



**CITY OF
BLOOMINGTON
COUNCIL MEETING
FEBRUARY 14, 2022**



COMPONENTS OF THE COUNCIL AGENDA

RECOGNITION AND PROCLAMATION

This portion of the meeting recognizes individuals, groups, or institutions publically, as well as those receiving a proclamation, or declaring a day or event.

PUBLIC COMMENT

Each regular City Council meeting shall have a public comment period not to exceed 30 minutes. Every speaker is entitled to speak for up to 3 minutes. To be considered for public comment, please complete a public comment card at least 5 minutes prior to the start of the meeting. The Mayor will randomly draw from the cards submitted. Public comment is a time to give comment. It is not a question and answer period and the City Council does not respond to public comments. Speakers who engage in threatening or disorderly behavior will have their time ceased.

CONSENT AGENDA

All items under the Consent Agenda are considered to be routine in nature and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member, City Manager or Corporation Counsel so requests; in which event, the item will be removed from the Consent Agenda and considered in the Regular Agenda, which typically begins with Item No. 8.

The City's Boards and Commissions hold Public Hearings prior to some Council agenda items appearing on the Council's Meeting Agenda. Persons who wish to address the Council should provide new information that is pertinent to the issue before them.

PUBLIC HEARING

Items that require receiving public testimony will be placed on the agenda and noticed as a Public Hearing. Individuals have an opportunity to provide public testimony on those items that impact the community and/or residence.

REGULAR AGENDA

All items that provide the Council an opportunity to receive a presentation, ask questions of City Staff, seek additional information, or deliberate prior to making a decision will be placed on the Regular Agenda.

MAYOR AND COUNCIL MEMBERS

Mayor - Mboka Mwilambwe

City Council Members

Ward 1 - Jamie Mathy
Ward 2 - Donna Boelen
Ward 3 - Sheila Montney
Ward 4 - Julie Emig
Ward 5 - Nick Becker
Ward 6 - De Urban
Ward 7 - Mollie Ward
Ward 8 - Jeff Crabill
Ward 9 - Tom Crumpler

City Manager - Tim Gleason

Deputy City Manager - Billy Tyus

CITY LOGO DESIGN RATIONALE

The **CHEVRON** Represents:
Service, Rank, and Authority
Growth and Diversity
A Friendly and Safe Community
A Positive, Upward Movement and
Commitment to Excellence!

MISSION, VISION, AND VALUE STATEMENT

MISSION

To Lead, Serve and Uplift the
City of Bloomington

VISION

A Jewel of the Midwest Cities

VALUES

Service-Centered,
Results-Driven,
Inclusive

STRATEGIC PLAN GOALS

- ❖ Financially Sound City Providing Quality Basic Services
- ❖ Upgrade City Infrastructure and Facilities Grow the Local Economy
- ❖ Strong Neighborhoods
- ❖ Great Place - Livable, Sustainable City
- ❖ Prosperous Downtown Bloomington

AGENDA



REGULAR SESSION CITY COUNCIL MEETING AGENDA
GOVERNMENT CENTER CHAMBERS, 4TH FLOOR, ROOM #400
115 E. WASHINGTON STREET, BLOOMINGTON, IL 61701
MONDAY, FEBRUARY 14, 2022, 6:00 P.M.

THIS MEETING WILL BE HELD VIRTUALLY. LIVE STREAM AVAILABLE AT:
www.cityblm.org/live

Prior to 15 minutes before the start of the meeting, 1) those persons wishing to provide public comment must register at www.cityblm.org/register, and/or 2) those persons wishing to provide written comment must email their comments to publiccomment@cityblm.org. For any public hearings, testimony must be given at the hearing either in person or virtually. For due process reasons, emails are not accepted as testimony.

Members of the public may also attend the meeting at the Government Center. Attendance will be limited to 10 people and will require compliance with the Government Center COVID-19 protocols and social distancing. Participants are encouraged to attend remotely.

1. **Call to Order**
2. **Pledge of Allegiance to the Flag**
3. **Remain Standing for a Moment of Silent Prayer and/or Reflection**
4. **Roll Call**
5. **Recognition/Appointments**
 - A. Recognition of the City of Bloomington's American Heart Association Gold Level Workplace Health Achievement Index, as requested by the Human Resources Department. (*Recommended Motion: None; recognition only.*)
6. **Public Comment**

Individuals wishing to provide emailed public comment must email comments to publiccomment@cityblm.org at least 15 minutes before the start of the meeting. Individuals wishing to speak in-person or remotely may register at cityblm.org/register at least 5 minutes before the start of the meeting for in-person public comment and at least 15 minutes before the start of the meeting for remote public comment.
7. **Consent Agenda**
 - A. Consideration and action to approve Bills and Payroll in the amount of \$7,316,888.66, as requested by the Finance Department. (*Recommended Motion: The proposed Bills and Payroll be approved.*)

- B. Consideration and action to approve Appointments to Boards & Commissions, as requested by the Administration Department. *(Recommended Motion: The proposed Appointments be approved.)*
- C. Consideration and action to approve the Purchase of one (1) John Deere 5115M Tractor and one (1) John Deere 540M Loader Bucket from Martin Sullivan of Lexington, Illinois, using the Sourcewell Contract (#110719-JDC, exp 12/30/2023) in the amount of \$94,684, and to dispose of the existing Tractor Unit as a surplus sale, as requested by the Public Works Department. *(Recommended Motion: The proposed Purchase and Disposal be approved.)*
- D. Consideration and action to grant Workers Compensation Settlement Authority in the amount of \$167,338 to City of Bloomington Police Officer Nathan Glawe, claim number W002878550, as requested by the Human Resources Department. *(Recommended Motion: The proposed Workers Compensation Settlement be approved.)*
- E. Consideration and action on a Resolution Approving the First Amendment to the FY 2022 Utility Maintenance Agreement Between the City of Bloomington and George Gildner, Inc., in the amount of \$352,963.64, for the purpose of funding additional utility maintenance projects at various locations, as requested by the Public Works Department. *(Recommended Motion: The proposed Resolution be approved.)*
- F. Consideration and action on an Ordinance Amending Bloomington City Code Chapter 2 and Chapter 29 Regarding Collection Costs, as requested by the Finance Department. *(Recommended Motion: The proposed Ordinance be approved.)*
- G. Consideration and action on an Ordinance Amending Bloomington City Code Chapter 39, Article XIX, Regarding the City's Amusement Tax, as requested by the Legal Department and the Finance Department. *(Recommended Motion: The proposed Ordinance be approved.)*
- H. Consideration and action on an Ordinance Approving a Property Transfer to the Bloomington & Normal Water Reclamation District Pursuant to the Local Government Property Transfer Act, as requested by the Legal Department and the Public Works Department. *(Recommended Motion: The proposed Ordinance be approved.)*
- I. Consideration and action on an Ordinance Approving an Amended Preliminary Plan for a Portion of Hawthorne Commercial Park, Bloomington, Illinois for Approximately 19.86 Acres Located Near the Intersections of Woodbine Road and Pamela Drive, and Leslie Drive and Pamela Drive, as requested by the Economic & Community Development Department. *(Recommended Motion: The proposed Ordinance be approved.)*
- J. Consideration and action on an Ordinance Approving a Zoning Map Amendment Rezoning Property from B-1 (General Commercial) District, to R-3A (Multiple-Family Residence) District, for the Properties Generally Located South of Enterprise Drive and West of Maple Hill Road (PINS: 14-31-326-001 and 14-31-326-003) 12.32 Acres More or Less, as requested by the Economic & Community

Development Department. *(Recommended Motion: The proposed Ordinance be approved.)*

- K. Consideration and action on an Ordinance Approving a Zoning Map Amendment from B-1 (General Commercial) District, to R-3B (Multiple-Family Residence) District, for the Property Located at 205 N. Prospect Road (PIN: 21-02-253-017), 1.63 Acres More or Less, as requested by the Economic & Community Development Department. *(Recommended Motion: The proposed Ordinance be approved.)*
- L. Consideration and action on an Ordinance Approving a Zoning Map Amendment from B-1 (General Commercial) District, to R-3A (Multiple-Family Residential) District, for the Property Generally Located South of Enterprise Drive and West of Maple Hill Road (PIN: 14-31-401-003) 0.23 Acres More or Less, as requested by the Economic & Community Development Department. *(Recommended Motion: The proposed Ordinance be approved.)*
- M. Consideration and action on a Change of Ownership Application for Tailwind BMI, LLC, d/b/a Tailwind News & Deli, located at 3201 CIRA DR., Unit 112, who holds a Class RAS (Restaurant, All Type of Alcohol, Package and Sunday Sales) Liquor License, as requested by the City Clerk Department. *(Recommended Motion: The proposed Change of Ownership be approved.)*

8. Regular Agenda

- A. "Mayor's Annual Address", presented by Mayor Mboka Mwilambwe, as requested by the Administration Department. *(Recommended Motion: None; presentation only.) (Presentation by Mboka Mwilambwe, Mayor, 10 minutes; and City Council discussion, 0 minutes.)*

9. City Manager's Discussion

10. Mayor's Discussion

11. Council Member's Discussion

12. Executive Session - Cite Section

- A. Semi-Annual Review of Minutes - Section 2 of (c)(21) of 5 ILCS 120 (15 minutes)

13. Return to Open Session and Adjourn

RECOGNITIONS



RECOGNITION/APPOINTMENTS ITEM NO. 5.A

FOR COUNCIL: February 14, 2022

SPONSOR: Human Resources Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Recognition of the City of Bloomington's American Heart Association Gold Level Workplace Health Achievement Index, as requested by the Human Resources Department.

RECOMMENDED MOTION:

None; recognition only.

STRATEGIC PLAN LINK:

-Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:

-Objective 1d. City services delivered in the most cost-effective, efficient manner

BACKGROUND: The City of Bloomington recently received the American Heart Association's Gold Level Workplace Health Achievement Index Recognition. This is provided to employers who build a culture of health and well-being in the workplace.

This is the 11th year the City of Bloomington has achieved this recognition.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: Josh Hansen, Compensation & Benefits Manager

Reviewed by:


Nicole Albertson, Director of Human Resources

2/1/2022


Tara Henry, Legislative Assistant & Records Manager

2/10/2022

Attachments:

- HR 1B Workplace Health Achievement

Recent Recognition – Workplace Health Achievement



- The American Heart Association has defined best practices for employers who build a culture of health & well-being in the workplace.
- The Workplace Health Achievement Index measures the extent to which an organization has implemented those best practices.
- Recognition is provided to those who take significant steps to build a culture of health & well-being.
- This is the 11th year the City has achieved the highest level of recognition.

CONSENT AGENDA



CONSENT AGENDA ITEM NO. 7.A

FOR COUNCIL: February 14, 2022

SPONSOR: Finance Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action to approve Bills and Payroll in the amount of \$7,316,888.66, as requested by the Finance Department.

RECOMMENDED MOTION:

The proposed Bills and Payroll be approved.

STRATEGIC PLAN LINK:

-Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:

-Objective 1d. City services delivered in the most cost-effective, efficient manner

BACKGROUND: Bills and Payroll are filed in the City Clerk's Department. The full Bills and Payroll Report is now housed under Finance documents on the City website available at <https://www.cityblm.org/bills>.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: Total disbursements to be approved \$7,316,888.66 (Payroll total \$2,916,244.86, Accounts Payable total \$4,222,701.14, and Bank Transfers total \$177,942.66).

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: Frances Watts, Support Staff V

Reviewed by:


F. Scott Rathbun, Finance Director

2/9/2022


Tara Henry, Legislative Assistant & Records Manager

2/11/2022

Attachments:

- FIN 1B Council Finance Summary Report

CITY OF BLOOMINGTON FINANCE REPORT

PAYROLL

Date	Gross Pay	Employer Contribution	Totals
1/28/2022	\$ 2,147,853.11	\$ 750,936.02	\$ 2,898,795.13

1/14/2022-1/28/2022	\$ 14,623.73	\$ 2,826.00	\$ 17,449.73
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Off Cycle Adjustments

PAYROLL TOTAL	\$ 2,916,244.86
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ACCOUNTS PAYABLE (WIRES)

Date	Bank	Total
2/14/2022	AP General	\$ 3,838,526.14
	AP JMScott	
2/14/2022	AP Comm Devel	\$ 58,107.08
2/14/2022	AP IHDA	\$ 575.00
2/14/2022	AP Library	\$ 201,222.14
2/14/2022	AP MFT	\$ 1,722.35
1/21/22-2/1/2022	Out of Cycle	\$ 122,548.43
11/30/2021-1/24/2022	AP Bank Transfers	\$ 177,942.66
	AP TOTAL	\$ 4,400,643.80

PCARDS

Date Range

PCARD TOTAL	\$ -
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GRAND TOTAL	\$ 7,316,888.66
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Respectfully,

F Scott Rathbun
Director of Finance



CONSENT AGENDA ITEM NO. 7.B

FOR COUNCIL: February 14, 2022

SPONSOR: Administration Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action to approve Appointments to Boards & Commissions, as requested by the Administration Department.

RECOMMENDED MOTION:

The proposed Appointments be approved.

STRATEGIC PLAN LINK:

-Goal 5. Great Place - Livable, Sustainable City

STRATEGIC PLAN SIGNIFICANCE:

-Objective 5b. City decisions consistent with plans and policies

BACKGROUND: The Mayor of the City of Bloomington has nominated, and asks your concurrence in the appointments of:

Connect Transit Board: Barbara Singer to the Connect Transit Board. Barbara's appointment is effective immediately with an expiration date of 6-30-22. Application is on file in the Administration Office.

Planning Commission: Anna Patino to the Planning Commission. Anna's appointment is effective immediately with an expiration date of 4-30-23. Application is on file in the Administration Office.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Mayor contacts all recommended appointments.

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: Amy Overton, Executive Assistant

Reviewed by:



Billy Ryus, Deputy City Manager

2/9/2022



Tara Henry, Legislative Assistant

2/10/2022

Attachments:

- ADM 1B Connect Transit Board Roster
- ADM 1C Planning Commission Roster

Connect Transit Board

Mayor Appointed	Staff/Chair	First Name	Last Name	Expiration	Re/Appointment Date	Year First Appt	
x	Blm	Ryan	Whitehouse	06/30/24	07/13/20	2012	
x	Blm	Judy	Buchanan	06/30/25	06/28/21	2009	
x	Blm	Linda	Foster	06/30/23	04/13/20	2020	
x	Blm			06/30/22			

Planning Commission

Mayor Appointed	First Name	Last Name	Expiration	Year First Appt	Appointment Date	
x	Brady	Sant Amour	04/30/22	2021	02/22/21	
x	David	Stanczak	04/30/22	2012	04/22/19	
x	Thomas	Krieger	04/30/23	2017	04/27/20	
x	Goverdhan	Galpalli	04/30/24	2022	01/10/22	
x	Mark	Muehleck	04/30/23	2017	04/27/20	
x	Justin	Boyd	04/30/22	2016	04/22/19	
x			04/30/23			
x	John	Danenberger	04/30/23	2020	04/27/20	
x	Tyson	Mohr	04/30/24	2018	04/12/21	



CONSENT AGENDA ITEM NO. 7.C

FOR COUNCIL: February 14, 2022

SPONSOR: Public Works Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action to approve the Purchase of one (1) John Deere 5115M Tractor and one (1) John Deere 540M Loader Bucket from Martin Sullivan of Lexington, Illinois, using the Sourcewell Contract (#110719-JDC, exp 12/30/2023) in the amount of \$94,684, and to dispose of the existing Tractor Unit as a surplus sale, as requested by the Public Works Department.

RECOMMENDED MOTION:

The proposed Purchase and Disposal be approved.

STRATEGIC PLAN LINK:

- Goal 2. Upgrade City Infrastructure and Facilities
- Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:

- Objective 2b. Quality water for the long term
- Objective 1d. City services delivered in the most cost-effective, efficient manner

BACKGROUND: Public Works is recommending the approval of the purchase of one John Deere 5115M Tractor and one John Deere 540M Loader Bucket from Martin Sullivan of Lexington, Illinois, using the Sourcewell Contract (110719-JDC, exp 12/30/2023) in the amount of \$94,684.

The Lake Parks Maintenance Section uses a 2003 John Deere 5420 tractor that is 19 years old and has 1,815 hours of use. The maintenance cost to date is \$14,727.38. This tractor was damaged in the Lake Parks Maintenance building fire that occurred on March 10, 2019. The tractor sustained \$6,915.03 in damages. The City was reimbursed for these repairs through the fire claim reimbursement settlement. With the age of the tractor, the Division has had numerous repairs for oil leakage, new tires, and repairs to the loader bucket.



