broader community. This category encompasses schools, college campuses, hospitals, government buildings, libraries, community centers, places of worship, and facilities operated by non-profit organizations. These uses are essential for supporting public services, fostering social interaction, and maintaining a high quality of life for residents. Public and institutional sites are often located within neighborhoods and along major transportation corridors to ensure accessibility for all populations, including underserved and rural communities. These areas may also include supporting infrastructure such as parking, open space, and pedestrian pathways. In some cases, shared-use facilities and adaptive reuse of existing structures are encouraged to maximize land efficiency and community benefit. Planning for this land use type prioritizes long-term community needs, equitable access, and integration with surrounding development.

INTENT

- Support the development and maintenance of essential community services such as education, government, and public safety.
- Ensure public and institutional uses are accessible to all residents, including those in underserved or rural areas.
- Preserve and expand civic spaces that foster community engagement and social well-being.
- Plan proactively to accommodate future growth in public services as the population increases.

PRIMARY USES

- Government facilities
- Places of worship
- School
- Community centers

SECONDARY USES

- Parks and open space
- Commercial/retail

Commercial / Retail

This land use designation focuses on areas intended for businesses that provide goods and services to the public, such as retail stores, restaurants, and offices. These areas are typically located along major roadways and serve as regional anchors that support the local economy while also being well-connected to the surrounding area. They may include pedestrian-friendly streetscapes, surface parking lots to accommodate customers, and public amenities. Integration into existing transit nodes is highly encouraged to ensure that commercial/retail centers can serve the entire community. Mixed-use developments combining commercial, retail, and residential spaces may be encouraged in appropriate locations to enhance walkability and reduce vehicle dependency. The primary goal is to create thriving commercial/retail hubs that serve both residents and visitors.

INTENT

- Support the development of retail, dining, and office spaces that meet the daily needs of residents and visitors.
- Prioritize placement of commercial centers along major transportation corridors for maximum visibility and access.
- Encourage pedestrian-friendly design elements, such as sidewalks, lighting, and streetscape amenities.
- Integrate commercial areas with existing and planned public transit routes to enhance connectivity.

PRIMARY USES

- Commercial/Retail
- Office
- Mixed-uses
- Transit Nodes

SECONDARY USES

- Parks and open space
- Public and institutional uses
- Multi-family residential

Natural Resources

This land use designation is intended to protect and preserve areas with significant environmental, ecological, and recreational value. It includes forested lands, nature preserves, wetlands, flood hazard areas, public parks, cemeteries, golf courses, and campgrounds. These areas provide critical ecosystem services, contribute to the county's natural character, and offer important recreational and cultural amenities. Development within these zones should be limited and carefully managed to maintain natural features, minimize environmental impacts, and preserve open space. Future land use decisions in these areas should prioritize conservation, stormwater management, habitat protection, and opportunities for passive and active recreation, while also supporting public access where appropriate. Integrating these areas into a broader, greenway or open space network will help enhance connectivity, ecological health, and overall community well-being.

INTENT

- Prioritize the long-term conservation of environmentally sensitive and ecologically valuable areas.
- Limit development in flood-prone or high-risk areas to reduce environmental hazards and property damage.
- Maintain and enhance public access to parks, trails, and open spaces for recreation.
- Integrate natural resource areas into a countywide greenway network to promote environmental connectivity.
- Use natural areas for stormwater management and climate resilience, especially in flood hazard zones.

PRIMARY USES

- Parks and open
- Recreation
- Trails
- Transit Nodes

SECONDARY USES

- Public and institutional uses
- Agriculture

Extra-Territorial Jurisdictions and Planning Buffers

Extraterritorial Jurisdictions (ETJ):

- In Illinois, extraterritorial jurisdictions refer to the ability of incorporated municipalities to regulate subdivisions, land use, and zoning within one and one-half miles of their corporate limits. ETJs are established when an official comprehensive plan, or part thereof, is adopted by the corporate authority. This may include a full Comprehensive Plan, Subdivision Ordinance, Zoning Ordinance, or any other officially adopted document that clearly defines an intention to regulate an area up to one and one-half miles from their corporate limits.
- In the case where multiple ETJ's overlap, there are a few options to remedy the issue. The first being an intergovernmental boundary agreement where municipalities agree on an ETJ boundary line. The second is an equidistant line between the two municipalities ETJ overlap. This is the case between the Town of Normal and the Village's of Hudson and Towanda. As well as the City of Bloomington and the Village of Downs.
- The only ETJ shown on the maps above is that of Bloomington and Normal. The Rural municipality ETJ's are not shown. If you are interested in more information regarding the rural municipalities ETJ's please reach out to them individually.

Rural Municipality 0.25 Mile Planning Buffer:

- The Rural Municipality 0.25 Mile Planning Buffer is vastly different than the legal authority of the one and one-half mile Extraterritorial Jurisdiction. This planning buffer is an acknowledgement from the McLean County Building and Zoning Department that there may be some development pressures surrounding the rural municipalities. This planning buffer allows more flexibility in the unincorporated areas surrounding the rural municipalities.
- The intent of this planning area is to allow potential Residential, Commercial/Retail, Mixed-Use, Industrial/ Employment Center, or Natural Resources land use development in the areas immediately surrounding these rural incorporated municipalities.
- These planning buffers reflect the current County Zoning map for the unincorporated areas surrounding the rural municipalities. The current map shows a residential zoning designation surrounding these rural municipalities.

Next Steps

- Start the 4-week public comment period by mid-June
- Incorporate comments and outreach into the final Map Document
- Map adoption by the City, Town, and County

Thank you

- Further Questions?
- Keep an eye out on our website for when the public comment period goes live.
<https://mcplan.org/>
- Contact me, Anthony Baumann, at:
 - abaumann@mcplan.org
 - 309-434-6838





REGULAR AGENDA ITEM NO. 5.A.

FOR PLANNING COMMISSION: July 2, 2025

WARD IMPACTED: Ward 6

SUBJECT: Z-05-25 - Consideration, review and action on a request submitted by Lifelong Access, for the **Designation of The Daily Pantagraph Building as a Local Landmark , and a Zoning Map Amendment** to apply the S-4 (Historic Preservation District) Overlay, for the structure located at 301 W. Washington St., PIN 21-04-331-009.

RECOMMENDED MOTION: Motion to establish findings of fact that subject structure **meets the criteria** to be classified as a Local Historic Landmark and reaffirm the Historic Preservation Commission’s action designating it as such; Motion to establish findings of fact that the proposed Zoning Map Amendment to apply the S-4 (Historic Preservation District) Overlay is in the public interest and not solely for the benefit of the Applicant and **recommend approval** of the proposed Zoning Map Amendment; Motion to **approve**, or approve with amendments, the proposed Resolution.

STRATEGIC PLAN LINK:

Goal 6. Prosperous Downtown Bloomington
Goal 6. Prosperous Downtown Bloomington

STRATEGIC PLAN SIGNIFICANCE:

Objective 6e. Preservation of historic buildings
Objective 6a. More beautiful, clean Downtown area

BACKGROUND: The Applicant is requesting to designate The Daily Pantagraph Building as a “Local Landmark” and to have the S-4 (Historic Preservation District) Overlay zoning applied to the subject property.

The [Daily] Pantagraph building—in one form or another—has been a presence on the west side of Downtown Bloomington for approximately 150 years. When they outgrew their original building at Washington and Madison, they simultaneously demolished the old and constructed the new, in the same place, to avoid shutting down during that time. That corner has been home to countless intellectual pursuits and documentation of community intrigues, all housed in one of the few remaining structures designed by Architect James William Thomas. In 2018 the building became vacant and is now owned by the Applicant.

On June 26, 2025, the Historic Preservation Commission (HPC) held a public hearing to determine whether The Daily Pantagraph Building meets the criteria to be classified as a Local Landmark, and if recommending application of the S-4 (Historic Preservation District) Overlay zoning is appropriate. A Resolution transmitting their recommendation is attached.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Notice was published in

The Pantagraph on June 6, 2025. Notification of the Public Hearing was sent to 82 property owners within 500 feet of the subject property.

FINANCIAL IMPACT: N/A

Respectfully submitted for consideration.

Prepared by: Alissa Pemberton, Planning Manager

ATTACHMENTS:

[Z-05-25 - Staff Report](#)

[Staff Report Attachment 2 - Draft PC Resolution](#)

[Staff Report Attachment 3 - HPC Resolution 2025-01](#)



PLANNING COMMISSION

TO: City of Bloomington Planning Commission

FROM: Development Services Department

DATE: July 2, 2025

CASE NO: Z-05-25 (BHP-20-25), Historic Designation and Zoning of The Daily Pantagraph Building

REQUEST: Public Hearing, consideration, review and action on a request submitted by Lifelong Access, for the Designation of The Daily Pantagraph Building as a Local Landmark, and a Zoning Map Amendment to apply the S-4 (Historic Preservation District) Overlay, for the structure located at 301 W. Washington St., PIN 21-04-331-009.

BACKGROUND

Request

The Applicant is requesting to designate *The Daily Pantagraph Building* as a “Local Landmark” and to have the S-4 (Historic Preservation District) Overlay zoning applied to the subject property.

The [Daily] Pantagraph building—in one form or another—has been a presence on the west side of Downtown Bloomington for approximately 150 years. When they outgrew their original building at Washington and Madison, they simultaneously demolished the old and constructed the new, in the same place, to avoid shutting down during that time. That corner has been home to countless intellectual pursuits and documentation of community intrigues, all housed in one of the few remaining structures designed by Architect James William Thomas. In 2018 the building became vacant and is now owned by the Applicant.

The Daily Pantagraph, as we know it today, started as *The Weekly Pantagraph*, in 1853. It has ties to names including Abraham Lincoln, Jesse Fell, W.O. Davis, Charles Merriman, Loring Merwin, Joseph Fifer, the Stevenson family, and even Franklin D. Roosevelt. Also of note is the employ of a substantial number of female reporters, including some who became nationally known. The impact the paper has had on the politics, economics, and civics of the local community, as well as the resulting influence at a broader state level is clearly significant.

Architecturally, the structure is significant as well. Architect James William Thomas specialized in newspaper buildings which require unique considerations for function and flow, in addition to the normal considerations of form. With the support of a local architecture firm (Schaeffer and Hooten), general contractors J. L. Simmons, and masonry contractors Berenz and Son, this steel-framed concrete and stone Art Deco building was designed in 1935 and completed the following year. A large addition was constructed in 1965, and modifications have been made over time as the business needs of the organization changed.

On June 26, 2025, the Historic Preservation Commission (HPC) held a public hearing (BHP-20-25) to determine whether The Daily Pantagraph Building meets the criteria to be classified as a Local Landmark, and if recommending application of the S-4 (Historic Preservation District) Overlay zoning is appropriate. HPC Resolution 2025-01 was passed, transmitting their recommendation of approval for this Zoning Map Amendment.

Property Characteristics

The subject property consists of approximately 1.1 acres of D-2 (Downtown Transitional) District land, in the Bloomington Original Town and Dietrich’s Subdivisions, located between N. Roosevelt Ave. and N. Madison St., north of W. Washington St. The property is owned by the Applicant (Lifelong Access) and is improved with an approximately 32237 Sq. Ft. (GFA) commercial building.

Notice

The application was filed in conformance with applicable procedural and public notice requirements. Notice was published in The Pantagraph on June 6, 2025. Notification of the Public Hearing was mailed to 82 property owners within 500 feet of the property.

Surrounding Zoning and Land Uses

	Zoning	Land Uses
North	D-2 (Downtown Transitional) District	Parking Lot; Printing, Copying and Mailing Services
South	D-2 (Downtown Transitional) District	General Commercial; Vacant
East	D-1 (Central Business) District	Multiple-Family Residential
West	D-2 (Downtown Transitional) District	Parking Lot; Museums and Cultural Institutions; Place of Worship

ANALYSIS

Description of Current Zoning District

Existing Zoning: D-2 (Downtown Transitional) 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 (§ 44-501E).

Description of Proposed (Additional) Zoning Overlay

Proposed Zoning: D-2 (Downtown Transitional), with S-4 (Historic Preservation District) Overlay

The intent of this S-4 Historic Preservation District is to promote the-protection, enhancement, perpetuation, and use of improvements of special character or special historical interest or value. The City of Bloomington finds that the preservation of such resources is a public necessity and is required in the interest of the health, prosperity, safety, and welfare of its citizens. This S-4 Historic Preservation District shall be applied as an overlay district in combination with underlying base zoning districts as shown on the Official Zoning Map. The purpose of the S-4 Historic Preservation District is to:

- (1) Effect and accomplish the protection, enhancement, and perpetuation of such improvements that represent or reflect elements of the City’s cultural, social, economic, political, and architectural history;
- (2) Safeguard the City’s historic and cultural heritage, as embodied and reflected in such landmarks and historic districts;
- (3) Stabilize and improve property values;

- (4) Foster civic pride in the beauty and noble accomplishments of the past;
- (5) Protect and enhance the City's attractions to residents, home buyers, tourists, and visitors and shoppers, thereby supporting and promoting business, commerce and industry;
- (6) Strengthen the economy of the City; and,
- (7) Promote the use of historic districts and landmarks for education, pleasure, and welfare of the people of the City.

Compliance with the Comprehensive Plan

The proposed Zoning Map Amendment contributes to the following Goals and Objectives:

- Goal N-1. (Ensure compact development of the City through denser, mixed-use developments and reinvestment in the established older neighborhoods), Objective N-1.3 (Redevelop the neighborhoods in the Preservation area while carefully protecting their historic nature and character), Policies N-1.3c (Foster preservation and adaptive reuse of significant historic buildings and structures) and N-1.3d (Encourage the use of the statewide historic property incentives such as “Illinois Property Tax Assessment Freeze Program”).
- Goal D-2 (Market and promote the unique brand and image of Downtown Bloomington), Objective D-2.1 (Identify and designate gateways to Downtown).
- Goal ACH-4 (Identify, conserve, and preserve the City’s heritage resources as a basis for retaining and enhancing strong community character and a sense of place), Policies ACH-4.1b (Use zoning, code enforcements and other regulatory tools to protect the City’s historic and cultural resources), ACH-4.1d (Pursue an active and comprehensive program to document and preserve historic buildings, structures, sites (including archaeological sites), objects, landscapes, and natural resources), and ACH-4.1e (Continually update identification and designation of historical buildings that are eligible for local, state and national designation based on 50 year age guideline).

The 2035 Comprehensive Plan identifies this area as “Mixed Use” in the “Built Areas.” The Land Use Priorities Map does not identify this property.

STANDARDS FOR REVIEW

The Planning Commission shall hold at least one public hearing on any proposed Zoning Map Amendment and report to the Council its findings of fact and recommendations. Recommendations shall be made upon the determination that the Map Amendment is in the public interest and not solely for the benefit of the applicant, based upon considering the factors listed in § 44-1706E(2) and discussed below.

