



MINUTES

**PLANNING COMMISSION - REGULAR SESSION
WEDNESDAY, MAY 1, 2024, 4:00 PM**

The Planning Commission convened in regular session at 4:02 PM, May 1, 2024. Chair Boyd called the meeting to order.

Roll Call

Attendee Name	Title	Status
Mary Ann Cullen	Commissioner	Absent (Arrived 4:05 PM)
Mark Muehleck	Commissioner	Present
David Lewis	Commissioner	Present
Justin Boyd	Chair	Present (Left 6:22 PM)
Brady Sant Amour	Commissioner	Absent
Thomas Krieger	Commissioner	Present (Left at 6:35 PM)
Anna Patino	Commissioner	Present
Goverdhan Galpalli	Commissioner	Absent
Jackie Beyer	Vice Chair	Present
William Peradotti	Commissioner	Present

City staff present included Kevin Koethe, Director of Operations and Engineering Services; George Boyle, Assistant Corporation Counsel; Kelly Pfeifer, Assistant Director of Economic & Community Development; Jon Branham, City Planner; Alissa Pemberton, City Planner; John Myers, Assistant City Planner.

Public Comment

No public comment was provided.

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.

Item 4.A. Consideration and action to approve the Minutes of the March 6, 2024, regular meeting of the Bloomington Planning Commission.

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

Roll call.

AYES: Lewis; Muehleck; Peradotti; Beyer; Patino; Cullen; Boyd; Kreiger

Motion passed.

Regular Agenda

The following item was presented:

Item 5.A. Z-04-24 (BHP-03-24) - Public hearing, consideration and action on a request initiated by the Bloomington Historic Preservation Commission for the Designation of Holy Trinity Catholic Church and Rectory as Local Landmarks, and a Zoning Map Amendment to apply the S-4 (Historic Preservation District) Overlay, for the property between N. Center Street and N. Main Street, known as 704 N. Main St (Part of PIN: 21-04-135-001).

Commissioner Cullen arrived at 4:05 p.m., prior to the Staff presentation.

Ms. Pemberton presented the Staff Report with a recommendation to classify the structures as Local Historic Landmarks, to apply the S-4 (Historic Preservation District) Overlay, and to approve the proposed Resolution. She provided a summary of the Historic Preservation Committee review, which included the significance of the architectural details, the materials, and the cultural impact. Ms. Pemberton explained the S-4 (Historic Preservation District) Overlay process, protocols, and requirements. Additionally, she noted compliance items with the Comprehensive Plan.

Chair Boyd opened the public hearing.

Sarah Lindenbaum, Historic Preservation Committee Member, provided additional background on the Historic Preservation Committee decision and stated her personal connection to the structures. She noted the connection between Franklin Park and Holy Trinity.

Quinn Adamowski, Landmarks Illinois Representative, spoke in favor of the designation. Mr. Adamowski gave background on the positive effect and importance of designation.

Monsignor Jason Gray, Catholic Diocese of Peoria Representative, spoke against the designation and asked for the decision to be delayed. Monsignor Gray talked about ongoing water damage and declining parishioner membership, which could create a large financial impact. He stated the Catholic Diocese of Peoria has requested an architectural firm to evaluate the building and provide a report on necessary repairs. He said the report should be completed within two months and asked the Commission to delay any decision until the report is complete. He expressed concerns about potential extra expenses if the building is in disrepair.

Commissioner Muehleck asked the timeline for the report. Monsignor Gray stated it should be completed in July.

Chair Boyd closed the public hearing.

Vice Chair Beyer expressed support for delaying the Commission's decision. She stated that there may be benefits to delaying.

Commission Peradotti expressed support for delaying.

Commissioner Kreiger made a motion, seconded by Commissioner Patino, to establish findings of fact that subject structures meet the criteria to be classified as Local Historic Landmarks and reaffirm the Historic Preservation Commission's action designating them as such.

Roll call.

AYES: Lewis; Muehleck; Peradotti; Beyer; Patino; Cullen; Boyd; Kreiger

Motion passed.

Commissioner Muehleck stated the building is beautiful, but he believes it is reasonable to accommodate the request from the Diocese of Peoria.

Vice Chair Beyer agreed with Muehleck and expressed support to accommodate the request.

Chair Boyd stated it seems that the Commission is in favor of delay and asked Staff how to proceed. Ms. Pemberton stated the previous motion would need to be rescinded and the Public Hearing would need to be reopened.

Commissioner Peradotti made a motion, seconded by Vice Chair Beyer, to rescind the previous motion, understanding ongoing work by owner to research the property more fully and it is in the public interest to gain that information.

Roll call.

AYES: Lewis; Muehleck; Peradotti; Beyer; Patino; Cullen; Boyd; Kreiger

Motion passed.

Chair Boyd reopened the public hearing.

Commissioner Peradotti made a motion, seconded by Vice Chair Beyer, to continue the Public Hearing to the August Planning Commission meeting.

Roll call.

AYES: Lewis; Muehleck; Peradotti; Beyer; Patino; Cullen; Kreiger

NAYES: Boyd

Motion passed.

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

Roll call.

AYES: Boyd; Lewis; Krieger; Muehleck; Peradotti; Beyer; Patino; Cullen

Motion passed.

The following item was presented:

Item 5.B. Z-05-24 - Consideration, review, and action on a request submitted by Christopher B. Burke Engineering, for approval of an Annexation Agreement and Zoning Map Amendment, from County A (Agricultural) to City A (Agriculture) District, and Site Plan Review pertaining to property commonly known as 2440 W. Washington Street, consisting of approximately 131.9 acres, more or less (PIN: 20-01-300-004).

Ms. Pemberton presented the Staff Report with recommendation for approval, with the proposed modifications. She noted the key reasons for annexation, which include the importance of securing future right-of-way areas for the City's planned/proposed transportation network. She reviewed the key components of the site plan and explained Solar Energy use provisions in the City Code. She noted that the Applicant has agreed to provide an opaque fence on the north side of the solar use to screen the view from the residential property to the north. Additionally, she highlighted key provisions of the Annexation Agreement and the non-contiguous nature of the subject property, noting that completing the subject following case (Z-06-24) will result in contiguity.

Vice Chair Beyer asked for clarification of the differences between the McLean County and City of Bloomington use standards for solar. Additionally, she asked about how State legislation applies to the County and City. Ms. Pemberton explained that Solar is a Special Use in the County in all Districts, and the City does permit commercial solar by right in some Districts, however many of the installation provisions are similar between the two (i.e. height). She explained that State legislation (the "Siting Bill") dictates how restrictive the County may be on their site design and permitting standards, noting that City Staff are not experts on legislation impacting Counties only. Home-Rule Municipalities have more flexibility than Counties in how Codes can be written and applied, but legislation related to renewable energy technologies that does apply to municipalities has become in-force within the last year so other more directly related legislation may become applicable in the future. Vice Chair Beyer asked whether a Battery Energy Storage System is proposed as part of the proposed project. Ms. Pemberton stated only the Commercial Solar Energy Facility has been proposed. Vice Chair Beyer asked for clarification that the Ameren Substation is in County; Ms. Pemberton confirmed.

Chair Boyd opened the public hearing.