Lake Parks Maintenance uses the tractor to perform multiple tasks, including mowing at various locations near Evergreen Lake and Lake Bloomington, collecting brush for Lake Bloomington leaseholders and the surrounding wooded areas, loading road salt into dump truck snowplows, and plowing snow.

This purchase includes a twenty-four month or 2,000-hour warranty for the John Deere 5115M tractor and a twelve-month warranty for the 540M loader bucket.

Staff respectfully requests to declare the unit as surplus and sell it on publics surplus.com. It is expected to be sold for approximately \$9,000.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

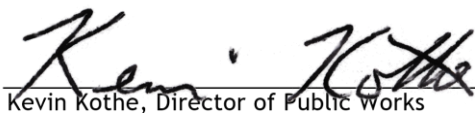
FINANCIAL IMPACT: If approved, \$94,684 will be spent to purchase one (1) John Deere 5115M Tractor and one (1) John Deere 540M Loader Bucket from Martin Sullivan of Lexington, Illinois, using the Sourcewell Contract (#110719-JDC, exp 12/30/2023, and to dispose of the existing Tractor Unit as a surplus sale. The budget amount for this item is \$68,500. This is budgeted under Lake Maintenance-Capital Outlay Equipment Other than Office account (50100140-72140). A budget transfer will be processed moving \$26,184 in savings from the Lake Parks Maintenance building design, which was budgeted at \$185,000 and awarded for \$70,500. This project is under budget by \$114,500. The Lake Parks Maintenance building design is budgeted in the Lake Maintenance-Architectural & Engineering Services for Capital- Fire Recovery account (50100140-70051-60000). Stakeholders can locate the replacement of the tractor in the FY 2022 Budget Book titled "Other Funds & Capital Improvement" on pages 93 & 127.

COMMUNITY DEVELOPMENT IMPACT: Goal UEW-1. Provide quality public infrastructure within the City to protect public health, safety and the environment, Objective UEW-1.5. Reliable water supply and distribution system that meets the needs of the current and future residents.

Respectfully submitted for Council consideration.

Prepared by: Joe Darter, Property Manager

Reviewed by:



Kevin Kothe, Director of Public Works

1/28/2022



Carla Murillo, Procurement Manager

1/28/2022



Chris Tomerlin, Budget Manager

1/31/2022



Jeffrey R. Jurgens, Corporation Counsel

2/7/2022



Tara Henry, Legislative Assistant & Records Manager

2/10/2022

Attachments:

- PW 1B Quote_Lake Parks Tractor Replacement 02142022
- PW 1C Sourcewell Joint Cooperative Contract with John Deere #110719-JDC



MARTIN

Quote Id: 25950956

Prepared For:
CITY OF BLOOMINGTON

Prepared By: **Jay Stadel**

Martin Tractor, Inc.
902 N Orange
Lexington, IL 61753

Tel: 309-365-2031
Fax: 309-365-5451
Email: jstadel@martintractorinc.com

Date: 21 January 2022

Offer Expires: 16 September 2022





Quote Summary

Prepared For:
CITY OF BLOOMINGTON
DAVIS LODGE ROAD
HUDSON, IL 61748
Business: 309-434-2163

Prepared By:
Jay Stadel
Martin Tractor, Inc.
902 N Orange
Lexington, IL 61753
Phone: 309-365-2031
jstadel@martintractorinc.com

John Deere / Sourcewell State Contract 110719-JDC

Quote Id: 25950956
Created On: 21 January 2022
Last Modified On: 27 January 2022
Expiration Date: 16 September 2022

Equipment Summary	Suggested List	Selling Price	Qty	Extended
JOHN DEERE 5115M PowrQuad™ PLUS/Powr8™ Utility Tractor	\$ 112,854.00	\$ 88,026.00 X	1 =	\$ 88,026.00
2021 JOHN DEERE 540M Loader - 1P0540MXHMD058984	\$ 8,760.00	\$ 6,658.00 X	1 =	\$ 6,658.00
Equipment Total				\$ 94,684.00

Quote Summary

Equipment Total	\$ 94,684.00
SubTotal	\$ 94,684.00
Est. Service Agreement Tax	\$ 0.00
Total	\$ 94,684.00
Balance Due	\$ 94,684.00

Salesperson : X

Accepted By : X

**JOHN DEERE**

Selling Equipment

MARTIN

Quote Id: 25950956

Customer: CITY OF BLOOMINGTON

JOHN DEERE 5115M PowrQuad™ PLUS/Powr8™ Utility Tractor

Hours: 0
 Stock Number: 90010

Suggested List

\$ 112,854.00

Selling Price

\$ 88,026.00

Description	Qty	Unit	Extended
JOHN DEERE 5115M NA	1	\$ 96,948.00	\$ 96,948.00
Standard Options - Per Unit			
N/ISOBUS N/AUTOTRAC	1	\$ 0.00	\$ 0.00
JDLINK CAPABLE	1	\$ 0.00	\$ 0.00
LESS SUBSCRIPTION	1	\$ 0.00	\$ 0.00
UNITED STATES	1	\$ 0.00	\$ 0.00
5M ENGLISH OM	1	\$ 0.00	\$ 0.00
POWR8 32F/16R TRANSMISSION	1	\$ 1,928.00	\$ 1,928.00
LOADER PREP PACKAGE	1	\$ 1,963.00	\$ 1,963.00
LESS APPLICATION	1	\$ 0.00	\$ 0.00
PREMIUM CAB NA MY21	1	\$ 2,343.00	\$ 2,343.00
AIR SEAT MY21	1	\$ 965.00	\$ 965.00
INSTRUCTIONAL SEAT	1	\$ 636.00	\$ 636.00
TELESCOPIC LH AND RH MIRRORS	1	\$ 347.00	\$ 347.00
CORNER POST EXHAUST, CAB	1	\$ 0.00	\$ 0.00
TRPL MECH DLX STCBL REAR SCV	1	\$ 1,007.00	\$ 1,007.00
DUAL MID SCV	1	\$ 0.00	\$ 0.00
REAR PTO 2 SPEED	1	\$ 0.00	\$ 0.00
ELECTRICAL HITCH	1	\$ 0.00	\$ 0.00
TELE DRFT LNKS W/BALL ENDS	1	\$ 0.00	\$ 0.00
LH ONLY ADJUSTABLE LIFT LINK	1	\$ 0.00	\$ 0.00
CENTER LINK BALL END	1	\$ 0.00	\$ 0.00
LH AND RH STABILIZER BAR	1	\$ 0.00	\$ 0.00
480/70R34 R1 RADIAL	1	\$ 972.00	\$ 972.00
FRONT AXLE MFWD	1	\$ 0.00	\$ 0.00
380/70R24, MI	1	\$ 974.00	\$ 974.00
5M COLD WEATHER PKG	1	\$ 101.00	\$ 101.00
PTO REMOTE CONTRL, FENDERS	1	\$ 70.00	\$ 70.00
540/540E/1000 PTO UPGRADE/ TRANS UPGRADE/SETUP	1	\$ 4,600.00	\$ 4,600.00
Standard Options Total			\$ 15,906.00
Technology Options			
LESS RECEIVER	1	\$ 0.00	\$ 0.00
LESS DISPLAY	1	\$ 0.00	\$ 0.00
Technology Options Total			\$ 0.00

**JOHN DEERE**

Selling Equipment

MARTIN

Quote Id: 25950956

Customer: CITY OF BLOOMINGTON

Value Added Services Total		\$ 0.00
Suggested Price		\$ 112,854.00
Customer Discounts		
Customer Discounts Total	\$ -24,828.00	\$ -24,828.00
Total Selling Price		\$ 88,026.00

2021 JOHN DEERE 540M Loader - 1P0540MXHMD058984

Hours: 0

Suggested List

Stock Number: 90606

\$ 8,760.00

Selling Price

\$ 6,658.00

Description	Qty	Unit	Extended
JOHN DEERE 540M STANDARD FARM LOADER	1	\$ 8,899.00	\$ 8,899.00
Standard Options - Per Unit			
OM ENGLISH	1	\$ 0.00	\$ 0.00
ENGLISH OM	1	\$ 0.00	\$ 0.00
LESS PACKAGE	1	\$ 0.00	\$ 0.00
LESS MOUNTING FRAME	1	\$ -1,329.00	\$ -1,329.00
STANDAR LOADER 2 FUN	1	\$ 0.00	\$ 0.00
HOSES & PARTS 2FCN	1	\$ 0.00	\$ 0.00
MID-MOUNT QUICK COUPLERS	1	\$ 0.00	\$ 0.00
LESS HOOD GUARD	1	\$ -385.00	\$ -385.00
LESS BALLAST BOX	1	\$ 0.00	\$ 0.00
GLOBAL CARRIER	1	\$ 0.00	\$ 0.00
GLOBAL HEAVY DUTY BUCKET	1	\$ 0.00	\$ 0.00
SINGLE-POINT CONNECTION SYSTEM/INSTALLATION	1	\$ 1,575.00	\$ 1,575.00
Standard Options Total			\$ -139.00
Suggested Price			\$ 8,760.00
Customer Discounts			
Customer Discounts Total		\$ -2,102.00	\$ -2,102.00
Total Selling Price			\$ 6,658.00

Sourcewell 
Awarded Contract

Deere and Company

Agricultural Tractors & Equipment

#110719-JDC

Maturity Date: 12/30/2023

[Products & Services](#)

[Contract Documents](#)

Products & Services

Sourcewell contract 110719-JDC gives access to the following types of goods and services:



CONSENT AGENDA ITEM NO. 7.D

FOR COUNCIL: February 14, 2022

SPONSOR: Human Resources Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action to grant Workers Compensation Settlement Authority in the amount of \$167,338 to City of Bloomington Police Officer Nathan Glawe, claim number W002878550, as requested by the Human Resources Department.

RECOMMENDED MOTION:

The proposed Workers Compensation Settlement be approved.

STRATEGIC PLAN LINK:

-Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:

-Objective 1d. City services delivered in the most cost-effective, efficient manner

BACKGROUND: This is an accepted Illinois claim for injuries sustained to Officer Nathan Glawe while in foot pursuit of a suspect on 10-1-19. On 4-2-21 Officer Glawe was issued permanent restrictions which deemed him incapable of returning to work as a police officer. He applied for a duty disability, which was approved on 12-21-21.

This settlement amount is calculated as 40% man as a whole under Illinois Work Comp guidelines.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

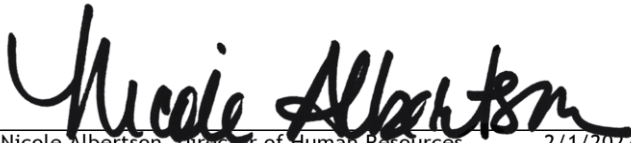
FINANCIAL IMPACT: If approved, the \$167,338 settlement will be paid by the City's third-party Workers Compensation administrator from the City's escrow account.

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

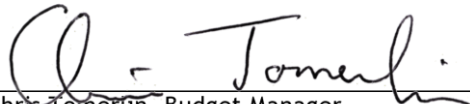
Prepared by: Alex Rosas, Safety & Risk Manager

Reviewed by:



Nicole Albertson, Director of Human Resources

2/1/2022



Chris Tomertin, Budget Manager

2/1/2022



Jeffrey R. Jurgens, Corporation Counsel

2/11/2022



Tara Henry, Legislative Assistant & Records Manager

2/11/2022



CONSENT AGENDA ITEM NO. 7.E

FOR COUNCIL: February 14, 2022

SPONSOR: Public Works Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action on a Resolution Approving the First Amendment to the FY 2022 Utility Maintenance Agreement Between the City of Bloomington and George Gildner, Inc., in the amount of \$352,963.64, for the purpose of funding additional utility maintenance projects at various locations, as requested by the Public Works Department.

RECOMMENDED MOTION:

The proposed Resolution be approved.

STRATEGIC PLAN LINK:

- Goal 5. Great Place - Livable, Sustainable City
- Goal 4. Strong Neighborhoods
- Goal 2. Upgrade City Infrastructure and Facilities

STRATEGIC PLAN SIGNIFICANCE:

- Objective 5b. City decisions consistent with plans and policies
- Objective 5a. Well-planned City with necessary services and infrastructure
- Objective 4d. Improved neighborhood infrastructure
- Objective 2c. Functional, well maintained sewer collection system
- Objective 2b. Quality water for the long term

BACKGROUND: Public Works is recommending the approval of a Resolution Approving the First Amendment to the FY 2022 Utility Maintenance Agreement between the City of Bloomington and George Gildner, Inc., in the amount of \$352,963.64, for the purpose of funding additional utility maintenance projects at various locations, for a total contract amount of \$2,529,463.64. This program includes sanitary sewer, storm sewer, force main, pump station, water main, and other City utility repairs. Due to the lack of necessary equipment or manpower, this work is beyond the capability of City crews.

The budget for the FY22 Utility Maintenance contract is \$2,328,000.00. On April 12, 2021, Council approved a Contract with George Gildner for \$2,176,500.00, based on the bid received, which left \$151,500.00 of the budgeted amount unencumbered. There are numerous additional repairs, maintenance items, and improvements that have been identified by staff, and history shows there will likely be more projects that will develop during the remainder of the fiscal year. The work will be scheduled and completed as priorities are determined.

To date, projects coordinated by staff on the FY22 Utility Maintenance Contract have paid out approximately 65 percent or \$1,415,469.49 of the \$2,176,500.00 awarded funds for this contract. Also, the City has used almost 100 percent of the Storm Water funds awarded on the existing contract and 88 percent of the Sanitary Sewer Funds awarded on the existing

contract. The remaining funds from the four Water accounts on this contract are adequate to complete the anticipated respective FY22 maintenance projects. Based on other proposed maintenance projects, which are greater than the remaining contract value for Stormwater and Sanitary Sewer projects, staff recommends adding the unencumbered Sanitary and Storm Water funds from the FY22 Utility Maintenance budget.

In addition, City Staff is recommending adding the remaining budgeted funds for the FY22 Miller Street and Gray Avenue Sewer projects to the FY22 Utility Maintenance Contract so that they can be completed under that contract. These projects were budgeted for FY22 with a value of \$200,000 each. \$138,665.22 of the Gray Avenue Sewer Improvements were utilized for the Sugar Creek Force Main Improvements project approved by Council on January 24, 2022. The total funds added to this contract from the Miller Street and Gray Avenue budget items would be \$261,334.78.

The Miller Street and Gray Avenue Sewer Improvements would allow the City to give homeowners access to a fully maintained City sewer where these homes are currently on an exclusive private sewer that cannot be serviced by City crews or City contractors. City Staff will apply for the appropriate Illinois Environmental Protection Agency Sewer Construction Permits to complete the improvements.

Based on similar projects in the past years, Staff recommends using the FY22 Utility Maintenance Contract to complete the necessary improvements for the Miller Street and Gray Avenue sewers. This would allow the City to complete the improvements while working with a contractor that currently controls the existing maintenance contract with the lowest bid prices. Typically, these type of sewer projects are hard for contractors to bid because of the unknown locations of existing private utilities, tight working areas, and other unknown items encountered when digging in older areas of the City. With a potential of many unknown sewer conflicts, it is highly likely that the City would pay higher unit prices for the improvements than what are provided in the FY22 Utility Maintenance Contract.

The following chart summarizes the contract finances and changes to this contract.