Request for Zoning Map Amendment to apply the S-4 (Historic Preservation District) Overlay Zoning

1. The suitability of the subject property for uses authorized by the existing zoning.

The underlying D-2 (Downtown Transitional) District zoning remains appropriate and will not change as a result of the proposed action.

2. The length of time the property has remained vacant as zoned considered in the context of land development in the area.

The duration of vacancy for this structure is not abnormal for the area, particularly given the unique characteristics of the structure. However, as the underlying zoning district is not proposed for alternation, the relationship of use permissions to vacancy is not relevant.

3. The suitability of the subject property for uses authorized by the proposed zoning.

The underlying D-2 (Downtown Transitional) District zoning remains appropriate and will not change as a result of the proposed action. The addition of the S-4 (Historic Preservation District)

Overlay zoning does not alter the uses applicable via the underlying zoning but does provide further protection of identified cultural resources through the course of building permit review for work on the exterior of the structure, to safeguard characteristic features of the protected structures.

4. The existing land uses and zoning of nearby property.

The surrounding properties are non-inhabitant uses (parking, vacant), commercial or Place of Worship with limited hours, or residential with existing ties and pride to the historic nature of the host structure. One block east there is another Local Landmark (S-4) structure, and the entire eastern border of the property is lined by National Register Historic District properties. This part of Downtown, and the value of properties in the immediate vicinity, are at risk of due to the level of localized demolition, tenant turnover, and vacancy rates in commercial structures.

5. Relative gain or hardship to the public as contrasted and compared to the hardship or gain of the individual property owner resulting from the approval or denial of the zoning amendment application.

The public benefit, should the proposed Zoning Map Amendment be approved, is both real and intangible, as it helps to celebrate the role of history in the community and the contributions made by dedicated individuals by helping to preserve the tangible aspects of the heritage that has shaped this City over time. In addition, local designation through Zoning, which holds some police power provides an added level of expectation and consistency for surrounding property owners which may help to stabilize, or even improve, property values in the Historic Downtown.

The hardship to the property owner imposed by approval of the proposed Zoning Map Amendment would be minimal. Many of the well-known studies that discuss the negative impacts of local designation on property values cite development constraints (inability to make “highest and best use” of the property) and high costs of complying with strict guidelines on maintenance, but the City Code provides mechanisms for addressing both of these potential deterrents.

The allowable Permitted and Special Uses for the property will not change; the underlying D-2 (Downtown Transitional) District zoning of the property is retained by treating the S-4 District as an Overlay zoning, as the City of Bloomington Code does. For designated structures, the Secretary of Interior’s Standards have built-in flexibility for projects that are “technically infeasible,” and City Code contains provisions to allow the owners of historic properties to use alternative methods and processes in situations where compliance with appropriate Standards and Guidelines would be overly burdensome (§ 44-1710G). The addition of the S-4 Overlay does not prevent demolition or alteration of protected structures, but does provide a process and timeline that allow appropriate vetting of potential significant changes, through the course of building permits for the exterior of the structure. Without the S-4 designation the subject structures would *still* be subject to the same Demolition Review (§ 44-1711). The addition of the S-4 designation also makes properties eligible for Funk Grant funding from the City and for other historic funding opportunities and tax benefits, to help defer any increase in cost associated with compliance with the Standards.

6. The extent to which adequate streets are connected to the arterial street system and are available or can be reasonably supplied to serve the uses permitted in the proposed zoning classification.

No changes will occur as a result of this Zoning Map Amendment.

7. The extent to which the proposed amendment is inconsistent with the need to minimize flood damage and that the development of the subject property for the uses permitted in the proposed zoning classification will not have a substantial detrimental effect on the drainage patterns in the area.

The proposed Amendment is not inconsistent with the need to minimize flood damage. No changes will occur to the uses or development intensity permitted on the subject property because of this Zoning Map Amendment. Changes or improvements that result in disturbance of at least 1,400 square feet will still trigger the requirement to address stormwater detention.

8. The extent to which adequate services (including but not limited to fire and police protection, schools, water supply, and sewage disposal facilities) are available or can be reasonably supplied to serve the uses permitted in the proposed zoning classification.

No changes will occur to the uses permitted a result of this Zoning Map Amendment. The property is already served by City water and sewer, fire and police protection, District 87 School District.

9. The extent to which property values are diminished by the particular zoning restriction.

Property values are unlikely to be diminished by the Map Amendment since the character of the result will be the same or be similar to that of existing condition. In addition, see Criteria 5.

10. Whether a Comprehensive Plan for land use and development exists, and whether the ordinance is in harmony with it.

The proposed Zoning Map Amendment is directly supportive of the City's Comprehensive Plan which specifically asks us to, "Identify, conserve, and preserve the City's heritage resources as a basis for retaining and enhancing strong community character and a sense of place," including the use of "zoning, code enforcements and other regulatory tools to protect the City's historic and cultural resources" (ACH-4; ACH-4.1b).

13. Whether the City needs more of the types of uses allowed in the proposed district.

N/A. The underlying zoning district will not change as a result of the proposed action.

STAFF RECOMMENDATION

Staff finds that the request for a Zoning Map Amendment ***is in the public interest and not solely for the benefit of the Applicant***, after reviewing the relevant factors for consideration, and recommends the Planning Commission take the following action(s):

- Motion to establish findings of fact that ***subject structure meets the criteria to be classified as a Local Historic Landmark and reaffirm the Historic Preservation Commission's action designating it as such.***
- Motion to establish findings of fact that the proposed Zoning Map Amendment to apply the S-4 (Historic Preservation District) Overlay ***is in the public interest and not solely for the benefit of the Applicant*** and recommend ***approval*** of the proposed Zoning Map Amendment.
- Motion to ***approve, or approve with amendments, the proposed Resolution.***

Respectfully submitted,
Alissa Pemberton
Planning Manager

Attachments:

1. Designation in Context: How the City Historic Preservation Ordinance Works in Practice
2. Draft Planning Commission Resolution
3. Historic Preservation Commission Resolution (2025-01) Transmitting a Recommendation

To provide context and understanding of the implications of applying the S-4 (Historic Preservation District) Overlay Zoning to a property, the following practical overview has been provided.

A certificate of appropriateness shall be required before the following actions affecting the exterior architectural appearance of any landmark or property within a historic district may be undertaken:

- (a) Any construction, alteration, or removal requiring a building permit from the City;*
- (b) Any demolition in whole or in part requiring a permit from the City;*
- (c) Any construction, alteration, demolition, or removal affecting a significant exterior architectural feature as specified in a historic resource survey or in the ordinance designating the landmark or historic district (§ 44-1710A(1)).*

Certificates of Appropriates (CoAs) determine whether the methods and materials being used are consistent with the Secretary of Interior's Guidelines for the Treatment of Historic Properties and the Bloomington Architectural Review Guidelines. They evaluate whether the methods used will be damaging to the existing materials or structure, historic materials are repaired rather than replaced when technically feasible, and any replacement materials are appropriate for retaining the historic visual and long-term health of the landmark(s). These standards are adopted and represent best practices of the industry.

Process

CoAs, as per § 44-1710, are public reviews (not public *hearings*) before the Historic Preservation Commission (HPC). They do not require publication of notice in the newspaper but do require notification on the published agenda as part of the Open Meetings Act. Staff assists in the preparation of the application and presentation of the projects. The only items required for the application are pictures of the location where the work will be done and a detailed description of the work to be completed, including materials and methods. Materials and methods details can usually be copied from quotes and estimates received for the work. Staff and the Commission may ask clarifying questions to help evaluate how relevant standards apply and make recommendations for modifications (usually minor) to improve the quality of the result. In some cases, a CoA may be approved with conditions relating to a certain material or method.

Timing

CoAs are commonly reviewed concurrently with required building permits, and can be issued as quickly as 72 hours, with a maximum wait time of 30 days depending on HPC meeting schedules. In emergency situations, accommodations can be made for temporary solutions or provisional approval. Associated building permits may be issued the business day following the meeting where a project is reviewed.

Results

The most common modifications recommend for a CoA are to materials used for masonry repair (mortar type and masonry unit composition) and exterior coatings (sealers, paints, etc.), to ensure that the structural integrity of the existing structure is retained. Exact products may not be stipulated, but material and methods specifications (like permeability ratings or nonabrasive methods) may be conditioned to protect existing historic materials and features. A common example is requiring that original wood windows—if beyond repair—are replaced with new wood windows of the same size, shape, and with matching muntin pattern to make them mimic the look of the original. Very rarely does a project require substantial alternation to comply, and often the review results in a project that is better for the long-term health of the structure.

Finances

CoAs do not have an application filing fee and do not require any publication costs to be reimbursed. Some projects that are issued a CoA may be eligible for funding support from the City (Funk Grants may be awarded annually) or other grantmaking agencies that support historic preservation work. Most major projects completed under these guidelines are eligible for tax credits if the property is an income generating property. In addition, City Code provides alternative method of relief called a “Certificate of Economic Hardship” when it the burden of repair would cause extreme financial hardship (§ 44-1710G).

PLANNING COMMISSION RESOLUTION NO. 2025-___

A RESOLUTION DESIGNATING THE DAILY PANTAGRAPH BUILDING AS A LOCAL HISTORIC LANDMARK AND RECOMMENDING THAT THE S-4 (HISTORIC PRESERVATION DISTRICT) OVERLAY ZONING BE APPLIED TO THE PROPERTY KNOWN AS 301 W. WASHINGTON STREET (PIN: 21-04-331-009)

WHEREAS, *The Daily Pantagraph Building* on the property at 301 W. Washington Street was originally constructed at that location in 1875; and

WHEREAS, the original building was replaced in 1935, and that structure still stands today; and

WHEREAS, property owner Lifelong Access, submitted a request to have The Daily Pantagraph Building considered as a Local Historic Landmark, and have a Zoning Map Amendment apply the S-4 (Historic Preservation District) Overlay to the property at 301 W. Washington Street, legally described in Exhibit “A”, attached hereto, and incorporated herein by reference; and

WHEREAS, historic preservation is an effective tool for managing growth and sustainable development, revitalizing neighborhoods, fostering local pride, and maintaining community character while enhancing livability; and

WHEREAS, the Historic Preservation Commission, after holding a public hearing on June 26, 2025, passed *Historic Preservation Commission Resolution 2025-01*, attached hereto as Exhibit “B”, and made part of by reference herein, recommending to the Planning Commission that the property at 301 W. Washington Street have the S-4 (Historic Preservation District) Overlay zoning added on the City’s Official Zoning Map; and

WHEREAS, the Planning Commission, after providing proper notice and holding a public hearing on July 2, 2025, established appropriate findings of fact and determined that the subject property and structures meets the criteria to be classified as Historic Landmarks and that a Zoning Map Amendment to add the S-4 (Historic Preservation District) Overlay zoning is in the public interest and not solely for the benefit of the Applicant; and

WHEREAS, based on the findings stated above, the *Historic Preservation Commission Resolution 202-01*, and the Planning Commission’s Nomination Report, attached hereto as Exhibit “C”, and incorporated herein by reference, the Planning Commission voted to affirm the Historic Preservation Commission’s Designation of the subject structures as Local Historic Landmarks, and to recommend application of the S-4 (Historic Preservation District) Overlay for the property located at 301 W. Washington Street; and

WHEREAS, the Planning Commission has the power to adopt this Resolution and make a recommendation to the Bloomington City Council to approve a Zoning Map Amendment and apply the S-4 (Historic Preservation District) Overlay zoning.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS:

DRAFT PLANNING COMMISSION RESOLUTION NO. 2025-__

Section 1: The Planning Commission hereby adopts the findings and determinations of the Historic Preservation Commission, as related to the property at 301 W. Washington Street, as stated in *Historic Preservation Commission Resolution 2025-01*.

Section 2: The Historic Preservation Commission’s action of classifying *The Daily Pantagraph Building* on the property at 301 W. Washington Street as Local Historic Landmarks, per § 44-804 of the City Code, is upheld and reaffirmed.

Section 3: The Planning Commission recommends to the Bloomington City Council that the premises located at 301 W. Washington Street, legally described in Exhibit “A,” have the S-4 (Historic Preservation District) Overlay zoning applied on the City’s Official Zoning Map.

PASSED this 2nd of July, 2025.

APPROVED this ____ of July, 2025.

PLANNING COMMISSION

ATTEST

Justin Boyd, Commission Chair

Alissa Pemberton, Staff Liaison

EXHIBIT A

Legal Description

ORIGINAL TOWN LOTS 25,26,27 & (EX E16') LOT 28 & DIETRICH'S SUB LOT 29, 30 & E16' LOT 28
ORIG TOWN LOTS 1 THRU 6 & VAC ALLEY BETW & ADJ

ADDRESS: 301 W. Washington Street

PIN: 21-04-331-009

DRAFT

EXHIBIT B

INSERT HPC RESOLUTION 2025-01

DRAFT

EXHIBIT C

PLANNING COMMISSION REPORT ON LOCAL HISTORIC LANDMARK STATUS AND THE APPROPRIATE APPLICATION OF THE S-4 (HISTORIC PRESERVATION DISTRICT) OVERLAY ZONING FOR 301 W. WASHINGTON STREET

PROPERTY INFORMATION

Subject property: 301 W. Washington Street
Existing Zoning: D-2 (Downtown Transitional) District
Existing Land Use: Vacant

BACKGROUND

The statements and findings of the Staff Report presented to the Planning Commission, related to case Z-05-25, are accepted and incorporated herein by reference.

KEY CONSIDERATIONS OF THE SUBJECT ZONING MAP AMENDMENT:

1. The underlying D-2 (Downtown Transitional) District zoning for the subject property remains appropriate and will not change as a result of the proposed action. The types and intensity of uses permitted on the subject property will not change as a result of the proposed action. This results in no additional risk to surrounding property owners and continues to provide reasonable use of the subject property for the current and future owners.
2. The addition of the S-4 Overlay provides an added level of expectation and consistency for surrounding property owners which may help to stabilize, or even improve, property values in the neighborhood and Historic Downtown. This is a change benefiting the public interest.
3. The City’s Comprehensive Plan specifically directs, “Identify, conserve, and preserve the City’s heritage resources as a basis for retaining and enhancing strong community character and a sense of place,” including the use of “zoning, code enforcements and other regulatory tools to protect the City’s historic and cultural resources” (ACH-4; ACH-4.1b). The proposed action supports an identified and codified community value.

FINDINGS OF THE PLANNING COMMISSION:

1. The subject structures meet the criteria to be classified as Local Historic Landmarks, as outlined in § 44-804B(2), including:
 - Character, interest, or value as part of the development, heritage, or cultural characteristics of the City, County of McLean, State of Illinois, or the United States of America (the Nation); and
 - Identification with a person or persons who significantly contributed to the development of the City, County of McLean, State of Illinois, or the Nation;
 - Embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials; and
 - Identification as the work of a master builder, designer, architect, or landscape architect whose individual work has influenced the development of the City, County of McLean, State of Illinois, or the Nation; and
 - Their unique location or singular physical characteristics that make it an established or familiar visual feature; and
 - Their suitability for preservation or restoration; and
2. The Zoning Map Amendment is in the public interest and not solely for the benefit of the Applicant.