Tom Ryan, New Leaf Energy Representative and Co-Applicant, provided background information about the 5-MegaWatt (Community Scale) solar energy project proposed for the subject property. He explained they had been working on the project for two years with the property owner and Ameren and has acquired interconnection approval at the Ameren substation. He explained a miscommunication between staff and the applicant on the submitted plans, stating that the 20-foot and 2-inch "array pitch" on the plan spec sheet is the *distance between* the arrays and the height is not listed; the actual maximum height of the arrays, at full tilt, will be less than 10 feet. The project also includes opaque fencing along the north side to reduce impact to the neighboring residence. Additionally, he explained that the project began in McLean County but began working toward annexation when Staff identified a conflict with the proposed Site Plan and future planned/proposed road network, and subsequently identified the project required a subdivision under City Code.

Ms. Pemberton noted that, due to Mr. Ryan's testimony regarding the miscommunication on project specifications, the request and approval for waiver of the height restriction that is in the Draft Annexation Agreement would be removed.

Vice Chair Beyer asked about the timeline of the project, if the owners are selling or leasing, and what are the benefits are of developing the project within the City, as opposed to developing in the County. Mr. Ryan stated they plan for construction to begin Spring of '25 and they will be in a long-term lease agreement with the current property owner. He mentioned that developing within the City may alleviate future issues with coordination since they are required to operate within the City Code.

Courtney Hruska (2440 W. Washington Street) stated she supported the annexation.

David Hruska (2440 W. Washington Street), Co-Applicant and Property Owner/Trustee, stated he supports the annexation of the property and is excited to assist the City in achieving the renewable energy goals of the Comprehensive Plan.

Lindsey Griffin (W. Washington Street), Resident, expressed concerns about the construction and noise associated with the proposed development. She stated that the project will result in the loss of enjoyment of property. Ms. Griffin also expressed concern that the trees along the western side of her property (eastern side of the subject property) would be removed.

Ms. Pemberton noted that the exhibits are of a scale where small detail may be difficult to see, but parcel maps for the area indicate there is a 20-foot-wide strip of property, belonging to a different owner, in between the subject property and Ms. Griffin's property. She pointed out the area on an aerial image and observed most of the trees appear to be maintained on this adjacent property.

Eric Haney (2406 W. Washington Street), expressed concerns about the current site plan. He noted that previously, when the project was proposed in the County, there were greater setbacks, and handed out a copy of the Application for Special Use Permit submitted to McLean County by New Leaf Energy in 2023. He noted key conditions of his property and the proposed project, including an increase in topography from north-to-south. Mr. Haney stated that he is concerned about potential home devaluation, future expansion of solar uses, and loss of enjoyment of his property. He cited research from Lawrence Berkeley National Laboratory related to changes in property values near Utility-Scale solar farms. He stated he could live with the project at the previous proposal of 811-foot setback and 8-foot high panels.

Chair Boyd asked Staff to address the speaker's questions. Ms. Pemberton explained that expansion of the use would require additional Site Plan review, but neither the City or County can wholly prevent the installation of solar energy production on appropriately-zoned land. She noted the "greater setback" on the Site Plan proposed during the County Special Use process is due to the location of the project on a different portion of the property, not setback compliance. Setbacks for the proposed project meet requirements and the currently proposed location does not present issues for the future transportation network.

Dawn Haney (2406 W. Washington Street) expressed concerns and asked for greater setbacks and additional landscaping features. She stated a belief that the proposed road

should be moved. She cited draft legislation and asked that the project be required to have a 500-foot setback as IL HB-4135 bill proposes and discussed additional research she found online. She noted that she also supports a height limit for the solar panels.

Chair Boyd asked Staff why the road could not be moved further south to the property line. Ms. Pemberton stated that if the project were relocated to the far south property border it would still not meet the setback that Ms. Haney is requesting. In addition, she noted there is some flexibility in alignment—from both an engineering/planning perspective and language in the Agreement—but moving it to the southern property boundary could restrict beneficial development in the future by requiring the coordination of multiple property owners to construct the road.

Tim Nord (2510 W. Washington Street) stated he likes the idea of solar and already has accessory solar installed on his property. He handed out a packet of project summaries for projects completed or proposed in the County. He introduced himself as a property appraiser and local landowner. He stated he does not object to the plan as it was originally presented to the County but has concerns about the current project, particularly as related to the proposed height. He discussed the issue of 20-foot height and potential negative visual impact. He reviewed the projects in his provided packet, focusing on height, setbacks, and screening provisions. He added he would like to see additional screening added when the future roads are developed, or the use expands, so the public does not see long chain-link fences without any vegetative screening. He discussed the financing mechanisms and taxation of solar uses. He noted a number of other properties in or near City limits that could host solar farms in the near future, by right. He encouraged reducing the height requirement in the City Code and adding more screening there also, to apply to all projects. He inquired whether the Developer of the proposed solar use on the subject property has an agreement the property to the north or with Ameren to expand the proposed use if the Agreement is approved.

Ms. Pemberton responded that Staff is not aware of any company—including New Leaf—that has an approved interconnection for the subject properties, except the one currently being discussed. The queue does not indicate any other approvals at this location.

Chair Boyd asked that the document previously handed out, and that handed out by Mr. Nord be entered as Exhibits “A” and “B.”

Chair Boyd left the meeting at 6:22 pm. Vice Chair Beyer assumed leadership thereafter.

Paul Nord (2507 W. Washington Street) expressed concerns over road alignment, and referenced a prior agreement related to Walmart and the alignment of roads south of W. Washington Street when it was developed. He also expressed concerns over 20-foot high panels, shading crop production on his property adjacent to the east, and fencing without screening if they ever do put housing on the adjacent property.

He passed out a fact sheet, “Solar Farm 2.0” from UIUC, which is entered as Exhibit “C”.

Ms. Pemberton reiterated Code requirements and annexation items for the Commission, noting that much of the testimony has been related to items that would require text amendment(s) to enforce. She clarified that “Commercial Solar Energy Facilities,” as a Use, have already been vetted and approved as part of the City Zoning Code, with adopted Use Provisions. She explained the relationship of the City’s Zoning Code, Subdivision Code, and State law that results in the proposed belonging under City jurisdiction. She reiterated that the request for modification of the height restriction had already been addressed and the related provision would be removed from the Agreement.

Commissioner Kreiger left the meeting at 6:35 pm. Quorum was maintained.

Commissioner Lewis made a motion, seconded by Commissioner Patino, to take a 10-minute recess.

Roll call.

AYES: Lewis; Muehleck; Peradotti; Beyer; Patino; Cullen

Motion passed viva voce.

Recess began at 6:35 p.m.

The Planning Commission reconvened the meeting at 6:45 p.m. on May 1, 2024.

Vice Chair Beyer recalled the meeting to order and directed roll call.

Roll call.

PRESENT: Lewis; Muehleck; Peradotti; Beyer; Patino; Cullen

A quorum was still present.

Mary Thompson, Dale Township Supervisor, expressed concerns about the responsibility for road maintenance after annexation. She also asked what happens with the pieces of road that are not annexed, between different areas of City limits. Ms. Pemberton stated that Kevin Kothe, Director of Operations and Engineering Services, is present and can address that question after the public hearing is complete.

Vice-Chair Beyer invited the Applicants to respond to witness testimony.