Fund	FY22 Budgeted Amount	Total Awarded Amount	Unspent Awarded Amount	Proposed Change Order Amount	New Contract Total
Sanitary Sewer (51101100-70550) Utility Maintenance & Emergency Repair	\$800,000.00	\$747,938.14	\$25,103.91	\$52,061.86	\$800,000.00
Sanitary Sewer (51101100-70580) Grading & Seeding	\$103,000.00	\$96,297.04	96,297.04	\$6,702.96	\$103,000.00
Storm Sewer (53103100-70550) Utility Maintenance & Emergency Repair	\$450,000.00	\$420,715.21	\$38.82	\$29,284.79	\$450,000.00
Storm Sewer (53103100-70580) Grading & Seeding	\$55,000.00	\$51,420.75	\$1.45	\$3,579.25	\$55,000.00
Water - Trans/Dist. (50100120-70550)	\$500,000.00	\$467,461.34	\$279,525.16	\$0.00	\$467,461.34
Water - Meter Serv. (50100150-72620)	\$100,000.00	\$93,492.26	\$72,818.20	\$0.00	\$93,492.26

Water - Lake Maint. (50100140-70550)	\$70,000.00	\$65,444.59	\$65,444.59	\$0.00	\$65,444.59
Water - Mechanical Maintenance (50100160-70550)	\$250,000.00	\$233,730.67	\$221,801.34	\$0.00	\$233,730.67
Gray Avenue Sewer Improvements (51101100-72550)	\$200,000.00	N/A	N/A	\$61,334.78	\$61,334.78
Miller Street Sewer Improvements (51101100-72550)	\$200,000.00	N/A	N/A	\$200,000.00	\$200,000.00
TOTALS	\$2,728,000.00	\$2,176,500.00	\$761,030.21	\$352,963.64	\$2,529,463.64

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: If approved, the change order for \$352,963.64 will be paid out of the following accounts listed below. Stakeholders can locate these in the FY 2022 Budget Book titled “Other Funds & Capital Improvement”. Corresponding page number locations are listed after each item.

1. \$52,061.86 out of Sanitary Sewer- Repair/Maintenance Infrastructure account Utility Maintenance (51101100-70550). Page 138
2. \$6,702.96 out of Sanitary Sewer- Grading & Seeding account (51101100-70580). Page 138
3. \$29,284.79 out of Storm Water Maintenance-Repair/Maintenance Infrastructure account (53103100-70550). Page 144
4. \$3,579.25 out of the Storm Water-Grading & Seeding Account (53103100-70580). Page 144
5. \$61,334.78 out of the Gray Avenue Sanitary Sewer (300 Block) project (51101100-72550). Pages 139, 215, 301, 310 and 311
6. \$200,000.00 out of the Miller Avenue Sanitary Sewer (800 East Block) project (51101100-72550). Pages 139, 215, 301, 308 and 309.

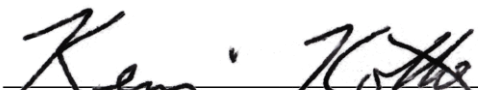
Change Order Total:	\$ 352,963.64
Existing Contract Funding:	+ \$ 2,176,500.00
New Contract Total:	\$ 2,529,463.64

COMMUNITY DEVELOPMENT IMPACT: Goal UEW-1. Provide quality public infrastructure within the City to protect public health, safety, and the environment, Objective UEW-1.1. Maintain the existing City operated infrastructure in good condition by prioritizing maintenance over building new and implementing fees to cover costs, Objective UEW-1.7. Reliable and efficient collections systems (sanitary sewer, combined sewer, and storm sewer systems) to protect public health, safety, and the environment.

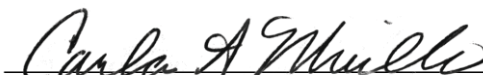
Respectfully submitted for Council consideration.

Prepared by: Ward Snarr, Civil Engineer II

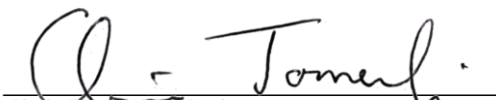
Reviewed by:


Kevin Kothe, Director of Public Works

2/2/2022


Carla Murillo, Procurement Manager

2/3/2022


Chris Tomerlin, Budget Manager

2/3/2022


Jeffrey R. Jurgens, Corporation Counsel

2/7/2022


Tara Henry, Legislative Assistant & Records Manager

2/10/2022

Attachments:

- PW 2B Resolution_FY22 Utility Maintenance Agreement Amendment
- PW 2C Amendment_FY22 Utility Maintenance Agreement Amendment
- PW 2D Original Agreement_FY22 Utility Maintenance Agreement Amendment
- PW 2E Miller and Gray Exhibit_FY22 Utility Maintenance Amendment

RESOLUTION NO. 2022 - ____

**A RESOLUTION APPROVING THE FIRST AMENDMENT TO THE FY 2022 UTILITY
MAINTENANCE AGREEMENT BETWEEN THE CITY OF BLOOMINGTON AND
GEORGE GILDNER, INC., IN THE AMOUNT OF \$352,963.64**

WHEREAS, the City of Bloomington ("CITY") has previously authorized a contract with George Gildner, Inc., for utility maintenance work (FY2022 Utility Maintenance, Bid No. 2021-24); and

WHEREAS, the CITY has \$151,500.00 unencumbered funds budgeted for the FY2022 Utility Maintenance work; and

WHEREAS, the CITY authorizes the use of \$91,628.86 of the unencumbered funds budgeted for the FY2022 Utility Maintenance work; and

WHEREAS, the CITY authorizes the use of \$261,334.78 unencumbered funds budgeted for the FY2022 Miller Street and Gray Avenue Sewer Improvements; and

WHEREAS, the awarded project has been utilized by George Gildner, Inc., and will require additional funds for additional repairs; and

WHEREAS, it is desirous to proceed with additional maintenance work by extending the George Gildner, Inc.'s purchase order (#20220032) through an amendment; and

WHEREAS, City staff believe it is in the best interest of the CITY to approve the amendment to the contract as the utility maintenance work is critical to maintaining the CITY's infrastructure and utilities; and

WHEREAS, the first contract amendment will bring the total contract amount to \$2,529,463.64 with the additional \$352,963.64 being added to the existing purchase order; and

WHEREAS, the amendment is germane to the original contract as signed and is in the best interest of the city and authorized by the law;

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

That the recitals set forth above are incorporated herein, the contract amendment approved, and City Manager, or designated representatives, are authorized to secure the first amendment to the contract and any other necessary documents to effectuate the purchase.

PASSED this 14th day of February 2022.

APPROVED this ____ day of February 2022.

CITY OF BLOOMINGTON

ATTEST

Mboka Mwilambwe, Mayor

Leslie Smith-Yocum, City Clerk

**FIRST AMENDMENT TO CONTRACT
FOR FY 2022 UTILITY MAINTENANCE
WITH GEORGE GILDNER INC**

This First Amendment, made and entered into this 14TH day of February, 2022, by and between THE CITY OF BLOOMINGTON, ILLINOIS, (hereinafter "CITY"), and GEORGE GILDNER INC, (hereinafter "GGI"), WITNESSETH that:

WHEREAS, on April 12, 2021, a contract for utility maintenance ("Contract") was made between the CITY and GGI for utility maintenance projects at various locations in Bloomington, IL 61701; and

WHEREAS, the parties desire to amend the Contract, as set forth herein, to change the amount of the Contract by an additional amount of \$352,963.64 for additional repair.

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants set forth herein, the parties hereto, intending legally to be bound, agree to incorporate the above recitals as if fully restated herein and further agree as follows:

1. Recitals. The recitals set forth above shall be incorporated into the terms and conditions of this First Contract as if fully set forth herein.

2. In all other respects the Contract for FY 2022 Utility Maintenance shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment to the Agreement for Inspection and Support in duplicate this day and year first above written.

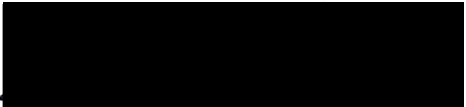
CITY OF BLOOMINGTON

By: _____
Its City Manager

ATTEST:

By: _____
Its City Clerk

GEORGE GILDNER INC.

By: 
Its Representative *Prendent*

ATTEST:

By: 
Its Secretary

AGREEMENT

THIS AGREEMENT, Made and entered into this Monday April 12, 2021, by and between, George Gildner, Inc., first party, also hereinafter referred to as "Contractor", and the City of Bloomington, a municipal corporation, second party.

WITNESSETH:

THAT WHEREAS, the City of Bloomington, did on March 2, 2021, by advertisement, call for bids for furnishing all labor and material for the construction of FY2022 UTILITY MAINTENANCE project for said City.

AND WHEREAS, in pursuance of said call for bids said first party, did on Tuesday, March 23, 2021, submit this bid to said City of Bloomington for furnishing all of the labor and materials for the construction of said FY2022 UTILITY MAINTENANCE on file in the office of the City Engineer of said City. A copy of which specifications, plans and profiles of said improvement on file in the City Engineer's Office are hereby referred to and made a part hereof by reference, and said first party being the lowest responsible bidder was awarded the contract for the construction of the said improvement, which bid of said Contractor is hereto attached and made a part hereof.

THEREFORE, it is covenanted and agreed upon the part of said first party that in consideration of the amounts to be paid by said City, he will furnish all labor, tools, machinery and materials for the construction of said improvement complete, in accordance with the said plans, profiles and specifications, call for bids, and said contractor's bid, each herein set out and made a part hereof.

And it is also understood and agreed that the Bid Package, Specifications, Special Provisions, Contractor's Bid Form, Contract Bond and Project Addenda hereto attached, and the Plans for FY2022 UTILITY MAINTENANCE are all essential documents of this contract and are a part hereof.

IT IS FURTHER AGREED that said Contractor will furnish a bond to the City of Bloomington in the penal sum of \$2,176,500.00 executed by said contractor and at least two responsible persons as sureties or by some surety company satisfactory to the said City of Bloomington and the City Council, as a guarantee that said Contractor faithfully will perform the work in accordance with this agreement.

Said bond shall be conditioned to save and keep harmless said City from any and all claims, demands, loss, suits, costs, expenses and damages which may be brought, sustained or recovered against said City by reason of any negligence, default or failure of the said contractor in building, constructing or completing said improvement and its appurtenances, or any part thereof, and that said improvement when constructed shall be free from all defects and remain in good order and condition for one year from its completion and acceptance by the City of Bloomington, ordinary wear and tear, and damage resulting from accident or willful destruction excepted: which bond is attached hereto and made a part hereof.

IT IS FURTHER AGREED that said Contractor shall complete all work within 350 calendar days of issuance of the written NOTICE TO PROCEED.

IT IS EXPRESSLY UNDERSTOOD AND AGREED that whenever the said City may deem necessary, additional or new bond shall be furnished by said Contractor with such sureties as will be satisfactory to the said City Council, as a guarantee that said Contractor will faithfully perform the work in accordance with the terms of this agreement.

IT IS FURTHER AGREED that should said Contractor fail to complete the work within the time herein specified for doing the same, then he shall pay the expense of the City Inspector or Inspectors from the date specified for completion until said work is completed and shall pay to the City all other expenses created by reason of such failure to complete said work in the specified time or by reason of such time being extended.

This agreement shall not be assigned, nor any part of the work subcontracted without the written consent of the City of Bloomington endorsed hereon, and in no case shall such consent relieve the party of the first part from the obligations herein entered into by said party, or change the terms of this agreement.

IT IS FURTHER STIPULATED AND AGREED by and between the parties hereto that all ordinances now in force in the City of Bloomington respecting and regulating public improvement, not in conflict with the terms of this contract, shall be a part and parcel of this contract.

The number of inspectors to be placed on said work shall be determined by the City of Bloomington, but if at any time on account of a disregard of any of the provisions of this contract by the said first party, or on account of the failure of

said first party to faithfully perform the work in accordance with this contract, additional inspectors shall be deemed necessary by said City, the pay of such additional inspectors shall be charged to said Contractor and be deducted from the amount due said Contractor on final settlement under this contract.

The Contractor and all persons employed on the work shall obey the instruction of the City Engineer or the inspector on said work. Any person who shall refuse or neglect to so obey, or who shall be deemed incompetent by said City Engineer or said Inspector shall at once be removed from the work by the Contractor when so required by said Engineer or Inspector.

The City of Bloomington hereby covenants and agrees, in consideration of the faithful performance of the covenants and agreements in this contract specified to be kept and performed by first party, to pay party of the first part, when this contract shall be wholly carried out and completed upon the part of the said Contractor, and when said work shall have been finally accepted by said City of Bloomington, the amounts set forth in first party's bid in manner as herein and in said call for bids provided.

IT IS EXPRESSLY UNDERSTOOD AND AGREED that this contract calls for the construction of a "public work," within the meaning of the Illinois Prevailing Wage Act, 820 ILCS 130/01 et seq. ("the Act") including the Public Act 100-1177 effective June 1, 2019. The Act requires contractors and subcontractors to pay laborers, workers and mechanics per-forming services on public works projects no less than the current "prevailing rate of wages" (hourly cash wages plus amount for fringe benefits) in the county where the work is performed. The Department publishes the prevailing wage rates on its website at <http://labor.illinois.gov/>. The Department revises the prevailing wage rates and the contractor/subcontractor has an obligation to check the Department's web site for revisions to prevailing wage rates. For information regarding current prevailing wage rates, please refer to the Illinois Department of Labor's website. All contractors and subcontractors rendering services under this contract must comply with all requirements of the Act, including but not limited to, all wage requirements and notice and record keeping duties.

IT IS FURTHER AGREED AND UNDERSTOOD that the work to be done pursuant to this contract shall be done under the direction and to the satisfaction of the City of Bloomington, and that, except as otherwise provided in the said ordinance or the judgment of the court, said City, except as by law provided, or any officer thereof, shall not be liable for any portion of the expense of said work, nor for any delinquency or persons or property assessed.

This contract and the bond herein provided, shall be signed in triplicate and be subject to the approval of the City of Bloomington.

IN TESTIMONY WHEREOF the said first party has hereunto set his hand and seal, and the City of Bloomington has caused this agreement to be signed by its Mayor, its corporate seal to be attached, and said signing and sealing to be attested by its City Clerk on the day and year first above written.

ATTEST:

Leslie Smith-Yang
City Clerk



(Seal)

CITY OF BLOOMINGTON

By: [Signature]
City Manager

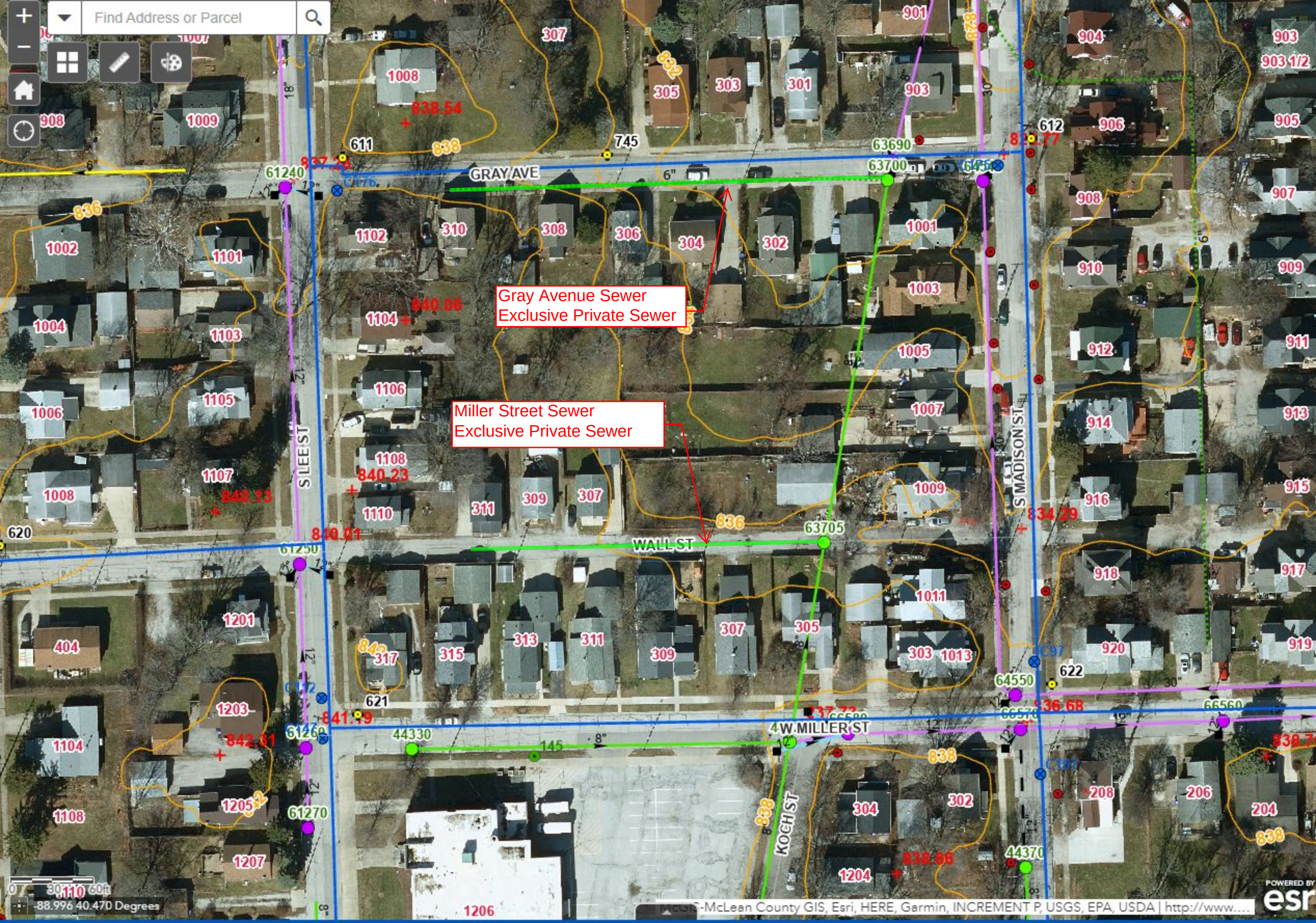
WITNESS:

CONTRACTOR

(Seal)

[Redacted signature area]

[Redacted signature area]



Find Address or Parcel



Gray Avenue Sewer
Exclusive Private Sewer

Miller Street Sewer
Exclusive Private Sewer



CONSENT AGENDA ITEM NO. 7.F

FOR COUNCIL: February 14, 2022

SPONSOR: Finance Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action on an Ordinance Amending Bloomington City Code Chapter 2 and Chapter 29 Regarding Collection Costs, as requested by the Finance Department.

