

**AGENDA
BLOOMINGTON PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, APRIL 13, 2016 4:00 P.M.
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE STREET
BLOOMINGTON, ILLINOIS**

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC COMMENT

A public comment period not to exceed thirty (30) minutes will be held during each Board and Commission meeting, as well as all regularly scheduled City Council meetings, Committee of the Whole meetings, meetings of committees and/or task forces (hereinafter "committees") created by the City Council, work sessions, and special meetings of the City Council. Nothing herein shall prohibit the combination of meetings, at which only one public comment period will be allowed.

Anyone desiring to address the Board, Commission, Committee or City Council, as applicable, must complete a public comment card at least five (5) minutes before the start time of the meeting. Public comment cards shall be made available at the location of the meeting by City staff at least 15 minutes prior to the start time of the meeting. The person must include their name, and any other desired contact information, although said person shall not be required to publicly state their address information. If more than five individuals desire to make a public comment, the order of speakers shall be by random draw. If an individual is not able to speak due to the time limitation and said individual still desires to address the individuals at a future meeting of the same type, said individual shall be entitled to speak first at the next meeting of the same type. (Ordinance No. 2015-46))

4. MINUTES: Review the minutes of the February 24, 2016 regular meeting of the Bloomington Planning Commission.

5. REGULAR AGENDA:

- A. **Z-09-16** Public hearing, review and action on the petition submitted by Interchange City West, LLC requesting approval to rezone a portion of the Interchange City West Subdivision located north of Valley View Drive, west of Wylie Drive and south of Enterprise Drive, approximately 21.18 acres **(Ward 7)**
- B. **PS-02-16** Public hearing, review and action on the petition submitted by Interchange City West, LLC requesting approval to reinstate and revise a portion of the Third Preliminary Plan for the Interchange City West Subdivision located north of Valley View Drive, west of Wylie Drive and south of Enterprise Drive, approximately 46.03 acres **(Ward 7)**

6. OLD BUSINESS:

7. NEW BUSINESS:

8. ADJOURNMENT

For further information contact:

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Government Center

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**MINUTES
BLOOMINGTON PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, FEBRUARY 24, 2016, 4:00 P.M.
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE STREET, BLOOMINGTON, ILLINOIS**

MEMBERS PRESENT: Mr. Balmer, Mr. Barnett, Mr. Pearson, Mr. Protzman, Ms. Schubert, Mr. Scritchlow, Mr. Seuss, Chairman Stanczak

MEMBERS ABSENT: Mr. Cornell

OTHERS PRESENT: Mr. Tom Dabareiner, Community Development Director; Ms. Katie Simpson, City Planner; Mr. George Boyle, City Attorney; Mr. Jim Karch, PW Director; Mr. Kevin Kothe, City Engineer; Mr. Austin Grammer, Economic Development Coordinator

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

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

PUBLIC COMMENT: Robert Rewerts began speaking about one of the agenda items and was asked to hold his comments until that point in the agenda. There being no additional public comments the Commission moved on to approval of the minutes.

MINUTES: The Commission reviewed the February 10, 2016 minutes. There being no changes, Mr. Pearson moved to approve the February 10, 2016 minutes. Mr. Balmer seconded the motion which passed by a vote of 8-0 with the following votes being cast on roll call: Mr. Pearson-yes; Mr. Balmer-yes; Mr. Barnett -yes; Mr. Protzman-yes; Ms. Schubert-yes; Mr. Scritchlow-yes; Mr. Seuss-yes; Chairman Stanczak-yes.

REGULAR AGENDA:

Chairman Stanczak noted that due to the weather, a request was made to move **Item C. Case Z-06-16** to the front of the regular agenda. Without objection.

Z-06-16. Public hearing, review and action on the petition submitted by Kroger Limited Partnership I, an Ohio limited partnership, requesting the approval of the Rezoning of the property located at College Avenue and Hershey Road from M-1, Restricted Manufacturing to B-1, Highway Business District.

Chairman Stanczak introduced the case. Ms. Simpson indicated staff is in favor of the rezoning. She provided the location map and described the rezoning, noting that the proposed area is slightly smaller than the original request. She identified the uses surrounding the property and described the Kroger Marketplace use. Ms. Simpson summarized the purpose for the B-1 District and established the compatibility of the proposed use with the district; she also noted the compatibility with the Comprehensive Plan. She reviewed each of the Findings of Fact for a

rezoning and concluded the standards were met; she emphasized the transitional front yard concept as it applies to the adjacent residential zoning district to the east. Ms. Simpson noted the property is a Tier One infill opportunity, according to the Comprehensive Plan. Mr. Balmer asked how the swale through the property is being addressed; Mr. Karch stated the water is accommodated via a storm sewer, with excess water going over land. Mr. Scritchlow asked if rezoning this portion of land would create a spot zoning by leaving a large remnant M-1 designated property to the west; Mr. Dabareiner indicated this would not be the case and repeated that the rezoning would make it consistent with nearby zoning and the intention in the Comprehensive Plan. Mr. Balmer concurred.

Mr. Jason Barickman, attorney for the petitioner, stated Kroger has been looking at this location for a long time and repeated the requested for support for the rezoning. He added that City staff has been great to work with. Mr. Seuss inquired about the bus shelters around the perimeter of the site and asked if Connect Transit was part of the discussion leading to their provision; Mr. Dabareiner affirmed that Connect Transit is seeking these shelters.

Mr. Jim Derry, 2201 Yarrow, was sworn in. He indicated no concern for the store itself but is concerned about the relationship of the two entrances to Kroger along Hershey Road with Summerfield Boulevard, indicating it is sometimes difficult to turn left onto Hershey from Summerfield. He suggested a single entrance midblock or moving the single entrance closer to College Avenue. Mr. Derry also asked about the potential for more traffic accidents. Finally, he indicated a concern with the northern entranceway and the potential conflict with left turns in to Summerfield Boulevard. Mr. Balmer noted that any development will add traffic to Hershey.

Mr. Protzman asked if the southern entrance from Hershey was intended for truck traffic; Mr. Karch talked about the importance of avoiding conflicting turn movements and noted that City staff worked with Kroger to make the entrance arrangement safer based on best traffic management practices. Mr. Karch added that the northernmost entrance had to be moved south to avoid conflicts with the College/Hershey intersection. He stated there were insufficient numbers of accidents to warrant safety precautions and improvements along Hershey. He added the city conducted speed studies along Hershey and the studies established that the posted speed is appropriate. Chairman Stanczak reiterated that Kroger already modified their site plan to address staff's concerns.

Mr. Barnett asked whether Hershey Road will be widened in the vicinity of Kroger; Mr. Karch said there are no plans for widening and described in more detail the barrier median to be installed to prevent right-in and left-out movements from the northern entrance. Mr. Barnett also indicated concern with the bus stop location; Mr. Karch discussed the rationale for the bus stop location along College Avenue and believes it will create a safer condition as proposed. Mr. Seuss confirmed with Mr. Karch that full access would remain available to the Summerfield residents.

Mr. Pearson motioned to recommend to the City Council approval of the rezoning; Mr. Balmer seconded the motion, which passed by a vote of 8-0 with the following votes being cast on roll call: Mr. Pearson-yes; Mr. Balmer-yes; Mr. Barnett -yes; Mr. Protzman-yes; Ms. Schubert-yes; Mr. Scritchlow-yes; Mr. Seuss-yes; Chairman Stanczak-yes.

Z-03-16. Public hearing, review and action on the petition submitted by Jack Guess, requesting the approval of the Rezoning of the property located at 1112 Redwood Ave from R-1C, Single-Family Residential District to B-1, Highway Business District.

Z-02-16 Public hearing, review and action on the petition submitted by Rickardo Ramirez, requesting the approval of the Rezoning of the property located at 1110 Redwood Ave from R-1C, Single-Family Residential District to B-1, Highway Business District.

Chairman Stanczak noted that Z-02-16 and Z-03-16 could be presented together by staff. Ms. Simpson stated that staff is in favor of the rezoning from R-1C to B-1 with the condition that it occur coincident with the rezoning recommended in Z-02-16. She also noted the transitional yard requirements to be imposed on these properties given the adjacency of the proposed business district with the existing residential district. She showed location and aerial maps of the properties in the two similar cases and identified the surrounding uses. Ms. Simpson showed the extent of the B-1 district in the vicinity and established that the proposed use is compatible. She noted conflicting overarching City goals to promote economic development and protect residential neighborhoods; adding that staff leans toward the economic development justification due to the trend of development in the area and the new transitional yard protections required which do not currently exist.

Ms. Simpson introduced the related rezoning case at 1110 Redwood. She noted that staff supports this rezoning with the condition that it occurs simultaneously with 1112 Redwood and that landscaping and fencing be installed as part of the buffering associated with the transitional yard requirements.

Mr. Balmer asked if there will be new entrances along Redwood; Ms. Simpson responded that new entrances are not part of the existing plans. Mr. Balmer indicated he would add that prohibition to the list of conditions.

Mr. Robert Lenz, attorney for the petitioner in Case Z-03-16, confirmed the owner has no interest in having a curb cut at 1110 Redwood. Mr. Lenz provided a brief history of the area, noted the expansion of the existing B-1 zoning district, and indicated that he is amenable to the conditions placed in the recommended approval for the rezoning.

Russell DePew, attorney for the petitioner in Case Z-02-16, noted that the proposed rezoning of 1112 Redwood will provide a more attractive property should it be sold in the future. He added that the existing residential structure may see re-use as a residence until such time as redevelopment occurs. He agreed with the conditions indicated in the staff report.

