**MINUTES**
**BLOOMINGTON PLANNING COMMISSION**
**REGULAR MEETING**
**WEDNESDAY, MAY 27, 2015, 4:00 P.M.**
**COUNCIL CHAMBERS, CITY HALL**
**109 EAST OLIVE STREET, BLOOMINGTON, ILLINOIS**

**MEMBERS PRESENT:** Mr. Balmer, Mr.Barnett, Mr. Diamond, Mr. Pearson, Mr. Protzman, Ms. Schubert, Mr. Scritchlow, Mr. Stanczak, Mr. Suess
**MEMBERS ABSENT:** Mr. Cornell

**OTHERS PRESENT:** Mr. Tom Dabareiner, Community Development Director
Mr. Kevin Kothe, City Engineer
Mr. Mark Woolard, City Planner

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

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

**PUBLIC COMMENT:** None

**MINUTES:** The Commission reviewed the May 13, 2015 minutes. On page one "being" is to be deleted after "Hotel Drive needs to be". Three sentences later "condition" is to be "conditioned". On page two "they" is to be deleted after the first "401". In the next paragraph "and no one spoke" is to be added after "petition". Mr. Pearson moved to approve the May 13, 2015, minutes. Mr. Scritchlow seconded the motion which passed by a vote of 9-0 with the following votes being cast on roll call: Mr. Scritchlow-yes; Mr. Barnett -yes; Mr. Balmer-yes; Mr. Protzman-yes; Mr. Stanczak-yes; Mr. Diamond-yes; Mr. Pearson-yes; Ms. Schubert-yes; Mr. Suess-yes.

**REGULAR AGENDA:**
Z-03-15. Public hearing and review on the petition submitted by N. Prairie St. Historical Synagogue requesting the approval of a rezoning from B-2, General Business District with an S-4 Historic Preservation overlay to B-3, Central Business District with an S-4 Historic Preservation overlay for the property located at 315 N. Prairie Street.

Chairman Stanczak introduced the case. Mr. Woolard identified the location, the adjacent zoning and land uses. He explained the rezoning is consistent with the Comprehensive Plan. He explained the B-3 and proposed land uses are compatible with the adjoining uses. Three adjacent sites also have the B-3 zoning. The B-3 zone does not require parking and the site cannot accommodate parking as required in the B-2 zone. No change is proposed to the existing S-4, Historic Preservation overlay zoning. He said staff supports the request. Mr. Suess questioned how the property was zoned B-2. Mr. Balmer explained there was at one point an intention to having a resident and a business. The zoning made sense because of the other nearby zoning.

Chairman Stanczak opened the public hearing. Leslie Maurer, 402 Thicket Point, Normal, was sworn in. She stated she is the owner of the building. She said she is trying to make the building

into a community center. She wants it used by and enjoyed by the public. The rezoning will help to not need a variance for parking. The neighbors are helping with all the parking she needs. The Second Presbyterian Church and PNC Bank will let her use their parking lots. She is also pursuing national landmark status because this is an important piece of Bloomington's history. The building will be used for girl scouts, weddings, parties, business meetings, art, community events and art or other educational classes.

Chairman Stanczak asked if there was anyone in opposition, in favor or had questions regarding the petition and no one spoke. Chairman Stanczak closed the public hearing.

Mr. Balmer moved in regards to Z-03-15 for 315 N. Prairie Street that we recommend to the City Council that the request be approved as written. Mr. Diamond seconded the motion which passed by a vote of 9 to 0 with the following votes being cast on roll call: Mr. Scritchlow-yes; Mr. Barnett-yes; Mr. Balmer-yes; Mr. Protzman-yes; Ms. Schubert-abstain; Mr. Stanczak-yes; Mr. Diamond-yes; Mr. Pearson-yes; Mr. Suess-yes.

Z-04-15. Public hearing and review on the petition submitted by RJV Properties, LLC requesting the approval of a rezoning from R-1C, Single-Family Residence District to R-2, Mixed Residence District for the property located at 1314 N. Fell Avenue.