RECOMMENDED MOTION:

The proposed Ordinance be approved.

STRATEGIC PLAN LINK:

-Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:

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

BACKGROUND: Current City code reflects an escalation in amounts due on violations delinquently paid (amounts inclusive of penalties). This escalation in amounts due helps to offset additional internal expenses realized in the collection of past due debts. From time to time, however, the City may incur additional external expenses in the efforts to collect these debts, such as attorneys' fees, court costs, or collection agency fees. This amendment will clarify that the City may include these additional fees to the amounts already stipulated in the code.

The proposed ordinance also removes dated "arrest" language relating to parking tickets.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: F. Scott Rathbun, Finance Director

Reviewed by:



Jeffrey R. Jurgens, Corporation Counsel

2/7/2022



Kara Henry, Legislative Assistant & Records Manager

2/10/2022

Attachments:

- FIN 2B Ordinance_Collection Costs

ORDINANCE NO. 2022 - _____

AN ORDINANCE AMENDING BLOOMINGTON CITY CODE CHAPTER 2
AND CHAPTER 29 REGARDING COLLECTION COSTS

BE IT ORDAINED by the City Council of the City of Bloomington, Illinois (additions are indicated by underlining; deletions are indicated by strikeouts):

SECTION 1. That Bloomington City Code Chapter 2, shall be amended by amending Section 2-332(A)(4) to read as follows:

§ 2-332 [Ch. 1, Sec. 7] Settlement of litigation, claims and collections

For any judgment obtained by the City or for any other amount owed to the City, the City Manager is authorized to enter into an agreement with one or more collection agencies for the collection of said debts. Any fees or cost incurred by the City with respect to such collection agencies shall be charged to the debtor/offender.

SECTION 2. That Bloomington City Code Chapter 29, shall be amended by amending Section 29-1704 to read as follows:

§ 29-1704 [Ch. 29, Sec. 137] Failure to comply with traffic citation attached to parked vehicle.

If a violator of the restrictions on stopping, standing or parking under the traffic law or ordinances does not appear in response to a traffic citation affixed to such motor vehicle within a period of five days, the Police Department shall send to the owner of the motor vehicle to which the traffic citation was affixed a letter informing the violator ~~him~~ of the violation and warning the violator ~~him~~ of any potential consequences ~~that in the event such letter is disregarded for a period of five days, a warrant of arrest will be issued.~~ Any fees or cost incurred by the City with respect to attorneys and/or private collection agencies retained by the City shall be charged to the offender.

SECTION 3. Except as provided herein, the Bloomington City Code, as amended, shall remain in full force and effect.

SECTION 4. The City Clerk shall be, and she is hereby directed and authorized to publish this Ordinance in pamphlet form as provided by law.

SECTION 5. This Ordinance is enacted pursuant to the authority granted to the City as a home rule unit by Article VII, Section 6 of the 1970 Illinois Constitution.

SECTION 6. This Ordinance shall take effect ten (10) days after approval and publication.

PASSED this 14th day of February 2022.

APPROVED this _____ day of February 2022.

CITY OF BLOOMINGTON

Mboka Mwilambwe, Mayor

ATTEST

Leslie Smith-Yocum, City Clerk



CONSENT AGENDA ITEM NO. 7.G

FOR COUNCIL: February 14, 2022

SPONSOR: Legal Department and Finance Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action on an Ordinance Amending Bloomington City Code Chapter 39, Article XIX, Regarding the City's Amusement Tax, as requested by the Legal Department and the Finance Department.

RECOMMENDED MOTION:

The proposed Ordinance be approved.

STRATEGIC PLAN LINK:

-Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:

-Objective 1a. Budget with adequate resources to support defined services and level of services

BACKGROUND: The City of Bloomington has an amusement tax in Chapter 39 of the City Code that applies to all amusements. Streaming has become a popular amusement and in many cases is replacing cable and satellite television. As streaming services have risen in popularity, numerous streaming companies have come into compliance with the City's amusement tax which is currently broadly defined. That said, some streamers have requested modifications to the City Code to clarify the amusement tax's application to streaming services. The proposed updates to the amusement tax keeps the definition broad, but also clearly delineates streaming services as a type of amusement to avoid any confusion and to ensure all such services are treated equally.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: Streaming services are starting to replace both cable television and satellite tv, both of which are currently taxed by the City. The City currently collects approximately \$20,000 in revenue every month from streaming services. With additional clarity being added to the City Code, this revenue will increase, although the specific amount is difficult to predict.

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: George Boyle, Assistant Corporation Counsel

Reviewed by:



Jeffrey R. Jurgens, Corporation Counsel

2/7/2022



Kara Henry, Legislative Assistant & Records Manager

2/10/2022

Attachments:

- LGL 2B Amusement Tax Ordinance

ORDINANCE NO. 2022 - ____

**AN ORDINANCE AMENDING BLOOMINGTON CITY CODE
CHAPTER 39, ARTICLE XIX, REGARDING THE CITY'S AMUSEMENT TAX**

WHEREAS, the City of Bloomington, McLean County, Illinois, ("City") is a home-rule unit of government and, pursuant to the provisions of Article VII, Section 6(a) of the Illinois Constitution may exercise any power and perform any function pertaining to its government and affairs including, but not limited to, the power to tax and to incur debt; and

WHEREAS, pursuant to Article VII, Section 6(a) and Section 6(i) of the Illinois Constitution in conjunction with 65 ILCS 5/11-42-5 of the Illinois Municipal Code, the City is authorized to impose a tax upon amusements; and

WHEREAS, streaming services are an "amusement" that has been taxed by the City under Chapter 39; and

WHEREAS, some streaming providers have sought clarity in the City's amusement tax, which has not been recently updated, despite the ever-changing methods of delivery of amusements; and

WHEREAS, the Mayor and City Council of the City believe that it is in the best interest of the City and its residents to update the Chapter 39 to clarify the applicability of the City's amusement tax to streaming services.

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

SECTION 1. The above stated recitals are incorporated herein by reference.

SECTION 2. That Sections 39-1901, 39-1902 and 39-1908 in Chapter 39, Article XIX shall be amended as set forth on Exhibit A.

SECTION 3. Except as provided herein, the Bloomington City Code, 1960, as amended shall remain in full force and effect.

SECTION 4. In the event that any section, clause, provision, or part of this Ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect.

SECTION 5. The City Clerk is hereby authorized to publish this ordinance in pamphlet form as provided by law.

SECTION 6. This ordinance shall be effective immediately after the date of its publication as required by law.

SECTION 7. This ordinance is passed and approved pursuant to the home rule authority granted Article VII, Section 6 of the 1970 Illinois Constitution.

PASSED this 14th day of February 2022.

APPROVED this ____ day of February 2022.

CITY OF BLOOMINGTON

Mboka Mwilambwe, Mayor

ATTEST

Leslie Smith-Yocum, City Clerk

Exhibit A

§ 39-1901 [Ch. 39, Sec. 401] Definitions.

For the purposes of this Article XIX, the following definitions apply unless the context clearly indicates or requires a different meaning:

AMUSEMENT

Includes the provision of exhibitiv entertainment, including, but not limited to, ~~not by way of limitation~~, the following activities and sports:

- (A) Any theatrical, dramatic, musical or artistic performance;
- (B) Any motion picture show or movie;
- (C) Any video, ~~or~~ videotape or digital versatile disk (DVD);
- (D) Any paid television or other programming, whether transmitted by wire, cable, fiber optics, laser, microwave, radio, satellite or other means;
- (E) Any video streaming, audio streaming or online games delivered electronically to mobile or other electronic devices; ~~subscription video programming services;~~
- (F) Any carnival, ~~and~~ athletic contest, sport or game, including, but not limited to, archery, shooting galleries and shooting ranges, boxing, wrestling, skating, dancing, swimming, racing or riding animals or vehicles, baseball, basketball, softball, football, tennis, racquetball, handball, golf, hockey, track and field games, soccer, rugby, bowling, billiards and pool games.

OWNER

- (A) Any Person having an ownership interest in or conducting the operation of a place or business which provides amusements.
- (B) With respect to the owner of an amusement, any person who has an ownership or lease-hold interest in such amusement or any person who has a proprietary interest in the amusement so as to entitle such person to all or a portion of the proceeds from the operation, conduct or presentation of such amusement, excluding proceeds from non-amusement services and from sales of tangible personal property.
- (C) With respect to the owner of an amusement, any person operating a community antenna television system or wireless cable television system, or any person receiving consideration from the patron for furnishing, transmitting or otherwise providing access to paid television programming.

PAID TELEVISION

Programming that can be viewed on a television or other screen, and is transmitted by cable, fiber optics, laser, microwave, radio, satellite or other means to members of the public for consideration.

~~SUBSCRIPTION VIDEO PROGRAMMING SERVICE~~

~~A cable service or video service, as such terms are defined in the Cable and Video Competition Law of 2007, as amended, 220 ILCS 5/21-201.~~

§ 39-1902 [Ch. 39, Sec. 402] Tax imposed.

- A. ~~From and after August 1, 2014~~ A tax is hereby imposed upon all persons operating amusements within the corporate limits of the City, and upon all persons operating places which provide amusements within the corporate limits of the City in an amount equal to 4.0% of the gross receipts for each amusement. This tax will be in addition to all other fees and taxes imposed by law.
- B. Any person subject to the amusement tax may separately itemize and charge to patrons in addition to any admission fee or other charge, the amount of amusement tax attributable to the admission fee or other charge. In the event the tax imposed by this section is not shown or collected as a separate charge, all admission fees or other charges shall be deemed exclusive of the amusement tax specified hereinabove.
- C. In the case of amusements that are delivered electronically to mobile devices, as in the case of video streaming, audio streaming and online games, the rules set forth in the Illinois Mobile Telecommunications Sourcing Conformity Act, 35 ILCS 638, as amended, may be utilized for the purpose of determining which customers and charges are subject to the tax imposed by this Chapter.

§ 39-1904 [Ch. 39, Sec. 404] Transmittal of tax revenue by owner.

- A. Each owner ~~which~~ that provides amusements must file tax returns showing the gross receipts received during each calendar month period upon forms provided by the City Finance Director. Returns for each calendar month will be due on or before the 25th day of the next calendar month, (e.g. the return for January shall be due on or before the 25th day of February; the return for February shall be due on or before the 25th day of March; etc.). Notwithstanding the foregoing, in the event that the owner of the place which provides amusements is allowed to file Illinois Retailers' Occupation Tax and Illinois Service Occupation Tax returns with the Illinois Department of Revenue at intervals which are greater than monthly, that owner will be allowed to file tax returns relative to the tax imposed by this Article XIX with the City at the same intervals. At the time of the filing of said tax returns, the owner will pay to the City Treasurer all taxes due for the period to which the tax return applies.
- B. If, for any reason, any tax due pursuant to this § 39-1904 is not paid when due, penalties and interest will be imposed in accordance with the provisions of Article XV, § 39-1511,

of this Chapter 39.

- C. Any person filing a return may retain 1% of the tax they collect to reimburse them for expenses incurred in connection with collections and remitting the tax.
- D. For purposes of this Chapter, it shall be presumed that the amount of the amusement tax imposed on each Person, unless the taxpayer or tax collector provides otherwise with books, records, or other documentary evidence, has been collected from the Person by the Owner. The ultimate incidence of the Streaming Tax shall remain on the Person and shall never be shifted to the Owner.

§ 39-1908 [Ch. 39, Sec. 408] Collection.

Whenever any person shall fail to pay the tax imposed by this Article ~~XV~~ XIX, the City Attorney will, upon request of the City Manager, bring or cause to be brought an action to enforce the payment of said tax on behalf of the City in the City's administrative court or in any other court of competent jurisdiction.



CONSENT AGENDA ITEM NO. 7.H

FOR COUNCIL: February 14, 2022

SPONSOR: Legal Department and Public Works Department

WARD IMPACTED: Ward 7

SUBJECT: Consideration and action on an Ordinance Approving a Property Transfer to the Bloomington & Normal Water Reclamation District Pursuant to the Local Government Property Transfer Act, as requested by the Legal Department and the Public Works Department.

RECOMMENDED MOTION:

The proposed Ordinance be approved.

STRATEGIC PLAN LINK:

-Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:

-Objective 1d. City services delivered in the most cost-effective, efficient manner

BACKGROUND: The Bloomington & Normal Water Reclamation District (“BNWRD”) is requesting that the City transfer real estate located near Washington Street on the west side of Caroline Street. BNWRD is looking to run a fiber optical conduit through the property, owns the adjoining property, and has some large-combined sewers on the property. Accordingly, it makes sense for BNWRD to maintain actual ownership of the property. Under the proposed transfer, the City will maintain a non-exclusive easement over the property since the City has some storm sewers on the property as well.

On December 13, 2021, BNWRD approved an ordinance to formally request the City transfer property. The transfer is made possible under the Local Government Property Transfer Act, 50 ILCS 605/1, which allows the City to transfer the property upon a two-thirds vote.

City staff has reviewed the request and believes the transfer is appropriate based on the situation and the reservation of an easement over the property.



COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: No financial impact is anticipated by the transaction.

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: Jeffrey Jurgens, Corporation Counsel

Reviewed by:



Jeffrey R. Jurgens, Corporation Counsel

1/31/2022



Chris Tomertin, Budget Manager

2/3/2022



Tara Henry, Legislative Assistant & Records Manager

2/10/2022

Attachments:

- LGL 1B Ordinance_BNWRD Property Transfer 2022
- LGL 1C Ordinance from 2021_BNWRD
- LGL 1D BNWRD Non-Exclusive Easement

ORDINANCE NO. 2022 - __

**AN ORDINANCE APPROVING A PROPERTY TRANSFER TO THE
BLOOMINGTON & NORMAL WATER RECLAMATION DISTRICT PURSUANT
TO THE LOCAL GOVERNMENT PROPERTY TRANSFER ACT**

WHEREAS, the City of Bloomington (“City”) is a home rule unit of local government with authority to legislate in matters concerning its local government and affairs; and

WHEREAS, on December 13, 2021, the Bloomington & Normal Water Reclamation District (“BNWRD”) approved an ordinance declaring the necessity and use of certain property located in the City, set forth on Exhibit A, which is adjacent to property owned by BNWRD, and

WHEREAS, BNWRD needs the property described in Exhibit A to enhance its operations for the operation of the sanitary district; and

WHEREAS, the Local Government Property Transfer Act, 50 ILCS 605/1, et seq., (“Act”), allows for the transfer of property between governmental units, upon certain conditions; and

WHEREAS, Section 2 of the Act authorizes the conveyance of real property from the City to BNWRD, subsequent to the approval of BNWRD’s ordinance and upon a two-thirds vote of the corporate authorities of the City; and

WHEREAS, the City finds it in the best interest of the City to approve the transfer of the property subject to the retention of a non-exclusive easement as set forth in this Ordinance.

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

SECTION 1. The above recitals are incorporated herein by this reference as if specifically stated in full.