Tom Ryan, Co-Applicant, clarified items from public testimony. He reiterated the height will not be 20-foot, 2-inches but will be 8-to-9 feet, at maximum. He stated they are not planning any other projects in the area at this time; when he recently viewed the subject “Ameren Interconnection Queue” no other projects were present. He refuted the information presented regarding significant property value decreases associated with solar, stating they have conducted property value impact studies related to many of their sites and the previously stated outcomes did not hold true. Additionally, he stated that they will consider more screening and fencing options after speaking with the residents at 2406 W. Washington. No trees are planned for removal, and he provided a construction timeline which approximated 4-to-6 months. He stated that New Leaf will pay the taxes on the property they lease, expected at more than \$400,000 over the course of 20 years.

Commissioner Patino asked the Applicant about the noise produced by a Solar Farm.

Mr. Ryan stated the inverter, which produces the most noise on the project, produces approximately 52 decibels at 200 feet, similar to a refrigerator. He noted the location of the inverter is more than 200 feet from the nearest residence.

Vice Chair Beyer closed the public hearing.

Kevin Kothe, Director of Operations and Engineering Services, provided background and context on road maintenance in annexed and shared jurisdictional areas. He explained that the obligation to repair any road damage that occurred during construction would fall upon the Developer, regardless of jurisdiction since they are still public roads. Additionally, he explained how the City has designed and adjusted the planned/proposed road network, over time, and provided additional context on the appropriateness of the proposed location of roads on the subject property. He noted the goal of building the road network in this area; Rivian Motorway and Wylie extensions as arterial roads, collector roads between, but property lines in this area jog quite a bit.

Vice Chair Beyer asked about the timeline of the proposed road construction. Mr. Kothe responded that road construction is driven by development, including usually being physically and financially constructed by such development. The City has no intention of constructing either of the proposed roads at this time, but having the plan in place is important to making sure things can move forward in the future.

Vice Chair Beyer reviewed the Standards for Consideration of Zoning Map Amendments with the Commission. Ms. Pemberton reminded the Commission that the question on the table is a Zoning Map Amendment, not approval of a specific use. She clarified that the question before the Commission is whether the proposed zoning—A (Agriculture) District—is appropriate for the subject property if it is annexed; the burden of deciding whether a property will be annexed is on the City Council.

Kelly Pfeifer, Assistant Director of Economic and Community Development, further clarified the Planning Commission's role. She stated that they were deciding on what could be called “Zoning *Upon Annexation*”, not whether it should be annexed.

The Commission discussed procedural items and the criteria for consideration of Zoning Map Amendments with Ms. Pemberton.

Commissioner Lewis made a motion, seconded by Commissioner Peradotti, to establish findings of fact that the request for approval of the proposed Zoning Map Amendment to the A (Agriculture) 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.

Roll call.

AYES: Patino, Lewis, Peradotti

NAYES: Beyer, Cullen, Muehleck

Motion failed (tie).

Ms. Pemberton requested that those who voted in the negative clearly indicate the reasons so that a pathway forward can be identified. Ms. Pfeifer clarified that the request to annex from the Applicant requires that a zoning upon annexation be selected from the Zoning Districts available within the City Code. She asked the Planning Commission what district they would recommend, if they feel Agricultural zoning is not appropriate.

Ms. Pemberton explained that the only zoning classifications that would allow the Applicant to continue the current use (farming) are A (Agriculture), P-2 (Public Lands & Institutions), or P-3 (Airport) District. Vice Chair Beyer expressed support for P-2 (Public Lands and Institutions) District since multi-family dwellings could be built there and the community needs housing. Ms. Pemberton noted that if the property was zoned P-2 (Public Lands and Institutions) District then inappropriate high-intensity uses would also be permitted by right; she added that Staff would not support a Zoning Map Amendment to P-2 for the subject property because the public good test could not be met. Ms. Pfeifer reiterated that the property is not developable into most of the P-2 uses right now due to lack of water and sewer so it is inappropriate from that aspect also.

City Attorney Boyle clarified procedural items.

Commissioner Lewis made a motion, seconded by Commissioner Peradotti, to reconsider the vote.

Roll call.

AYES: Lewis, Muehleck, Peradotti, Beyer, Patino, Cullen

Motion passed.

Commissioner Lewis made a motion, seconded by Commissioner Peradotti, to establish findings of fact that the request for approval of the proposed Zoning Map Amendment to the A (Agriculture) 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.

Roll call.

AYES: Lewis, Muehleck, Peradotti, Beyer, Patino, Cullen

Motion passed.

Ms. Pemberton reviewed the Site Plan Standards for Review and applicable use provisions. She clarified the height requirements and glare concerns, and that the Site Plan meets all requirements after the previously discussed modification of panel height. She also noted that the Applicant had chosen to pursue Public Hearing Site Plan to allow any required modification and additional public information, but since the Plan now meets all requirements it could be reverted to administrative review.

Vice Chair Beyer asked about the possibility of additional setbacks and expressed concerns about fire protection. Ms. Pemberton responded Planning Commission cannot require increased setbacks since the Site Plan meets the adopted requirements, and noted fire protection would be addressed through standard building permit processes for construction and NFPA standards for mitigation.

Commissioner Patino asked Staff about the concerns residents brought forth and the steps to addressing them. Ms. Pemberton responded that many of the requests for changes to how solar is implemented would need to be addressed through text amendments to the Zoning Code; she added that amendments could be proposed based on pending legislation and/or City Council initiation.

Vice Chair Beyer asked if the developer will take feedback. Ms. Pemberton responded they may implement feedback, however it was their decision to bring the Site Plan in front of Planning Commission. She added that since the Site Plan meets the current Zoning Code and no waiver is required based on updated information; the Site Plan review can be done administratively instead of in Public Hearing.

Commissioner Lewis asked for clarification on one of the speakers' concerns regarding shading. Ms. Pemberton clarified now that the proposed panels meet the height requirements crop shading on the adjacent property should not be a concern.

Commissioner Patino made a motion, seconded by Commissioner Cullen, to establish findings of fact that the Site Plan meets the subject standards and to revert its review from Public Hearing back to Administrative.

Roll call.

AYES: Lewis, Muehleck, Peradotti, Beyer, Patino, Cullen

Motion passed.

The Commission reviewed the Standards for Consideration for Annexation. Ms. Pemberton and Mr. Boyle clarified procedural items and the Planning Commission role in Annexations and Text Amendments.

Commissioner Peradotti made a motion, seconded by Commissioner Lewis, 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 a modified approval of the request, after removal of Public Hearing Site Plan Review per the prior motion.

Roll call.

AYES: Lewis, Muehleck, Peradotti, Beyer, Patino, Cullen

Motion passed.

The following item was presented:

Item 5.C. Z-06-24 - Consideration, review, and action on a request submitted by Christopher B. Burke Engineering, for approval of an Annexation Agreement and Zoning Map Amendment, from County A (Agriculture) to City A (Agriculture) District and County M-2 (General Manufacturing) to City M-2 (General Manufacturing) District, pertaining to: 1) property generally located south of the terminus of Carri Dr., between the Constitution Trail and W. Washington Street (PIN: 20-01- 100 -031), consisting of approximately 30.8 acres, and 2) property commonly known as 1803 W. Washington Street, (PIN: 21-05-306-002), consisting of approximately 3.3 acres.