Mr. Pearson questioned the need for prohibiting an entranceway at 1110 Redwood. Mr. Balmer clarified that his condition was intended to prevent additional traffic down from impacting the existing residential along Redwood. Mr. Scritchlow also questioned the need for the prohibition.

Mr. Balmer motioned to recommend to the City Council approval of both the rezonings in cases Z—2-16 and Z-03-16 from R-1C to B-1; Mr. Scritchlow seconded the motion, which passed by a vote of 8-0 with the following votes being cast on roll call: Mr. Balmer-yes; Mr. Scritchlow-yes;

Mr. Pearson-yes; Mr. Barnett -yes; Mr. Protzman-yes; Ms. Schubert-yes; Mr. Seuss-yes; Chairman Stanczak-yes.

PS-01-16 Public hearing, review and action on the petition submitted by ARK VI, L.L.C requesting the approval of the Amended Preliminary Plan for Eagle View South Subdivision of the property located east of Towanda Barnes Rd., north of GE Rd., and south of Ft Jesse Rd, approximately 15.84 acres.

Chairman Stanczak stated that the petitioner for this case asked that it be laid over to the next meeting. He invited Mr. Rewerts to return to the podium. Robert Rewerts, expressed no objections for the use to the north but added that the grain elevator property to the south which he owns has not granted access through that property. Chairman Stanczak invited Mr. Rewerts back to the next meeting.

Z-07-16 Public hearing, review and action on the petition submitted by Ronald Dreyer Jr. requesting the approval of the Rezoning of the property located at 411 N. Oak Street from GAP-5, Gridley, Allin & Prickett Mixed Use Neighborhood Commercial District to GAP-3, House, Manor Multifamily and Iconic Building District.

Mr. Dabareiner indicated staff is opposed to the rezoning as it is not a step required for the petitioner to maintain the desired single family residence at this address. He reviewed the standards briefly, noting that the request would be a downzoning, and that the original designation as GAP-5 was reviewed and staff found it to be a legal planning process and rezoning. He provided some background on the history of the case and of the GAP rezoning process, indicating that Market Street was intended to be a commercial corridor and this was rolled back in the process to establish two walkable commercial nodes instead. Mr. Dabareiner provided a map of the GAP neighborhood and an aerial showing surrounding uses. He repeated that the residential use can continue with the current zoning.

Chairman Stanczak confirmed that, if approved, the rezoning request would apply only to the southeast corner property at 411 North Oak and that a subsequent rezoning back to GAP-5 could take place if desired. Mr. Dabareiner affirmed these statements and pointed out that an important part of establishing zoning is setting expectations for the neighbors and the neighborhood, and flipping back and forth between rezonings did not provide this assurance. Mr. Dabareiner continued on to explain the form-based code established for the GAP neighborhood. Chairman Stanczak asked if the petitioner needed to petition for anything to maintain the property's single family use; Mr. Dabareiner indicated nothing else was needed, stating the City's ordinance was clear that a single family residence can stay that, once established.

Ms. Schubert clarified the process staff employed to work with the petitioner's bank, because of the highly regulated nature of bank mortgages. Ms. Simpson explained the process and read from the letter.

Mr. Boyle reestablished that multi-family dwelling uses could exist in either district.

Ronald Dreyer, 411 N. Oak Street, was sworn in. He explained that he lived there since 1997. He explained that his loan from his bank was originally rejected due possibly to a misunderstanding over the City's codes and restrictions. He added that he intends on getting it rezoned even it means going to federal court, so that it remains a single family dwelling. Mr. Dreyer stated his neighbors do not want anything but a single family residence at this location; he indicated there were too many apartments in the area and was concerned that without the rezoning the property could become multi-family residences or other uses which are not single family. Chairman Stanczak asked if the bank is providing the loan now; after some back and forth, Mr. Dreyer stated March 1, 2016, is his closing date on the loan. Chairman Stanczak asked if Mr. Dreyer was aware of anything in the City's code that would end his ability to use his property for a single family use; Mr. Dreyer stated he was unaware of anything that would do so.

Ms. Schubert clarified that the intention is to rezone the property so it can remain a single family use in the future; Mr. Dreyer stated that is his goal.

Mr. Protzman confirmed that the property was single family residential today and whether his intention was to live there or sell; Mr. Dreyer indicated he wished to sell.

Ms. Karen Heinrich, 405 N. Oak, was sworn in. Ms. Heinrich explained where she lives and indicated concerns over walk-through traffic and crime concerns, and that crime may increase if the use changes to multi-family or commercial. She reiterated the assertion that plenty of apartments exist in the neighborhood and she would prefer a single family dwelling at 411 N. Oak. Mr. Protzman asked of Chief Brendan Heffner would comment on crime in the area; Chief Heffner responded that many of the same crime patterns exist throughout the general area and he was unaware of anything unique or sustained in this location.

Mr. Balmer asked if anything in the GAP-3 or GAP-5 use list prevented multi-family at this location; Mr. Dabareiner replied that multi-family was not prevented from establishing itself and that single family could be re-established at any time. Chairman Stanczak clarified if any decision on this petition harms the ability to create a multi-family use in the future; Mr. Dabareiner responded in the negative.

Mr. Dennis Arnold, 504 N. Lee, was sworn in. Mr. Arnold provided a history of the GAP neighborhood planning and rezoning, noting the need to replace the suburban-style zoning that once existed. He highlighted his history with the GAP neighborhood, noting that he presented the case for the GAP zoning to the Planning Commission in 2007. He noted the neighborhood petitioned the City for the more urban-style zoning then to encourage reinvestment. He stated that the owner of 411 N. Oak had every opportunity to provide input into the process in 2006 and 2007, that Mr. Dreyer was notified well in advance of any meetings. Mr. Arnold stated that he was president of the neighborhood organization at the time this was occurring and he personally contacted many of the property owners at the time, including Mr. Dreyer; he highlighted the extensive news media coverage at the time, as well. He asked the Commission to reject the current rezoning request. He explained additional purposes for the form based code.

Mr. Balmer expressed his opinion that the use Mr. Dreyer wants can be maintained as is and there is no need to rezone the property.

Mr. Pearson motioned to recommend to the City Council denial of the proposed rezoning from GAP-5 to GAP-3; Mr. Balmer seconded the motion, which passed by a vote of 7-1 with the following votes being cast on roll call: Mr. Pearson-yes; Mr. Balmer-yes; Mr. Scritchlow-yes; Mr. Barnett -yes; Mr. Protzman-no; Ms. Schubert-yes; Mr. Seuss-yes; Chairman Stanczak-yes.

OLD BUSINESS

None.

NEW BUSINESS

None.

ADJOURNMENT

Mr. Pearson motioned to adjourn; seconded by Mr. Protzman, which passed unanimously by voice vote. The meeting was adjourned at 5:28PM.

CITY OF BLOOMINGTON
REPORT FOR THE PLANNING COMMISSION
April 13, 2016

SUBJECT:	TYPE:	SUBMITTED BY:
Z-09-16	Rezoning from B-1 Highway Business District to M-1, Restricted Manufacturing District,	Katie Simpson City Planner

REQUEST

The petitioner is seeking a rezoning from B-1, Highway Business District to M-1, Restricted Manufacturing District.

NOTICE

The application has been filed in conformance with applicable procedural and public notice requirements.

GENERAL INFORMATION

Owner and Applicant: Interchange City West, LLC

LEGAL DESCRIPTION: A PART OF THE SW1/4 OF SECTION 31, TOWNSHIP 24 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN AND PART OF THE SE ¼ OF SECTION 36, TOWNSHIP 24 NORTH, RANGE 1 EAST OF THE THIRD PRINCIPAL MERIDIAN, CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS, MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LOT 8-B IN INTERCHANGE CITY WEST SUBDIVISION 1ST ADDITION; THENCE N.00°-00'-00"E. 66.00 FEET ON THE WEST RIGHT OF WAY LINE OF WYLIE DRIVE, DEDICATED AND PLATTED AS DOCUMENT NO. 92-21543 IN THE MCLEAN COUNTY RECORDER OF DEEDS OFFICE, TO THE POINT OF BEGINNING ON THE NORTH RIGHT OF WAY LINE OF VALLEY VIEW DRIVE; THENCE N.90°-00'-00"W. 1705.82 FEET ON THE NORTH RIGHT OF WAY LINE OF VALLEY VIEW DRIVE to the east line of Lot 1 in the Interstate Center Subdivision, according to the Plat thereof recorded as Document No. 2004-15809 in the McLean County Recorder of Deeds Office; THENCE N.00°-18'-41"W. 1113.78 FEET on the east line of said Lot 1; THENCE S.89°-13'-45"E. 229.00 feet on the line of said Lot 1; thence N.00°-18'41"W. 340.72 feet on the east line of said Lot 1; thence southeasterly 286.86 feet on a non-tangential curve concave to the southwest having a radius of 555.00 feet, central angle of 29°-36'-49" and a chord of 283.67 feet bearing S.63°-27'05"E. from the last described course; thence S.48°-38'41"E. 95.51 feet, thence southeasterly 456.87 feet on a TANGENTIAL CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 645.00 FEET, CENTRAL ANGLE OF 40°-35'-04" AND A CHORD OF 447.38 FEET BEARING S.68°-56'-13"E. FROM THE LAST DESCRIBED COURSE; THENCE S. 89°-13'-45"E. 741.87 FEET; THENCE S.00°-00'-00"W. 690.73 FEET; THENCE S. 90°-00'-00"E. 113.89 FEET TO THE WEST RIGHT OF WAY LINE OF WYLIE DRIVE RECORDED AS SAID DOCUMENT NO. 92-21543; THENCE SOUTHWESTERLY 403.52 FEET ON SAID RIGHT OF WAY LINE ON A NON-TANGENTIAL CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 695.00 FEET, CENTRAL ANGLE OF 33°-16'-00" AND A CHORD OF 397.88 FEET

BEARING S. 16°-38'-00"W. FROM THE LAST DESCRIBED COURSE; THENCE S.00°-00'-00"W.18.77 FEET ON SAID RIGHT OF WAY LINE TO THE POINT OF BEGINNING, CONTAINING 46.03 ACRES, MORE OR LESS, WITH ASSUMED BEARINGS GIVEN FOR DESCRIPTION PURPOSES ONLY.