SECTION 2. That the proposed property transfer is approved and the Mayor is authorized to execute a deed conveying the property described in Exhibit A to BNWRD, under the Local Government Property Transfer Act, subject to the provision and retention of a non-exclusive easement to be granted by BNWRD over the property described on Exhibit B. The Mayor is authorized to execute any and all documents to effectuate the real estate transfer and/or the easement.

SECTION 3. This ordinance shall be effective upon its passage and approval.

SECTION 4. This ordinance is passed and approved pursuant to the home rule authority granted by Article VII, Section 6 of the 1970 Illinois Constitution.

PASSED this 14th day of February 2022.

APPROVED this _____ day of February 2022.

CITY OF BLOOMINGTON

Mboka Mwilambwe, Mayor

ATTEST

Leslie Smith-Yocum, City Clerk

EXHIBIT A
PROPERTY LEGAL DESCRIPTION

A PART OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 23 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 50 FEET NORTH OF THE QUARTER SECTION CORNER ON THE WEST SIDE OF SECTION 5 ABOVE DESCRIBED; THENCE SOUTH 86°-13' EAST ALONG THE NORTH LINE OF THE ILLINOIS TRACTION SYSTEM RIGHT-OF-WAY 760.6 FEET; THENCE NORTH 10° EAST 78 FEET; THENCE WEST 772.5 FEET, MORE OR LESS, TO THE SECTION LINE; THENCE SOUTH 48 FEET TO THE PLACE OF BEGINNING; EXCEPT THAT PART OF SAID TRACT FALLING WITHIN THE HELDT SUBDIVISION, OF PART OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 23 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED DECEMBER 16, 1944 IN BOOK 12 OF PLATS, AT PAGE 252, MCLEAN COUNTY, ILLINOIS

EXHIBIT B EASEMENT



ORDINANCE NO. 2021-012

AN ORDINANCE DECLARING THE NECESSITY OF USE AND AUTHORIZING THE TRANSFER OF PROPERTY FOR THE BENEFIT OF THE BLOOMINGTON AND NORMAL WATER RECLAMATION DISTRICT

WHEREAS, the City of Bloomington ("City") is a constitutional, and home rule, unit of government; and

WHEREAS, the Bloomington and Normal Water Reclamation District ("District") is a sanitary district established under the provisions of the Sanitary District Act of 1917; and

WHEREAS, the District owns various properties throughout the City of Bloomington, and surrounding communities, which it utilizes to transport, hold and discharge effluent treated by the District; and

WHEREAS, the City is the owner of that certain real property legally described on Exhibit A, attached hereto and incorporated herein by reference (the "Subject Property"); and

WHEREAS, the District operates adjacent property which could be further served by the Subject Property; and

WHEREAS, the Subject Property fits the mission of the District; and

WHEREAS, the City and the District are municipalities as defined in Section 1(c) of the Local Government Property Transfer Act, 50 ILCS 605/1, *et seq.* (hereinafter the "Transfer Act"); and

WHEREAS, Section 2 of the Transfer Act authorizes the conveyance of real property from one (1) municipality to another, upon a two-thirds (2/3) vote of the corporate authorities of the transferor municipality (in this case, the City); and

WHEREAS, as a condition precedent to a conveyance under Section 2 of the Transfer Act, the transferee municipality (in this case, the District), must first declare by Ordinance "that it is necessary or convenient for it to use, occupy or improve" the real estate held by the transferor municipality; and

WHEREAS, in accordance with the requirements of Section 2 of the Transfer Act, the District, the transferee municipality, hereby declares that it is necessary and convenient for the District to use, occupy and/or improve the Subject Property, subject to a retained easement by the City to maintain the City-owned storm sewers located on the Subject Property, and depicted on Exhibit B, attached hereto.

NOW THEREFORE, BE IT ORDAINED by the Bloomington and Normal Water Reclamation District Board of Trustees, McLean County, Illinois, as follows:

SECTION 1: Incorporation of Recitals. All recitals set forth in the preamble above are hereby fully incorporated into this Ordinance as if set forth in their entirety in this Section 1.

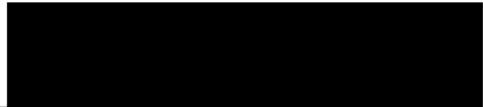
SECTION 2: Declaration of Necessity or Convenience. The District does hereby declare that it is necessary and convenience for the District to use, occupy and/or improve the Subject Property.

SECTION 3: Approval of Documents. The Executive Director of the Bloomington and Normal Water Reclamation District are hereby authorized and directed to execute such documents as necessary to accomplish the transfer of title to the Subject Property, from the City to the District.

SECTION 4: Effective Date. This Ordinance shall take effect immediately upon its passage. All previous Ordinances, Resolutions, Motions and Orders of the Bloomington and Normal Water Reclamation District, in conflict herewith, are hereby repealed to the extent of said conflict.

SECTION 5: Separability. If any portion of this Ordinance shall be determined to be invalid by a court of competent jurisdiction, the remaining portions of this Ordinance shall remain in full force and effect.

PASSED this 13th day of December, 2021.



Paul Brown, President
Bloomington Normal Water Reclamation
District Board of Trustees

Attest:



Jeffrey Feid
Clerk

EXHIBIT A

A PART OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 23 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 50 FEET NORTH OF THE QUARTER SECTION CORNER ON THE WEST SIDE OF SECTION 5 ABOVE DESCRIBED; THENCE SOUTH 86°-13' EAST ALONG THE NORTH LINE OF THE ILLINOIS TRACTION SYSTEM RIGHT-OF-WAY 760.6 FEET; THENCE NORTH 10° EAST 78 FEET; THENCE WEST 772.5 FEET, MORE OR LESS, TO THE SECTION LINE; THENCE SOUTH 48 FEET TO THE PLACE OF BEGINNING; EXCEPT THAT PART OF SAID TRACT FALLING WITHIN THE HELDT SUBDIVISION, OF PART OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 23 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED DECEMBER 16, 1944 IN BOOK 12 OF PLATS, AT PAGE 252, MCLEAN COUNTY, ILLINOIS

EXHIBIT B

[See Attached]

CERTIFICATION

I, Jeffrey K. Feid, the duly elected, qualified and District Clerk of the Board of Trustees of Bloomington and Normal Water Reclamation District, and in said capacity the keeper of the records, do hereby certify that the foregoing is a true and complete copy of the original AN ORDINANCE DECLARING THE NECESSITY OF USE AND AUTHORIZING THE TRANSFER OF PROPERTY FOR THE BENEFIT OF THE BLOOMINGTON AND NORMAL WATER RECLAMATION DISTRICT by the Board of Trustees of Bloomington and Normal Water Reclamation District at a regular meeting held on the 13th day of December, 2021, the vote on the passage of the Ordinance having been taken by Ayes and Nays and all of the Trustees having voted favorably thereon, and the vote having been entered on the journal of the proceedings of said Board of Trustees.

The pamphlet form of this Ordinance, including the Ordinance and cover sheet thereof, was prepare, and a copy of the Ordinance was posted in the District Administrative building, commencing on December 14, 2021 and continuing for at least ten (10) days thereafter. Copies of the Ordinance were also available for public inspection upon request in the District's Administrative building.

Witness my hand and seal of Bloomington and Normal Water Reclamation District this 13th day of December, 2021.


Jeffrey K. Feid
District Clerk, Board of Trustees
Bloomington and Normal
Water Reclamation District





CONSENT AGENDA ITEM NO. 7.I

FOR COUNCIL: February 14, 2022

SPONSOR: Economic & Community Development Department

WARD IMPACTED: Ward 3

SUBJECT: Consideration and action on an Ordinance Approving an Amended Preliminary Plan for a Portion of Hawthorne Commercial Park, Bloomington, Illinois for Approximately 19.86 Acres Located Near the Intersections of Woodbine Road and Pamela Drive, and Leslie Drive and Pamela Drive, as requested by the Economic & Community Development Department.

RECOMMENDED MOTION:

The proposed Ordinance be approved.

STRATEGIC PLAN LINK:

- Goal 5. Great Place - Livable, Sustainable City
- Goal 4. Strong Neighborhoods

STRATEGIC PLAN SIGNIFICANCE:

- Objective 5e. More attractive city: commercial areas and neighborhoods
- Objective 5b. City decisions consistent with plans and policies
- Objective 5a. Well-planned City with necessary services and infrastructure
- Objective 4d. Improved neighborhood infrastructure
- Objective 4c. Preservation of property/home valuations

BACKGROUND: The petitioner, David P. Brown, Agent for Property owner Terra, LLC, is requesting an Amended Preliminary Plan for a Portion of Hawthorne Commercial Park.

On Wednesday, January 19, 2022, the Planning Commission held a public hearing and voted 6-0-0 to recommend approval of the request to amend the preliminary plan for a portion of Hawthorne Commercial Park. The recommendation is consistent with the staff recommendation.

For more detailed information, please see the attached Staff Memorandum to the Planning Commission and draft meeting minutes.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Planning Commission held a public hearing on Wednesday, January 19, 2022. The City published notice of the hearing in *The Pantagraph* on Monday, December 20, 2021. Courtesy notices were mailed to 80 property owners within 500 feet of the subject property. City staff placed a large metal notification sign on the property. The applicant spoke in favor of the petition.

FINANCIAL IMPACT: The proposed amended preliminary plan will allow for investment and redevelopment of vacant property adding to the City's tax base and potentially increasing future revenues for the City.

COMMUNITY DEVELOPMENT IMPACT: The 2035 Comprehensive Plan's Future Land Use map identifies this area as an employment center. The Land Use Priorities map identifies this area as a Tier 1 priority area. The proposed map amendment promotes the following goals and objectives of the Bloomington Comprehensive Plan: H-1.1 Ensure that the housing to accommodate the new growth is a broad range (of types, sizes, ages, densities, tenancies and costs) equitably distributed throughout the City recognizing changing trends in age-group composition, income, and family living habits. UEW-1.2b Prioritize new development where City services are available or can be extended efficiently and economically. This can be done through annexation policies and development review process. UEW-1.2c Promote compact and orderly development of infrastructure consistent with the overall goals of this comprehensive plan. ED-4.2 Prioritize infill and redevelopment to spur growth and reinvestment in the City. N1-1. Enhance the livability of all Bloomington Neighborhoods.

Respectfully submitted for Council consideration.

Prepared by: Glen Wetterow, City Planner

Reviewed by:


Melissa Hill, Economic and Community Development Director

2/3/2022


Chris Tomertin, Budget Manager

2/7/2022


Jeffrey R. Jurgens, Corporation Counsel

2/7/2022


Tara Henry, Legislative Assistant & Records Manager

2/10/2022

Attachments:

- E&CD 1B Ordinance PS-05-21
- E&CD 1C Staff Report PS-05-21
- E&CD 1D Aerial Map PS-05-21
- E&CD 1E Zoning Map PS-05-21
- E&CD 1F Original Preliminary Plan PS-05-21
- E&CD 1G Amended Preliminary Plan PS-05-21
- E&CD 1H DRAFT PC Minutes PS-05-21

ORDINANCE NO. 2022 - _____

AN ORDINANCE APPROVING AN AMENDED PRELIMINARY PLAN FOR A PORTION OF HAWTHORNE COMMERCIAL PARK, BLOOMINGTON, ILLINOIS FOR APPROXIMATELY 19.86 ACRES LOCATED NEAR THE INTERSECTIONS OF WOODBINE ROAD AND PAMELA DRIVE, AND LESLIE DRIVE AND PAMELA DRIVE

WHEREAS, there was heretofore filed with the Economic and Community Development Department of the City of Bloomington, McLean County, Illinois, a petition requesting approval of a preliminary plan, legally described in Exhibit “A,” attached hereto and made a part hereof by this reference; and,

WHEREAS, after proper notice, the City of Bloomington Planning Commission held a public hearing on said Petition, and the amended preliminary plan titled “AMENDED PRELIMINARY PLAN FOR A PORTION OF HAWTHORNE COMMERCIAL SUBDIVISION” and dated November 03, 2021 for 19.86 acres, more or less, and represented in Exhibit “B” attached hereto and made a part hereof by this reference; and,

WHEREAS, the City of Bloomington Planning Commission, determined said Plan to be valid and sufficient, and in conformance with the requirements of the Bloomington City Code; and,

WHEREAS, the Planning Commission recommended the City Council of the City of Bloomington approve said Petition and approve said plan; and,

WHEREAS, the City Council has the authority approve this Ordinance and approve said amended preliminary plan as requested in the petition.

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

1. The above recitals are incorporated into and made a part of this Ordinance as though fully set forth herein.
2. The Council hereby adopt the findings of fact made by the Planning Commission.
3. The petition requesting an amended preliminary plan for a Portion of Hawthorne Commercial Park (PINS: 15-31-276-026, 15-31-278-001 and 15-31-278-003), legally described in Exhibit “A” and attached as Exhibit “B” is hereby approved.
4. That this Ordinance shall be in full force and effective as of the time of its passage.

PASSED this 14th day of February 2022.

APPROVED this _____ day of February 2022.

CITY OF BLOOMINGTON

Mboka Mwilambwe, Mayor

ATTEST

Leslie Smith-Yocum, City Clerk

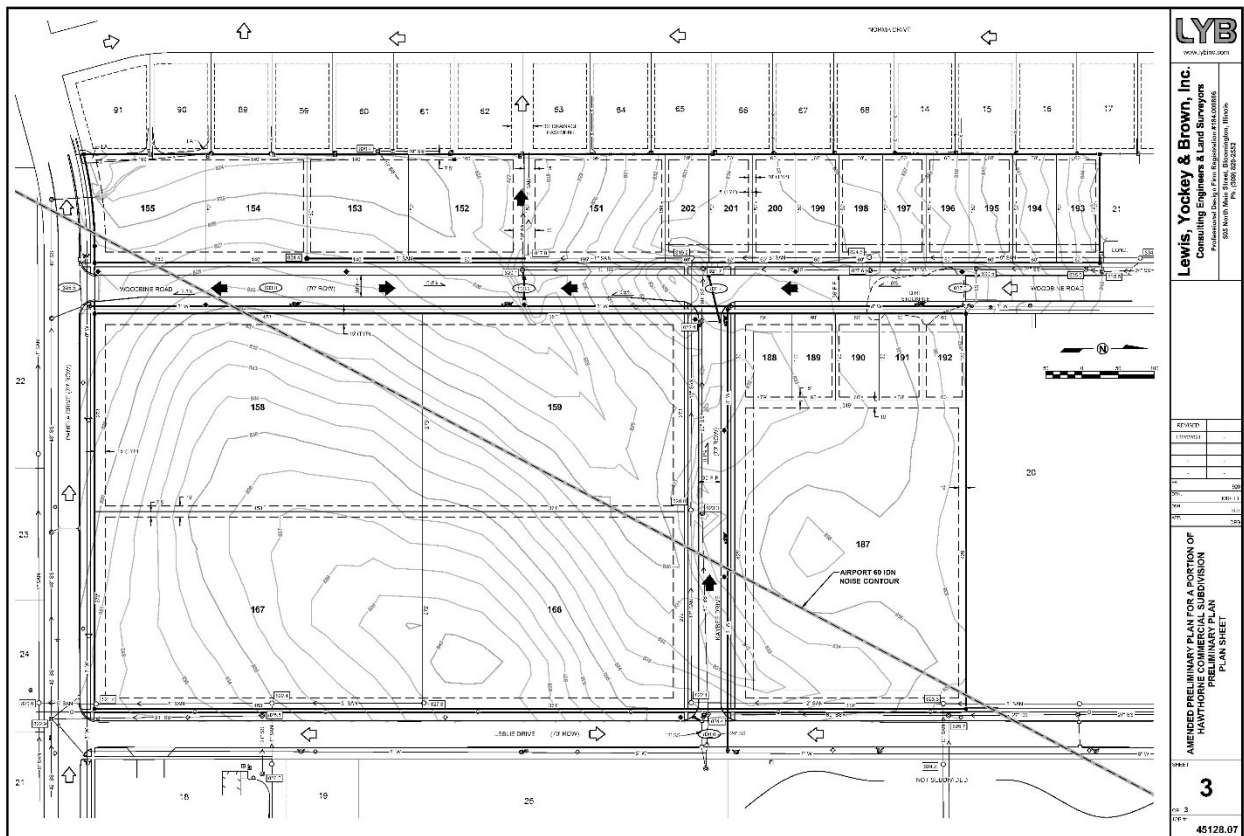
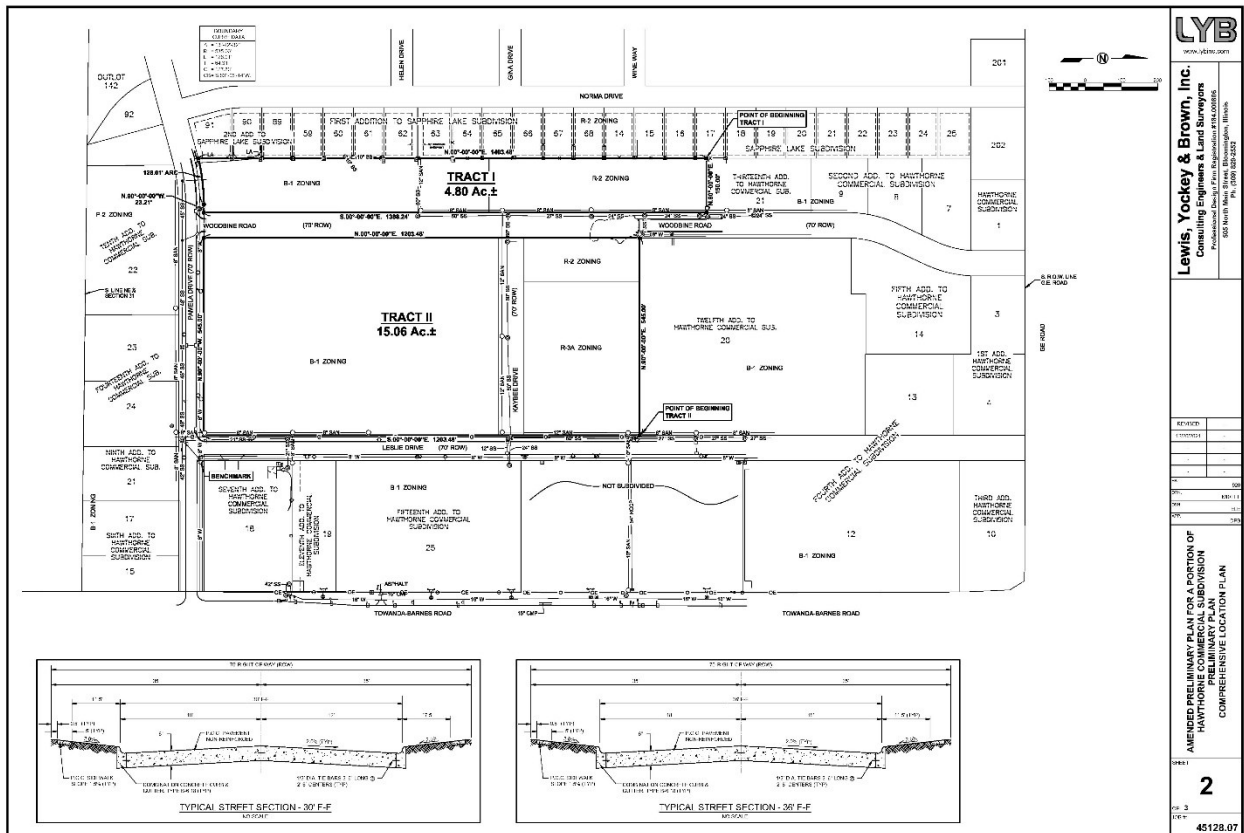
EXHIBIT A