HISTORIC PRESERVATION COMMISSION RESOLUTION NO. 2025-01

A RESOLUTION DESIGNATING THE DAILY PANTAGRAPH BUILDING AS A LOCAL HISTORIC LANDMARK AND RECOMMENDING THAT THE S-4 (HISTORIC PRESERVATION DISTRICT) OVERLAY ZONING BE APPLIED TO SUCH

WHEREAS, *The Daily Pantagraph Building* on the property at 301 W. Washington Street was originally constructed at that location in 1875; and

WHEREAS, the original building was replaced in 1935, and that structure still stands today; and

WHEREAS, property owner Lifelong Access, submitted a request to have The Daily Pantagraph Building considered as a Local Historic Landmark, and have a Zoning Map Amendment apply the S-4 (Historic Preservation District) Overlay to the property at 301 W. Washington Street, legally described in Exhibit "A", attached hereto, and incorporated herein by reference; and

WHEREAS, the Historic Preservation Commission, after providing proper notice and holding a public hearing on June 26, 2025, established findings of fact and determined that the structure on the property meets the criteria to be classified as a Local Historic Landmark, as outlined in § 44-804B(2), including:

1. Character, interest, or value as part of the development, heritage, or cultural characteristics of the City, County of McLean, State of Illinois, or the United States of America (the Nation); and
2. Identification with a person or persons who significantly contributed to the development of the City, County of McLean, State of Illinois, or the Nation;
3. Embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials; and
4. Identification as the work of a master builder, designer, architect, or landscape architect whose individual work has influenced the development of the City, County of McLean, State of Illinois, or the Nation; and
5. Their unique location or singular physical characteristics that make it an established or familiar visual feature; and
6. Their suitability for preservation or restoration; and

WHEREAS, based on the findings stated above and the Nomination Report provided as Exhibit "B", attached hereto, and incorporated herein by reference, the Historic Preservation Commission voted to designate the subject structure as a Local Historic Landmarks and to recommend application of the S-4 (Historic Preservation District) overlay for the property located at 301 W. Washington Street to the Planning Commission; and

WHEREAS, the Historic Preservation Commission has the power to adopt this Resolution and make a recommendation to the Bloomington Planning Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE HISTORIC PRESERVATION COMMISSION OF THE CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS:

Section 1: *The Daily Pantagraph Building* is hereby classified as a Local Historic Landmark, per § 44-804 of the City Code.

Section 2: The Historic Preservation Commission recommends to the Bloomington Planning Commission that the premises located at 301 W. Washington Street, legally described in Exhibit “A” and depicted in Exhibit “B”, have the S-4 (Historic Preservation District) Overlay zoning applied on the City’s Official Zoning Map.

PASSED this 26th of June, 2025.

APPROVED this 27th of June, 2025.

HISTORIC PRESERVATION COMMISSION

ATTEST

Sarah Lindenbaum

Alissa Pemberton

Sarah Lindenbaum, Commission Chair

Alissa Pemberton, Staff Liaison

Exhibit A
Legal Description

ORIGINAL TOWN LOTS 25,26,27 & (EX E16') LOT 28 & DIETRICH'S SUB LOT 29, 30 & E16' LOT 28
ORIG TOWN LOTS 1 THRU 6 & VAC ALLEY BETW & ADJ

ADDRESS: 301 W. Washington Street

PIN: 21-04-331-009

Exhibit B

NOMINATION REPORT FOR LOCAL HISTORIC LANDMARK STATUS FOR THE DAILY PANTAGRAPH BUILDING AT 301 W. WASHINGTON STREET



PROPERTY INFORMATION

Subject property: 301 W. Washington St
Existing Zoning: D-2 (Downtown Transitional) District
Existing Land Use: Vacant
Property Size: 198' x 240' (47,520 square feet)

HISTORIC INFORMATION

Year Built: 1875/1935/1965
Architectural Style: Art Deco
Architect: James William Thomas, with Schaeffer and Hooten as Associates
Historic District: N/A
Alternate Name: The Daily Pantagraph Building

BACKGROUND

The statements and findings of the Staff Report presented to the Historic Preservation Commission, and the Nomination Research Statement prepared by the Applicant, related to case BHP-20-25 are accepted and incorporated herein by reference.

The [Daily] Pantagraph building—in one form or another—has been a presence on the west side of Downtown Bloomington for approximately 150 years. When they outgrew their original building at Washington and Madison, they simultaneously demolished the old and constructed the new, in the same place, to avoid shutting down during that time. That corner has been home to countless intellectual pursuits and documentation of community intrigues, all housed in one of the few remaining structures

designed by Architect James William Thomas. In 2018 the building became vacant and is now owned by the Applicant who seeks Designation of the subject property.

SIGNIFICANT EXTERIOR ARCHITECTURAL FEATURES RECOMMENDED FOR PROTECTION

The following architectural features have been specifically called out as worthy of protection during future reviews for Certificates of Appropriateness:

- The east and south facades are primary to the design. The west and north facades are secondary to the design. The National Park Service bulletin ITS21 should be used as a guide for changes to secondary facades.
- Stonework on primary facades, including plain ashlar blocks, pilasters, sills, water tables and cornices, including carved "Pantagraph", shouldered architrave and stepped back stonework at Washington St. entrance.
- Metal spandrels and sills.
- Form and massing of the 1935 building; plus, the form and massing of 1965 addition, and the form and massing and solidity of the 1975 stone clad additions.
- Window and door sizes of the 1935 building and the 1965 addition.
- Basement window grills

LOCATION MAP





REGULAR AGENDA ITEM NO. 5.B.

FOR PLANNING COMMISSION: July 2, 2025

WARD IMPACTED: Ward 2

SUBJECT: Z-04-25 - Public hearing, consideration, and action on a request by Kieser Farms, for an **Annexation Agreement and Zoning Map Amendment**, to the City A (Agriculture) District and City R-3A (Multiple-Family Residence) District upon annexation, pertaining to property commonly known as 502 Lutz Road, consisting of approximately 74.5 acres (PIN: 21-20-200-003).

RECOMMENDED MOTION: Motion to establish findings of fact that the request for approval of the proposed Zoning Map Amendment to the A (Agriculture) District for Tracts A and C and to the R-3A (Multiple-Family Residence) District for Tract B is in the public interest and not solely for the benefit of the Applicant or Property Owner and to **recommend approval** of the request. Motion to establish findings of fact that the request for approval of the proposed Annexation Agreement is in the public interest and not solely for the benefit of the Applicant or Property Owner and to **recommend approval** of the request.

STRATEGIC PLAN LINK:

Goal 5. Great Place - Livable, Sustainable City
Goal 5. Great Place - Livable, Sustainable City

STRATEGIC PLAN SIGNIFICANCE:

Objective 5b. City decisions consistent with plans and policies
Objective 5a. Well-planned City with necessary services and infrastructure

BACKGROUND: The Applicant seeks approval of an Annexation Agreement and Zoning Map Amendment to incorporate the property to facilitate 1) the future redevelopment of an approximately 5-acre tract at the southwest corner of S. Morris Ave. and Lutz Rd., and 2) the construction of a Solar Energy Conversion Facility as an interim use on a portion of the larger site, until such time as public water main and additional sanitary sewer connections become more proximate to the southern portion of the Property.

Summary of the Request:

- The requested zoning for the bulk of the property is City “A (Agriculture) District” and is appropriate for this property that not near existing (or the planned extension of) public infrastructure.
- The requested zoning for 5-acre tract is City “R-3A (Multiple-Family) District” and is appropriate for this property that is currently serviceable by city water and sewer, as well as accessible by appropriate transportation infrastructure.
- The right to tap (access) public water and sewer are provided to the Owner, upon the payment of applicable fees.
- Future development of the parcel is contingent upon approvals through future

subdivision and building process(s).

- No requests or approval for waivers or variances are included in the Agreement. Clarifications and agreements are included, and the decommissioning compliance pathway substituted for the ease of future project administration by staff and tracking by the public.

The 2035 Comprehensive Plan Future Land Use Map identifies this area as “Future” in the Emerging Areas. The Land Use Priorities Map identifies this as "Future Use", referred to as "Land not contiguous to incorporated area and without access to City services," which no longer holds true.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The application was filed in conformance with applicable procedural and public notice requirements. Notice was published in *The Pantagraph* on June 6, 2025. Courtesy notices were mailed to 31 property owners within 500 feet of the subject property, as well as to Bloomington Township, McLean County, and Unit 5 School District.

FINANCIAL IMPACT: The proposed Annexation and Zoning Map Amendment will add to the City’s tax base. The Agreement does not exempt tap-on fees, substandard road fees, and parkland dedication that help to pay the City back for prior expenditures on the development of existing water, sewer, roads, and parkland infrastructure. The Applicant will be responsible for the construction and cost of infrastructure for development on the subject property.

Respectfully submitted for consideration.

Prepared by: Alissa Pemberton, Planning Manager

ATTACHMENTS:

[Z-04-25 Staff Report](#)

[Z-04-25 Draft Kieser Annexation Agreement](#)

[Annexation Agreement Exhibit B - Concept Plan](#)

TO: Planning Commission
FROM: Development Services Department
DATE: July 2, 2025
CASE NO: Z-05-25, Annexation Agreement & Zoning Map Amendment
REQUEST: Public hearing, consideration, and action on a request by Kieser Farms, for an Annexation Agreement and Zoning Map Amendment, to the City A (Agriculture) District and City R-3A (Multiple-Family Residence) District upon annexation, pertaining to property commonly known as 502 Lutz Road, consisting of approximately 74.5 acres (PIN: 21-20-200-003).

BACKGROUND

Request

The Applicant seeks approval of an Annexation Agreement and Zoning Map Amendment to incorporate the property to facilitate 1) the future redevelopment of an approximately 5-acre tract at the southwest corner of S. Morris Ave. and Lutz Rd., and 2) the construction of a Solar Energy Conversion Facility as an interim use on a portion of the site, until such time as public water main and additional sanitary sewer connections become more proximate to the southern portion of the Property. The requested zoning for the bulk of the property is City “A (Agriculture) District” and is appropriate for this property that not near existing (or the planned extension of) public infrastructure. The requested zoning for 5-acre tract is City “R-3A (Multiple-Family) District” and is appropriate for this property that is currently serviceable by city water and sewer, as well as accessible by appropriate transportation infrastructure.

The right to tap (access) public water and sewer are provided to the Owner, upon the availability of such and the payment of applicable fees. Future development of the parcel is contingent upon approvals through future subdivision and permitting process(es). Annexation Fees and Parkland dedication are not required for the portion of the property zoned Agriculturally. The 5-acre residential tract does trigger Annexation Fees and Parkland Dedication, to be calculated at the time of redevelopment. No waivers or incentives are proposed or committed to as part of this Agreement.

Property Characteristics

The subject property consists of approximately 74.5 acres of vacant County-zoned R-1 (Single-Family Residential) and A (Agricultural) land, located at the southwest corner of Lutz Road and S. Morris Ave. No existing Annexation Agreement was found for the subject property.

The property represents a strategic location for determining future development in this growing area of town, as it spans the length of S. Morris Avenue between Lutz and the I-74 overpass, determining the viability of any future east-west collector/arterial roadway to support development of this part of the City.

Notice

The application was filed in conformance with applicable procedural and public notice requirements. Notice was published in *The Pantagraph* on December 12, 2024. Courtesy notices were mailed to 21 property owners within 500 feet of the subject property, as well as to Bloomington Township, McLean County, and Unit 5 School District.

Surrounding Zoning and Land Uses

	Zoning	Land Use(s)
North	County R-1 (Single Family), Right of Way, City R-2 (Mixed Residence)	Single-Family Dwelling, Right of Way, Multiple-Family Dwellings
South	County R-1 (Single Family), Right of Way	Agriculture, Interstate Highway
East	Right of Way, County R-1 (Single Family), City P-2 (Public Lands and Institutions)	Right of Way, Golf Course/Agriculture
West	County R-1 (Single Family)	Agriculture, Electrical Substation

ANALYSIS

Comparison of Existing and Proposed Districts – Tracts A & C

Existing Zoning: County R-1 (Single-Family Residential) District

The R-1 Single-Family Residential District is intended to provide low-density single-family dwelling use and to allow certain public facilities. It is intended that no uses be permitted within the R-1 District that will tend to devalue property for residential purposes or interfere with the health, safety, order or general welfare of persons residing in the district. The provisions of the R-1 District are also intended to control density of population and provide adequate open space around buildings and structures in the district to accomplish these purposes (McLean County Code § 350-36A).

Existing Zoning: County A (Agricultural) District

The Agriculture District is intended to accomplish the following objectives: (1) Promote the use of agricultural land that is most suitable for farming activities; (2) Protect the value of agricultural land from indiscriminate incompatible and conflicting land uses; (3) Conserve and protect open space, wooded areas, streams, mineral deposits and other natural resources from incompatible land uses and provide for their timely utilization; (4) Provide for the location and govern the establishment and operation of land uses which are compatible with agriculture and are of such a nature that their location away from residential, commercial and industrial areas is most desirable; (5) Provide for the location and govern the establishment and use of residential uses that are accessory to and necessary for the conduct of agriculture; [and] (6) Provide for the location and govern the establishment and use of limited non-farm dwellings (McLean County Code § 350-35A).

Proposed Zoning: A (Agriculture) District

The intent of this A-Agriculture District is to govern the use of land, buildings, and structures within areas of the City where soil, topographic, and other conditions are best suited for the pursuit of agriculture or where essential community facilities or utilities do not yet or are not reasonably expected to serve the property. These regulations are further intended to provide for the protection and conservation of natural resources, to prevent or minimize conflicts between agriculture and non-agricultural land uses; act as a holding zone for annexed land prior to timely development; and to facilitate orderly and efficient urban development by preventing a scattered and indiscriminate pattern of urban growth (§ 44-301).

Comparison of Existing and Proposed Districts – Tract B

Existing Zoning: County R-1 (Single-Family Residential) District

The R-1 Single-Family Residential District is intended to provide low-density single-family dwelling use and to allow certain public facilities. It is intended that no uses be permitted within the R-1 District that will tend to devalue property for residential purposes or interfere with the health,

safety, order or general welfare of persons residing in the district. The provisions of the R-1 District are also intended to control density of population and provide adequate open space around buildings and structures in the district to accomplish these purposes. (McLean County Code § 350-36A).