PROPERTY INFORMATION

Existing Zoning: B-1, Highway Business District
 Existing Land Use: Agriculture
 Property Size: approximately 21.18 acres more or less
 PIN: part of parcel 14-31-301-012

Surrounding Zoning and Land Uses

Zoning

North: B-1, Highway Business District (NORMAL)
 S-2 Public lands and Institutions (NORMAL)
 South: B-1, Highway Business District
 East: B-1, Highway Business District
 West: M-1, Restricted Manufacturing
 B-1, Highway Business District

Land Uses

Vacant
 Connect Transit Garage
 Walmart
 Multifamily homes, movie theatre
 Vacant/Agriculture
 Fair Grounds/Farm Equipment Retail

ANALYSIS

Submittals

This report is based on the following documents, which are on file with the Community Development Department:

1. Petition for Zoning Map Amendment
2. Aerial photographs
3. Zoning Map
4. Photographs of adjacent sites

Project Description

The subject property is located Northwest of the intersection between Valley View Drive and Wylie Drive. The subject property is a portion approximately 21.18 acres of a larger 46.03 acre property. The remaining 24.85 acres were rezoned from B-1 to M-1 in 2013 to allow for the development of a Wertz Liquor Distribution Center. The development was not carried out. To the North of the property is Enterprise Drive, which has not yet been completed. As Bloomington and Normal grow, Enterprise Drive and Wylie Drive will become key arterial roads in the regional transportation system. The petitioner is in the process of reinstating and revising the third amended preliminary plan for the total 46.03 acre property. The plan consists of eleven (11) proposed lots. Uses for two of the lots are known by Staff; these uses are contemplated within both existing zoning designations. The remaining uses, including those located on the property subject to the rezoning petition, are unknown. As proposed the entire 46.03 acres could become M-1.

Compliance with the Comprehensive Plan

The intent of the M-1, Restricted Manufacturing District “is to provide for industrial uses with an absence of objectionable external effects in areas that are suitable for this type of development by

reason of topography, relative location, and adequate utilities and transportation system”. The uses should be compatible with surrounding districts and residential subdivisions are excluded in this district. The 2035 Comprehensive Plan envisions the subject property as an Employment Center that promotes offices, commercial uses, and light industrial, uses included by the current B-1 zoning district. The Plan envisions walkability, from neighboring residences and local businesses to the employment center and calls for bike and pedestrian paths and outdoor spaces. Some of the more intense uses allowed by the M-1 district are incompatible with this vision.

Nearby Zoning and Land Uses

The property is contiguous to a M-1, Restricted Manufacturing District and currently vacant. A recreational facility and wholesale distribution center are proposed for the land adjacent to the subject property. To the North, the property is bordered by the Connect Transit garage and additional vacant land owned by the same owner. Walmart and other retail is located to the South, and apartments and a movie theater are located to the east.

FINDINGS OF FACT

The Zoning Ordinance has “*Zoning Map Amendment Guidelines*” and by states, “*In making its legislative determination to zone or rezone property to a M-1 Restricted Manufacturing District, the Planning Commission and City Council may apply the following guidelines to the proposal under consideration:*

1. *The relationship of the subject property to various aspects of transportation system including rail, air, highway and street and pedestrian and the Impact the permitted uses would have upon these systems. Truck traffic and its impact is of major concern generally as well as the effect of vehicular travel times;* the information provided by the petitioner to Staff is inadequate to evaluate the impact a rezoning would have on the area. Staff needs more information about the densities of pedestrians and employees, as well as volume of freight and cargo expected to service the subject property. The M-1 district contemplates a variety of uses ranging greatly in intensities. The standard is not met.
2. *The extent to which surrounding zoning and land usage provides an adequate transition from the industrial development to uses of lesser intensity and the degree to which the uses authorized in the district serves as a buffer between other districts which exhibit more objectionable effects and uses of lower intensity;* the surrounding zones do not provide adequate transitions for many of the intense uses allowed in the M-1 district. Surrounding districts are zoned B-1, S-1 and R-3B and their commercial and residential uses are frequented by pedestrians. Rezoning the proposed property could have adverse effects on the aesthetics of the area as well as safety and public welfare. Although the property directly west of the subject property is currently zoned M-1, rezoning the subject property would allow for the encroachment of manufacturing into commercial and residential areas. The standard is not met.
3. *The capacity of existing and proposed public utilities to the site including water and sewer systems to serve the permitted uses which might lawfully occur on the property so zoned;* The amount of information provided regarding the intended uses is not enough for Staff to effectively gauge the amount of water and utilities that will be required if rezoned.

Without knowing the intensities and densities of the proposed uses Staff cannot determine impacts during peak hours of water consumption, amount of waste water that could be produced, treatments needed prior to drainage into public sewers. More information is needed. The standard is not met.

4. *The adequacy of public services, including police and fire protection serving the property and the impact the permitted uses would have upon these services;* the site is fitted with fire hydrants, spaced appropriately along Valley View Drive. Given the size of the proposed lots, additional on-site hydrants may be needed. However public services are adequate to serve the property. The standard is met.
5. *The impact the permitted uses would have upon the environment including noise, air, and water pollution.* The environmental impact cannot be evaluated with the amount information given by the applicant. More information is required. Some uses permitted in the M-1 district could result in adverse environmental consequences for surrounding areas, including the existing and proposed residential. The amount of noise, light pollution, and potential gasses, airborne pollutants, chemicals etc. which may result from more intense uses, like a Gas Production Plant, Steam and Heat Transfer Plants, or Railroad Marshalling yard, allowed in the M-1 district are unknown. The standard is not met.
6. *The impact any natural disasters, including flooding, would have upon the permitted uses;* the M-1 district allows for a 100% lot floor area ratio which could potentially impact the amount of detention required for the development of each site. Additionally, if any potential hazardous materials are stored, precautions will need to be made to ensure contamination does not result from potential flooding. The standard is met but changes in detention, and impacts of flooding will need to be accounted for each proposed site development.
7. *The conformance of the proposal to the Official Comprehensive Plan and Official Map (Ordinance No. 2006-137)* The 2035 Bloomington Comprehensive Plan identifies the subject property as a Tier-1, infill, development priority and anticipates the property's future use to be for employment centers. The employment center designation contemplates pedestrian friendly business parks and walkable, outdoor recreation areas. Employment Center is a designation compatible with the existing B-1 zoning designation. Given the various intensities allowed in the M-1 district, and little information about the proposed intensities, densities and uses of the property, it is difficult to determine if the property will be used in accordance with the vision outlined in the Comprehensive Plan. The standard is not met.

STAFF RECOMMENDATION:

Due to a lack of information regarding the intended uses for the property located at the intersection of Valley View and Wylie Drive, Staff determines that the requested zoning change from B-1, Highway Business District to M-1, Restricted Manufacturing is incompatible with surrounding land uses and zoning. Therefore, based on the above findings, staff recommends the Planning Commission recommend Council **deny** the petition to rezone from B-1 to M-1, case Z-09-16.

Respectfully submitted,

Katie Simpson

City Planner

Attachments:

1. Petition
2. Exhibit A-Legal Description
3. Ordinance
4. Zoning Plat
5. Zoning Map
6. Aerial View
7. Site Photos
8. Neighborhood Notice & Buffer Map
9. Neighborhood Notice List

PETITION FOR ZONING MAP AMENDMENT

State of Illinois)
) ss:
County of McLean)

TO: THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY
 OF BLOOMINGTON, McLEAN COUNTY, ILLINOIS

NOW COMES INTERCHANGE CITY WEST, L.L.C., an Illinois Limited Liability Company, hereinafter referred to as your Petitioner, respectfully representing and requesting as follows:

1. That your Petitioner is the Owner of the property described on Exhibit "A" which is attached hereto and made a part hereof by this reference.

2. That said premises presently have a zoning classification of **B-1 Highway Business District** under the provisions of Chapter 44 of the Bloomington City Code, 1960;

3. That your Petitioner hereby requests that the Official Zoning Map of the City of Bloomington, McLean County, Illinois be amended to reclassify said premises into the **M-1 Restricted Manufacturing District** classification;

5. That said requested zoning classification is more compatible with existing uses and/or zoning of adjacent property than the present zoning of said premises; and

6. That said requested zoning classification is more suitable for said premises and the benefits realized by the general public in approving this petition will exceed the hardships imposed on your Petitioner by the present zoning of said premises.

WHEREFORE, your Petitioner respectfully prays that the Official Zoning Map of the City of Bloomington, McLean County, Illinois be amended by changing the zoning classification of the above described premises from **B-1 Highway Business District** to **M-1 Restricted Manufacturing District**.