Ms. Pemberton presented the Staff Report with a recommendation of approval. She identified existing conditions of the properties and key Annexation Agreement components. She noted that Annexation of “Tract A” is required to gain contiguity for the annexation of the property at 2440 W. Washington Street that is the subject of case Z-05-24.

Vice Chair Beyer opened the public hearing.

Brian Hug, Attorney representing the Applicant, provided further background. He stated that there are no plans for any new development and that they are looking to continue the same operations in the City.

Tim Nord (2510 W. Washington Street), Resident, spoke in favor of zoning the little parcel (PIN: 21-05-306-002) to M-2. He added that the second parcel (PIN: 20-01-100-031) should be zoned residential to help the region’s housing needs, instead of being zoned to Agriculture, specifically given the adjacency of public sewer. He reiterated the need to change the City code related to solar uses and discussed possible financial implications for solar uses versus implications for residential uses.

Patricia Harter (2501 W. Washington Street), Resident, spoke against the request. She expressed concerns about the health risks associated with solar energy production, hazardous material, and the potential for turning all of W. Washington into a solar field. She cited the World Health Organization research on Electromagnetic Fields. She expressed concerns about property devaluation, noting they selected their property because it was in the country. She expressed concerns about sun and air pollution that would result if solar farms moved into the area.

Scott Harter (2501 W. Washington Street), Resident, spoke against the proposal. He inquired who would be responsible for maintaining the property once the solar farm is installed and who would be responsible for fixing any broken panels. He also expressed concerns about who would be responsible for cleaning and repairing any damage to the local roads that result from the solar farm.

Paul Nord (2501 W. Washington Street), Resident, spoke against the proposal and echoed similar issues as the previous testimonies. He inquired why the property needs to annex to get sewer across it when they could just do an easement like they did on the Nord land to the east.

Ms. Pemberton clarified that no development is currently proposed for the subject property and that any development—even if permitted by right uses—would still require review and permitting which would address many of the concerns raised through the course of the testimony. She explained that things that occur on the property are the

responsibility of the property owner, including maintenance and cleanup of any damage.

Ms. Pfeifer also clarified that the proposed Commercial Solar Energy Facility is related to the previous case and on a different property. The question before the Commission is related to the appropriateness of zoning to A (Agriculture) District and M-2 (General Manufacturing) District.

Vice Chair Beyer clarified procedural items for the audience.

Dawn Haney (2406 W. Washington Street) expressed concerns about solar farms in the area and asked for greater setbacks and additional landscaping features.

Vice Chair Beyer reminded the speaker that no solar use is currently proposed for the properties that are the subject of the current case. Ms. Pemberton clarified additional procedural items, as well as the duties and responsibilities of the Bloomington Planning Commission, as created by City Code.

Vice Chair Beyer closed the public hearing.

Commissioner Patino made a motion, seconded by Commissioner Lewis, to establish findings of fact that the request for approval of the proposed Zoning Map Amendments to the A (Agriculture) District and M-2 (General Manufacturing) District are in the public interest and not solely for the benefit of the Applicant or Property Owner and to recommend approval of the request.

Roll call.

AYES: Lewis; Muehleck; Peradotti; Beyer; Patino; Cullen

Motion passed.

Commissioner Lewis made a motion, seconded by Commissioner Patino, to establish findings of fact 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.

Roll call.

AYES: Lewis; Muehleck; Peradotti; Beyer; Patino; Cullen

Motion passed.

Ms. Pemberton stated the case would proceed on the May 28th City Council agenda.

The following item was presented:

Item 5.D. **PS-02-24** - Consideration, review, and action on a request submitted by Wittenberg Woods II, LLC, (1707 E. Hamilton Road, Ste. 1A) for approval of the 2024 Amended Preliminary Plan for Wittenberg Woods at Prairie Vista Phase 5, for property located northwest of the intersection of S. Morris Ave. and Lutz Rd (Part of PIN: 21-17-451-005).

Ms. Pemberton presented that Staff Report with recommendation for approval of the Amended Preliminary Plan. She noted that the only significant change to the plan is changing the proposed Single-Family Attached (Townhome) and Two-Family (Duplex) structures to Single-Family Detached dwellings. She noted that any already-installed utility service lines that are not used during development will be required to be removed as part of project closeout and this will be reflected in Construction Plan documents.

Vice Chair Beyer opened the public hearing.

Mark Fetzer, Applicant, provided additional background information on why the changes were happening, indicating changes in market conditions as well as investor profiles.

Vice Chair Beyer closed the public hearing.

Commissioner Cullen made a motion, seconded by Commissioner Patino, to establish findings of fact that the Amended Preliminary Plan does conform with the standards of the Subdivision Code and Official Comprehensive Plan and to recommend approval of the request.

Roll call.

AYES: Lewis; Muehleck; Peradotti; Beyer; Patino; Cullen

Motion passed.

Ms. Pemberton stated the Preliminary Plan and associated Plat could be expected on the May 28th City Council agenda.

New Business

No new business was presented.

Adjournment

Commissioner Cullen made a motion, seconded by Commissioner Patino, to adjourn the meeting.

Roll call.

AYES: Commissioner Lewis, Commissioner Muehleck, Commissioner Peradotti, Vice Chair Beyer, Commissioner Cullen, Commissioner Cullen

Motion passed.

The Meeting Adjourned at 9:32 pm

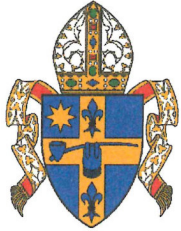
CITY OF BLOOMINGTON



Commission Chair, Justin Boyd



Staff Liaison, Alissa Pemberton



Catholic Diocese of Peoria

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May 1, 2024

Justin Boyd, Chair
Bloomington Zoning / Planning Commission
Bloomington Police Department, Osborn Room
305 S East Street
Bloomington, IL 61701

Dear Mr. Boyd:

I write regarding the proposal of the Historical Preservation Commission that an S-4 overlay zoning be applied to Holy Trinity Church and Rectory.

The current state of Holy Trinity Church

The facility at Holy Trinity Church has significant physical problems. The parish has raised millions of dollars over the past two decades to address physical improvements, though unfortunately this has not resolved all the problems with the building. I recently met with Mr. Greg Koos, chair of the Historic Preservation Commission, to look at the building. We both observed significant water damage caused by infiltration into the building. In spite of efforts to seal the building envelope, the roof and windows continue to allow water into the structure. The Diocese of Peoria has asked Healy, Bender, Patton & Been Architects of Naperville to perform a detailed analysis of the building and to formulate recommendations for a permanent solution. I am happy to share the results of this study with you when it becomes available.

If the water infiltration is not resolved, the church building may become compromised by water damage, the presence of mold, and structural deterioration. None of us want to see this happen.

Holy Trinity Parish has significant reserves and currently operates with a budget surplus. However, the cost of finding a permanent solution to the water infiltration is not known. Nor do we know if the necessary repairs will exceed the capacity of the parish to afford them. The cost of maintaining the Holy Trinity Church building is already higher than other similar parishes and imposes a larger burden on the parish budget than is average in the Diocese of Peoria.