Proposed Zoning: R-3A (Multiple-Family) District

The R-3A Residence District is intended to facilitate the development of residential districts for primarily multiple-family dwelling units which may generally serve as a zone of transition between nonresidential districts and residential districts of more moderate density. This district is further intended to provide for the needs of persons desiring multiple-family dwelling units at densities from 12 to 29 dwelling units per acre. (§ 44-401).

Compliance with the Comprehensive Plan

The proposed Annexation and Zoning Map Amendment contribute to the following Goals and Objectives:

- Goal H-1 (Ensure the availability of safe, attractive and high quality housing stock to meet the needs of all current and future residents of Bloomington; and,
- Goal NE-3 (Reduce environmental pollutants), Objective NE-3.1 (Identify and reduce air pollutants), Policy NE-3.1a (Work to attract and provide incentives for wind, solar, geothermal, biofuel, and other types of renewable energy development); and
- Goal UEW-1 (Provide quality public infrastructure within the City to protect public health, safety and the environment), Objective UEW-1.2 (Expand City’s infrastructure, as needed, while supporting the overall goal of compact growth and vibrant urban core); and,
- Goal UEW-2 (Promote and facilitate energy conservation and alternate energy generation and resources), Objective UEW-2.2 (Ensure at least 25% of energy use comes from renewable energy sources); and
- Goal CF-1 (Continue to provide quality public facilities and services), Objectives CF-1.1 (Provide adequate City services for current and new annexations) and CF-1.4 (Focus resources on maintaining and developing facilities that support the goal of contiguous and compact growth).

The 2035 Comprehensive Plan Future Land Use Map identifies this area as “Future” in the Emerging Areas. The Land Use Priorities Map identifies this as "Future Use", referred to as “Land not contiguous to incorporated area and without access to City services,” which no longer holds true.

STANDARDS FOR REVIEW FOR ZONING MAP AMENDMENTS

The Planning Commission shall hold at least one public hearing on any proposed Zoning Map Amendment and report to the Council its findings of fact and recommendations. Recommendations shall be made upon the determination that the Map Amendment is in the public interest and not solely for the benefit of the applicant, based upon considering the factors listed in § 44-1706E(2) and discussed below.

Chapter 44 (Zoning) was updated in February of 2023; Chapter 8.5 (Annexation) was not updated concurrently. The more comprehensive Chapter 44 criteria have been used for this review since the Planning Commission’s primary obligation (§ 8.5-203D) is to evaluate the proposed Zoning Map Amendment(s) (§ 44-1706E(2)(a)[1] - § 44-1706E(2)(a)[11]) versus (§ 8.5-203D(1) -§ 8.5-203D (8)).

Request for Zoning Map Amendment to A (Agriculture) District & R-3A (Multiple-Family) Residential

1. The suitability of the subject property for uses authorized by the existing zoning.

Uses permitted within the current County R-1 (Single-Family Residential) District are oriented to low-density single-family dwelling use and to allow certain public facilities. “Generally, single-family

dwelling, parks, educational and religious uses are permitted” (§ 350-36B), however these uses all require more access to public infrastructure than is currently available to Tracts A & C, or is planned to be provided in the near future, due to the extended distance and expense of installation. For the foreseeable future, uses that do not require public water or sewer will be the highest and best use of the property south of Tract B, as access to water and sewer infrastructure would require significant investment on the part of the City or Property Owner. The portion of the property that is already zoned County A (Agriculture) is proposed for A (Agricultural) zoning in the City, translating appropriately for the suitability of uses for that part of the subject property. Tract B, on the other hand, already has easy access to public water and sewer, as well as direct access to a City Collector street, making the uses permitted in R-1 zoning significantly less intensive than the use(s) that could be reasonably supported and appropriate for this portion of the property.

2. The length of time the property has remained vacant as zoned considered in the context of land development in the area.

Most of this property has never been developed and is currently vacant. Tract B currently holds a 100+ year-old single-family dwelling with detached garage and outbuildings. Meanwhile, other properties in this section of the City—bounded by W. Hamilton Rd., S. Morris Ave., Lutz Rd., and I-55—have experienced ongoing development in areas where public infrastructure and appropriate transportation access is available. The larger section of the property has been effectively used as cropland, but may be somewhat less desirable than comparably sized pieces elsewhere, as it is bisected (north-south) by an intermittent stream and two additional classified (1st and 2nd order waterways), in addition to an approximately 40-ft drop in elevation from the north end to south end of the property. See also the discussion of “Compliance with the Comprehensive Plan” in the prior portion of this report.

3. The suitability of the subject property for uses authorized by the proposed zoning.

Physically, the subject property would be appropriate for many uses permissible in the City’s Zoning Code except large-scale single-building development that could not be accommodated by the existing natural resources and/or topography. However, the present lack of infrastructure access makes the current development of most uses financially infeasible, or at least financially impractical. The northeast corner can be reasonably developed with any use resulting in a low-to-moderate traffic count (residential, specialty retail, office, etc.) in the near future, but does front directly on two larger streets, making the least intensive developed uses (parks, single-family residential, etc.) less practical.

4. The existing land uses and zoning of nearby property.

The adjacent properties are zoned County R-1 (Single-Family Residential) District, City P-2 (Public Lands and Institutions) District, City R-2 (Mixed Residence) District, and R-1C (Single-Family Residence) District. Uses include cropland, a public golf course, an electrical substation, multiple-family residences, and single-family residences. The entire eastern side of the property is bordered by right-of-way, with only a narrow strip of undevelopable remainder property between the southern border of the property and I-74.

5. Relative gain or hardship to the public as contrasted and compared to the hardship or gain of the individual property owner resulting from the approval or denial of the zoning amendment application.

Financially feasible development on the southern ~80% of this parcel—for the foreseeable future—will be only of uses that are not reliant upon the provision of public utilities and improved roadways. The relative gain for the owner from the downzoning to the A (Agriculture) District is real; the relative

hardship to the public will be minimal, if realized, and the impact is potentially protective of public finance given the current service condition of surrounding properties. Extension of public utilities to serve this parcel for residential development (as intended under the current zoning classification) would be unreasonably burdensome for the property owner but would also result in public ownership and maintenance of large sections of water and sewer main, for the relatively small number of dwelling units that could be supported by the existing and planned transportation infrastructure. Reclassification of this parcel paves the way for beneficial improvement of the property without encouraging forms of development that would necessitate public expenditure for infrastructure in advance of need from properties that are more proximate to exiting connections.

Development of the northern 5 acres (Tract B) is feasible today, or soon, and the gain for the property owner is real. The gain to the public from the rezoning and redevelopment of this property is also real. Lutz Road is designed as a future 3-lane Collector, with a DHV of at least 495. Today, the road is 2 lane road with a County section profile (no curb) on the south. Annexation, zoning, and redevelopment of this area would trigger dedication of the additional right of way needed for long term improvement of the road and would not significantly impact the current traffic level (as compared to design plan) which is only 200 AADT with a PASER Rating of 8. Residents have reported frequent problems with roll-throughs and activity attributable to a general driver lack of attention at this intersection, causing a concern for accidents that has been expressed during public hearings related to other projects in this area; these issues are common for intersections that people perceive as “low risk” (local roads deep in subdivisions, county roads with very low traffic, etc.). The development of urban uses on both sides of the road may provide visual cues (optical narrowing) for the street design,¹ helping to guide driver behavior and reduce the issues of concern expressed by residents.

6. The extent to which adequate streets are connected to the arterial street system and are available or can be reasonably supplied to serve the uses permitted in the proposed zoning classification.

This property is at the southwest corner of a City Arterial road (S. Morris Ave.) and City Collector road (Lutz), with access to both. Not only are adequate streets connected to support the development of Tract B, but well-planned development of this piece of property is needed to permit access to those streets by other future developments to the south and west. This property represents a key strategic piece in the future primary road network in this area.

7. The extent to which the proposed amendment is inconsistent with the need to minimize flood damage and that the development of the subject property for the uses permitted in the proposed zoning classification will not have a substantial detrimental effect on the drainage patterns in the area.

Stormwater management for development of the subject property will be managed according to the City’s Manual of Practice, requiring onsite management and maintenance of the post-development condition is no worse than pre-development condition.

8. The extent to which adequate services (including but not limited to fire and police protection, schools, water supply, and sewage disposal facilities) are available or can be reasonably supplied to serve the uses permitted in the proposed zoning classification.

Nearby properties are served by Bloomington fire and police protection and plans for development of the property will require site and permitting reviews that will include review for appropriate fire prevention measures. The property will be annexed to Bloomington-Normal Water Reclamation

¹ Theeuwes, J. Self-explaining roads: What does visual cognition tell us about designing safer roads?. *Cogn. Research* 6, 15 (2021). <https://doi.org/10.1186/s41235-021-00281-6>

District and is already part of the Unit 5 School District. For tracts A & C, water and sewer facilities are not immediately available to support intensive urban uses, hence the proposed downzoning of the subject property to the A (Agriculture) District. Tract B can already be easily serviced by all public services and utilities necessary for urban development and sustain a more intensive zoning classification than the current assignment.

9. The extent to which property values are diminished by the restrictions of the proposed zoning.

Property values are unlikely to be diminished by the proposed Map Amendment for Tracts A & C. The use of the property has been agricultural, adjacent to other agricultural uses, and many of the higher-intensity residential uses pondered by the current County zoning are not attainable given infrastructure constraints. Classification at the least intensive zoning district, upon annexation, is appropriate. The Map Amendment to R-3A for Tract B is unlikely to have a significant impact due to the small scale of the tract and the existing multiple-family use across the street, which is similar in character to the kinds of uses that may be implemented in the R-3A district.

10. Whether a Comprehensive Plan for land use and development exists, and whether the amendment is in harmony with it.

See prior discussion of “Compliance with the Comprehensive Plan” in this report.

11. Whether the City needs more of the types of uses allowed in the proposed district.

Low-intensity interim uses—like agriculture, solar energy conversion, forestry, and accessory open space—are appropriate ways to increase the use and value of properties that are strategic to the facilitation of appropriate development on other incorporated or contiguous properties like Tracts A & C. The City is currently seeking additional housing options, so the creation of additional residentially zoned property is in line with the needs of the City. The few lower intensity commercial uses approved for the R-3A (Sports & Fitness Establishments, Community Center) would be supportive of the neighborhood and not significantly generate traffic from outside the area.

ADDITIONAL STANDARDS FOR REVIEW FOR ANNEXATION

Both the Planning Commission and City Council shall conduct public hearings on the Agreement. The Planning Commission shall make its recommendation to the City Council after conducting its hearing. Recommendations shall be made...giving due consideration for the purpose and intent of Chapter 44, Article I, of the Bloomington City Code - 1960, including the following specific purposes (§ 8.5-203D(9)):

(a) To conserve and protect the taxable value of land and structures;

Standards five (5) and nine (9) for approval of Zoning Map Amendments speak to this purpose. Incorporation of property to be improved will increase the local tax base. The “pocket” of land between Hamilton/Morris/I-74/I-55 is comprised of a variety of properties and owners with potential for urban development in the future, but the constrained nature of this area means that the provision of utilities and infrastructure must be carefully considered to make the best use of public and private resources. Development of the property with an appropriate interim use inside City limits, which requires coordination with City planning and engineering operations, will help to ensure larger future planning efforts in this area are considered.

(b) To protect the air, water and land resources within the City from the hazards of pollution and misuse;

Standards three (3) and eight (8) for approval of Zoning Map Amendments speaks to this purpose. Compliance with the City Code, once annexed, will be generally protective from the hazards of pollution and misuse. The Agreement states normal public hearing and permitting processes shall be followed for future processes.

(c) To protect land and structures from natural hazards; including flooding and erosion;

Standard seven (7) for approval of Zoning Map Amendments speaks to this purpose. Incorporation and development of this property, when in compliance with the Manual of Practice—which is the expectation and requirement of such—will address onsite and localized flooding issues.

(d) To preserve and protect historic locations, structures and groups of structures;

Most of this property is unimproved, but under the City Code the existing structure(s) would be evaluated for historic value and integrity prior to the issuance of any demolition order.

(e) To preserve and protect and encourage the development of structures, groups of structures and neighborhoods of distinctive architectural character and appearance;

Standard four (4) for approval of Zoning Map Amendments speaks to this purpose. Development that would result in neighborhoods is not pondered at this time. Redevelopment of Tract B would require compliance with the Zoning Code, including design standards, bulk, and site requirements.

(f) To provide for the orderly and functional arrangement of land uses and structures;

Standard two (2) for approval of Zoning Map Amendments speaks to this purpose. Development of the property with an appropriate interim use inside City limits, which requires coordination with City planning and engineering operations, will help to ensure larger future planning efforts in this area are considered. Redevelopment of Tract B would require compliance with the Zoning Code, including those for connectivity, bulk and site requirements related to other properties and uses, the development of a site grading plan, and public water/sewer main extensions.

(g) To establish standards for the orderly development or redevelopment of geographic areas within the City;

The Agreement does not exempt the subject property or Property Owner from any of the established standards for planning and development within the City; it specifies that future subdivision and development of the Premises shall be by applicable governing Codes at that time, which should result in orderly development or redevelopment of the area.

(h) To secure for the public locations for housing, employment, shopping, education and recreation that are adequate in terms of health, safety, convenience and number;

Standards six (6) and 11 for approval of Zoning Map Amendments speak to this purpose. This Agreement and Annexation will facilitate interim improvement on a property that is strategically located for determining the development pattern and potential for other properties in the area, as well as the opportunity for the redevelopment of an older single-family property into a use more appropriate for the location, as related to the current characteristics of the property.

(i) To facilitate the adequate provision of transportation, water, sewage disposal, schools, parks and other public facilities;

Standard eight (8) for approval of Zoning Map Amendments speak to this purpose. This Agreement does not exempt tap-on fees, substandard road fees, and parkland dedication that help to pay the City back for prior expenditures on the development of existing water, sewer, roads, and parkland infrastructure. Instead, it defers calculation and obligation until a more permanent development and infrastructure plan is in place; normal operating procedure would be expected at that time. The Applicant would be expected to be responsible for the construction and cost of infrastructure for development on the subject property. In addition, the right of way needed for the future improvement of S. Morris Avenue is secured in this Agreement, and provisions are made for the dedication of a secondary east-west road which will provide access to the properties to the west which are otherwise limited in their accessibility and development potential.

(j) To conserve and protect natural resources including prime agricultural land, mineral resources and areas of scientific interest;

Standard one (1) for approval of Zoning Map Amendments speak to this purpose.

(k) To permit public involvement in the planning of private land uses which have the potential for significant impact on the use and enjoyment of surrounding property or on the public resources and facilities of the City of Bloomington; and

Approval of the Agreement and Zoning Map Amendment after public hearings and Council review would be the result of a fair, equitable, and orderly public review and participation process.

(l) To promote the Official Comprehensive Plan adopted by the City of Bloomington.

See prior discussion of "Compliance with the Comprehensive Plan" in this report.