Respectfully submitted,

INTERCHANGE CITY WEST, L.L.C., an
Illinois Limited Liability Company

By: Elizabeth B. Megli
Elizabeth B. Megli, Its Attorney

Attorney for Petitioner:
Elizabeth B. Megli, Esq. of
Livingston, Barger, Brandt & Schroeder, LLP
115 W. Jefferson, Ste. 400
Bloomington, IL. 61702-3457
Tel. No. (309) 828-5281

MAR 23 2016

EXHIBIT A

[See Attached]

MAR 23 2016

4561.1121
03/11/16
Rezoning
DPB

Legal Description

A part of the SW¼ of Section 31, Township 24 North, Range 2 East of the Third Principal Meridian and part of the SE¼ of Section 36, Township 24 North, Range 1 East of the Third Principal Meridian, City of Bloomington, McLean County, Illinois, more particularly bounded and described as follows: Commencing at the northeast corner of Lot 8-B in Interchange City West Subdivision 1st Addition; thence N.00°-00'-00"E. 66.00 feet on the west right of way line of Wylie Drive, dedicated and platted as Document No. 92-21543 in the McLean County Recorder of Deeds Office, to the Point of Beginning on the north right of way line of Valley View Drive; thence N.90°-00'-00"W. 825.82 feet on the north right of way line of said Valley View Drive; thence N.00°-18'-41"W. 1108.27 feet; thence southeasterly 90.43 feet on a non-tangential curve concave to the northeast having a radius of 645.00 feet, central angle of 08°-01'-59" and a chord of 90.36 feet bearing S.85°-12'-45"E. from the last described course; thence S.89°-13'-45"E. 741.87 feet; thence S.00°-00'-00"W. 690.73 feet; thence S.90°-00'-00"E. 113.89 feet to the west right of way line of Wylie Drive recorded as said Document No. 92-21543; thence southwesterly 403.52 feet on said right of way line on a non-tangential curve concave to the southeast having a radius of 695.00 feet, central angle of 33°-16'-00" and a chord of 397.88 feet bearing S.16°-38'-00"W. from the last described course; thence S.00°-00'-00"W. 18.77 feet on said right of way line to the Point of Beginning, containing 21.18 acres, more or less, with assumed bearings given for description purposes only.

MAR 23 2016

ORDINANCE NO. 2016- _____

AN ORDINANCE REZONING PROPERTY IN THE CITY OF BLOOMINGTON

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a Petition for Zoning Map Amendment of certain premises, legally described in Exhibit(s) A, which is attached hereto and made a part hereof by this reference; and

WHEREAS, the Bloomington Planning Commission, after proper notice was given, conducted a public hearing on said Petition; and

WHEREAS, the City Council of said City has the power to pass this Ordinance and rezone said premises.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Bloomington, McLean County, Illinois:

1. That the premises hereinafter described on Exhibit "A" shall be and the same is hereby rezoned from **B-1 Highway Business District** to **M-1 Restricted Manufacturing District**.
2. The Official Zoning Map of said City shall be amended to reflect these changes in zoning classification.
3. That this Ordinance shall take effect immediately upon passage and approval.

APPROVED:

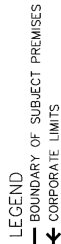
Mayor

ATTEST:

City Clerk

MAR 23 2016

A PART OF THE SW1/4 OF SECTION 31, T24N, R. 2E, 3 P.M. &
A PART OF THE SE1/4 OF SECTION 36, T24N, R. 1E, 3 P.M.
CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS

[illegible]

Supplemental Digital Content

I, David P. Brown, Illinois Professional Land Surveyor No. 7725, do hereby certify that to the best of my knowledge and belief the plat shown hereon is an accurate representation of a zoning plat made under my direction.

3/16/16

David W. Brown
Illinois Professional Land Surveyor No. 2725
License Expires 11/30/2016



Lewis, Yockey & Brown, Inc.

Consulting Engineers & Land Surveyors

Professional Design Firm Registration #184.000806

505 North Main Street	222 East Center Street	155 South Elm Street
●Bloomington, Illinois	○LaRoy, Illinois	○El Paso, Illinois
DN / 7003, 500, 000, 000	DN / 7003, 500, 000, 000	DN / 7003, 500, 000, 000