The Growing Disciples Process to review Catholic Church

I offer this brief history of the recommendations of the Growing Disciples Team which is advising Bishop Tylka of Peoria about the future of Catholic parishes in this Diocese. After reviewing data for every Catholic church in this Diocese, including the decline in Mass attendance at Holy Trinity, the first recommendation was to merge it with Historic Saint Patrick Parish and Saint Mary Parish. This recommendation was rejected since it created a conflict in the funding model for St. Mary

and Corpus Christi Schools. The second recommendation was to face the tough long-term physical and financial challenges at Holy Trinity and recommend that it close. This recommendation was rejected after receiving the public reaction to this model. The third recommendation was to leave Holy Trinity as a stand-alone parish with a shared pastor. A part of this recommendation is that the parish study its facility to develop a sustainable long-term solution for its viability.

Bishop Tylka will release his final decisions on May 18th, and I understand that he intends to accept the third recommendation that no change be made to the status of Holy Trinity Church. Furthermore, as the canon lawyer for the Diocese of Peoria, I can confirm that no canonical steps have been taken under Church law to close Holy Trinity Church, and that it remains a Catholic parish and a site for religious worship.

My recommendation to the Zoning Commission

If an S-4 zoning overlay is applied to the church and rectory, Holy Trinity Parish will be handcuffed and burdened with additional red tape. We will not know the extent of any necessary repairs or their cost until we receive the architectural assessment I mentioned above. As you know, the provisions of city code, especially § 44-804 and § 44-1710, add to the time it will take to undergo a review process and receive approval for any needed repairs. Furthermore, the Historical Planning Commission is empowered to compel more expensive repairs if they are deemed necessary to preserve the historic nature of the building. These additional steps and potential additional costs may make it more difficult for Holy Trinity Church to address its challenges.

I recommend that you delay making a decision on the S-4 zoning overlay in order to gather more information. Holy Trinity Church will have a full report from Healy, Bender, Patton & Been Architects in a few months. At that time, I would look forward to sharing the results of this report with you. In this way, and with open communication, the City of Bloomington and Holy Trinity Church can work collaboratively to determine how best to preserve this important building.

As a representative of Bishop Tylka, I will also work with the parishioners of Holy Trinity to determine how to make their parish more viable, how to best stabilize the church building for the long term, and how to budget for the long-term costs of building maintenance.

This work will take time. I ask the City of Bloomington to delay the decision on the S-4 zoning overlay in order to work with me to identify the best solution for Holy Trinity Church.

Respectfully yours,

A handwritten signature in blue ink, appearing to read "Jason Gray".

Msgr. Jason Gray, J.C.D.
Judicial Vicar
Diocese of Peoria

5.B. Exhibit "B" Tim Nord

Tract #1

South Main

Tract #2

Amp – West of Crestwicke



amp.energy

518, 17th Street, Suite 950
Denver, CO 80202
United States

T +1 303.653.9805

Memorandum

To: Philip Dick, AICP, Director of Building and Zoning, McLean County

From: Mike Larkin, Amp Energy

Date: August 11th, 2022

Re: ASD McLean IL Solar III Major Utility Community Solar Project Special Use Permit Review

Amp solar Development Inc. ("ASD") is pleased to present the necessary application for a community solar project (ASD McLean IL Solar III LLC) in McLean County, Illinois. The proposed project requires the following approvals (**Attachment A & B**):

- Special Use Permit – A Special Use Permit is requested, as a utility, major (community solar array) is listed as a special use in the A zoning district. A Special Use Permit for this project was previously approved by the Zoning Board of Appeals during their September 10th, 2018 meeting (**Attachment C**).
- ~~Variance – A variation from the 200 foot setback from the boundary line of a R-1 or R-2 zoned property of a utility, major use (§ 350-43-00. (1)) is requested. ASD is working with the neighboring R-1 zoned property owner to mitigate any impacts and receive their support. The nearest property line of a R-1 zoned property hosting a single family house is approximately 900 feet to the east. A variance for this project was previously approved by the Zoning Board of Appeals during their August 7th, 2018 meeting.~~

Overview and Project Description

ASD is developing community solar projects in conjunction with the Illinois Power Agency's 2022 Long-Term Renewable Resources Procurement Plan. Through this Plan, the State established capacity for Traditional Community Solar Projects through the Adjustable Block program. This program allows developers to develop, permit, own, and operate solar projects with the ability to sell the solar electricity directly to utility customers. The solar facilities connect to Ameren's distribution grid and Ameren delivers the power to customers, and whereby ASD bills the customer for the electricity they purchase.

ASD is proposing to develop one (1)-2 megawatt AC solar project on adjacent properties in McLean County as shown on the Zoning Site Plan **Attachment F**. For permitting and approval purposes they are considered one project site and the following

application and analysis will encompass the entire property boundaries of the two affected properties.

The proposed solar site is located in the south side of E 925 North Rd in Bloomington Township, in the southwestern area of Section 27, Township 23, Range 2 East and the northwest area of Section 34, Township 23, Range 2 East in McLean County, Illinois. The area of the three affected properties is 19.6 acres and is an abandoned Illinois Central Gulf Railroad rail bed. A portion of the site is proposed to be developed from agricultural (and wooded) use to a solar site. The solar footprint is approximately 16 acres in size. The remaining area will be retained for agricultural production. After the solar panels are in place, the project site will be reseeded with a non-invasive, short growth pollinator friendly seed mix.

The phasing plan for this project is to obtain the required jurisdictional and regulatory approvals for the solar project to commence with a shovel ready project by the end of Summer of 2023, with construction by 2024. Construction will be followed with interconnection to Ameren's utility infrastructure by the end of 2024.

Zoning

The three properties are in the A, Agriculture Zoning District. A community solar garden as a "Utility, major" are listed as a Special Use in the A district. The performance standards for a solar power generating facility are listed as follows:

1. Major utilities that are not regional pollution control facilities or otherwise exempted in Article I of these regulations shall not be located within 200 feet of a boundary line of an R-1 or R-2 District.

An application for a variation from this standard to allow for a 30-foot setback was submitted on August 11th, 2022. ASD is working with the neighboring R-1 zoned property owner to mitigate any impacts and receive their support. One mitigation measure includes maintaining the existing vegetation on the eastern 10 feet of the site and the vegetation on the northern 50 feet of the site to provide screening from the residentially zoned properties to the east and the home to the north of the site. Existing retained vegetation on the eastern boundary will be trimmed as required to mitigate potential solar array shading hazards. Any gaps in the existing vegetation will be filled with new trees as needed. The nearest property line of a R-1 zoned property that hosts a single-family house is approximately 900 feet to the east.

2. The following standards shall apply to a solar power generating facility.
 - a. Setbacks. The facility shall be set back 50 feet from the front and rear property lines and 30 feet from the side property lines.
The solar array fence is located 50 feet from the front property line, 50 feet from the rear property line, and 30 feet from the side property lines.
 - b. Lighting shall be installed for security and safety purposes only. Except with respect to lighting required by the FCC or FAA, all lighting shall be shielded so that no glare extends substantially beyond the boundaries of a facility.