Chairman Stanczak introduced the case. Mr. Woolard identified the location, the adjacent zoning and land uses. He stated the petitioner desires multi-family for the property and in the R-2 district a special use permit is required. There is only one apartment building nearby and it is a four unit. The rezoning is inconsistent with the Comprehensive Plan. The R-1B and the R-1C zones are compatible with each other and the titles are single-family residence districts. The predominant neighborhood land use is single-family residential with some two-family residences. Three adjacent sites also have the B-3 zoning. There are 8 two-family dwellings, about 60 single-family and one multi-family dwelling. If rezoned this would be a spot zone which is generally discouraged because the district should have more than one parcel as a part of the district. With more properties in the district we create more properties that are compatible with each other. Staff recommends denial. The property at 421 Phoenix is considered a nonconforming use and there are restrictions on nonconforming uses.

Chairman Stanczak opened the public hearing. Bob Vericella, 125 S. Bellemont Road, was sworn in. He stated the property was a sorority house for probably 60-70 years. He stated the current owner bought the house in 2003 and zoned it as a rooming house. He was unaware that he had to renew the rooming house license and the property got rezoned to a single-family house. He stated the owner has not done anything with it. He said in 2006 he (Mr. Vericella) tried to get it rezoned with a different use in mind and it did not work out. Since 2006 it has been sitting there. He has a purchase option on it pending the zoning. He intends to demolish the inside which is full of mold. He will put in 6-8 luxury housing for young professionals. His company owns a fair amount of property around Wesleyan and downtown and they lack young professional units. They do not plan to set it up not for students but young professionals.

Carl Teichman, of Illinois Wesleyan University, PO Box 2900, Bloomington, was sworn in. He stated they do not have any interest in the property and have no intention of owning, buying or

occupying property along that historic area. He stated the university has decided to not take any position on this matter and will leave it up to the neighbors to decide.

Mr. Vericella stated when he was looking at options they decided the R-2 would be less of an impact with less density than R-3. The R-2 would have more stipulations as to what could go there. If approved, the mold would be removed right away and an architect would be brought in. They would start right away. He stated it would be very expensive to remove the building.

Katie Gronemeier, 22 Whites Place was sworn in. She stated that district has been designated a historic district. This property is on the west side of Fell and the east side has the designation. She said over the years many people have bought apartments and brought them back to single-family housing. Many have done that including like theirs where there were five apartments and now it is a single-family. The property has been vacant for a long time with mold and asbestos. It was built in 1913 as a Phillsbury single-family residence and it was that a long time before being a sorority. It is not in the best interest of the neighborhood to do this and needs to be torn down. They could make money with the three parcels. It makes no sense to go backwards when the area has worked very hard to be a single-family or a family duplex area. It makes no financial sense to anyone else who owns property there. The proposal is not consistent with the neighborhood. She identified other properties that changed to single-family residences. The property is unsafe and there are some duplexes but it is predominately single-family. Once it is rezoned anyone can go in and do what they want. There might be nice intentions now but not in ten years.

Michael E. Berkoviac, 1310 Fell, was sworn in. He does not know why Whites Place gets involved because they do not live close. They never had any trouble with parking. He said he has not seen anyone go in there or wild animals. It could be made into a beautiful home. The apartment building next to him has parking problems once in a while but they park on Phoenix which is fine. He talked to neighbors who do not have bad comments like White Place. He would be in support of the rezoning and they never had problems with the girls. He lived there for 42 years. He does not see where the professionals will bother people.

Ann Bailen, 1406 N, Clinton, was sworn in. She stated we have been here before where the same person wanted the rezoning. The entire neighborhood came together with the exception of this gentleman here and some renters on Phoenix. She said we were totally opposed to this spot zone. She said she hired Frank Miles and it did not go anywhere. This is not to say that the building is not in terrible shape. The doctor who bought the building did not do his due diligence. He did not realize or the realtor did not tell him that he could not have multi-family there but that is not the neighborhood's fault. To go backwards and to devalue the neighborhood with spot zoning would be such an erroneous thing to do. She has lived in her house for 18 years and has sold a dozen. They have all been improved and an undesirable element of the rentals is now gone. The homes have done nothing but increase in value. Phoenix cannot be compared with Fell because that is primarily rental. The building can be restored and it will sell well or it can be a green space but to bust up the neighborhood with this zoning change is a death nail for the historic neighborhood.