518

JUL

REZONING EXHIBIT

INTERCHANGE CITY WEST SUBDIVISION

CITY OF BLOOMINGTON

Sheet

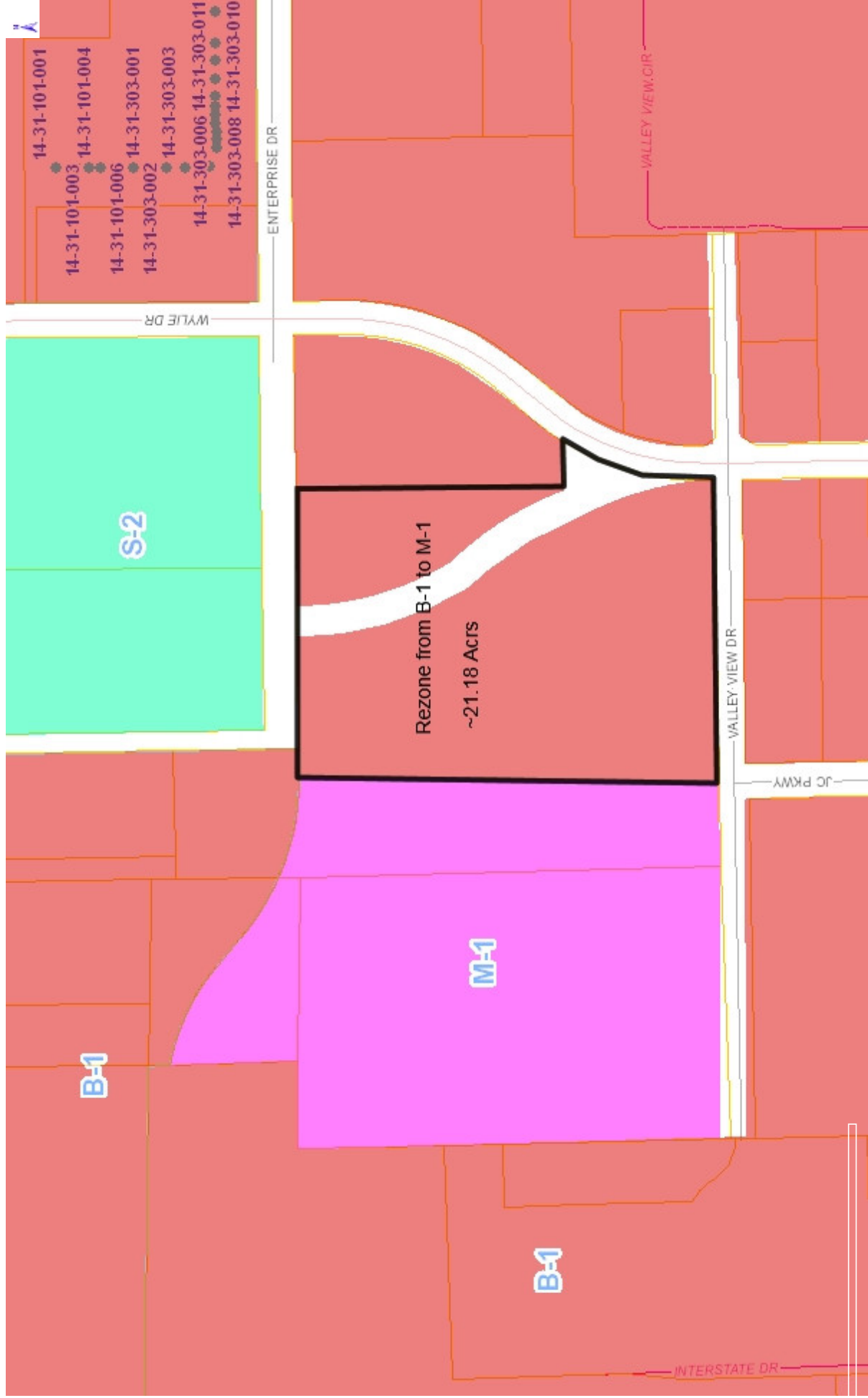
1

MCLEAN COUNTY, ILLINOIS

■



Interstate City West Subdivision Rezone



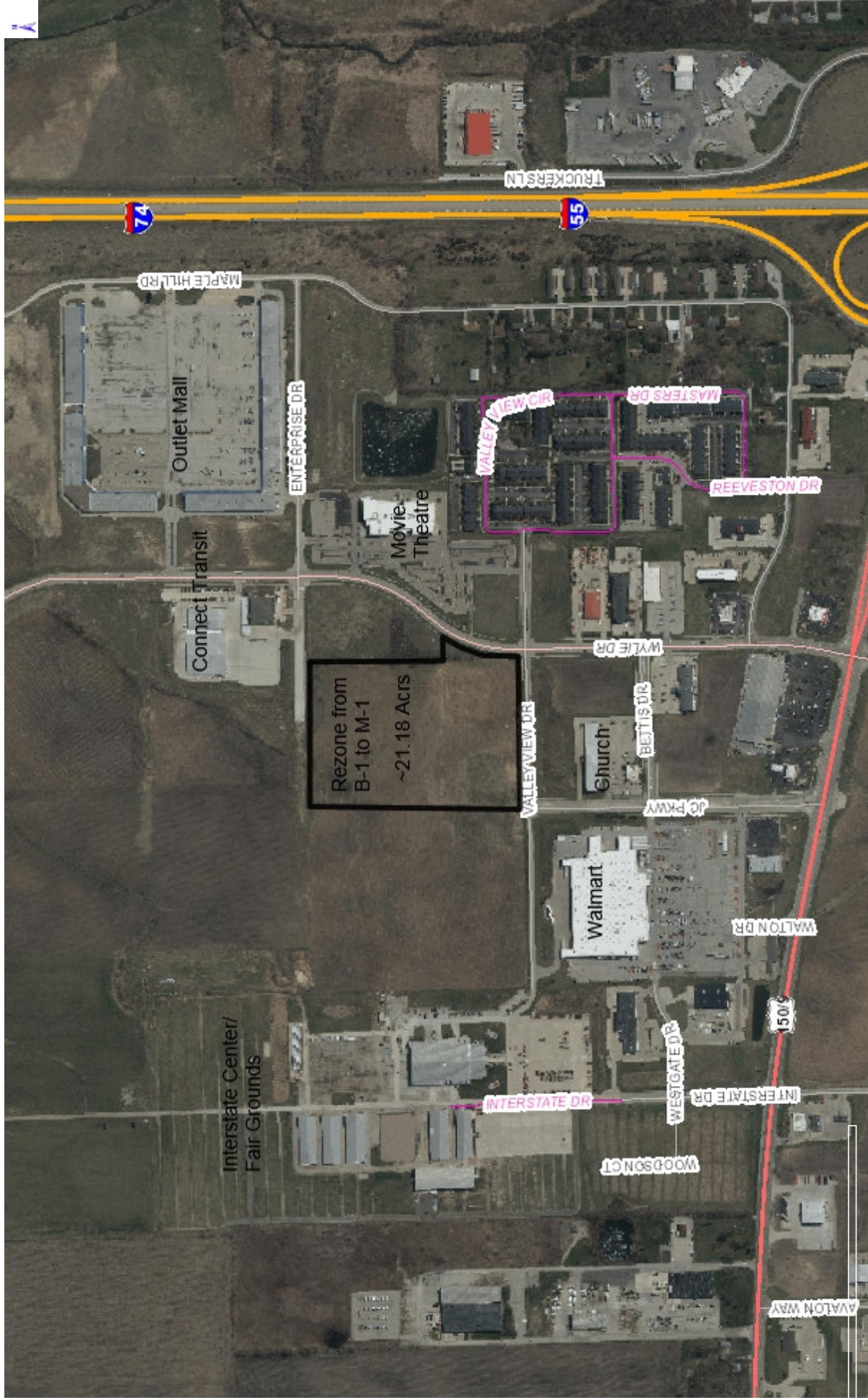
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Notes
Area outlined in Black

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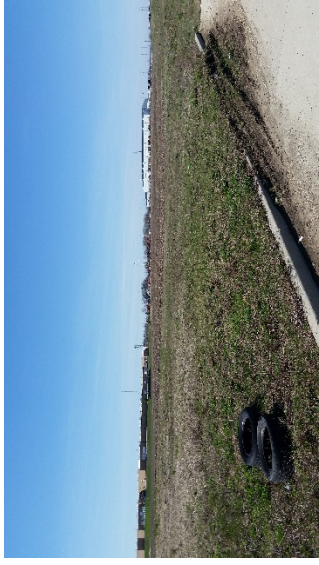
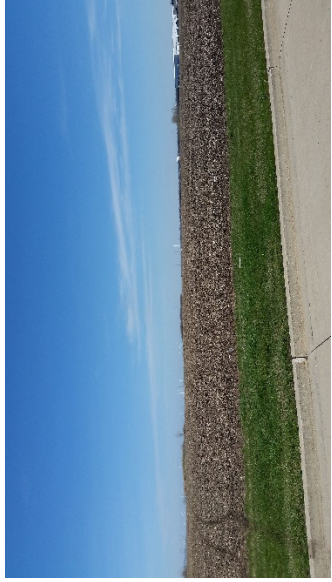
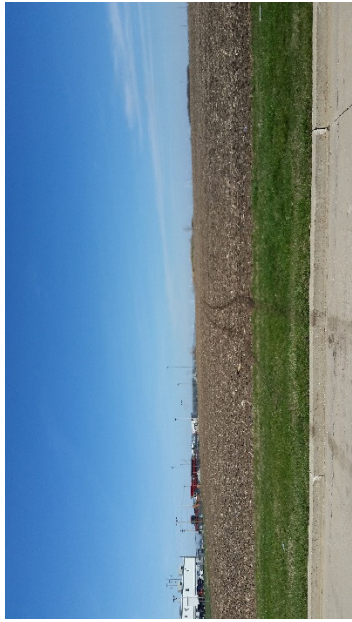
Interstate City West Subdivision Rezone-Aerial View



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Notes
Area outlined in Black, currently used for farming

Printed: 3/30/2016 5:08:12 PM



Subject property



NE



N



E



SW



S



Department of Community Development
115 E Washington St, Ste 201
Bloomington IL 61701

March 23, 2016

Dear Property Owner or Resident:

The City of Bloomington Planning Commission will hold a public hearing on **Wednesday, April 13, 2016 at 4:00 p.m. in the Council Chambers of City Hall Building, 109 E. Olive St., Bloomington, Illinois** for a petition submitted by **Interstate City West, LLC** requesting the 1) rezoning from B-1, Highway Business District to M-1, Restricted Manufacturing District; and 2) reinstatement and revision to a portion of the Third Preliminary Plan for Interchange City West Subdivision, located at the southeast corner of Wylie and Valley View Drive. Attached are copies of legal descriptions for the subject properties.

You are receiving this notification since you own property within a 500 foot radius of the land described above (refer to map on back). All interested persons may present their views upon matters pertaining to the requested rezoning during the public hearing.

In compliance with the Americans with Disabilities Act and other applicable federal and state laws, the hearing will be accessible to individuals with disabilities. Persons requiring auxiliary aids and services should contact the City Clerk at (309) 434-2240, preferably no later than five days before the hearing.

Please note that cases are sometimes continued or postponed for various reasons (i.e lack of quorum, additional time needed, etc.). The date and circumstance of the continued or postponed hearing will be announced at the regularly scheduled meeting. The hearing's agenda will be available at www.cityblm.org. If you desire more information regarding the proposed petition or have any questions you may contact me by phone, (309) 434-2226, or email, ksimpson@cityblm.org.

Sincerely,

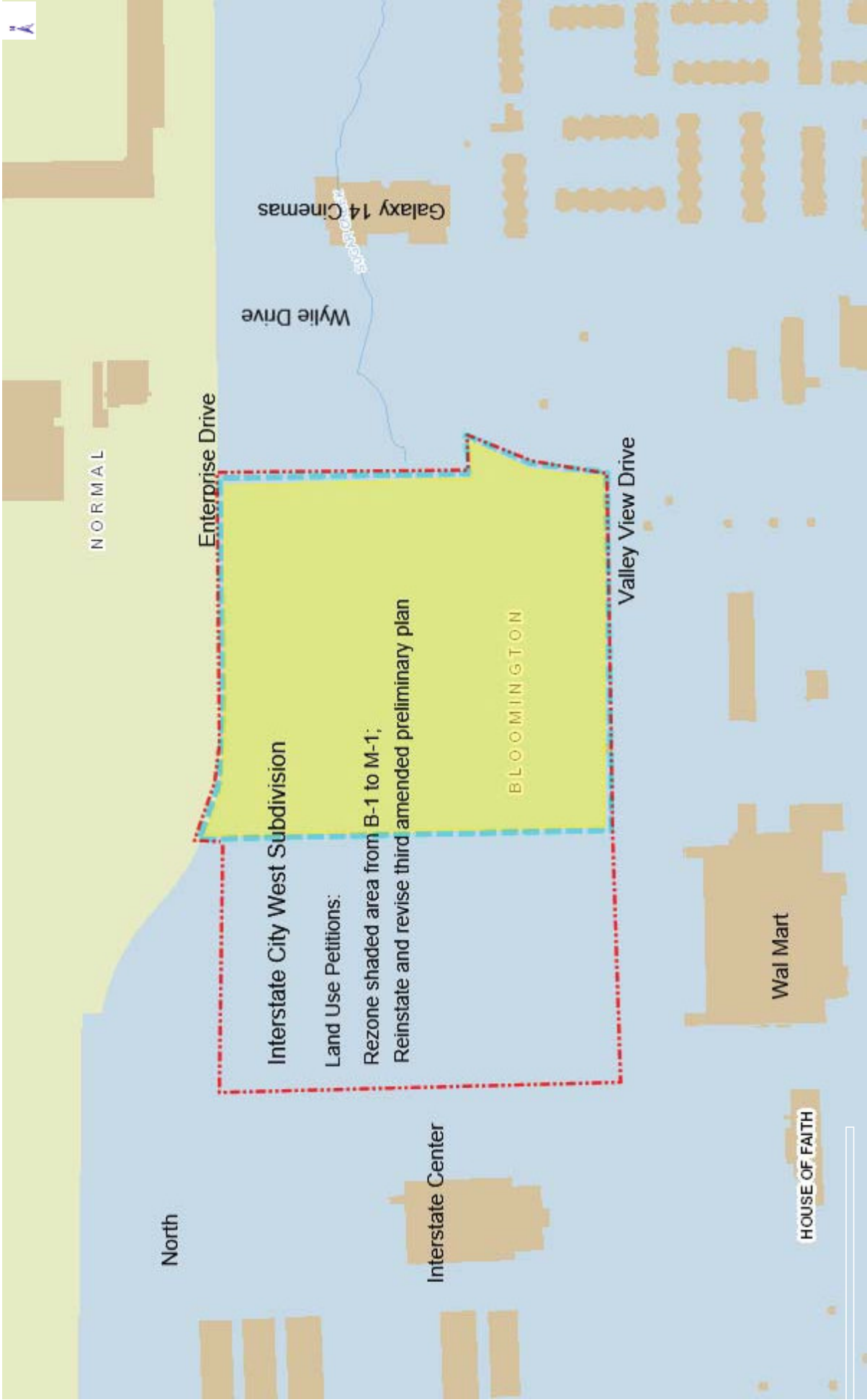
A handwritten signature in black ink, appearing to read "Katie Simpson", with a long, sweeping horizontal line extending to the right.