- A single light will be installed at the transformer/invertor pad which will only be turned on during maintenance and servicing.*
- c. An erosion control plan shall be provided.
An erosion control plan will be provided with the building permit submittal.
 - d. A stormwater management plan shall be provided.
A stormwater management plan will be provided with the building permit submittal.
 - e. All areas occupied by the facility that are not utilized for access to operate and maintain the installation shall be planted and maintained with a native shade tolerant grass or other vegetation for the purpose of soil stabilization or other methods approved by the Director of Building and Zoning.
The project site will be reseeded with a non-invasive, short growth pollinator friendly seed mix.
 - f. Solar panels shall require construction permits from the Department of Building and Zoning. Solar panels that are part of a solar power generating facility shall require engineering certified by a registered engineer or other certified professional before an occupancy permit will be issued.
Registered Engineers will prepare and submit the plans for building permit submittal.
 - g. If a facility ceases to produce electricity on a continuous basis for 24 months, the equipment must be removed, and the site restored to original condition.
Understood. See the Decommissioning Estimate & Plan for the details regarding the removal and restoration.
 - h. The facility shall provide approval for access points and change in access use from the road authority.
An access permit will be applied from the road authority. The applicant has attempted to contact the Township Road Commissioner and is awaiting a response.

Special Use Permit

A community solar garden as a "Utility, major" are listed as a Special Use in the A district. The performance standards for a Special Use are listed as follows:

A. The proposed special use will not be detrimental to or endanger the health, safety, morals, comfort, or welfare of the public.

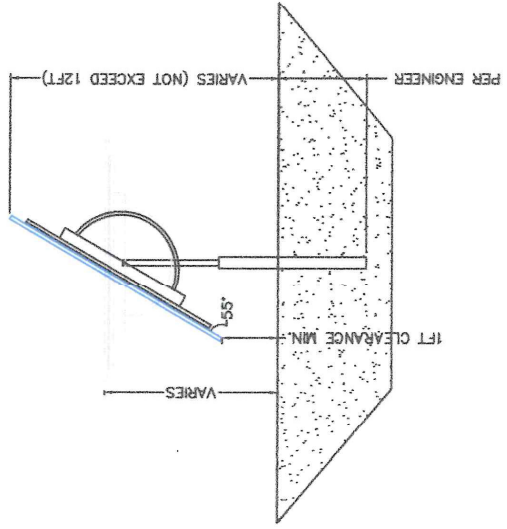
The establishment, maintenance and operation of this proposed special use will have no negative impact on the health, safety, morals, comfort, or general welfare of surrounding community members. Solar components will comply with the current edition of the National Electric Code, will be UL listed (or equivalent) all of which will work to ensure the above approval criteria is met. This solar garden and its resulting environmentally sustainable and non-greenhouse gas generating energy will improve the environmental health, human welfare, and economic development of the surrounding area.

NOT FOR CONSTRUCTION	
PARCEL ID: 21-27-431-002, 21-27-432-002, 21-34-100-003	
PROPERTY OWNER: JOHN CARPONE	
ZONING JURISDICTION: MCLEAN COUNTY	
TOWNSHIP: BLOOMINGTON TOWNSHIP	
DISTRICT AG	PROPOSED: SUP*
PRELIMINARY DISTURBED AREA: 11.1 AC	
PRELIMINARY SOLAR AREA: 49 AC	
*SPECIAL USE PERMIT IS BEING PROPOSED TO CONSTRUCT/OPERATE A SOLAR FARM	

DEVELOPER	amp
CLIENT	

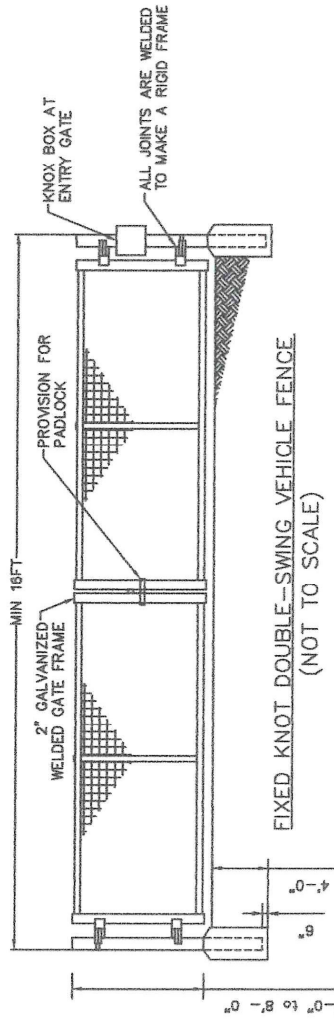
REV	DESCRIPTION	DATE
01	ISSUED FOR REVIEW	06/03/22
02	ISSUED FOR PERMITTING	06/06/22

CLIENT	ASD MCLEAN IL SOLAR III LLC
PROJECT ADDRESS	2998 COUNTY ROAD 923 N, BLOOMINGTON, IL 61705
DRAWN BY	
CHECKED BY	
DATE	28/03/22
SHEET	2 of 2

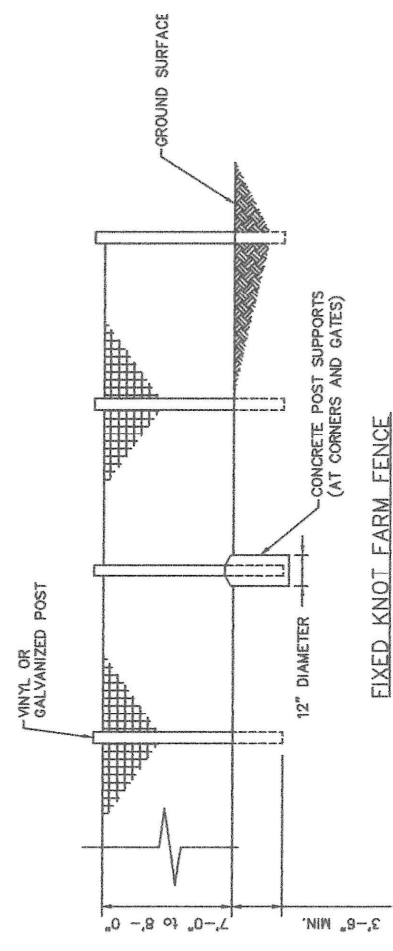


TRACKER WITH PV MODULES
(NOT TO SCALE)

NOTES:
1. TYPE OF FOUNDATION MAY CHANGE INCLUDING DIMENSIONS



FIXED KNOT DOUBLE-SWING VEHICLE FENCE
(NOT TO SCALE)



FIXED KNOT FARM FENCE
(NOT TO SCALE)

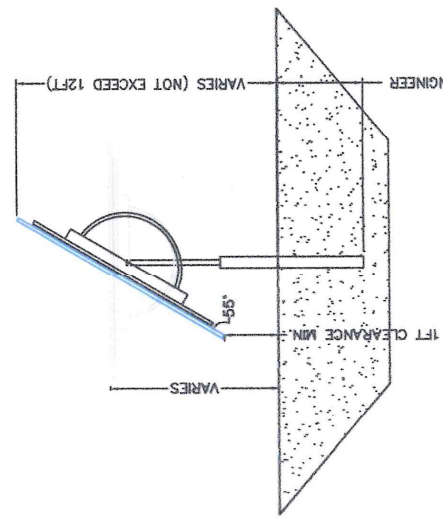
NOTES:
1. ALL FENCING AND HARDWARE SHALL BE GALVANIZED.
2. FIXED KNOT WIRE MESH TO BE BAKERT SOLIDLOCK PRO (20/96/6), 17/96/6) OR EQUIVALENT.