Tom Petersen, 307 Seville Road, was sworn in. He stated he is Mr. Vericella's realtor for the property. He said every possible buyer who walked through the home were investors and not home buyers. The owner did not want to make contingencies but after another deal fell through he did make it contingent on the rezoning. Being a Phillsbury home, it would be great for Mr.

Vericella to revamp the property and get it back to looking good. There is no issue with the asbestos if it is not irritated.

Jackie Mitchell, 418 Phoenix Avenue, was sworn in. She stated she had difficulty in buying her house because she did not know what would happen to the former sorority house. She loved the neighborhood so she purchased the house. Now the house needs something done with it. She would love to see it tore down and a single-family built that would fit into the neighborhood. She also does not mind as much what is proposed for 6-8 units. Her huge concern is that once it is rezoned it is wide open to anything and at a later time it could go to subsidized housing, section eight, or something like that. She said she thinks at her age if she should decide to move she would have a very difficult time selling her house right behind the property.

Kathy Leverton, 1311 Fell, was sworn in. She stated that they bought their house because of the historic neighborhood and if rezoned it will destroy the history, beauty and the cohesion of the neighborhood. She would like it to stay the same and has a problem with the rezoning because we cannot go back. She would rather see the state of the property stay as is than the rezoning.

Carolyn Hoyt, 1317 Fell was sworn in. She stated did not know if the petitioner meant rentals or condos for young professionals. She questioned if his plan was the only option. We are all single-family and we want to keep it that way. She said he did not mention the price of the properties once broken up and we do not know if it would be young professional prices or something else. Someone else could leave the building standing and come up with a better proposal. Maybe it could be rehabbed with a better outcome than the undesired apartments.

Mr. Vericella said these will be rental units and he is not going to subdivide it into condos. They will be studio, one or two bedroom. Exterior asbestos can be painted and is okay if undisturbed. To tear it down you would have to contain it. The interior pipes could be encapsulated.

Travis Rundle, 1315 Fell, was sworn in. He stated he also speaks for his neighbors who could not be here. He said they are one of the newer families who moved into the neighborhood. They have three young kids and their biggest concern is about the added traffic and the apartments. They use to live next to college and young professionals and their aim was to get away from apartments where conflicts come up because they are not fully attached to the neighborhood. When you bring in renters the sense of belonging disappears. He said they are fine with the way the building is now. They have young children and want to keep it single-family living like it is.

Chairman Stanczak closed the public hearing. He stated the Commission has received about ten emails which will be part of the record. Mr. Balmer stated he is generally in favor of repurposing properties and in housing young professionals. He only remembers spot zoning being approved when it was to be more rather than less restrictive. With a couple of exceptions there is an overwhelming opposition to the rezoning. He sees no compelling reason to change the zone, particularly with spot zoning and there are other things that can be done with the property. Mr. Scritchlow stated the new comprehensive plan discussion has been about revitalization in older neighborhoods. He said the house is vacant and something needs to be done with it and he thinks it is not economically feasible to turn it into single-family or even three houses. It does have historic significance and does know if anything will come out of it by just letting it rot away. Mr. Diamond stated it is a cohesive neighborhood that does not want its character changed and feels

a spot zone in this area is not compatible with the character of the neighborhood. He is inclined to not accept the proposal. Mr. Barnett stated he understands the impact this can take on a neighborhood but something positive needs to be done with the home and there is a need for young professional housing. He said it is more consistent with what it was as a sorority house. Mr. Pearson said something needs to be done and is in favor of it. Mr. Suess said he sees the impact that multi units have on the cohesiveness of the neighborhood. There may be alternatives and he does not see a spot zone as being an alternative. Chairman Stanczak said everyone agrees that something needs to be done to the house. The question is whether the rezoning would be the way to go and in his mind it would be a classic spot zoning. The size of the lot is at least twice the size of the adjacent lots and it could be resubdivided. He believes the rezoning is not the way to go. There was a brief discussion on what other developments can be placed on the site.

Mr. Pearson moved to accept the petitioner's rezoning on case Z-04-15 for 1314 N. Fell Avenue seeking a rezoning from R-1C, Single-Family Residence District to R-2, Mixed Residence District to be submitted to the City Council. Mr. Scritchlow seconded the motion which failed by a vote of 2-6 with the following votes being cast on roll call: Mr. Scritchlow-abstain; Mr. Barnett -yes; Mr. Balmer-no; Mr. Protzman-no; Mr. Stanczak-no; Mr. Diamond-no; Mr. Pearson-yes; Ms. Schubert-no; Mr. Suess-no.