Katie Simpson
City Planner

Attachments:
Location Map
Legal Description for Rezoning
Legal Description for Preliminary Plan



Interchange City West Subdivision-Petitions to Reinstate and Revise Preliminary Plan and Rezone



Notes
You are receiving this notice because you own property within 500 feet of Interstate City West Subdivision

4561.1121
03/11/16
Rezoning
DPB

Legal Description

A part of the SW¼ of Section 31, Township 24 North, Range 2 East of the Third Principal Meridian and part of the SE¼ of Section 36, Township 24 North, Range 1 East of the Third Principal Meridian, City of Bloomington, McLean County, Illinois, more particularly bounded and described as follows: Commencing at the northeast corner of Lot 8-B in Interchange City West Subdivision 1st Addition; thence N.00°-00'-00"E. 66.00 feet on the west right of way line of Wylie Drive, dedicated and platted as Document No. 92-21543 in the McLean County Recorder of Deeds Office, to the Point of Beginning on the north right of way line of Valley View Drive; thence N.90°-00'-00"W. 825.82 feet on the north right of way line of said Valley View Drive; thence N.00°-18'-41"W. 1108.27 feet; thence southeasterly 90.43 feet on a non-tangential curve concave to the northeast having a radius of 645.00 feet, central angle of 08°-01'-59" and a chord of 90.36 feet bearing S.85°-12'-45"E. from the last described course; thence S.89°-13'-45"E. 741.87 feet; thence S.00°-00'-00"W. 690.73 feet; thence S.90°-00'-00"E. 113.89 feet to the west right of way line of Wylie Drive recorded as said Document No. 92-21543; thence southwesterly 403.52 feet on said right of way line on a non-tangential curve concave to the southeast having a radius of 695.00 feet, central angle of 33°-16'-00" and a chord of 397.88 feet bearing S.16°-38'-00"W. from the last described course; thence S.00°-00'-00"W. 18.77 feet on said right of way line to the Point of Beginning, containing 21.18 acres, more or less, with assumed bearings given for description purposes only.

MAR 23 2016

Legal Description

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INTERCHANGE CITY WEST LLC
1805 W WASHINGTON ST
BLOOMINGTON IL 617013703

ATTN: MICHAEL J. SWARTZ MCLEAN
COUNTY AG EXPO
2243 WESTGATE DR STE 501
BLOOMINGTON IL 617055046

BIRKEYS FARM STORE INC
2102 W PARK CT
CHAMPAIGN IL 618212986

HEYL, ROYSTER, VOELKER & ALLEN PC
% MARK A LUDOLPH PO BOX 6199
PEORIA IL 61601

SUGAR OAK BLOOMINGTON NORMAL
LLC
481 CARLISLE DR
HERNDON VA 20170

B-N PUBLIC TRANSIT
351 WYLIE DR
NORMAL IL 617615525

VISTA SECURITIES INC
P O BOX 1452
DECATUR IL 62525

COLLEGE PARK WEST
PO BOX 10
LINCOLN IL 626560010

TURNBERRY VILLAGE TVA
10 N 15TH ST
RICHMOND IN 473743302

WYLIE PARTNERS LLC
8451 MARYLAND AVE
SAINT LOUIS MO 631053646

EVANSVILLE WEST HOTEL VENTURES
LLC
6450 S 6TH STREET RD STE A
SPRINGFIELD IL 627126877

BLOOMINGTON IL PROPERTY INC
12800 MANCHESTER RD
ST LOUIS MO 63131

CROSSROADS CHAPEL
1049 JC PKWY
BLOOMINGTON IL 617055023

WCW HOLDINGS LLLP
PO BOX 1230
OKEECHOBEE FL 349731230

WAL-MART STORES, INC.
PO BOX 8050
BENTONVILLE AR 72716

**CITY OF BLOOMINGTON
REPORT FOR THE PLANNING COMMISSION
APRIL 13, 2016**

SUBJECT:	TYPE:	SUBMITTED BY:
PS-02-16 Southeast Corner of Wylie Drive and Valley View Drive;	Reinstate and Revise a portion of 3 rd Amended Preliminary Plan	Katie Simpson City Planner

REQUEST

The petitioner is seeking to reinstate and revise a portion of the third preliminary plan for the Interchange City West Subdivision.

NOTICE

The application has been filed in conformance with applicable procedural and public notice requirements.

GENERAL INFORMATION

Owner and Applicant: Interchange City West, LLC

PROPERTY INFORMATION

Existing Zoning: M-1, Restricted Manufacturing and B-1, Highway Business District
Existing Land Use: The proposed changes involve modifying the existing lot configuration, eliminating a portion of the extension of JC Parkway from Valley View Drive to a newly established cul-de-sac, and establishing a cul-de-sac at the southern end of the extended JC Parkway from Enterprise Drive. The land is currently vacant and used for agriculture. The petitioner proposes to develop lots 4 and 6 with a recreational facility and wholesale distribution, respectively.

Surrounding Zoning and Land Uses

Zoning

North: S-2, Public Land and Institutions (NORMAL)
North: B-1, Business District (NORMAL)
South: B-1, Highway Business District
East: B-1, Highway Business District
West: B-1, Highway Business District

Land Uses

North: Connect Transit
North: Vacant land
South: Walmart, Church, & Vacant land
East: Movie Theatre, Apartments
West: Birkey's Implements, Fair Grounds & Interstate Center

PROJECT DESCRIPTION

The subject property is approximately 46.03 acres, located northeast of the intersection of Valley View Drive and Wylie Drive. The property is bordered by Enterprise Drive to the north. The proposed preliminary plan shows Enterprise Drive will be extended west and the addition of a cul-de-sac, JC Parkway, extending south toward the center of the property. The western portion

of the property (24.85) is currently zoned M-1 Restricted Manufacturing. The petitioner is also seeking to rezone the remaining 21.15 acres from B-1, Highway Business district to M-1. The preliminary plan proposes eleven (11) lots. The petitioner plans to develop lots 4 and 6 for a recreational facility and wholesale distribution center, respectively. Both are permitted uses in the M-1 and B-1 districts. City Staff is currently unaware of the intended uses for the remaining nine (9) lots. Much of the development will remain the same as previously approved in 2008, with the exception of one less lot and the elimination of JC Parkway as a connecting street between Valley View Drive and Enterprise Drive. City Staff and the Town of Normal are also unaware of any potential or proposed changes to other portions of the Interchange City West Subdivisions, specifically the adjacent land directly North of the subject property.

ANALYSIS

Submittals

This report is based on the following documents, which are on file with the Community Development Department:

1. Petition to Reinstate and Revise a portion of the Third Amended Preliminary Plan for Interchange City West Subdivision
2. Fourth Amended Preliminary Plan for a Portion of Interchange City West Subdivision
3. Aerial photographs
4. Photographs of internal and adjacent sites

Compliance with the Comprehensive Plan

The 2035 Bloomington Comprehensive Plan identifies the property as a Tier-1, Infill Development Priority, and contemplates future land use for this site will be Employment Centers. Employment Centers are concentrated areas of office, commercial or light industrial uses which serve as a destination for residents and employees from the community and the neighboring areas. The Plan states efforts should be made to accommodate pedestrian and transit connections, including bike and pedestrian paths between parking lots and buildings, as well as landscaped islands to divide large parking lots into smaller surfaces.

Findings of Fact:

Section 24.2.3 of the City's Code outlines the following guidelines to be used to evaluate a proposed subdivision within the jurisdiction:

1. *To protect, provide and promote the public health, safety and general welfare of the City;* the proposed preliminary plan does not conflict with this guideline. The standard is met.
2. *To guide the future growth and development of the City, in accordance with the Comprehensive Plan;* Each site development for the subdivision should include pedestrian and bike paths, in accordance with the Comprehensive Plan's vision of an Employment Center. Additionally pedestrian and bike access should be extended across the property to allow for 1) access to the proposed recreational facility in lot 4; and 2) access from future residential in Normal to neighboring commercial properties including but not limited to Walmart. The standard is met.

3. *To provide for adequate light, air, and privacy, to secure safety from fire, flood, and other danger, and to prevent overcrowding of the land and undue congestion of population;* the proposed preliminary plan shows adequate locations and quantities of fire hydrants. Access for larger lots, particularly lot 3, should be addressed at the time the site is developed. The standard is met.
4. *To protect the character and the social and economic stability of all parts of the City and to encourage the orderly and beneficial development of all parts of the community;* the two proposed uses, recreational facility and wholesale distribution, are compatible with the site's current zoning designation and neighboring uses. The standard is met.
5. *To protect and conserve the value of land throughout the City and the value of buildings and improvements upon the land, and to minimize the conflicts among the uses of land and buildings;* the preliminary plan does not conflict with this guideline. The standard is met.
6. *To guide public and private policy and action in order to provide adequate and efficient transportation, water, sewerage, schools, parks, playgrounds, recreation and other public requirements and facilities;* The City's Engineering and Water Departments reviewed the plan and their comments are attached to this report. Please address these comments before Council votes on the plan. The standard is met.
7. *To provide the most beneficial relationship between the uses of land and buildings and the circulation of traffic throughout the City, having particular regard to the avoidance of congestion in the streets and highways, and the pedestrian traffic movements appropriate to the various uses of land and buildings, and to provide for the property location and width of streets and buildings setback lines;* The City and the Town of Normal envision Enterprise Drive and Wylie Drive as future arterial roads. The town of Normal has jurisdiction over Enterprise Drive and asks that no access on Enterprise Drive be allowed 30' east of west line of lot 2 and 30' west of east line of 10. A cul-de-sac on the end of Valley View Drive should also be added to ensure adequate turning radius and access for larger trucks typically found in the M-1 district and emergency access vehicles. The standard is met.
8. *To establish reasonable standards of design and procedures for subdivision codes and re-subdivisions, in order to further the orderly layout and use of land, and to insure property legal descriptions and monumenting of subdivided land;* the preliminary plan is in agreement with the Manual of Practice and Design. The standard is met.
9. *To insure that public facilities are available and will have a sufficient capacity to serve the proposed subdivision code and area reasonably anticipated to be served by such facilities;* the capacity of public facilities is adequate. The standard is met.
10. *To prevent the pollution of air, streams, and ponds; to assure the adequacy of drainage facilities; to safeguard the water table; and to encourage the wise use and management of natural resources throughout the City in order to preserve the integrity, stability and*

beauty of the community and the value of the land; the impacts of individual developments shall be determined at the time each lot is developed. The standard is met.