Upon a vote, the Planning Commission will forward its recommendation to City Council. Council will then conduct a second public hearing, and approve or reject the Agreement on the basis of:

1. The facts presented at the public hearings; and
2. The recommendations of the Planning Commission; and
3. The recommendations of the City Staff.

STAFF RECOMMENDATION

Staff finds that the proposed Zoning Map Amendment is in the public interest and not solely for the benefit of the Applicant, after reviewing the relevant factors for consideration, and recommends the Planning Commission take the following action(s):

Motion to establish findings of fact that the request for approval of the proposed Zoning Map Amendment to the A (Agriculture) District and R-3A (Multiple-Family Residential) ***is in the public interest and not solely for the benefit of the Applicant or Property Owner*** and to recommend ***approval*** of the request.

Staff additionally finds that the standards for an Annexation Agreement have been adequately addressed in the Draft Agreement and Concept Plan, after reviewing the relevant factors for consideration, and recommends the Planning Commission take the following action(s):

Motion to establish findings of fact that the request for approval of the proposed Annexation

Agreement is ***in the public interest and not solely for the benefit of the Applicant or Property Owner*** and to recommend ***approval*** of the request.

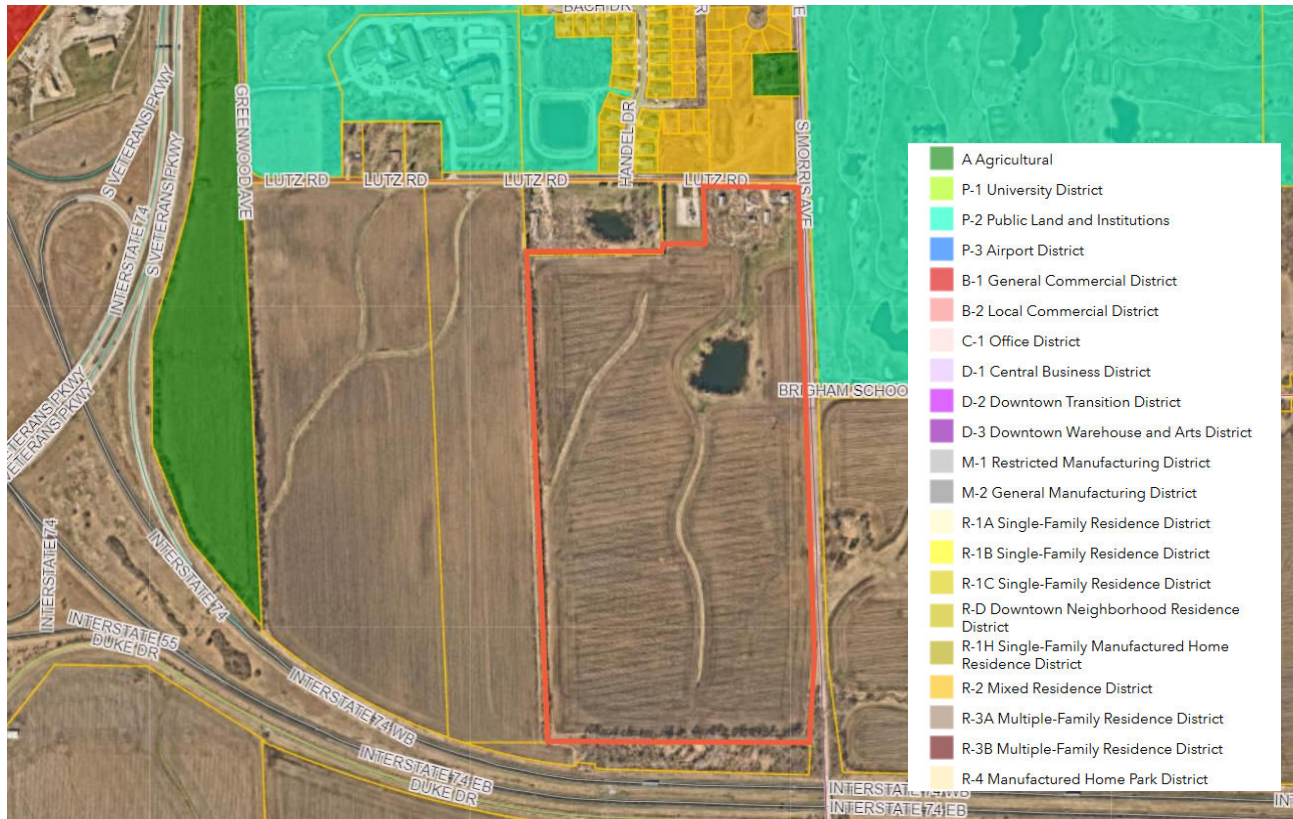
Respectfully submitted,
Alissa Pemberton
Planning Manager

Attachments:

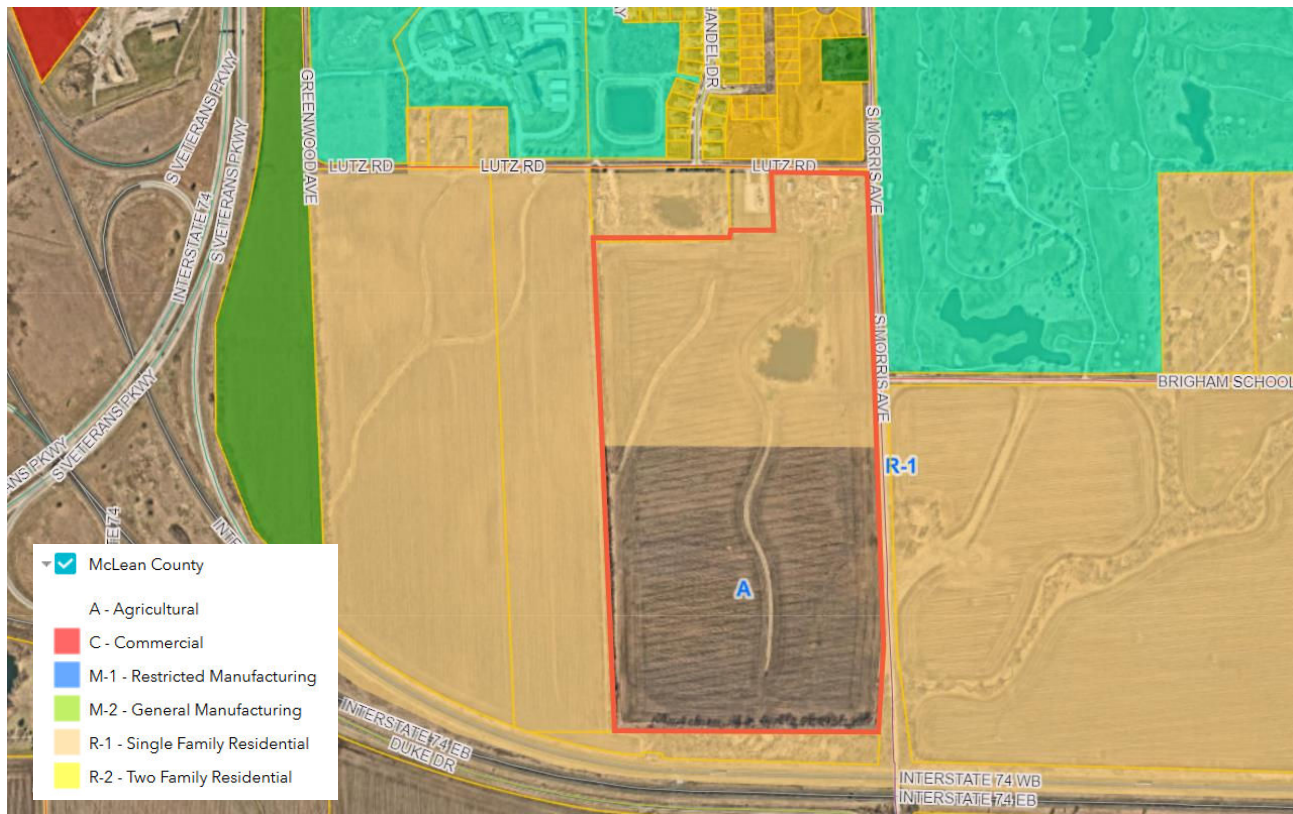
1. Zoning Map
2. Aerial Image
3. Natural Resources (Hydrology) Map
4. Tract B Utility Evaluation Map
5. Neighborhood notice map
6. Draft Annexation Agreement, including Concept Plan (Separate Attachment)

Attachment 1: Zoning Map

City of Bloomington Zoning Only



County and Town of Normal Zoning Included



Attachment 2: Aerial Images

Community Scale



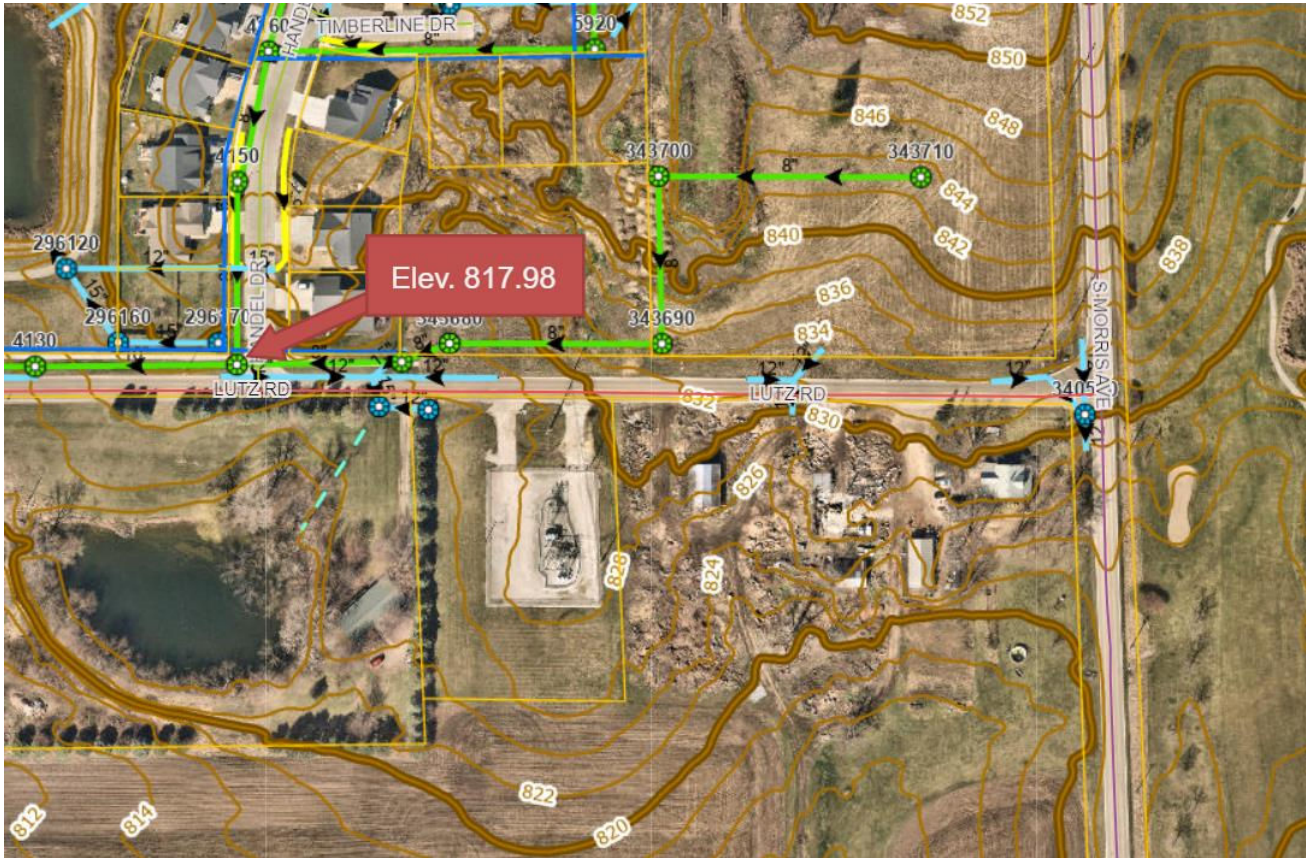
Planning Area Scale



Attachment 3: Natural Resources (Hydrology) Map

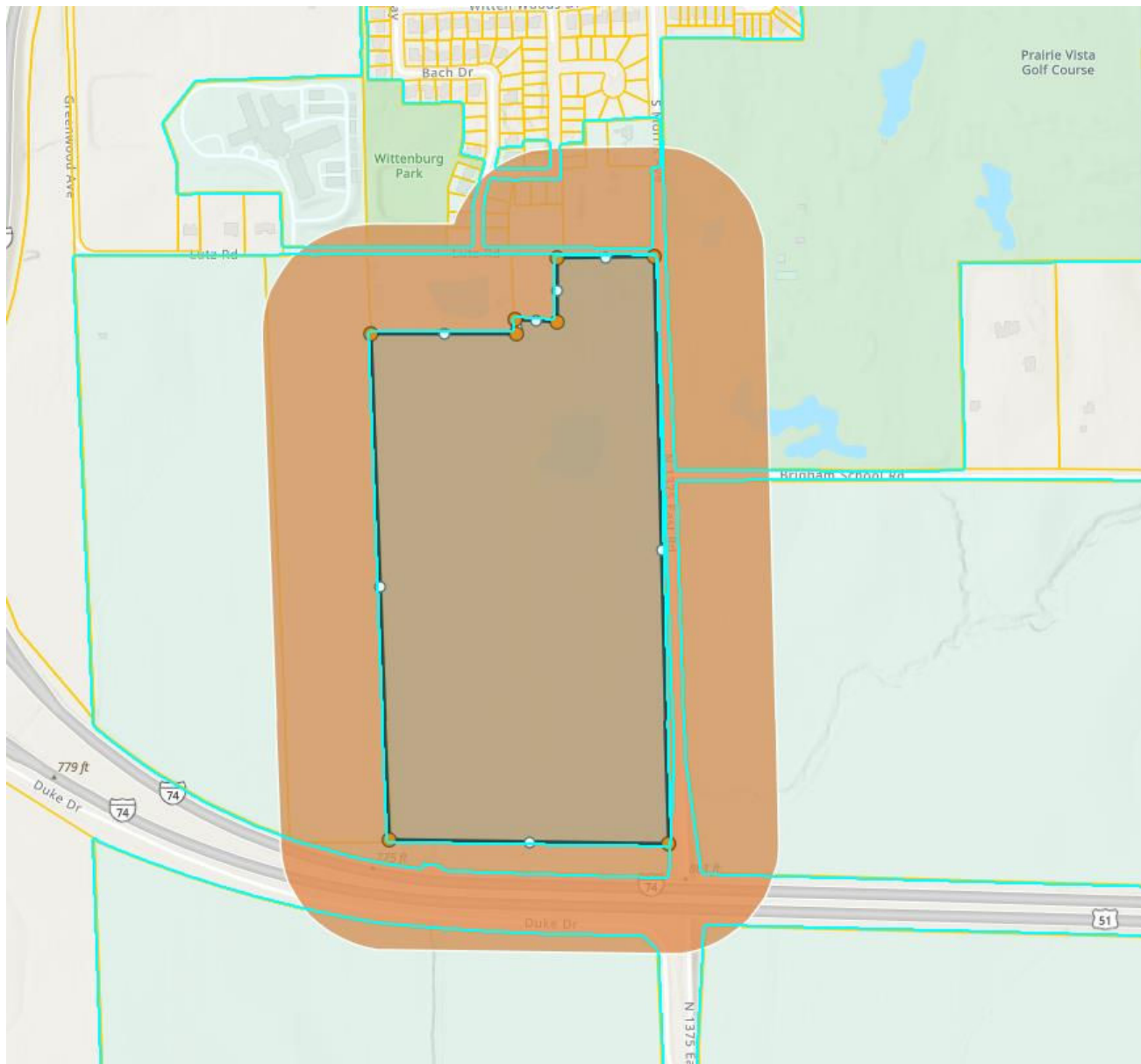


Attachment 4: Tract B Utility Evaluation Map



- Manholes
 - Combination Manhole
 - Sanitary Manhole
 - Storm Manhole
 - Other
- Inlets
- Public_Watermains
 - Abandoned
 - In-service | CIRA
 - In-service | COB
 - In-service | Hudson
 - In-service | TON
 - In-service | Towanda
 - Proposed
 - Other
- Public Sewers
 - Combined Pipe
 - Drain Tile
 - Field Tile
 - Paved Ditch
 - Sanitary Sewage Pipe
 - Stormwater Pipe
 - Unpaved Ditch
 - Other