Legal Description Tract I

A part of the NE¼ of Section 31, Township 24 North, Range 3 East of the Third Principal Meridian, City of Bloomington, McLean County, Illinois, more particularly described as follows: Beginning at the southwest corner of Lot 21 in the Thirteenth Addition to Hawthorne Commercial Subdivision, according to the Plat thereof recorded as Document No. 2018-7743 in the McLean County Recorder of Deeds Office, being on the east line of Sapphire Lake Subdivision according to the Plat thereof recorded as Document No. 2002-07481 in said Recorder's Office; thence N.90°-00'-00"E. 150.00 feet to the west right of way line of Woodbine Road as dedicated with Resolution No. 2007-99, recorded as Document No. 2007-29742 in said Recorder's Office; thence S.00°-00'-00"E. 1388.24 feet on said west right of way line to the north right of way line of Pamela Drive as dedicated with said Resolution recorded as Document No. 2007-29742; thence N.90°-00'-00"W. 23.21 feet on said north right of way line; thence southwesterly on said north right of way line 128.01 feet on a tangential curve concave to the southeast having a central angle of 13°-42'-32", a radius of 535.00 feet and a chord of 127.70 feet bearing S.83°-08'-44"W. from the last described course to the southeast corner of Lot 91 in Second Addition to Sapphire Lake Subdivision according to the Plat thereof recorded as Document No. 2005-17335 in said Recorder's Office; thence N.00°-00'-00"E. 1403.48 feet to the Point of Beginning containing 4.80 acres, more or less, with assumed bearings given for description purposes only.

Legal Description Tract II

A part of the NE¼ of Section 31, Township 24 North, Range 3 East of the Third Principal Meridian, City of Bloomington, McLean County, Illinois, more particularly described as follows: Beginning at the southeast corner of Lot 20 in the Twelfth Addition to Hawthorne Commercial Subdivision, according to the Plat thereof recorded as Document No. 2015-16156 in the McLean County Recorder of Deeds Office, said point being on the west right of way line of Leslie Drive as dedicated with Resolution No. 2007-99, recorded as Document No. 2007-29742 in said Recorder's Office; thence S.00°-00'-00"E. 1203.48 feet on said west right of way line to the north right of way line of Pamela Drive as dedicated with said Resolution recorded as Document No. 2007-29742; thence N.90°-00'-00"W. 545.00 feet on said north right of way line to the east right of way line of Woodbine Road as dedicated with said Resolution recorded as Document No. 2007-29742; thence N.00°-00'-00"E. 1203.48 feet on said east right of way line to the southwest corner of said Lot 20; thence N.90°-00'-00"E. 545.00 feet to the Point of Beginning, containing 15.06 acres, more or less, with assumed bearings given for description purposes only.





PLANNING COMMISSION

TO: Planning Commission

FROM: Economic & Community Development Department

DATE: January 5, 2022

CASE NO: PS-05-21, Amended Preliminary Plan for a Portion of Hawthorne Commercial Park

REQUEST: Public hearing, review and action on a petition Submitted by David P. Brown, Agent for Property owner Terra, LLC (1904 Longwood Lane, Bloomington, IL 61704) requesting an Amended Preliminary Plan for a Portion of Hawthorne Commercial Park.

BACKGROUND

Petitioners' request:

The petitioner seeks to amend the existing preliminary plan for the Hawthorne Commercial Park, which was approved on November 26th, 2001 via ordinance 2001-130. The petitioner is seeking to amend only a portion of the existing preliminary plan. The portion of the preliminary plan the petitioner is seeking to amend was rezoned in 2020. The amendment will allow the petitioner to subdivide and develop the properties based upon the bulk and site standards requirements for the recently rezoned pieces of property.

Notice:

The application has been filed in conformance with applicable procedural and public notice requirements. Notice was published in *The Pantagraph* on Monday, November 22, 2021. Courtesy notices were mailed to 80 property owners within 500 feet of the subject property.

The application was initially submitted for the December 8, 2021 Planning Commission meeting. Because there was no quorum for the meeting, as a courtesy, notice was published again in *The Pantagraph* on Monday, December 20, 2021. Courtesy notices were also again mailed to 80 property owners within 500 feet of the subject property.

Property Characteristics:

The subject properties consist of 19.86 acres of land located at near the intersections of Woodbine Road and Pamela Dr and Leslie Dr and Pamela Dr. The original preliminary plan was approved in 2001 via ordinance 2001-130. A portion of PIN 15-31-276-026 was rezoned to R-2 in 2021 via case Z-28-20 which was codified in ordinance 2021-21. Portions of PIN 15-31-278-003 were rezoned R-2 and R-3B via case Z-28-20 which was codified in ordinance 2021-23. The remaining portions of PINS 15-31-276-026 and 15-31-278-003 are zoned B-1. PIN 15-31-278-001 is entirely zoned B-1. The three properties are all currently vacant. The property to

the north is zoned B-1 is a senior living facility. The properties to the south are zoned P-2 and B-1. The property zoned P-2 is a park that was required when the subdivision was originally created. The B-1 zoned properties are vacant. The properties to the east are zoned B-1. Most of the properties are vacant, expect for one that is a gas station. The properties to the west are zoned R-2 and are single-family residences.

SURROUNDING ZONING AND LAND USES

	Zoning	Land Uses
North	B-1	Vacant, Senior Living Facility
South	P-2 & B-1	Public Park, Vacant
East	R-4	Vacant, Gas Station
West	R-2	Single-Family Residences

ANALYSIS

Compliance with the Comprehensive Plan

Preliminary Plans should be consistent with the Comprehensive Plan. The 2035 Comprehensive Plan's Future Land Use map identifies this area as an employment center. The Land Use Priorities map identifies this area as a Tier 1 priority area.

The proposed Amended Preliminary Plan supports the following Comprehensive Plan goals:

- H-1.1 Ensure that the housing to accommodate the new growth is a broad range (of types, sizes, ages, densities, tenancies and costs) equitably distributed throughout the City recognizing changing trends in age-group composition, income, and family living habits.
- UEW-1.2b Prioritize new development where City services are available or can be extended efficiently and economically. This can be done through annexation policies and development review process.
- UEW-1.2c Promote compact and orderly development of infrastructure consistent with the overall goals of this comprehensive plan.
- ED-4.2 Prioritize infill and redevelopment to spur growth and reinvestment in the City
- N-1.1 Enhance the livability of all Bloomington neighborhoods.

GUIDELINES FOR REVIEW

The Bloomington Subdivision Ordinance was created to address the purposes stated below. In making a legislative decision, *the Planning Commission and City Council may apply the following guidelines to the proposal under consideration:*

Guidelines For Preliminary Plan

Standard	Discussion	Finding
<i>To protect, provide and promote the public health, safety and general welfare of the City.</i>	The proposed subdivision provides adequate public utilities for sanitation and safety, and the configuration of the lots are in according with bulk and site standards for their zoning districts.	Standard is met.
<i>To guide the future growth and development of the City, in accordance with the Comprehensive Plan;</i>	The Comprehensive Plan identifies the subject property as an employment center, Tier-1 Infill Redevelopment Priority. The proposed amendment aligns with the city's desire to increase housing.	Standard is met.

<i>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;</i>	The proposed subdivision provides adequate separation between buildings promoting light and air circulation. The proposed street meets the city's design criteria.	Standard is met.
<i>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;</i>	While much of the surrounding property is commercially zoned this area of town has seen much residential development. The type and style of development proposed would be in alignment with existing development in the area. The subject property is a Tier 1 Infill Redevelopment Priority in the City's Comprehensive Plan.	Standard is met.
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 proposed subdivision and proposed use is compatible with adjacent uses and developments.	Standard is met.
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 proposed development will include the creation of local street (Kaybee Drive) at the developer's expense. The proposed development will use existing infrastructure and is prioritizing land already annexed within the city's jurisdiction and served by city police and fire. The subject property is identified as a Tier 1 Redevelopment Priority in the Bloomington Comprehensive Plan.	Standard is met.
<i>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 proper location and width of streets and building setback lines;</i>	The lots proposed have frontage on existing roads that meets city standards. The plan does indicate the creation of and additional local street that meets city standards.	Standard is met.
<i>To establish reasonable standards of design and procedures for subdivision codes and resubdivisions, in order to further the orderly layout and use of land, and to insure proper legal descriptions and monumenting of subdivided land;.</i>	The Bloomington Subdivision Ordinance and Zoning Code ensures standards for design and establishes procedures for subdivision codes and resubdivisions.	Standard is met.
<i>To insure that public facilities are available and will have a sufficient capacity to serve the proposed subdivision code and areas reasonably anticipated to be served by such facilities;</i>	The subject property and the adjacent subdivision is currently served by city police and fire. The subdivision is served by Unit 5 School District. The Tier 1 Infill Redevelopment Priority classification considers access to existing public infrastructure and services.	Standard is met.
<i>To prevent the pollution of air, streams, and ponds; to assure the adequacy of drainage facilities; to safeguard the</i>	There is already storm water infrastructure provided to the properties. However, a storm water plan is still required and must be approved by the City Engineering Division.	Standard is met.

<i>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;.</i>		
To preserve the natural beauty and topography of the City and to insure appropriate development with regard to these natural features.	The proposed development should not negatively impact existing natural features such as streams, lakes, or native prairies.	Standard is met.
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.	The initial preliminary plan allocated parkland to serve the subdivision. The park is currently seeded and will be seeded again next spring. There will be playground equipment and a shelter placed in the park next year.	Standard is met.

STAFF RECOMMENDATION

Staff finds the proposed amended preliminary plan meets the purpose and intention of Chapter 24 of the City Code and recommends that the Planning Commission take the following actions:

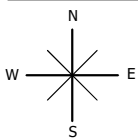
1. Motion to establish findings of fact that the proposed amended preliminary plan meets the purpose and intention of Chapter 24 of the City Code.
2. Motion to recommend approval of the petition submitted by David P. Brown, Agent for Property owner Terra, LLC requesting an Amended Preliminary Plan for a Portion of Hawthorne Commercial Park. (PINs: 15-31-276-026, 15-31-278-001 and 15-31-278-003). (Ward 3)

Respectfully submitted,

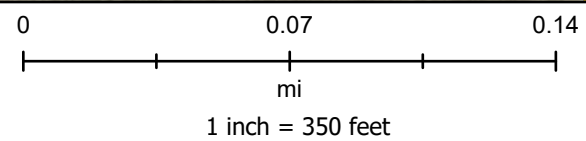
Glen Wetterow
City Planner

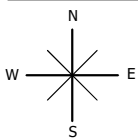
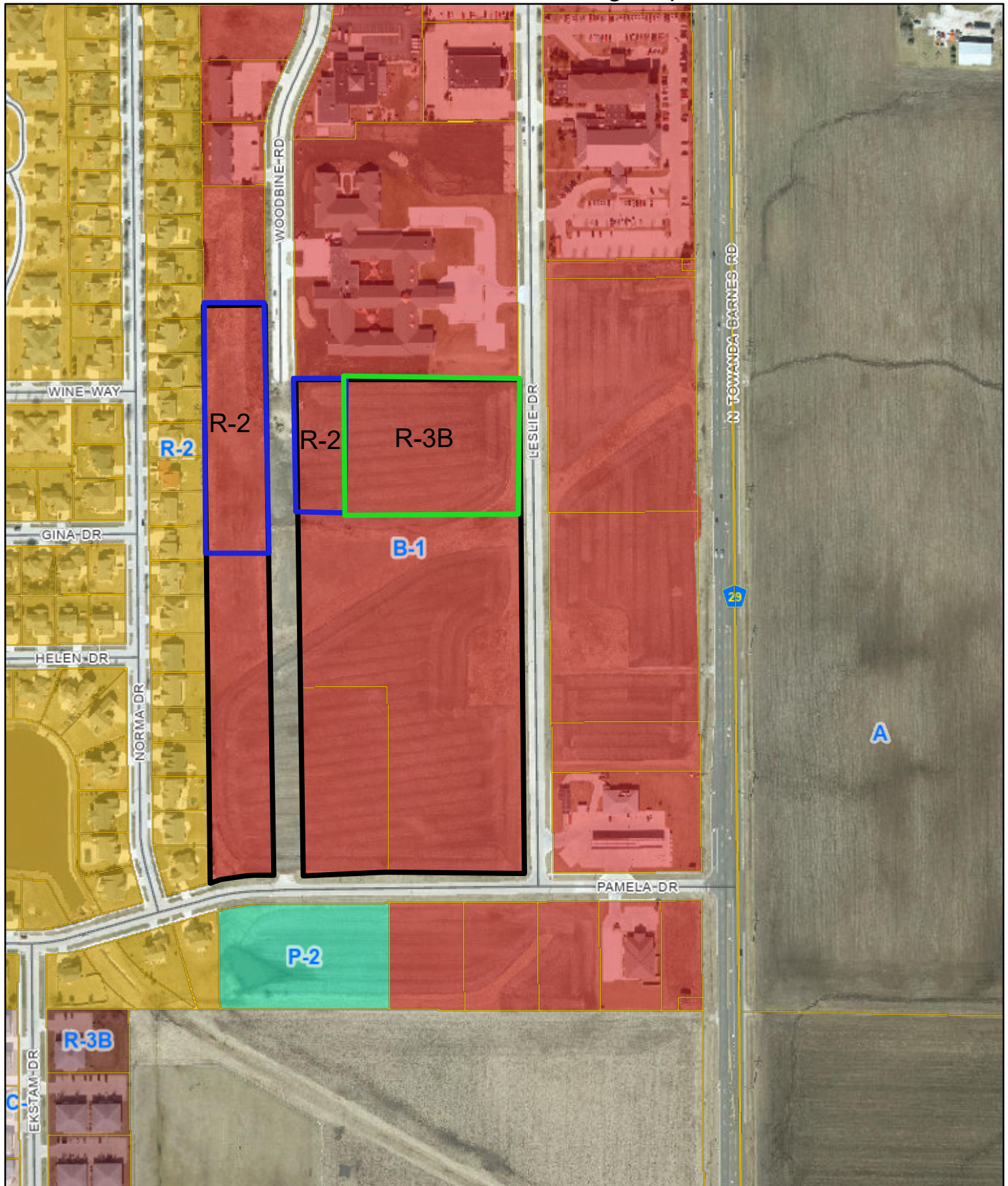
Attachments:

- Draft ordinance
- Aerial map
- Zoning map
- Original Preliminary Plan
- Amended Preliminary Plan
- Neighborhood notice and map



McGIS does not guarantee the accuracy of the information displayed. Only on-site verification or field surveys by a licensed professional land surveyor can provide such accuracy. Use for display and reference purposes only.