11. *To preserve the natural beauty and topography of the City and to insure appropriate development with regard to these natural features;* appropriate development with regard to natural features shall be determined at the time each lot is developed. The standard is met.

12. *To provide for open spaces through the most efficient design and layout of the land, including the use of average density in providing for minimum width and area of lots, while preserving the density of land as established in the City's zoning ordinance (Ordinance No. 1998-42).* The density and intensity of each site shall be assessed at the time the lots are developed, the standard is met.

The provided comments from Engineering, Fire and the Town of Normal need to be addressed before the preliminary plan is considered before council.

STAFF RECOMMENDATION:

Staff recommends the Planning Commission pass a motion recommending that the City Council **approve** the petition to Reinstate and Revise a portion of the Third Amended Preliminary Plan for Interchange City West Subdivision, for the property located at the southeast corner of Valley View Drive and Wylie Drive, in Case PS-02-16, condition upon the addition of a cul-de-sac built and shifted to the north side of Valley View Drive.

Respectfully submitted,

Katie Simpson
City Planner

Attachments:

1. Staff and Town of Normal Comments
2. Petition to Reinstate and Revise Preliminary Plan
3. Exhibit A-“Legal Description”
4. Exhibit B-4th Amended Preliminary Plan
5. Ordinance
6. Zoning Map
7. Aerial Map

Engineering Comments:

1. Please add a cul-de-sac at the far west dead end of Valley View Drive near Birkey's Farm Store and shifted to the north side of Valley View Drive.
2. Pedestrian access and circulation may be hindered by the cul-de-sac on Lenox. Please provide pedestrian access through the development area to allow access to JC Parkway/ Walmart area from the residential area in Normal to the north. Road connectivity is preferred.
3. Please provide paved access driveways (10' wide, 6" thick minimum) from Lenox Ct. to the sewer and storm sewer manholes and water main appertenances in the SW corner of Lot 9, SE corner of Lot 1, the mid-lot manholes on the east side of Lot 6, and the manholes located on the north side of Lots 7 and 8.
4. An access guarantee and a hold harmless agreement will also need to be provided for access to rear and side yard utility maintenance.
5. Please provide additional easement width per the Manual of Practice for the 48" storm sewer and drainage easement on the north side of Lots 7 and 8.
6. The Town of Normal shall have jurisdiction over Enterprise Dr. and shall approve road and driveway access points. Please show any ingress/easements and no access strips per Town of Normal comments.
7. The typical street section for Lenox Ct. shall be indicated as a minimum installation. A full pavement design will be required prior to completing the construction plans.
8. The water main sizing shall be verified with engineering calculations prior to completing construction plans.
9. Water main shall be a minimum of 7.5' from the edge of utility easements.
10. Any water main extension north of Valley View or south of Enterprise drive shall be connected in its entirety between the two roads. No dead end water mains will be allowed.

Fire Department Comments:

1. Lot 3 has limited accessibility for emergency vehicles. Please address emergency vehicle accessibility, some options might include: extending JC Parkway to meet Valley View Road; adding hard service accessibilities along easements, or adding a note that the access and necessary improvements will be made at the time each site is developed.

Town of Normal Comments:

1. Please include no access strips for 2 and 10 lots for frontage along Enterprise Drive. No access strips may end 30' east of the west line of lot 2 and 30' west of the east line of lot 10.

APPROVAL OF PRELIMINARY PLAN

Date Rec'd: 3/22/14
Council Date: _____

PETITION FOR TO REINSTATE AND REVISE A PORTION OF THE THIRD
PRELIMINARY PLAN FOR SUBDIVISION KNOWN AS:

Interchange City West Subdivision

LOCATION: See Exhibit A

PETITIONER: Interchange City West, L.L.C. ATTORNEY: Elizabeth B. Megli
ADDRESS 115 W. Jefferson St., Ste. 400 PHONE NUMBER: (309) 828-5281
Bloomington, IL 61701

DOCUMENTS SUBMITTED: Check if Yes

Petition x fy

Ordinance x fy

Legal Description x fy

2 Mylars & 28 Prints x

Filing Fee Paid x (\$100.00 plus \$5.00 per lot) # of lots 11

Documents on Disk _____

Development/Staff Mtg _____ Planning Commission 4/21/14

Date Notice sent to Pantagraph _____ (15 day notice)

Publication (date) _____ Publication Fee of \$ _____ Billed _____ Paid _____

City Council Mtg (date) _____ Picked up by Petitioner for Recording _____

NOTES: _____

PETITION TO REINSTATE AND REVISE A PORTION OF THE
INTERCHANGE CITY WEST SUBDIVISION THIRD PRELIMINARY PLAN

TO: THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY
OF BLOOMINGTON, McLEAN COUNTY, ILLINOIS

NOW COMES INTERCHANGE CITY WEST, L.L.C., an Illinois Limited Liability Company, hereinafter referred to as Petitioner, respectfully representing and requesting as follows:

1. Petitioner is interested in the premises described on the attached Exhibit "A" attached hereto and made a part hereof by this reference;

2. Petitioner seeks to reinstate the "Third Amended Preliminary Plan for a Portion of Interchange City West Subdivision," heretofore approved by the City Council on May 27, 2008, as Ordinance No. 2008-37.

3. Petitioner also seeks approval of a revision of a portion of the previously approved "Third Amended Preliminary Plan for a Portion of Interchange City West Subdivision," and attaches hereto as Exhibit "B" a copy of the proposed revision.

3. Petitioners seek the following modifications of the "Third Amended Preliminary Plan for a Portion of Interchange City West Subdivision":

- (a) Modification of the existing lot configuration to meet the needs of the market place; and
- (b) Eliminating a portion of the extension of JC Parkway from Valley View Drive to a newly established cul-de-sac; and
- (c) Establishing a cul-de-sac at the southern end of the extended JC Parkway from Enterprise Drive.

WHEREFORE, Petitioner prays that the Third Amended Preliminary Plan for a Portion of Interchange City West Subdivision, heretofore approved by the City Council by Ordinance No. 2008-37, be reinstated, and that a Fourth Amended Preliminary Plan for a Portion of Interchange City West Subdivision be approved as requested herein.

Respectfully submitted,

INTERCHANGE CITY WEST, L.L.C., an
Illinois Limited Liability Company, Petitioner

By: Elizabeth B. Megli
Elizabeth B. Megli
Its Attorney

EXHIBIT "A"

[See Attached]

Legal Description

A part of the SW¼ of Section 31, Township 24 North, Range 2 East of the Third Principal Meridian and part of the SE¼ of Section 36, Township 24 North, Range 1 East of the Third Principal Meridian, City of Bloomington, McLean County, Illinois, more particularly bounded and described as follows: Commencing at the northeast corner of Lot 8-B in Interchange City West Subdivision 1st Addition; thence N.00°-00'-00"E. 66.00 feet on the west right of way line of Wylie Drive, dedicated and platted as Document No. 92-21543 in the McLean County Recorder of Deeds Office, to the Point of Beginning on the north right of way line of Valley View Drive; thence N.90°-00'-00"W. 1705.82 feet on the north right of way line of Valley View Drive to the east line of Lot 1 in Interstate Center Subdivision, according to the Plat thereof recorded as Document No. 2004-15809 in the McLean County Recorder of Deeds Office; thence N.00°-18'-41"W. 1113.78 feet on the east line of said Lot 1; thence S.89°-13'-45"E. 229.00 feet on the line of said Lot 1; thence N.00°-18'-41"W. 340.72 feet on the east line of said Lot 1; thence southeasterly 286.86 feet on a non-tangential curve concave to the southwest having a radius of 555.00 feet, central angle of 29°-36'-49" and a chord of 283.67 feet bearing S.63°-27'-05"E. from the last described course; thence S.48°-38'-41"E. 95.51 feet; thence southeasterly 456.87 feet on a tangential curve concave to the northeast having a radius of 645.00 feet, central angle of 40°-35'-04" and a chord of 447.38 feet bearing S.68°-56'-13"E. from the last described course; thence S.89°-13'-45"E. 741.87 feet; thence S.00°-00'-00"W. 690.73 feet; thence S.90°-00'-00"E. 113.89 feet to the west right of way line of Wylie Drive recorded as said Document No. 92-21543; thence southwesterly 403.52 feet on said right of way line on a non-tangential curve concave to the southeast having a radius of 695.00 feet, central angle of 33°-16'-00" and a chord of 397.88 feet bearing S.16°-38'-00"W. from the last described course; thence S.00°-00'-00"W. 18.77 feet on said right of way line to the Point of Beginning, containing 46.03 acres, more or less, with assumed bearings given for description purposes only.