Mr. Diamond moved for case Z-04-15 for 1314 N. Fell Avenue to recommend that the City Council deny the petitioner seeking a rezoning from R-1C, to R-2, Mixed Residence District. Mr. Balmer seconded the motion which passed by a vote of 6-2 with the following votes being cast on roll call: Mr. Scritchlow-abstain; Mr. Barnett -no; Mr. Balmer-yes; Mr. Protzman-yes; Mr. Stanczak-yes; Mr. Diamond-yes; Mr. Pearson-no; Ms. Schubert-yes; Mr. Suess-yes.

Chairman Stanczak thanked everyone for coming out and sharing their opinions.

V-01-15. Public hearing and review on the petition filed by City of Bloomington, requesting approval of the vacation of a public alley and to retain a public utility easement located west of Linden Street, north of Empire Street.

Chairman Stanczak introduced the case. Mr. Woolard identified the location and the adjacent zoning and land uses. He stated the petitioner is the city. The adjacent residences have access out to Linden Street and a utility easement will be retained. Staff recommends approval of the vacation. He said the assessor's office indicated value would not be added to the parcels.

Chairman Stanczak opened the public hearing. Terry Brown, 1322 N. Linden Street was sworn in. He said they had been worried about the increase in property taxes. Kim Brown questioned if there would be a lot of restrictions. Mr. Kothe stated with utility easement there would have restrictions of no permanent structures but a fence, patio, garden would be allowed but no garage. He doubts the assessor would increase the value because of the restrictions. Mr. Dabareiner stated by adding the area it provided additional distance from the building setback. Mr. Brown stated they do not oppose the vacation. There was a brief discussion on the treatment of private sewers in the alleys. Mr. Kothe will check with legal for future vacations. Chairman Stanczak closed the public hearing.

Mr. Pearson moved for case V-01-15 for west of Linden Street, north of Empire Street seeking the vacation of a public alley and to retain a public utility easement to submit to City Council for approval. Mr. Balmer seconded the motion which passed by a vote of 9-0 with the following votes being cast on roll call: Mr. Scritchlow-yes; Mr. Barnett -yes; Mr. Balmer-yes; Mr. Protzman-yes; Mr. Stanczak-yes; Mr. Diamond-yes; Mr. Pearson-yes; Ms. Schubert-yes; Mr. Suess-yes.

V-02-15. Public hearing and review on the petition filed by Lexkel, Inc., requesting approval of the vacation of a public alley located west of Linden Street, north of Empire Street.

Mr. Woolard identified the location and the adjacent zoning and land uses. He stated this alley is directly to the south of the alley that the city is requesting to be vacated. The adjacent site will have access to Linden Street. Staff recommends approval of the vacation.

Chairman Stanczak opened the public hearing. Patrick Cox, 507 N Center Street was sworn in. He stated he is the attorney for Lexkel and explained how the alley is useless. Any utilities in there are not being used. Chairman Stanczak closed the public hearing.

Mr. Scritchlow moved to recommend that case V-02-15 be approved as written. Mr. Balmer seconded the motion which passed by a vote of 9-0 with the following votes being cast on roll call: Mr. Scritchlow-yes; Mr. Barnett -yes; Mr. Balmer-yes; Mr. Protzman-yes; Mr. Stanczak-yes; Mr. Diamond-yes; Mr. Pearson-yes; Ms. Schubert-yes; Mr. Suess-yes.

**OLD BUSINESS:**
A**.** Discussion of Comprehensive Plan
Chairman Stanczak stated we do not have anything to discuss on the plan.

**NEW BUSINESS:**
A. Review of Planning Commission By-Laws
Mr. Pearson had not received the by-laws and the discussion will be at the next meeting.

**ADJOURNMENT:** There being no further business to come to the Bloomington Planning Commission's attention, Mr. Balmer moved to adjourn the meeting. Mr. Protzman supported the motion which was approved unanimously. The meeting was adjourned at 5:43 p.m.

Respectfully submitted,

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