Attachment 5: Neighborhood Notice Map



ANNEXATION AGREEMENT

Pursuant to legislative authorization found in Article 11, Division 15.1 of the Illinois Municipal Code, (65 ILCS 5/11-15.1-1 et seq.) for and in consideration of the mutual promises herein contained and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned City of Bloomington, Illinois, a Municipal Corporation (CITY), **Ronald D Kieser, Duane Kieser, and Joseph Kieser**, as individuals, including their successors or assigns, hereinafter collectively referred to as "Owner" (OWNER), and **AES Kieser Solar, LLC**, a Delaware limited liability company (DEVELOPER) enter into this Annexation Agreement (AGREEMENT) for the annexation of Property (as defined below) into the City.

WHEREAS, OWNER is the owner of approximately **74.86 acres**, less public right-of-way, with frontage on **Lutz Road and South Morris Avenue**, commonly described as 502 Lutz Road, legally described in Exhibit A (PROPERTY), attached hereto and incorporated herein by this reference; and

WHEREAS, OWNER granted DEVELOPER an exclusive option to lease a portion of the PROPERTY for the development, construction, and operation of a solar electric generating facility project (PROJECT); and

WHEREAS, DEVELOPER has submitted a concept plan (PLAN) for the subdivision and development of the PROPERTY, depicted as Exhibit B, attached hereto and made a part hereof by this reference, showing how they propose to develop the PROPERTY for the PROJECT; and

WHEREAS, the OWNER is desirous of having the PROPERTY annexed to the CITY to enable the development, construction, and operation of the PROJECT, and the CITY is desirous of annexing said PROPERTY; and

WHEREAS, said PROPERTY is not within the corporate limits of any municipality, but is contiguous to the CITY; and

WHEREAS, the OWNER is desirous of having Tract A of said PROPERTY zoned **A (Agricultural) District**, Tract B of said PROPERTY zoned **R-3A (Multiple-Family Residence) District**, and Tract C of said PROPERTY zoned A (Agricultural) District, upon annexation to the CITY (all Lots referenced shall include any subdivisions thereof); and

WHEREAS, the Bloomington Planning Commission, after proper notice was given, conducted a public hearing on a request for this AGREEMENT and associated Zoning Map Amendment, on [_____]; and,

WHEREAS, the Bloomington Planning Commission, following said public hearing, made findings of fact that such AGREEMENT and the included proposal(s) for Zoning Map Amendment(s) are in the public interest and not solely for the benefit of the applicant, as required by § 8.5-203 of the Bloomington City Code; and,

WHEREAS, the Bloomington Planning Commission voted to recommend that the City Council approve this AGREEMENT and Zoning Map Amendment; and,

WHEREAS, all Public Hearings required by Sections 7-1-1 and 11-15.1-1 of the Illinois Municipal Code (65 ILCS 5/7-1-1 and 65 ILCS 5/11-15.1-1), and by The Code of the City of Bloomington, Illinois, 1960, have been properly conducted, and appropriate findings of fact established.

NOW, THEREFORE, for and in consideration of the mutual covenants herein contained, the receipt and sufficiency of which are hereby acknowledged, the CITY, OWNER, and DEVELOPER agree as follows:

1. ANNEXATION PETITIONS.

OWNER, subject to the terms and conditions set forth in this AGREEMENT, will petition the CITY, requesting annexation of the PROPERTY, or portions thereof, to the City's corporate limits, after approval and execution of this AGREEMENT. The CITY shall publicize and give such notices and conduct such public hearings as are required to annex the PROPERTY, including specifically, public hearings on this AGREEMENT conducted after notice as required by law and ordinance.

2. ANNEXATION.

Upon Petition by the OWNER, the CITY agrees to adopt an Ordinance(s) annexing the PROPERTY, or portions thereof.

3. ZONING.

CITY agrees to zone the PROPERTY, upon annexation, as follows, subsequent to approval after any public hearings required by the City Code:

- A. Tract A, consisting of approximately 43 acres, with frontage on S. Morris Avenue, to A *(Agricultural) District*.
- B. Tract B, consisting of approximately five (5) acres, with frontage on S. Morris Avenue and Lutz Road, to R-3A *(Multiple-Family Residence) District*.
- C. Tract C, consisting of approximately 18 acres, with frontage on S. Morris Avenue, to A *(Agricultural) District*.

4. DEVELOPMENT OBLIGATIONS.

Unless explicitly written as otherwise, it is the intent of this AGREEMENT to allow the OWNER to continue the active Agricultural operation inside City limits, without triggering obligations and fees related to development, until such time as development is proposed or pursued, indicated by Replatting or the connection to new City services.

With regard to the annexation and development of the PROPERTY, the installation of public improvements within and serving the PROPERTY, and the use and development of the PROPERTY, during the life of this AGREEMENT, the following shall apply:

Note: Bonds shall be provided for all public improvements as set forth in the City Code. All public improvements shall be constructed within dedicated public right-of-way or dedicated easements.

A. The OWNER shall have the following obligations regarding streets as reflected on the PLAN.

(1) Lutz Road

- i. At the Time of Annexation: The OWNER shall dedicate right-of-way along the northern border of the PROPERTY adjacent to the roadway, extending 45-feet from the middle-line of Lutz Road.
- ii. As of the date of this AGREEMENT, the parties do not contemplate any necessary improvements or modifications to Lutz Road in connection with the PROJECT. If any future development of the PROPERTY, in connection with the PROJECT or any other project on the PROPERTY initiated by OWNER, necessitates any improvements to Lutz Road, then at the completion of Lutz Road being modified to City Minor Street standards, or at Final Platting, whichever occurs last, the OWNER and/or lessee of the PROPERTY at such time shall pay the Adjacent Substandard Roadway fee. The fee shall reflect the cost, per foot of frontage, of one half the per foot cost of a 30-foot-wide local street section. Said fee is currently \$215 per foot (1/2 of \$430 per foot). Beginning from the date of this AGREEMENT, this fee shall be increased at a rate of 6% simple interest or based on the Consumer Price Index (CPI), whichever is lower at the time of payment. At the option of the OWNER and/or lessee of the PROPERTY at the time the Adjacent Substandard Roadway fee is incurred, the fee may be paid at any time in advance of it becoming due.

(2) South Morris Avenue

- i. At the Time of Final Platting or before this AGREEMENT expires, whichever occurs last, or at the request of the City: The OWNER shall dedicate right-of-way, extending 45-feet from the middle-line of South Morris Avenue, running from the northern extent of the PROPERTY to the southern extent of the PROPERTY.
- ii. As of the date of this AGREEMENT, the parties do not contemplate any necessary improvements or modifications to South Morris Avenue in connection with the PROJECT. If any future development of the PROPERTY, in connection with the PROJECT or any other project on the PROPERTY initiated by OWNER, necessitates any improvements to South Morris Avenue, then at the completion of South Morris Avenue being modified to City Minor Street standards, or at Final Platting, whichever occurs last, the OWNER and/or lessee of the PROPERTY at such time shall pay the Adjacent Substandard Roadway fee. The fee shall reflect the cost, per foot of frontage, of one half the per foot cost of a 30-foot wide local street section. Said fee is currently \$215 per foot (1/2 of \$430 per foot). Beginning from the date of this

AGREEMENT, this fee shall be increased at a rate of 6% simple interest or based on the Consumer Price Index (CPI), whichever is lower at the time of payment. At the option of the OWNER and/or lessee of the PROPERTY at the time the Adjacent Substandard Roadway fee is incurred, the fee may be paid at any time in advance of it becoming due.

(3) Future East-West Collector Road. At the Time of Development of Tract C, redevelopment of Tract A, or development of the western adjacent property(s), whichever occurs first, or at the request of the CITY, OWNER shall dedicate a 70-foot right-of-way strip running from the eastern border of the PROPERTY to the western border of the PROPERTY. Said right-of way shall intersect with South Morris Avenue at a point approximately 575 feet north of the southern boundary of the PROPERTY (measured to the center of the right-of-way to be dedicated). The remaining Right-of-way to the West of the intersection shall be dedicated in the manner of one of the following options which OWNER shall have the right to select, as schematically shown in the PLAN, subject to minor technical corrections and modifications following preliminary engineering and CITY review and approval of the selected option:

- i. Option 1 (Preferred): right-of-way alignment at an approximately constant latitude, consistent with the latitude of intersection with S. Morris Avenue; or
- ii. Option 2: right-of-way alignment at approximately 250 feet north of the southern boundary of the PROPERTY (measured to the centerline of the right-of-way to be dedicated), with an additional north-south section of right-of-way dedicated to connect such alignment to the dedicated intersection right-of-way at S. Morris Avenue; or
- iii. Option 3: An alternate alignment proposed by OWNER and approved by the CITY at time of Final Platting.

B. Public Water Improvements: The OWNER shall have the following obligations regarding water improvements.

(1) Right-of-Way. All public water mains shall be built within dedicated public right-of-way or dedicated easements, including but not limited to those depicted in the PLAN.

(2) Improvement Obligations.

- i. Upon the extension of a public water main to an area adjacent to the PROPERTY, the OWNER may tap such main.
- ii. The OWNER shall be responsible for payment of tap-on fees prior to the connection to public water, based upon the requirements of the City Code at the time connection is sought.

C. **Public Sanitary Sewer Improvements:** The OWNER shall have the following obligations regarding sanitary sewer improvements.

(1) **Right-of-Way.** All public sanitary sewers shall be built within dedicated public right-of-way or dedicated easements, including but not limited to those depicted in the PLAN.

(2) **Improvement Obligations.**

- i. Upon the extension of a public sanitary sewer to an area adjacent to the PROPERTY, the OWNER may tap such sewer.
- ii. The OWNER shall be responsible for payment of tap-on fees prior to the connection to public sanitary sewer, based upon the requirements of the City Code at the time connection is sought.

D. **Concept Plan (PLAN) Approval.** The CITY hereby approves the PLAN for the property in Tract A, the AES Kieser Solar, LLC d/b/a Kieser Solar Project, attached hereto as Exhibit B. Normal administrative site plan approval, pursuant to § 44-1709 of the City Code, and permitting procedures shall still apply prior to development.

E. **PROJECT Specifics.** To increase efficiency, community benefit, and project clarity, OWNER and CITY agree to the following, as related specifically to the PROJECT proposed on Tract A of the PROPERTY.

(1) The following modifications of the Use Provisions associated with Solar Energy Conversion Facilities (§ 44-1031 of the City Code) shall apply:

- i. **Decommissioning –** The provisions for Decommissioning set forth in an executed Agricultural Impact Mitigation Agreement (AIMA) between the State of Illinois Department of Agriculture and the owner of any Commercial Solar Energy Conversion Facility project constructed on the Premises, shall override § 44-1031D of the City Code in timeline and process, provided construction begins within 5 years of the effective date of this AGREEMENT.
- ii. **Landscaping and screening –** For the portion of the site perimeter adjacent to the property commonly known as 508 Lutz Road, landscaping and screening requirements may be met in either of the ways outlined below. The remainder of the PROJECT area shall be fenced subject to the provisions of City Code § 44-1031F(3)(a) and § 44-910 (Fence regulations).
 - (a) OWNER, or their Designee, shall coordinate with the owner of the property commonly known as 508 Lutz Road to plan and coordinate any improvements to landscaping, screening, and/or vegetation along any portion of the property that is adjacent to a Solar Energy Conversion. For the purposes of zoning compliance, landscaping and screening requirements along this portion of the perimeter shall

be considered fulfilled upon formal approval by the property owner of 508 Lutz Road. Such buffer shall be at least as protective as the standard chain-link fencing allowed in Agricultural Zoning Districts; OR,

- (b) This portion of the perimeter shall be fenced subject to the provisions of City Code § 44-1031F(3)(a) and § 44-910 (Fence regulations).

(2) The following is provided for clarity and agreement on code and engineering items, as applicable to the proposed PROJECT on Tract A.

- i. Bulk and site standards. Solar Energy Conversion Facility Site and Bulk Standard (§ 44-1031F) overrides Agricultural District standards (§ 44-303).
- ii. Landscaping and screening. As related to § 44-1031F(3)(a) the inclusion of “wire mesh fencing” is interpreted to also allow chain link as an appropriate material, as they are used synonymously elsewhere in the Zoning Code.
- iii. Surfacing.
 - 1. Compacted gravel will be allowed for internal circulation and access road(s), as specified in an applicable AIMA.
 - 2. Any entrance(s) shall be paved with concrete or asphalt for the entire right-of-way width, to prevent gravel tracking onto public roads.

E. **Stormwater Detention** for any development on the subject PROPERTY shall be provided as per the Manual of Practice. Management facilities shared by multiple lots or developments may be allowed with the dedication of appropriate easements and calculations demonstrating compliance.

G. **Parkland Dedication and Reservation.**

(1) Tracts A and C. The OWNER is not responsible for dedication or reservation of Parkland for the portion of the property to be zoned A (Agriculture) District. During the life of this AGREEMENT, should portions of these tracts host residential uses in the future (developed as a residential use within a Residential Zoning District or other Zoning District where such use is approvable), Parkland Dedication and Reservation shall become due based upon the requirements of the City Code at the time entitlements are sought.