EXHIBIT "B"

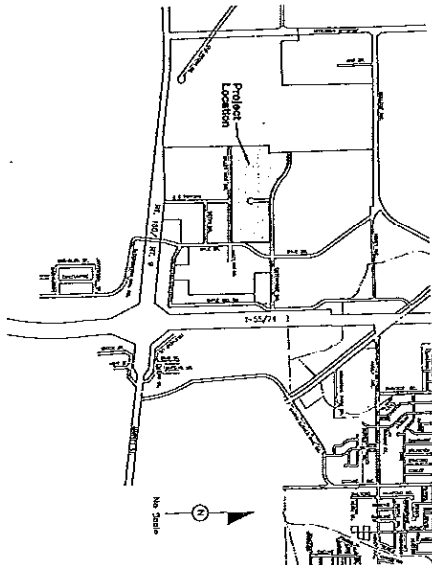
[See Attached]

Part of the SW1/4 of Section 01, T24N, R12E, 3P.M.,
Part of the SW1/4 of Section 30, T24N, R12E, 3P.M.,
and Part of the SW1/4 of Section 30, T24N, R12E, 3P.M.,
City of Bloomington, McLean County, Illinois

OWNER/DEVELOPER: INTERMOUNT CITY WEST, L.L.C.
C/O DAVID UHAR

ATTORNEYS

1805 W. WASHINGTON STREET
BLOOMINGTON, IL 61704
PHONE (309) 622-2034

[illegible]

RECOMMENDATION OF PRELIMINARY PLAN APPROVAL BY THE PLANNING COMMISSION OF BLOOMINGTON, ILLINOIS

"Notice is hereby given that this Preliminary Plan of the Subdivision or Planned Unit Development about which notice is recommended by the Planning Commission or Discretionary, Limited, for City Council approval with the modifications contained in Appendix A (if any), which is attached hereto."

The Planning Commission of Birmingham, Mayor

Challiportion

Executive Director

**NOTICE OF APPROVAL OF PRELIMINARY PLAN BY THE CITY COUNCIL OF
ELEMORETON, ILLINOIS**

ELCOMINOTON, IL/IND

"The Preliminary Plan of this Subdivision or Planned Unit Development shown hereon has received approval by the City Council of Bloomington, Illinois, subject to the modifications contained in Appendix A which is attached hereto."

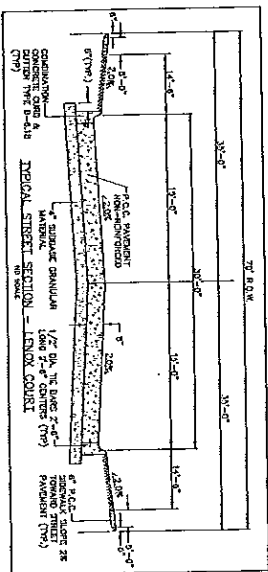
The City Council of Birmingham, Illinois

Date _____

by _____ Mayor _____

August

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[illegible]

INDEX OF SHEETS

1	COVER SHEET
2	PRELIMINARY PLAN

Discussion

1. David P. Down, Illinois Professional Land Surveyor No. 2724, do hereby certify that to the best of my knowledge and belief the attached herein is an accurate representation of a survey made under my supervision. This professional service conforms to the current Illinois land survey standards for a boundary survey.

David H. Brown
Illinois Professional Land Surveyor No. 2722
License Expires 11/30/2010

THIS PRELIMINARY PLAN WAS PREPARED BY LEWIS, YOCUM & DECHAM, INC.
305 NORTH MAIN STREET, BLOOMINGTON, ILLINOIS.

RECEIVED BY: Rebecca A. Benington DATE: 3/17/16
 REBECCA A. BENINGTON M.D. JG 10560
 LICENSE NUMBER IS 0007017

License Expires 11/30/2017

Lewis, Yockey & Brown, Inc.
Consulting Engineers & Land Surveyors

Professional Design Firm Registration #14002600
302 North Main Street 222 East Center Street 155 South Elm Blvd
Olaton, Illinois Olaton, Illinois Olaton, Illinois
Ph. (309) 820-7505 Ph. (309) 842-7151 Ph. (309) 927-2727

210	FOURTH AMENDED PRELIMINARY PLAN
ALL	FOR A PORTION OF
DAG	INTERCHANGE CITY WEST SUBDIVISION
SPD	COVER SHEET

ORDINANCE NO. 2016- _____

AN ORDINANCE REINSTATING AND REVISING A PORTION OF
INTERCHANGE CITY WEST SUBDIVISION THIRD PRELIMINARY PLAN

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a petition to reinstate and revise a portion of the Interchange City West Subdivision Third Preliminary Plan, legally described in Exhibit(s) A, which is attached hereto and made a part hereof by this reference; and

WHEREAS, said Petition requests no exemptions or variations from the provisions of the Bloomington City Code, 1960, as amended; and

WHEREAS, said Petition is valid and sufficient and conforms to the requirements of the statutes in such cases made and the Preliminary Plan attached to said Petition was prepared in compliance with the requirements of the Bloomington City Code; and

WHEREFORE, the "Third Amended Preliminary Plan for a Portion of Interchange City West Subdivision," heretofore approved by the City Council on May 27, 2008, as Ordinance No. 2008-37, should be reinstated; and

WHEREFORE, the Fourth Amended Preliminary Plan for a Portion of Interchange City West Subdivision should be approved.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Bloomington, McLean County, Illinois:

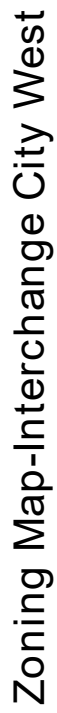
1. That the Third Amended Preliminary Plan for a Portion of Interchange City West Subdivision be and is hereby reinstated;
2. That the Fourth Amended Preliminary Plan for a Portion of Interchange City West Subdivision be and is hereby approved.
3. That this Ordinance shall be in full force and effective as the time of its passage on this _____ day of _____, 20____.

APPROVED:

Mayor

ATTEST:

City Clerk



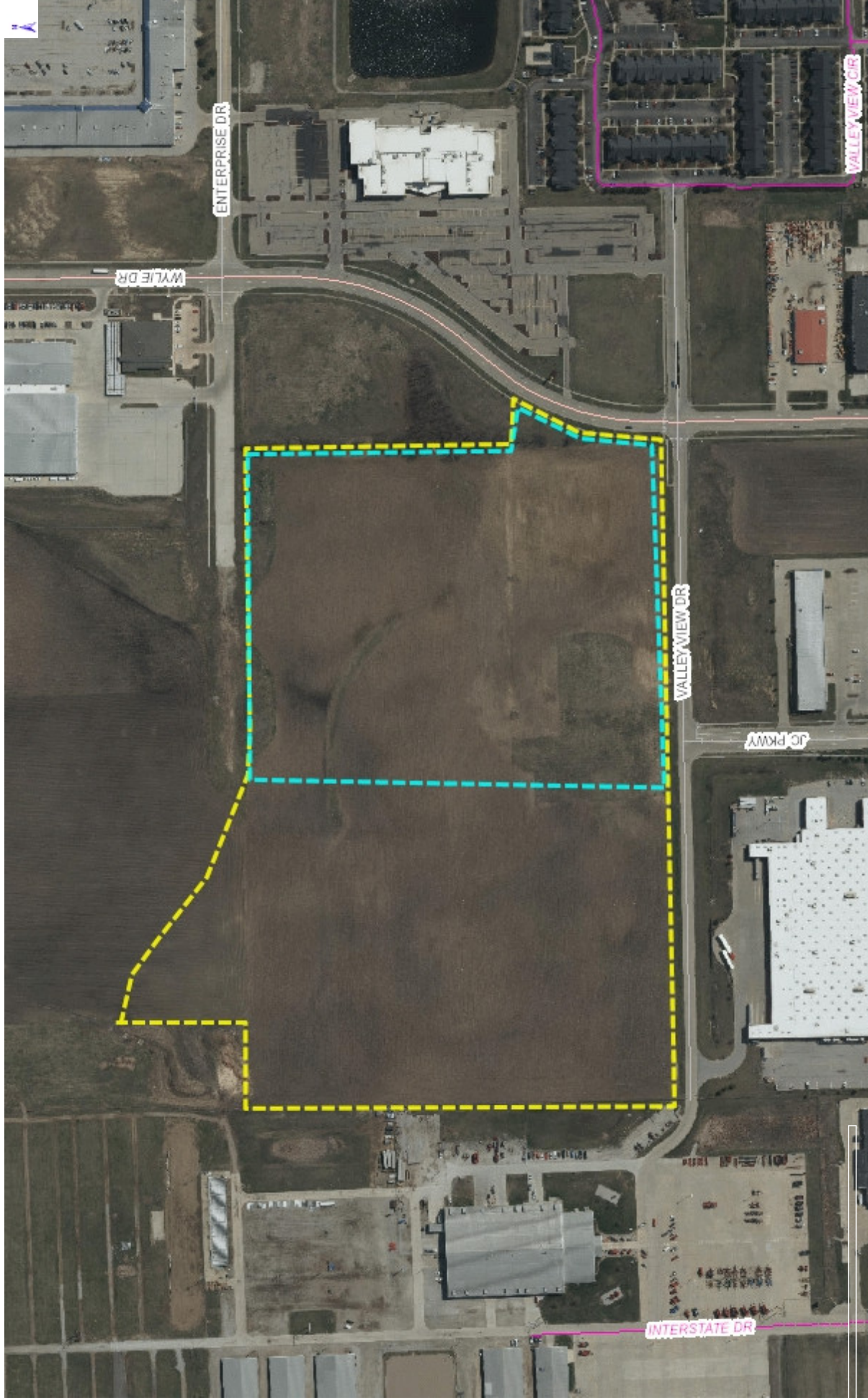
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Aerial View-Interchange City West Subdivision



Notes

Property corresponding to amended preliminary plan outlined in yellow. Property to be rezoned outlined in blue

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