McGIS does not guarantee the accuracy of the information displayed. Only on-site verification or field surveys by a licensed professional land surveyor can provide such accuracy. Use for display and reference purposes only.

0 430 860
ft
1 inch = 400 feet



2002-02550

1. This site contains 137.72 acres (55,735 hectares) and is currently zoned agricultural by McLean County. The property is to be purchased, annexed to the City and re-zoned in several parcels over time. The property is to be subdivided into single-family lots, duplex lots, office lots, highway business lots and outlots. Proposed zoning is:

Lots 20-29 & 87-99	R-1C Single Family Residence
Lots 2-19, 30-86 & 100-139	R-2 Mixed Residence District
Lots 1, 140 and 141 & Outlots 182-185	C-1 Office District
Lots 142-173	B-1 Highway Business District
2. The residential portion of this development shall be named Sapphire Lake Subdivision and the business/commercial portion shall be named Hawthorne Commercial Park.
3. R-2 lots may be platted as a standard lot or zero-lot line lot at the developer's option.
4. Outlots 174 and 177 are to be used for storm water conveyance and dedicated to the City. Outlot 175 shall be used for a "wet-bottom" storm water detention basin and shall be owned and maintained by the Homeowners Association. Outlot 176 shall contain the detention basin outlet and shall be owned and maintained by the City.
5. No portion of this property lies within the Special Flood Hazard Zone.
6. Topographic information is derived from the McLean County GIS acquired March, 1995.
7. A no-access strip shall be dedicated along Towanda-Barnes frontage, except at Pam Drive.
8. All streets shall be constructed in public right-of-way and dedicated to the City. All sanitary sewers, storm sewers and water mains shall be constructed in public right-of-way or public easements and shall be dedicated to the City.
9. A sump pump discharge system shall be constructed to serve all proposed duplex and single-family lots.
10. The Developer shall pay a fee in lieu of dedicating parkland for the residential portion of this development.
11. Existing farm structures on the property shall be removed during development.
12. A portion of this property lies within the S-3 Aircraft Noise Impact Overlay District. No residential development will occur within the Aircraft Noise Impact District.
13. All fire hydrants shall be constructed with a branch valve.
14. Handicapped ramps shall be constructed at all intersections of the sidewalk and curbs.
15. Outlots 178 to 185 shall be used for Subdivision Identification Signs maintained by the Homeowners Association.

002-02550

A portion of the North Quarter and a part of the Northwest Quarter of Section 31, Township 24 North, Range 3 East of the Third Principal Meridian, McLean County, Illinois, more particularly described as follows: Beginning at the Northeast Corner of said Northwest Quarter. From said Point of Beginning, thence west along the South line of said quarter of section to the Northwest Corner of said quarter of a whole section, thence south along the East line of said quarter of a whole section to the right of 95°-47'-20" with the last described course; thence west 1383.99 feet along the Easterly Extension of the South Line of land conveyed to The Peoples Bank, Trustee of LDB-14 McLean County Land Trust, as recorded in Recorder's Office, McLean County, Illinois, in said McLean County Recorder's Office, the South Line of land conveyed in said Document No. 95-4794 and the South Line of land conveyed to said Trust per Warranty Deed recorded March 30, 1985 as Document No. 95-5683 in said Recorder's Office, thence north along the East line of said quarter of section to the Southwest Corner of land conveyed per said Document No. 95-5683; thence south 1308.33 feet along the East Line of "Survey of 355.15 Acres off of the West Side of Section 31" as shown in Plat Book 120, Page 120 in said Recorder's Office, thence north on an angle to the right of 69°-21'-21" with the last described course to the South line of the Northwest Quarter of said Section 31; thence east 2991.26 feet along said South Line and the South Line of said Northeast Quarter which form an angle to the right of 90°-53'-20" with the last described course; thence north along the East Line of said Northeast Quarter to the 2850.33 feet along the East Line of said Northeast Quarter which forms an angle to the right of 89°-21'-51" with the last described course to the Point of Beginning. EXCEPT therefrom a tract of land conveyed to the City of Bloomington for a portion of the Northwest Quarter of said Section 31, as recorded in Recorder's Office No. 98-28275 in the McLean County Recorder's Office, containing 137.711 acres.



BENCHMARK:

1. TOP OPERATING NUT OF FIRE HYDRANT, S.E. CORNER UNIT 3714
IN CROSSWINDS, N. SIDE OF WINE WAY.
U.S.C.G.S. ELEV. = 836.95
2. TOP OPERATING NUT OF FIRE HYDRANT, S.W. CORNER UNIT 1309
IN CROSSWINDS.
U.S.C.G.S. ELEV. = 840.77

<u>SHEET NO.</u>	<u>TITLE</u>
1	COVER SHEET
2	KEY MAP
3-8	PRELIMINARY PLAN

LARRY D. BEILFELD
3004 GE ROAD
BLOOMINGTON, ILLINOIS 61704
(309) 862-0888

ENGINEER
DONALD L. ADAMS, P.E.
FARNSWORTH GROUP, INC.
2709 MCGRAW DRIVE
BLOOMINGTON, ILLINOIS 61704
(308) 883-8435

ATTORNEY
FRANK MILES
202 N. CENTER STREET
BLOOMINGTON, ILLINOIS 61701
(309) 828-7331

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

"Notice is hereby given that this Preliminary Plan of the Hawthorne Commercial Park shown hereon is recommended by the Planning Commission of Bloomington, Illinois, for City Council approval with the modifications contained in Appendix A (if any), which is attached hereto."

The Planning Commission of Bloomington, Illinois

Date: November 14, 2001

By: Don Linn

Chapman

NOTICE OF APPROVAL OF PRELIMINARY PLAN BY THE CITY COUNCIL OF
BLOOMINGTON, ILLINOIS:

"The Preliminary Plan of the Hawthorne Commercial Park shown hereon has received approval by the City Council of Bloomington, Illinois, subject to the modifications contained in Annex A which is attached hereto."

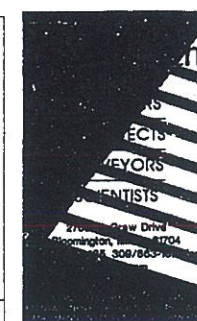
The City Council of Bloomington, Illinois

Date November 26 , 2001

By W. M. K. J.

Attest:

 City Clerk



SIGNATURE _____
EXPIRATION DATE _____
CONSULTANT _____

PROJECT:

REVISION#
9/1/01 RLW.
10/6/01 RLW

DATE: 8/6/01

DRAWN: RLW

APPROVED: DLA

BOOK NO: 2318

FILE NO: 24-6748

SHIRT TITLES:

HAWTHORNE COMMERCIAL PARK

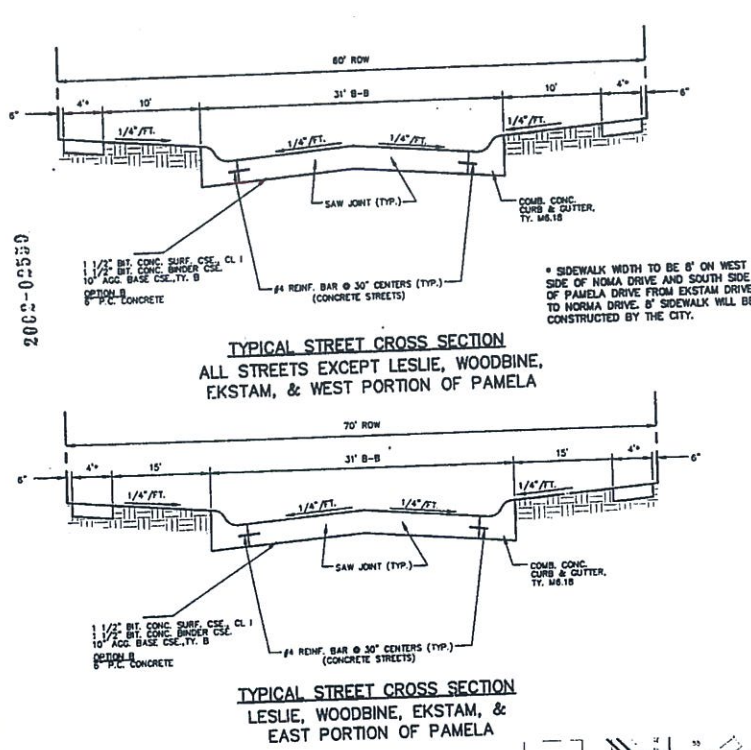
COVER SHEET

2002-02550

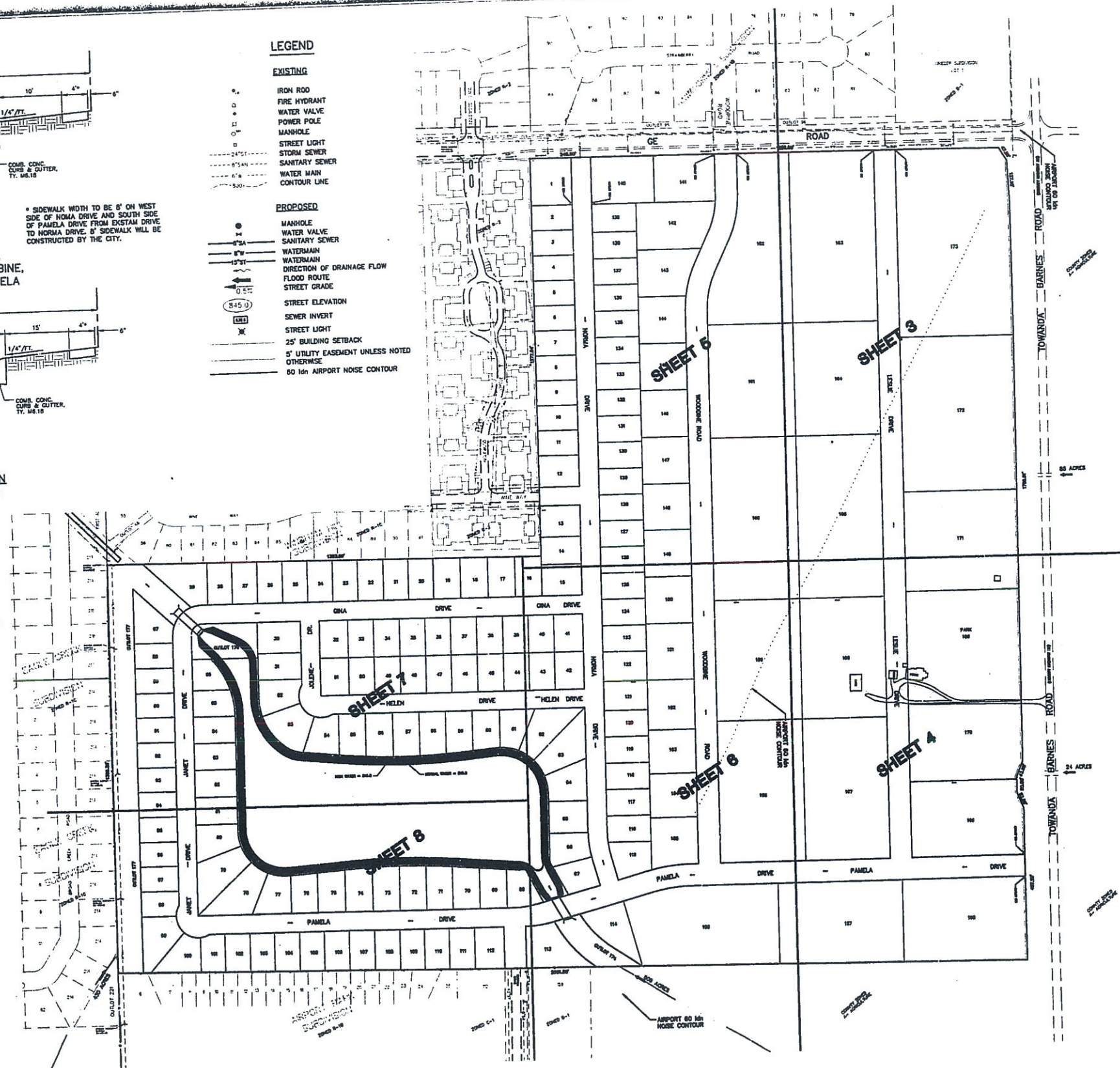
SHEET NUMBER:

1 of 8

[illegible]



- LEGEND**
- EXISTING**
- IRON ROD
 - FIRE HYDRANT
 - WATER VALVE
 - POWER POLE
 - MANHOLE
 - STREET LIGHT
 - STORM SEWER
 - SANITARY SEWER
 - WATER MAIN
 - CONTOUR LINE
- PROPOSED**
- MANHOLE
 - WATER VALVE
 - SANITARY SEWER
 - WATERMAIN
 - DIRECTION OF DRAINAGE FLOW
 - FLOOD ROUTE
 - STREET GRADE
 - STREET ELEVATION
 - SEWER INVERT
 - STREET LIGHT
 - 25' BUILDING SETBACK
 - 5' UTILITY EASEMENT UNLESS NOTED OTHERWISE
 - 60 Lb AIRPORT NOISE CONTOUR



