

**MINUTES
BLOOMINGTON PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, APRIL 13, 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, Mr. Scritchlow, Mr. Suess, Chairman Stanczak

MEMBERS ABSENT: Mr. Cornell, Ms. Schubert

OTHERS PRESENT: Mr. Tom Dabareiner, Community Development Director; Ms. Katie Simpson, City Planner; Mr. George Boyle, City Attorney; 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: There being no public comments the Commission moved on to approval of the minutes.

MINUTES: The Commission reviewed the February 24, 2016 minutes. Mr. Suess asked for his name to be spelled correctly. There being no further changes, Mr. Pearson moved to approve the February 24, 2016 minutes; Mr. Scritchlow seconded the motion, which passed unanimously by a voice vote of 7-0.

REGULAR AGENDA:

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 from B-1, Highway Business District, to M-1, Restricted Manufacturing District.

Chairman Stanczak introduced the case. Ms. Simpson presented City Staff's report, recommending denial of the proposed rezoning. She noted that the petitioner supplied inadequate information to allow a favorable recommendation to be made. Ms. Simpson described the subject site and surrounding uses. She noted the history of the adjacent M-1 property and the proximity of residential uses and districts. Ms. Simpson reviewed the comprehensive plan's intention for the area as an employment center.

Mr. Balmer asked about the status of the zoning ordinance comprehensive amendment, pointing out the concerns raised a few years ago over how best to zone this area. Mr. Dabareiner reported that the RFP for this work was going out next week. Mr. Protzman asked for a definition of "employment center"; Ms. Simpson referred to the Comprehensive Plan. Mr. Pearson asked if

the B-1 district fit the “employment center” definition; Mr. Dabareiner mentioned the difference between general land use categories and zoning districts, noting that B-1 uses and M-1 uses could guide development in an employment center. Mr. Dabareiner added that it is a high burden to rezone property when a public process previously occurred which established the existing zoning designation; rezoning, he mentioned, to serve a property without supporting information is not always in the City’s interest. Ms. Simpson mentioned some of the intense uses in an M-1 district not allowed in the B-1 district, which rezoning would allow. Chairman Stanzyk suggested the employment center concept is a hybrid between M-1 and B-1 districts.

Elizabeth Megli, attorney for the petitioner, was sworn in. Ms. Megli stated that the petitioner has been unable to market the subject property as B-1 so is requesting the M-1 zoning district. She noted that recent interest has come from two M-1 listed uses, a warehouse and indoor recreation activity. She indicated that the B-1 district’s retail emphasis is not practical in the location, that the adjoining property is M-1 and that the uses contemplated are compatible with M-1. She noted that R-3A to the north is vacant. Ms. Megli emphasized the stronger position her client could be in if able to market the property with an M-1 designation.

Chairman Stanzyk noted that like uses are treated in like fashion in a zoning ordinance. The problem, he noted, is that most of the uses proposed by the client are allowed in both the B-1 and the M-1 districts. Chairman Stanzyk clarified whether the warehouse and indoor sports use were moving ahead; Ms. Megli indicated they are anticipated to. Chairman Stanzyk asked if those uses could be accommodated in the B-1 district; Ms. Megli indicated in the affirmative, noting that one of the properties is located in both zoning districts. Mr. Scritchlow asked how the City reviews a property with two different districts designated; Mr. Dabareiner mentioned that different bulk requirements apply, but the location of the principal structure is important.

Mr. Pearson sought clarification on the location of the proposed rezoning and the property containing the shared zoning districts. Ms. Simpson highlighted the information and the zoning plat was presented to aid with the clarification. Mr. Dabareiner noted that when there is a specific proposed use associated with a rezoning request, an effort can be made to determine likely impacts; in this case, staff has no information, so a worst-case scenario must be considered as far as M-1 uses, including stockyards, food manufacturing, rail yards, and other impactful uses. Mr. Barnett asked why the M-1 property did not revert back to B-1 when the Wirtz Beverage distribution facility did not locate there; Mr. Dabareiner indicated that is another way to handle these kinds of uncertainties, an opinion echoed by Mr. Pearson.