Tract #3

Amp – North of Crestwicke

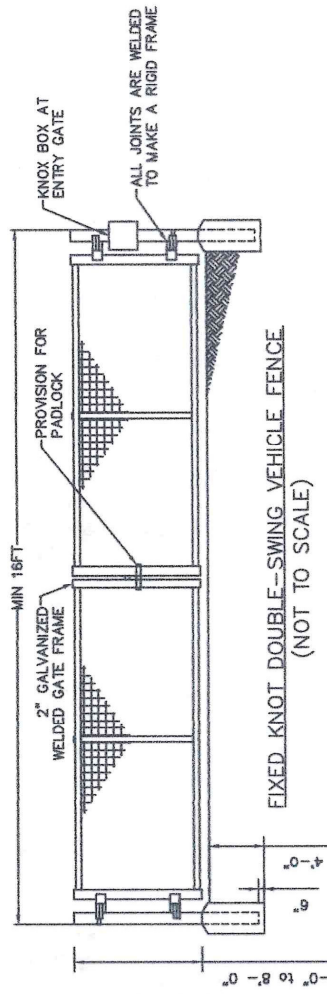
NOT FOR CONSTRUCTION	
PARCEL ID: 21-22-400-019	
PARCEL ID: 21-22-400-016	
PARCEL ID: 21-23-351-003	
PROPERTY OWNER: 1: MCLEAN COUNTY	
LAND TRUST NO: 2315	
PROPERTY OWNER: 2: FARMS HESSE	
ZONING JURISDICTION: MCLEAN COUNTY	
TOWNSHIP: BLOOMINGTON TOWNSHIP	
PRIMARY DISTURBED AREA: 29 AC	
PRIMARY SOLAR AREA: 29 AC	

DEVELOPER	amp
CLIENT	
PROJECT	ASD OLD COLONIAL IL SOLAR LLC
PROJECT ADDRESS	E 1000 NORTH RD. BLOOMINGTON TOWNSHIP, IL 61705
DRAWING TITLE	DETAIL OBJECTS
STANDARD	E-01
DRAWN	CL
CHECKED	DATE
DATE	05/04/22
SHEET	2 of 2

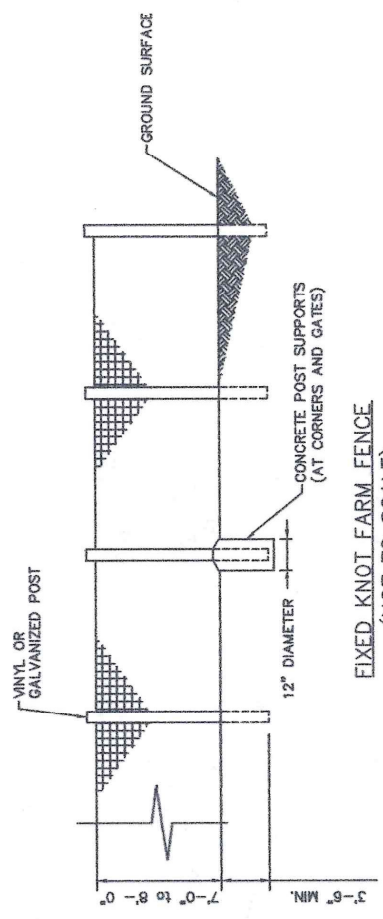


TRACKER WITH PV MODULES
(NOT TO SCALE)

NOTES:
1. TYPE OF FOUNDATION MAY CHANGE INCLUDING DIMENSIONS



FIXED KNOT DOUBLE-SWING VEHICLE FENCE
(NOT TO SCALE)



FIXED KNOT FARM FENCE
(NOT TO SCALE)

NOTES:
1. ALL FENCING AND HARDWARE SHALL BE GALVANIZED.
2. FIXED KNOT WIRE MESH TO BE BAKERT SOLIDLOCK PRO (20/86/6), 17/86/6) OR EQUIVALENT.

Tract #4

135 MW Near Saybrook

1. Introduction

1.1 Project Introduction

Archtop Solar, LLC (“Archtop Solar”), a wholly owned subsidiary of Earthrise Energy, PBLLC (“Earthrise”), is requesting a Special Use Permit to allow for the development of a utility-scale photovoltaic (PV) solar power generation facility with a generating nameplate capacity of up to 135-megawatts of clean, renewable energy. Gibson City Energy Center – Solar 1 (“the Project”) is located on approximately 1,365 acres of privately owned land in eastern McLean County, Illinois. The Project will connect to the grid by sharing the interconnection facilities of the Gibson City Energy Center on North Jordan Drive. The Project consists of 15 parcels in the Agricultural (“A”) zoning district (please see below table with parcel IDs and property owners). The electricity generated by the Project will be enough to power approximately 23,000 single-family homes. The Project anticipates commencing construction by the end of 2024 and reaching commercial operation in early 2026.

This application was prepared according to the requirements detailed in Chapter 350-43(OO) (3), Use Standards for commercial solar power generating facilities, and Article VIII of Chapter 350, Special Use Permits, in the McLean County Zoning Ordinance (the “Zoning Code”). The application also complies with all local, state, and federal regulatory standards and the National Electric Code. We look forward to working with the McLean County Building and Zoning department during the application process and becoming long-term partners in the community.

Parcel ID	Property Owner
25-25-100-001	Stacia Turner
25-24-300-003	Stacia Turner
25-24-300-004	Byron E Jones
25-25-100-002	Byron E Jones
25-24-400-006	Margie Fraley
25-24-300-005	Stacia Turner
25-24-100-001	KT Pro Solar
25-24-100-002	William Michael Kirwan
25-23-200-001	Delmar & Claudia Chase Bedel
25-13-100-002	Delmar & Claudia Chase Bedel



leverage the existing transmission infrastructure at its Gibson City Energy Center, a natural gas peaking plant, which interconnects with Ameren Illinois and participates in the Midcontinental Independent System Operator (MISO) energy market. The Project will increase grid reliability by adding new generation to the grid and support Illinois state goals of carbon emissions reduction through renewable energy resources. With McLean County's clear permitting requirements and experience permitting large scale renewable energy projects, the path to this Project starting construction is direct and fast-moving. The Project anticipates starting construction by the end of 2024 with a target commercial operation date in early 2026.

2.3 Project Benefits

Gibson City Energy Center – Solar 1 will contribute to the local economy in McLean County, preserve agricultural land, and benefit U.S. energy security.

Long-Term Tax Revenue: Solar projects increase the property tax base of a county, creating new revenue sources for education and other local government services such as fire protection, libraries, and road maintenance. The estimated total property taxes paid over the 35-year life of the Project will be over \$25.7 million, and the average annual property taxes paid will be over \$735,000.² The percentages of property taxes paid to the various taxing jurisdictions remain the same as the current tax assessment for the parcels in question. The table below shows an estimate of likely taxes paid to various local taxing jurisdictions:

Taxing Jurisdiction and Percentage of Property Taxes	Estimated Total Property Taxes Paid over the 35-Year Project Lifetime
McLean County (11%)	\$2.7 million
Cheney's Grove Township (13%)	\$3.25 million
Cheney's Grove Township Library (1%)	\$337 thousand
Saybrook-Arrowsmith Fire District (7%)	\$1.85 million
Parkland Junior College 505 (6%)	\$1.59 million
Ridgeview CUSD 19 and Gibson City CUSD 5E (62%)	Ridgeview - \$13.76 million Gibson City - \$2.2 million

²Appendix C: Strategic Economic Research Economic Impact Analysis

5.B. Exhibit "C" Paul Nord



Solar Farm 2.0



Facilities & Services

UNIVERSITY OF ILLINOIS URBANA-CHAMPAIGN

PROJECT FACT SHEET

Solar Farm 2.0 is a 12.32 megawatt (MWdc) utility-scale array located on campus, north of Curtis Road, between First Street and Dunlap Avenue (U.S. 45), near the Village of Savoy.