(2) Tract B. The OWNER is responsible for the dedication or reservation of Parkland for the portion of the property to be zoned R-3A (Multiple-Family Residence) District. This dedication shall be calculated and shall become due upon redevelopment of the subject Tract, based upon the requirements of the City Code at the time entitlements are sought.

H. **Future subdivision and development** of the PROPERTY shall be by applicable governing Codes at that time.

I. Annexation Fees (Fees to be Paid as a Condition of Annexation).

- (1) The OWNER is not responsible for Annexation Fees upon Annexation as A (Agriculture) District. Should any portion of the PROPERTY be rezoned from the A (Agriculture) District within the lifetime of this AGREEMENT, Annexation Fees shall be based upon the requirements of the City Code at the time entitlements are sought.
- (2) The OWNER is responsible for Annexation Fees associated with Tract B, to be zoned R-3A (Multiple-Family Residence) District. This amount shall be calculated and shall become due upon redevelopment of the subject Tract, based upon the requirements of the City Code at the time entitlements are sought. At the option of the OWNER and/or lessee of the PROPERTY, the fee may be calculated and paid at any time in advance of it becoming due.

5. OBLIGATION TO DEVELOP PER CODE.

In the construction and use of improvements on the subject PROPERTY the OWNER shall comply with all zoning, subdivision, building, mechanical and other applicable codes and ordinances of the City of Bloomington in effect at that time. Bonds shall be provided for all public improvements as set forth in the City Code.

6. ANNEXATION TO OTHER TAXING DISTRICTS.

The OWNER, as soon as practicable, but not later than 90 days from the date of annexation to the City, shall file and thereafter diligently pursue any necessary petitions to annex the PROPERTY to the Bloomington-Normal Airport Authority and the Bloomington and Normal Water Reclamation District.

7. COVENANTS AND AGREEMENTS

The covenants and agreements contained in the AGREEMENT shall be deemed to be covenants running with the land during the term of this AGREEMENT, shall inure to the benefit and be binding upon the heirs, successors and assigns of the parties hereto.

8. TERM

The term of this AGREEMENT shall be for twenty (20) years from and after the effective date of the annexation of the Property.

9. NOTICES

Any and all notices required or desired to be given hereunder shall be in writing and shall be delivered personally or sent via certified or registered mail, postage pre-paid and addressed as follows:

To the City of Bloomington, Illinois (CITY):

Attn: City Manager
115 E. Washington Street
Bloomington, IL 61701

To Kieser Farms (OWNER):

c/o Joseph Kieser
1829 N 700 East Road
McLean, IL 61754

To AES Kieser Solar, LLC (DEVELOPER):

c/o AES Clean Energy Development, LLC
2180 S 1300 E, Suite 500
Salt Lake City, UT 84106

or to such other person or address as a party may designate in a like manner.

10. ADOPTION OF ORDINANCES

The City agrees to adopt such ordinances as may be required to give legal effect to the matters contained in this AGREEMENT.

11. GENERAL PROVISIONS

The following general provisions shall apply to this AGREEMENT:

- A. Recitals incorporated. The above recitals are incorporated herein by this reference as if specifically stated in full.
- B. Time of the Essence. Time is of the essence in the performance of this AGREEMENT.
- C. Rights Cumulative. Unless expressly provided to the contrary in this AGREEMENT, each and every one of the rights, remedies, and benefits provided by this AGREEMENT shall be cumulative and shall not be exclusive of any other rights, remedies, and benefits allowed by law.
- D. Non-Waiver. The CITY shall be under no obligation to exercise any of the rights granted to it in this AGREEMENT. The failure of the CITY to exercise at any time any right granted to the CITY shall not be deemed or construed to be a waiver of that right, nor shall the failure void or affect the right of the CITY to enforce that right or any other right.
- E. Consents. Unless otherwise provided in this AGREEMENT, whenever the consent, permission, authorization, approval, acknowledgement, or similar indication of assent of any party to this AGREEMENT, or of any duly authorized

officer, employee, agent, or representative of any party to this AGREEMENT, is required in this AGREEMENT, the consent, permission, authorization, approval, acknowledgement, or similar indication of assent shall be in writing.

- F. Governing Law. This AGREEMENT shall be governed by, and enforced in accordance with, the internal laws, but not the conflicts of laws rules, of the State of Illinois.
- G. Severability. It is hereby expressed to be the intent of the parties to this AGREEMENT that should any provision, covenant, agreement, or portion of this AGREEMENT or its application to any Person or property be held invalid by a court of competent jurisdiction, the remaining provisions of this AGREEMENT and the validity, enforceability, and application to any Person or property shall not be impaired thereby, but the remaining provisions shall be interpreted, applied, and enforced so as to achieve, as near as may be, the purpose and intent of this AGREEMENT to the greatest extent permitted by applicable law.
- H. Entire Agreement. This AGREEMENT constitutes the entire agreement between the parties and supersedes any and all prior agreements and negotiations between the parties, whether written or oral, relating to the subject matter of this AGREEMENT.
- I. Interpretation. This AGREEMENT shall be construed without regard to the identity of the party who drafted the various provisions of this AGREEMENT. Moreover, each and every provision of this AGREEMENT shall be construed as though all parties to this AGREEMENT participated equally in the drafting of this AGREEMENT. As a result of the foregoing, any rule or construction that a document is to be construed against the drafting party shall not be applicable to this AGREEMENT.
- J. Exhibits. The Exhibits attached to this AGREEMENT are, by this reference, incorporated in, and made a part of this AGREEMENT. In the event of a conflict between an exhibit and the text of this AGREEMENT, the text of this AGREEMENT shall control.
- K. Amendments and Modifications. No amendment or modification to this AGREEMENT shall be effective until it is reduced to writing and approved and executed by all parties to this AGREEMENT in accordance with all applicable statutory procedures.
- L. Changes in Laws. Unless otherwise provided in this AGREEMENT, any reference to the Requirements of Law shall be deemed to include any modifications of, or amendments to, the Requirements of Law that may occur in the future.
- M. Authority to Execute. The CITY hereby warrants and represents to the OWNER that the Persons executing this AGREEMENT on its behalf have been properly authorized to do so by the Corporate Authorities. The OWNER hereby warrants and represents to the CITY (i) that they are the record and beneficial owner of fee simple title to the PROPERTY, (ii) except for a mortgage on the property, no other

person has any legal, beneficial, contractual, or security interest in the PROPERTY and that annexing the PROPERTY is not a violation of the security interests, (iii) that it has the full and complete right, power, and authority to enter into this AGREEMENT and to agree to the terms, provisions, and conditions set forth in this AGREEMENT and to bind the PROPERTY as set forth in this AGREEMENT, (iv) that all legal actions needed to authorize the execution, delivery, and performance of this AGREEMENT have been taken, and (v) that neither the execution of this AGREEMENT nor the performance of the obligations assumed by the OWNER will (a) result in a breach or default under any agreement to which the OWNER is a party or to which it or the PROPERTY is bound or (b) violate any statute, law, restriction, court order, or agreement to which the OWNER or the PROPERTY is subject.

- N. Enforcement. The parties to this AGREEMENT may, in law or in equity, by suit, action, mandamus, or any other proceeding, including without limitation specific performance, enforce or compel the performance of this AGREEMENT; provided, however, that the OWNER agrees that they will not seek, and does not have the right to seek, to recover a judgment for monetary damages against the CITY, or any of its elected or appointed officials, officers, employees, agents, representatives, engineers, or attorneys, on account of the negotiation, execution, or breach of this AGREEMENT.
- O. No Third Party Beneficiaries. No claim as a third-party beneficiary under this AGREEMENT by any Person shall be made, or be valid, against the CITY or the OWNER.
- P. Recording. After the OWNER has paid to the CITY an amount sufficient to cover the cost of recording this Agreement, all necessary plats, the affidavit of service of notice as required by Section 7-1-1 of the Illinois Municipal Code, 65 ILCS 5/7-1-1, and the Annexation Ordinance, the City shall promptly cause this AGREEMENT to be recorded in the office of the Recorder of McLean County.
- Q. Occupancy Permits. In addition to any other remedies permitted by this AGREEMENT, the failure of OWNER to meet any obligation set forth within this AGREEMENT shall be cause for the CITY to deny and/or revoke any occupancy permit issued on the PROPERTY.
- R. Execution. This AGREEMENT may be executed in any number of counterparts (including facsimile or electronic [.PDF] counterpart signature pages), each of which shall be deemed to be an original as against any party whose signature appears thereon, and all of which shall together constitute one and the same instrument. This AGREEMENT shall become binding when one or more counterparts hereof, individually or taken together, shall bear the signatures of all of the parties reflected hereon as the signatories.

EXECUTED and ADOPTED this ____ day of _____, 2025, at Bloomington, Illinois.

CITY OF BLOOMINGTON

Dan Brady, Mayor

ATTEST

Leslie Smith-Yocum, City Clerk

OWNER

Joseph Kieser

Ronald D. Kieser

Duane Kieser

DEVELOPER

AES Kieser Solar, LLC

By: _____

Exhibit A
LEGAL DESCRIPTION (PROPERTY)

LOT 1 AND THE EAST HALF OF LOT 2 ALL IN SCHWULST SUBDIVISION OF PART OF SECTION 20, TOWNSHIP 23 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2 PAGE 574,

EXCEPT THE WEST 655.8 FEET OF THE NORTH 350 FEET OF THE ABOVE-DESCRIBED TRACT.

ALSO EXCEPT A PART OF LOT 1 IN SCHWULST SUBDIVISION OF PART OF SECTION 20, TOWNSHIP 23 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN, AS SUBDIVISION IS RECORDED IN BOOK 2 OF PLATS AT PAGE 574, MCLEAN COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF SAID LOT 1, SAID POINT BEING 655.8 FEET EAST OF THE STONE WHICH MARKS ONE-QUARTER CORNER OF THE NORTH SIDE OF SECTION 20;

FROM SAID POINT OF BEGINNING THENCE SOUTH 00 DEGREES 00 MINUTES EAST 300 FEET PARALLEL WITH THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 20; THENCE SOUTH 87 DEGREES 47 MINUTES 200 FEET PARALLEL WITH THE NORTH LINE OF SAID LOT 1; THENCE NORTH 00 DEGREES 00 MINUTES WEST 300 FEET PARALLEL WITH THE WEST LINE OF SAID NORTHEAST QUARTER TO A POINT ON THE NORTH LINE OF LOT 1; THENCE NORTH 87 DEGREES 47 MINUTES WEST 200 FEET ALONG THE NORTH LINE OF SAID LOT 1 TO THE POINT OF BEGINNING.

ALSO EXCEPT A STRIP OF LAND IN LOT 1 OF SCHWULST'S SUBDIVISION OF PART OF SECTION 20, TOWNSHIP 23 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN MCLEAN COUNTY, ILLINOIS, THE STRIP INCREASING UNIFORMLY FROM A POINT ON THE WEST RIGHT OF WAY FENCE OF MORRIS AVENUE AT STATION 41+00 TRANSIT LINE 24 TO A WIDTH OF 85 FEET WEST OF TRANSIT LINE 24 ON THE SOUTH PROPERTY FENCE LINE WHICH PROJECTED INTERSECTS TRANSIT LINE 24 TO STA. 47+18, EXCEPT THAT PORTION USED AS A PUBLIC HIGHWAY. ALL IN MCLEAN COUNTY, ILLINOIS.

PIN: 21-20-200-003
ADDRESS: 502 LUTZ RD

Exhibit B
CONCEPT PLAN (PLAN)
AES Kieser Solar Subdivision

DRAFT



AES Kieser Solar, LLC
Conceptual Site Plan

PROJECT SITE DETAILS

AC CAPACITY AT POI	4.95 MW
DC CAPACITY	7.09 MW
DC:AC RATIO AT POI	1.43

*All acreages are approximate. Not for construction.

GARY THOMPSON
AND BRENDA THOMPSON
PID: 21-20-100-005

HEARTLAND BANK AND TRUST
PID: 21-20-200-001

AMEREN ILLINOIS
PID: 21-20-200-002

Tract B
Residential
5.09 ac

CITY OF BLOOMINGTON
PID: 21-17-428-004

Access Road and POI
to be relocated north of
the intersection of
Brigham School Road

BRIGHAM SCHOOL
ROAD

JUSTIN J STOLLER
PID: 21-21-151-003

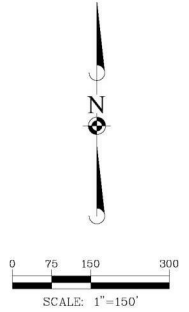
43.05 ac
Solar Facility Limits of Disturbance

Tract A
Ag-1
50.16 ac

PROJECT LIMITS, TYPICAL
NO WORK OUTSIDE OF
PROJECT LIMITS

Modules to be relocated
to western module string

Tract C
Ag-1
18.18 ac



EXISTING TREE TO REMAIN, TYPICAL

EXISTING TREE LINE TO REMAIN, TYPICAL

HIGHWAY I-74

SOUTH MORRIS AVENUE



REGULAR AGENDA ITEM NO. 5.C.

FOR PLANNING COMMISSION: July 2, 2025

WARD IMPACTED: Ward 6

SUBJECT: **Z-06-25** - Public hearing, consideration, and action on a request by the Mark Rudicil, for a **Zoning Map Amendment** to the R-2 (Mixed Residence) District, for the property commonly known as 804 N. Clinton St. (PIN 21-04-232-013).

RECOMMENDED MOTION: Motion to establish findings of fact that the request for **approval** of the proposed Zoning Map Amendment to the R -2 (Mixed Residence) District is in the public interest and not solely for the benefit of the Applicant or Property Owner and to recommend approval of the request.

STRATEGIC PLAN LINK:

Goal 5. Great Place - Livable, Sustainable City

Goal 5. Great Place - Livable, Sustainable City

STRATEGIC PLAN SIGNIFICANCE:

Objective 4b. Upgraded quality of older housing stock

Objective 5a. Well-planned City with necessary services and infrastructure

BACKGROUND: The Applicant is requesting approval of a Zoning Map Amendment for the subject property from B-1 (General Commercial) District to the R-2 (Mixed Residence) District.

The subject property is currently occupied with a vacant one-story structure and surface parking. The site has been occupied as a variety of commercial uses since the 1950s, including Vehicle Service, Office, and Personal Service. It was previously occupied as a Personal Service Use (Barber Shop) for an extended time before being vacated in 2024.

Originally, the property was included as part of the property to the north (523 E. Chestnut Street). At some point in the early 1950s, the south 34 feet of the property was partitioned off to allow for a separate commercial use. The Applicant is currently seeking to re-combine the two properties and restore this portion of the property to residential use, specifically as a potential Accessory Dwelling Unit.

Without combination of re-subdivision of this property and the property at 523 E. Chestnut Street, the R-2 bulk and site standards are not met, creating a non-conforming lot. The Applicant has submitted a request to combine the parcels. Evidence that the property has been combined, or a Variance has been approved to allow for the nonconforming lot size, will be required prior to final approval of this Zoning Map Amendment.