Chairman Stanzyk closed the public hearing. Mr. Balmer motioned to deny the rezoning request; seconded by Mr. Pearson. The motion to recommend denial passed by a vote of 5-2 with the following votes being cast on roll call: Mr. Balmer-yes; Mr. Pearson-yes; Mr. Barnett -yes; Mr. Protzman-no; Mr. Scritchlow-no; Mr. Suess-yes; Chairman Stanczak-yes.

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 in size.

Chairman Stanzyk introduced the case. Ms. Simpson indicated that staff supports this petition with several conditions, including that the plan incorporate comments from the City's engineers and the Town of Normal, along with addition of a cul-de-sac at the Subdivision's westernmost end of Valley View Drive. She provided an overview of the proposed changes to the plan, including some lot reconfigurations and eliminating the through-status of JC Parkway in lieu of creating a cul-de-sac from Enterprise Drive. She stated the Town has requested limited access to and from properties along Enterprise Drive. Ms. Simpson indicated that the petitioner is aware that staff's comments should be addressed prior to submittal of this to the City Council, but should be included as a condition today.

Mr. Scritchlow asked if the access at the western end of Valley View Drive would be retained; Ms. Simpson replied in the affirmative. Mr. Pearson clarified that the first case was a portion of this area; Chairman Stanzyk confirmed that this case is independent of any action taken in the first case.

Ms. Megli, attorney for the petitioner, reiterated her client's desire to reinstate and amend the previously approved preliminary plan, which takes into consideration a more reasonable configuration of the lots and the elimination of the fully extended JC Parkway. She indicated that many of the staff's requested changes have already been addressed in a revised set of plans, including the new Valley View Drive cul-de-sac.

Mike Swartz, manager for the McLean County Fair, was sworn in. Mr. Swartz asked that the Valley View Drive cul-de-sac design maintain an easement for access to their properties to the west. Mr. Scritchlow asked if an easement existed today; Mr. Swartz responded there is not. Mr. Scritchlow, asked since private access is allowed to the west, whether a cul-de-sac still needed; Mr. Dabareiner indicated that the easement or access to the west provides access from a public street, which ends at the property line, to private property and that the Valley View Drive cul-de-sac is needed for turning around large vehicles on the public street.

There was some additional discussion to clarify which cul-de-sacs are serving which streets. Ms. Simpson clarified the Enterprise Drive access limitations required by the Town of Normal. Mr. Barnett endorsed the concept of maintaining access to the west of the proposed Valley View Drive cul-de-sac; Mr. Dabareiner stated he would pass that along to the City's engineers.

Chairman Stanzyk closed the public hearing. Mr. Balmer motioned to approve the reinstatement and amendment of the Third Preliminary Plan with the inclusion of the conditions noted by staff, and including that the Valley View cul-de-sac design not interfere with access to properties to the west; seconded by Mr. Scritchlow. The motion to recommend passed by a vote of 7-0 with the following votes being cast on roll call: Mr. Balmer-yes; Mr. Scritchlow-yes; Mr. Pearson-yes; Mr. Barnett -yes; Mr. Protzman-yes; Mr. Suess-yes; Chairman Stanczak-yes.

OLD BUSINESS

The draft revisions to the Commission's by-laws were distributed, for consideration and action at the next meeting of the Commission. Mr. Boyle reviewed his approach towards making the revisions. He promised copies of the existing by-laws would be distributed to Commissioners so they could compare documents.

NEW BUSINESS

Mr. Dabareiner discussed some of the upcoming proposed changes to the zoning ordinance and how they relate to the One-Stop-Shop concept being implemented. He responded to several questions about the concept, which will likely be discussed in more detail when the zoning ordinance amendment comes before the Planning Commission.

ADJOURNMENT

Mr. Protzman motioned to adjourn; seconded by Mr. Scritchlow, which passed unanimously by voice vote. The meeting was adjourned at 5:08PM.