The solar farm produces approximately 20,000 megawatt-hours per year (MWh/year)—tripling the university's existing on-site renewable energy generation. Solar Farm 2.0 helped the University of Illinois Urbana-Champaign make the U.S. Environmental Protection Agency's top-30 list of the largest on-site green power users in the Green Power Partnership. The university is the third-largest user of renewable power produced on campus for all higher education institutions in the country.

Renewable electricity production helps meet sustainability goals outlined in the Illinois Climate Action Plan (iCAP), campus' plan to meet the Climate Leadership Commitments, including being carbon neutral as soon as possible and building resilience to climate change in the local community. Learn more at icap.sustainability.illinois.edu.

PROJECT SPECIFICS

- A 20-year power purchase agreement with Sol Systems LLC, to design, build, operate, and maintain Solar Farm 2.0
- A 20-year land lease agreement
- Electricity produced by the farm is delivered to the campus grid
- All the renewable energy certificates and carbon credits are owned by the university

ARRAY DETAILS

System size (dc): 12,318,930 watts

Peak output: 10 MWac

Module type: bifacial monocrystalline

Module wattage: 400/395/385

Module dimensions (in): 39.1 x 77

Modules per string: 26

Total strings: 1,197

Total modules: 31,122

Racking System: north-south single axis, self-powered tracker

Inverter Specs: 1500 volts, with 98.8% efficiency and grid support

Total inverters: 4

LANDSCAPE BUFFER

The landscape buffer zone is a fence line foundation planting that positions large trees and shrubs to reduce the visual impact of the solar farm installation on nearby residential neighborhoods. Partially funded by the **Student Sustainability Committee**, the landscape buffer includes over 200 trees and several native plant species meant to increase pollinator and ecosystem benefits.



A landscape buffer was installed between Solar Farm 2.0 and Village of Savoy homes and businesses.



Photo by James Baltz

PROJECT TIMELINE

Request for Proposal Publication:

February 2019

Board of Trustees Approval:

September 2019

Contracts Signed:

December 2019

Start of Construction:

July 2020

Commercial Operation Date:

January 2021

University Ownership:

2041

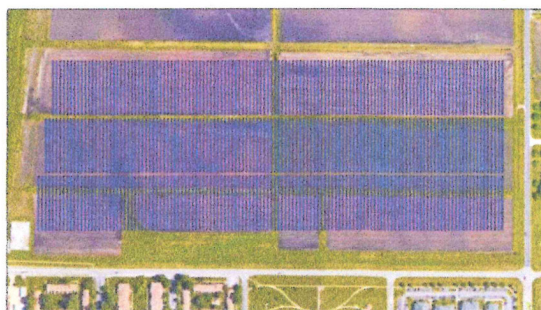
PROJECT CONTACTS

Associate Director of Utilities,
Utilities Production
Mike Larson

mjlarso1@illinois.edu

Utilities & Energy Services
Management Engineer
Sushanth Girini

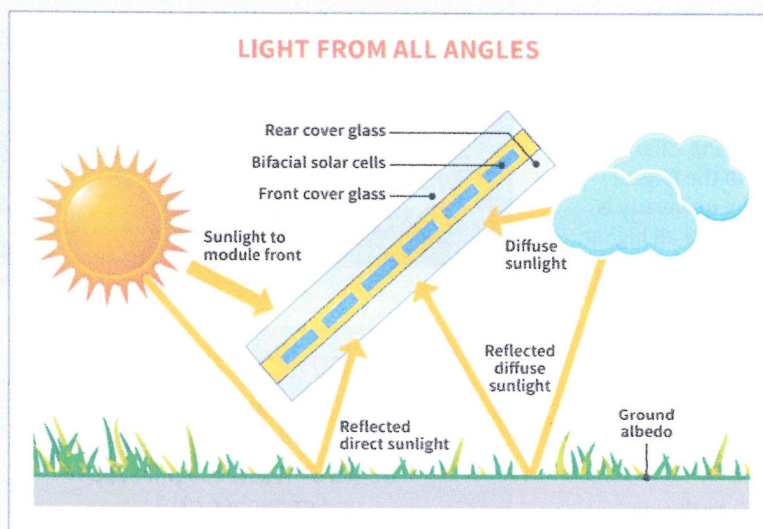
sushanth@illinois.edu



Project location: The array is located on 54 acres immediately north of Curtis Road between First Street and the railroad tracks.



INNOVATIVE TECHNOLOGY



Bifacial Panels

The design features 31,122 bifacial solar panels that produce energy on both sides. Energy is captured on the back of the panels by collecting sunlight that is reflected off of the ground.

Single-Axis Trackers

Single-axis trackers allow panels to start the day facing east as the sun rises, and then they rotate on an axis to track the sun throughout the day as the sun sets in the west. This way, the panels will receive direct sunlight throughout the day.

ZERO WASTE CONSTRUCTION

The Waste Transfer Station worked with contractors to collect and process all the materials so everything that could be recycled was recycled. Nearly 90 percent of all the packaging and installation-related materials were recycled through this collaboration with F&S. Recyclable items included cardboard, scrap metal, wooden pallets, and other construction and demolition materials.

Frequently Asked Questions

How much did the project cost?

The total cost of the project was \$20.1M. The university saved \$300,000 in its first year compared to electricity that would have been purchased conventionally from the regional grid.

What is the lifespan for the type of panels used at the solar farm?

The panels are warranted for 25 years. Solar energy researchers on campus estimate that the panels will continue to collect energy for up to 40 years.

Who uses the power from the Solar Farm?

All of the electricity generated by Solar Farm 2.0 will be used exclusively by the Urbana campus. Approximately six percent of the campus' annual power demand will be generated by solar arrays on campus.

Are there any risks or dangers to living near a solar farm? Will the panels present any kind of inconvenience to nearby areas?

No. Solar photovoltaic panels are one of the least intrusive and cleanest ways to generate electricity. Their height is lower than the average cornstalk. The panels' dark coating maximizes light absorption and efficiency. Because light is not lost through reflection, the surrounding air temperature is not affected. Additionally, site traffic is limited to monthly tours and periodic grounds maintenance by contractors.

What measures have been taken to protect the wildlife that visit or live on the property?

In accordance with the State of Illinois Pollinator Solar Site Act, Solar Farm 2.0 is home to dozens of pollinator-friendly plants. This pollinator-friendly site serves local and migratory birds/insects, butterflies, and bees. The plants selected for Solar Farm 2.0 were 100 percent native species, benefitting the local insect population.

To view Solar Farm 2.0 production, visit go.fs.illinois.edu/SolarFarmDashboard