The 2035 Comprehensive Plan's Future Land Use Map identifies this area as Neighborhood Commercial. This is likely due to the practice of maintaining existing zoning and uses for

areas not considered emerging or expected to change. Due to the unique nature of this property and the history regarding the original residential use and wishing to restore it to residential, it would seem acceptable to recommend against commercial continuation. The Land Use Priorities Map does not identify this property.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The application was filed in conformance with applicable procedural and public notice requirements. Notice was published in *The Pantagraph* on June 16, 2025. Courtesy notices were mailed to 80 property owners within 500 feet of the subject properties.

FINANCIAL IMPACT: N/A

Respectfully submitted for consideration.

Prepared by: Jon Branham, City Planner

ATTACHMENTS:

[Z-06-25 - Staff Report - 804 N Clinton St](#)



TO: Planning Commission

FROM: Development Services Department

DATE: July 2, 2025

CASE NO: Z-06-25, Zoning Map Amendment

REQUEST: Consideration, review, and action on a request submitted by Mark Rudicil, requesting a Zoning Map Amendment for the property located at 804 N. Clinton Street, from B-1 (General Commercial) District to R-2 (Mixed Residence) District. PIN: 21-04-232-013.

BACKGROUND

Request

The Applicant is requesting approval of a Zoning Map Amendment for the subject property from the B-1 (General Commercial) District to the R-2 (Mixed Residence) District. The subject property is currently occupied with a vacant one-story structure and surface parking. The site has been occupied as a variety of commercial uses since the 1950s, including Vehicle Service, Office, and Personal Service. It was previously occupied as a Personal Service Use (Barber Shop) for an extended time before being vacated in 2024. Originally, the property was included as part of the property to the north (523 E. Chestnut Street). At some point in the early 1950s, the south 34 feet of the property was partitioned off to allow for a separate commercial use. The Applicant is currently seeking to re-combine the two properties and restore this portion of the property to residential use, specifically as a potential Accessory Dwelling Unit.

Without combination of re-subdivision of this property and the property at 523 E. Chestnut Street, the R-2 bulk and site standards are not met, creating a non-conforming lot. The Applicant has submitted a request to combine the parcels. Evidence that the property has been combined, or a Variance has been approved to allow for the nonconforming lot size, will be required prior to final approval of this Zoning Map Amendment.

Notice

The application was filed in conformance with applicable procedural and public notice requirements. Notice was published in *The Pantagraph* on Monday, June 16, 2025. Courtesy notices were mailed to 80 property owners within 500 feet of the subject property.

Property Characteristics

The subject property consists of approximately 0.04 acres (1,740 square feet) of land located near the intersection of N. Clinton Street and W. Chestnut Street in Flagg’s Second Addition Subdivision. Neighboring properties are zoned both commercial and residential.

Surrounding Zoning and Land Uses

	Zoning	Land Use(s)
North	R-2 (Mixed Residence)	Multi-Family Residential
South	B-1 (General Commercial)	Office
East	R-2 (Mixed Residence)	Single-Family Residential
West	R-2 (Mixed Residence)	Multi-Family Residential

ANALYSIS

Comparison of Existing and Proposed Districts

Existing Zoning: B-1 (General Commercial) District

The intent of this B-1 General Commercial District is 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. (§ 44-501).

Proposed Zoning: R-2 (Mixed Residence) District

The R-2 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. (§ 44-401).

Compliance with the Comprehensive Plan

Zoning Map Amendment requests should be consistent with the Comprehensive Plan. The 2035 Comprehensive Plan's Future Land Use Map identifies this area as Neighborhood Commercial. This is likely due to the practice of maintaining existing zoning and uses for areas not considered emerging or expected to change. Due to the unique nature of this property and the history regarding the original residential use and wishing to restore it to residential, it would seem acceptable to recommend against commercial continuation. The Land Use Priorities Map does not identify this property.

The proposed Zoning Map Amendment supports the following Comprehensive Plan goals:

- Goal H-1 (Ensure the availability of safe, attractive, and high quality housing stock to meet the needs of all current and future residents of Bloomington), Objectives H-1.1 (Ensure that the housing to accommodate the new growth is a broad range (of types, sizes, ages, densities, tenancies and costs) equitably distributed throughout the City recognizing changing trends in age-group composition, income, and family living habits); Objective H-1.2 (Ensure an adequate supply of affordable housing for low to moderate income households), and
- Goal ED-4 (Enhance the image of Bloomington as a business-friendly community), Objective ED-4.2 (Prioritize infill and redevelopment to spur growth and reinvestment in the City).

STANDARDS FOR REVIEW FOR ZONING MAP AMENDMENTS

The Planning Commission shall hold at least one public hearing on any proposed Zoning Map Amendment and report to the Council its findings of fact and recommendations. Recommendations shall be made upon the determination that the Map Amendment is in the public interest and not solely for the benefit of the applicant, based upon considering the factors listed in § 44-1706E(2) and discussed below.

Request for Zoning Map Amendment to R-2

1. The suitability of the subject property for uses authorized by the existing zoning.

The existing commercial zoning of the property presents limited opportunities for the Applicant due to the size of the tenant space and availability of parking. The site is constricted and is more suitable for

residential use.

2. The length of time the property has remained vacant as zoned considered in the context of land development in the area.

The property has been vacant as a commercial building for over one year. Other commercial zoned properties in the direct area include a multi-tenant office space south of the property and another partially vacated multi-tenant building across Clinton Street. The higher vacancy rate would seem to indicate that this area is not currently as attractive to commercial users.

3. The suitability of the subject property for uses authorized by the proposed zoning.

The subject property would be appropriate for most uses permitted in the R-2 District and could be appropriate for the proposed Accessory Dwelling Unit if other requirements can be met.

4. The existing land uses and zoning of nearby property.

The property is generally surrounded by single-family and multi-family residential properties with commercial to the south. The property was once included as part of the residential property to the north; when it was changed to commercial zoning the designation created an inconsistent boundary between the zoning districts. The existing zoning of this property could be considered an example of “spot-zoning” on an otherwise residential block.

5. Relative gain or hardship to the public as contrasted and compared to the hardship or gain of the individual property owner resulting from the approval or denial of the zoning amendment application.

The relative gain for the Owner and the community from the Map Amendment is positive as the Applicant would be restoring a vacant building to an active use that would create a beneficial impact to the surrounding area, with a residential rather than commercial use.

6. The extent to which adequate streets are connected to the arterial street system and are available or can be reasonably supplied to serve the uses permitted in the proposed zoning classification.

The existing street network adequately serves the subject property. Vehicle access is provided via an existing curb cut along Clinton Street and would continue to function this way for an updated residential use, or be altered to access via the alley as part of the single-family property accessing off Chestnut.

7. The extent to which the proposed amendment is inconsistent with the need to minimize flood damage and that the development of the subject property for the uses permitted in the proposed zoning classification will not have a substantial detrimental effect on the drainage patterns in the area.

Interior updates would be required to convert the building to residential. Stormwater management on the subject property will continue to be managed according to the City's Manual of Practice, if any exterior changes are contemplated in the future. Drainage patterns are not expected to change.

8. The extent to which adequate services (including but not limited to fire and police protection, schools, water supply, and sewage disposal facilities) are available or can be reasonably supplied to serve the uses permitted in the proposed zoning classification.

Adequate services are already available to the property, but it is unclear exactly how the existing building is connected to water and sewer service. The Applicant would need to ensure that water and

sewer items meet current code requirements as part of any effort to reoccupy the vacant structure.

9. The extent to which property values are diminished by the restrictions of the proposed zoning.

Property values are unlikely to be diminished by the Map Amendment. Increasing zoning consistency for existing uses is typically stabilizing, and this proposal results in the creation of a conforming lot, assigned to a single zoning district.

10. Whether a Comprehensive Plan for land use and development exists, and whether the amendment is in harmony with it.

See prior item “Compliance with the Comprehensive Plan” in this report.

11. Whether the City needs more of the types of uses allowed in the proposed district.

The City is in need of additional housing options and the Applicant would essentially be restoring the property to its original size and use function.

STAFF RECOMMENDATION

Staff additionally finds that the proposed Zoning Map Amendment is in the public interest and not solely for the benefit of the Applicant, after reviewing the relevant factors for consideration, and recommends the Planning Commission take the following action:

Motion to establish findings of fact that the request for approval of the proposed Zoning Map Amendment to the R-2 (Mixed Residence) District ***is in the public interest and not solely for the benefit of the Applicant or Property Owner*** and to recommend ***approval*** of the request.

Respectfully submitted,
Jon Branham
Planner II

Attachments:

1. Zoning Map
2. Aerial Image
3. Street View
4. Sanborn Map – 1950
5. Utilities Map
6. Neighborhood notice map

Attachment 1: Zoning Map



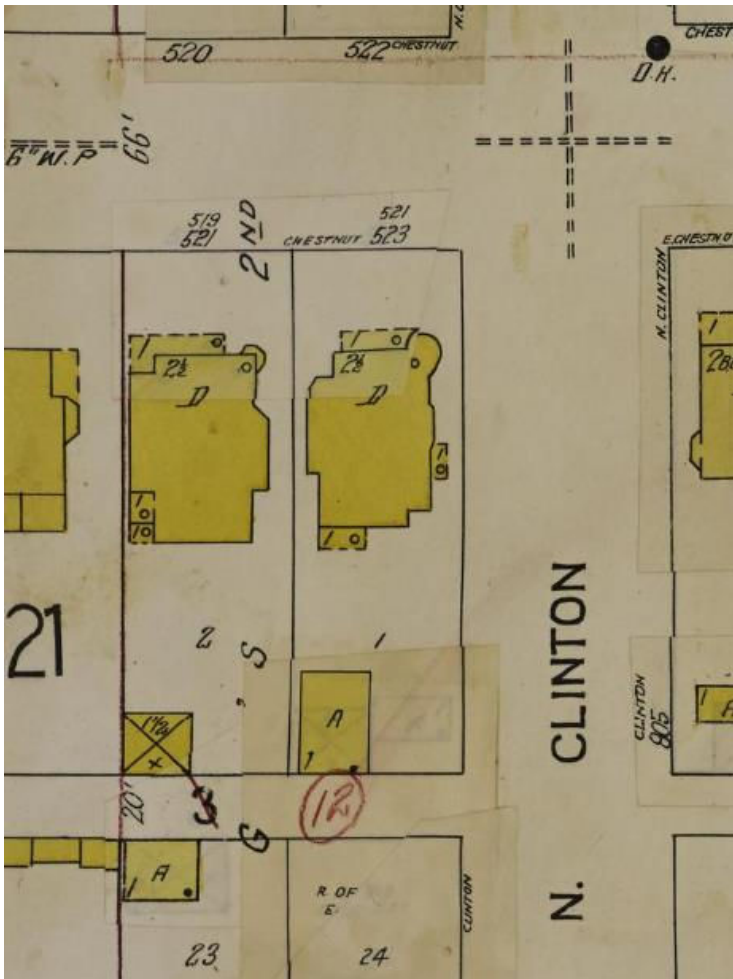
Attachment 2: Aerial Image



Attachment 3: Street View



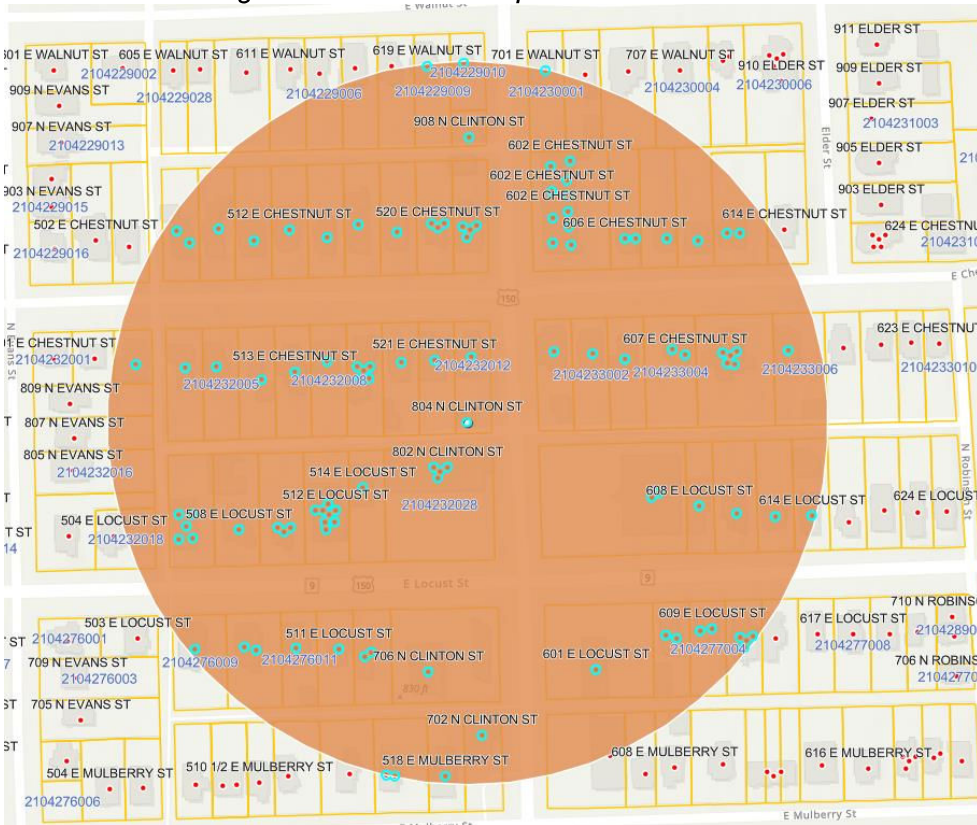
Attachment 4: Sanborn Map (1950)



Attachment 5: Utilities Map



Attachment 6: Neighborhood Notice Map





REGULAR AGENDA ITEM NO. 5.D.

FOR PLANNING COMMISSION: July 2, 2025

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and Action to **Elect Positions** for Planning Commission leadership.

RECOMMENDED MOTION: Election of a new Chair, Vice-Chair, or both.

STRATEGIC PLAN LINK:

Goal 1. Financially Sound City Providing Quality Basic Services

Goal 5. Great Place - Livable, Sustainable City

STRATEGIC PLAN SIGNIFICANCE:

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

Objective 5a. Well-planned City with necessary services and infrastructure

BACKGROUND: The current Chair of the Planning Commission, Justin Boyd, may be retained until his position on the Commission is replaced, or he may be replaced. The current Vice-Chair (Jackie Beyer) may be retained with a nomination and election of a new Chair, or elevated to Chair with a nomination and election of a new Vice-Chair. Alternatively, a new Chair and Vice-Chair may be selected, if it is the will of the Commission.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

Respectfully submitted for consideration.

Prepared by: Alissa Pemberton, Planning Manager