2002-02550

PROJECT: HAWTHORNE COMMERCIAL PARK

DATE: 8/8/01

DRAWN: RLW

APPROVED: DLA

BOOK NO: 2318

FILE NO: 24-6748

SHEET TITLE: HAWTHORNE COMMERCIAL PARK

KEY MAP: 2002-02550

SHEET NUMBER: 2 of 8

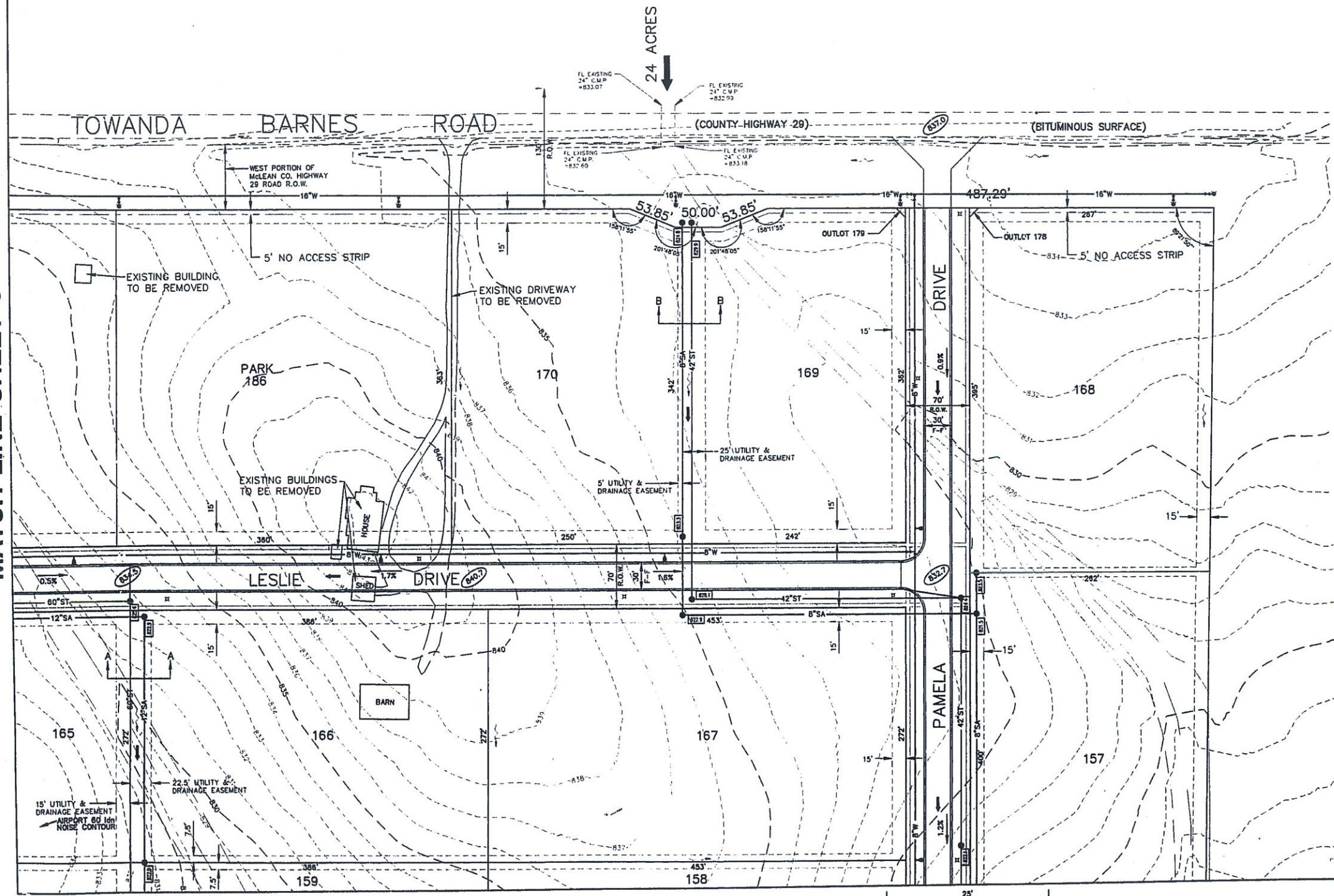
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2002-02550

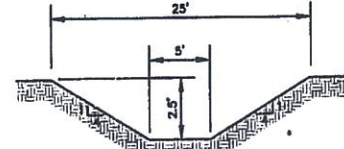
MATCH LINE SHEET 3

2002-02550

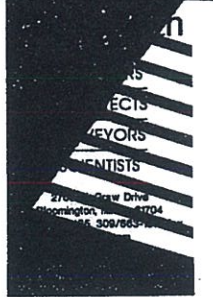
2002-02550



MATCH LINE SHEET 6



FLOOD ROUTE DETAIL
SECTION B-B



SIGNATURE
EXPIRATION DATE
CONSULTANT:

PROJECT:

N
SCALE: 1"=50'

REVISION:
9/1/01 RLW.
10/16/01 RLW.

DATE: 8/8/01

DRAWN: RLW

APPROVED: DLA

BOOK NO: 2318

FILE NO: 24-6748

SHEET TITLE:
HAWTHORNE
COMMERCIAL
PARK

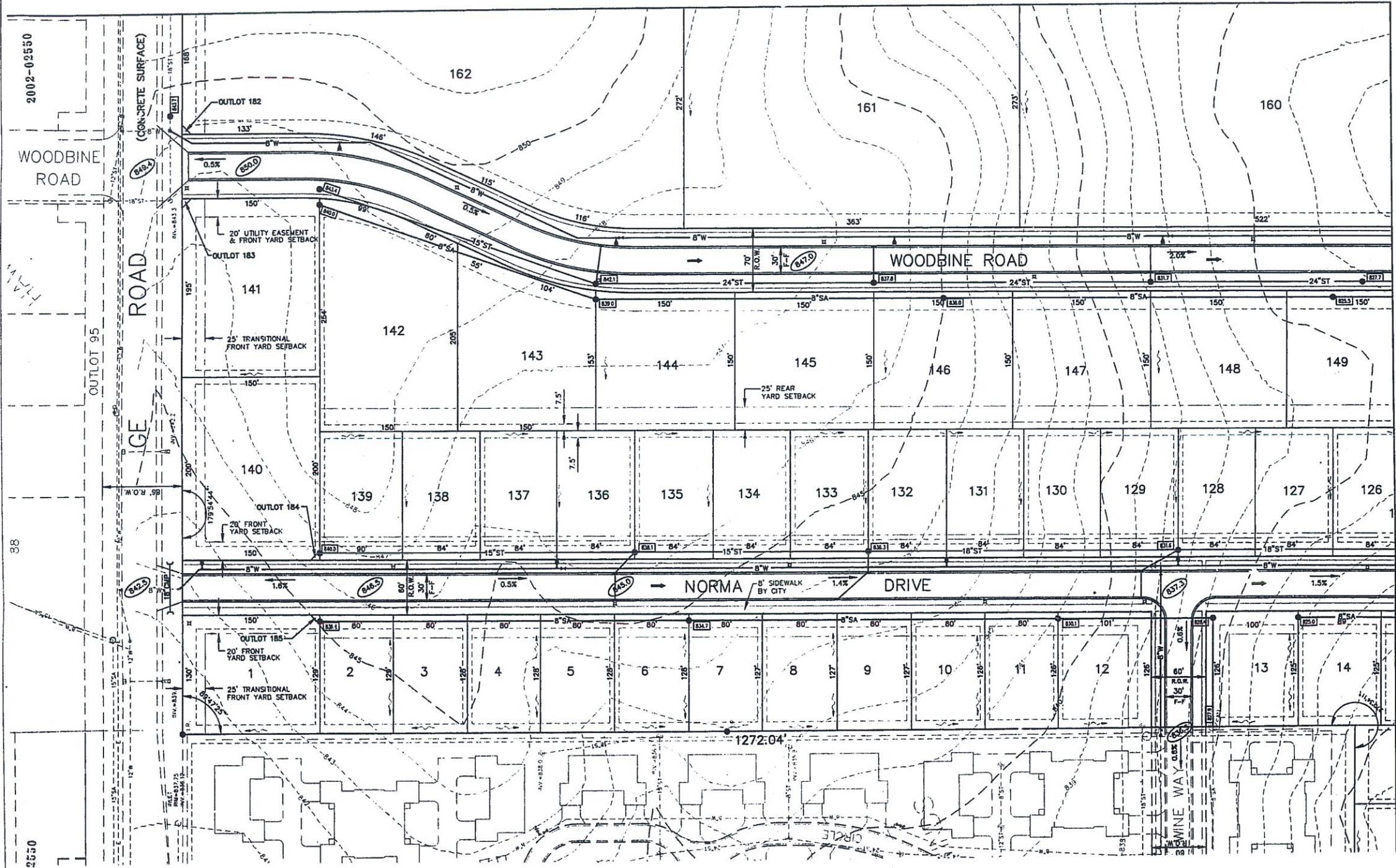
PRELIMINARY PLAN

2002-02550
SHEET NUMBER

2002-02550

2002-02550

MATCH LINE SHEET 3



MATCH LINE SHEET 6



SIGNATURE
EXPIRATION DATE
CONSULTANT:

PROJECT:

N
SCALE: 1"=50'

REVISION:
9/1/01 RLW,
10/16/01 RLW.

DATE: 6/8/01
DRAWN: RLW
APPROVED: DLA
BOOK NO: 2318
FILE NO: 24-6748
SHEET TITLE:
HAWTHORNE
COMMERCIAL
PARK

PRELIMINARY PLAN
2002-02550
SHEET NUMBER:

5 of 8

PROJECT NO: 104480

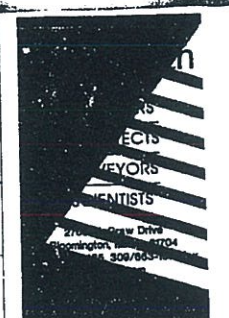
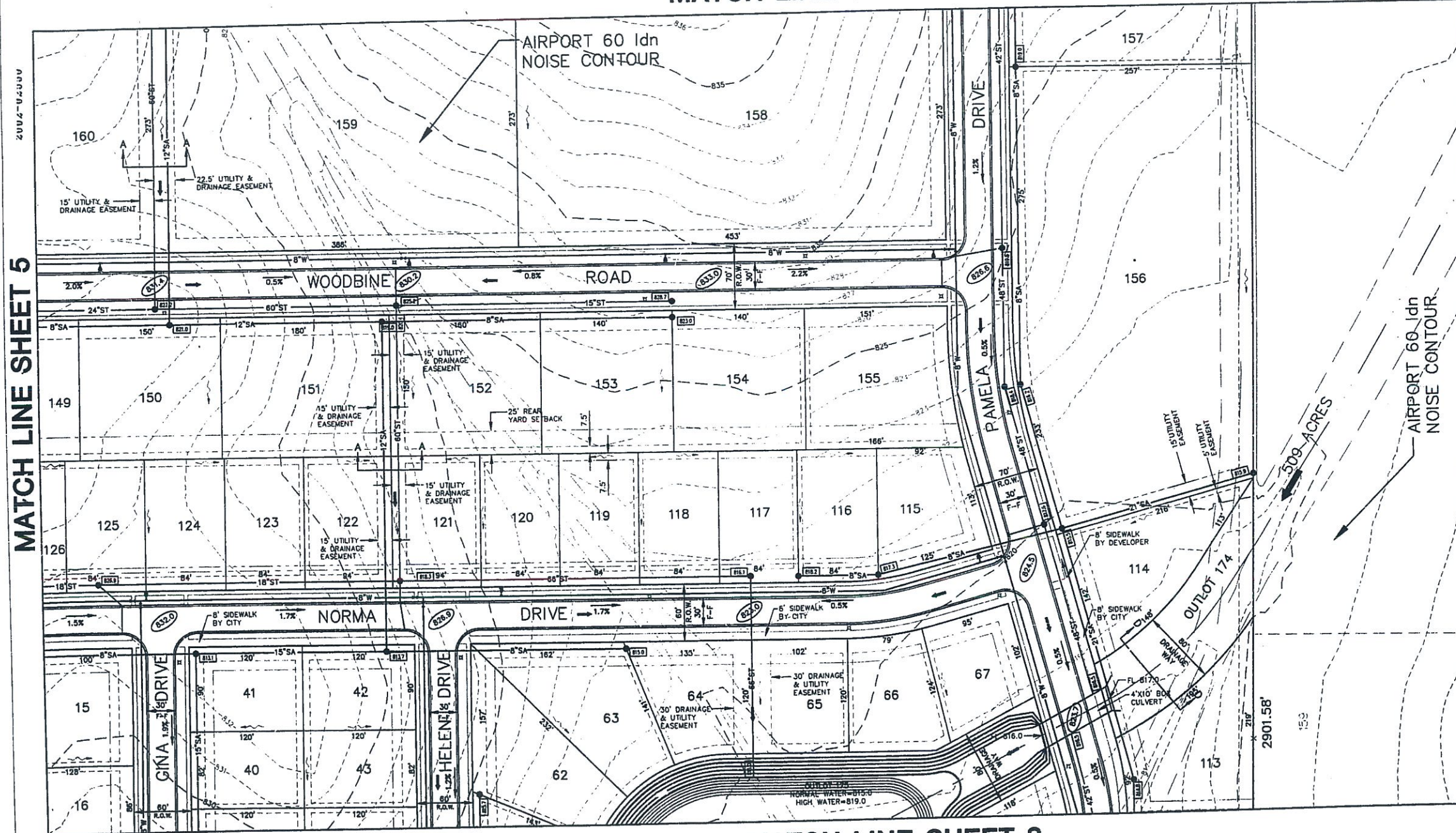
2002-02550

2002-02550

2002-02550

2002-02550

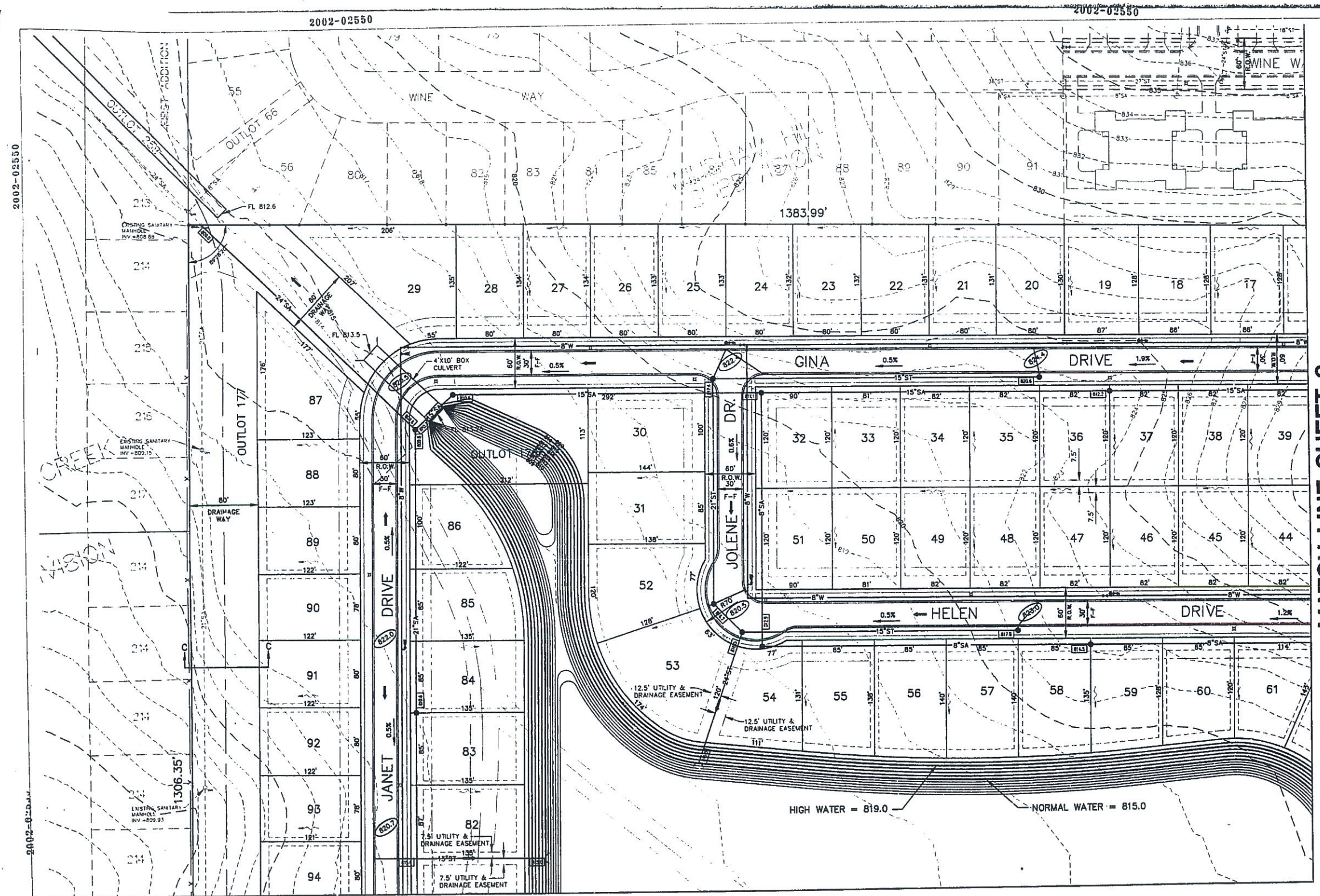
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2002-02550
 CONSULTANT:
 PROJECT:

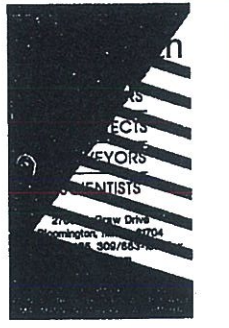
REVISION:
 9/1/01 R.L.W.
 10/16/01 R.L.W.
 DATE: 8/8/01
 DRAWN: RLW
 APPROVED: DLA
 BOOK NO: 2318
 FILE NO: 24-8748
 SHEET TITLE:
 HAWTHORNE
 COMMERCIAL
 PARK
 PRELIMINARY PLAN
 2002-02550
 SHEET NUMBER:

6 of 8



MATCH LINE SHEET 8

MATCH LINE SHEET 6



SIGNATURE
EXPIRATION DATE
CONSULTANT:

PROJECT:

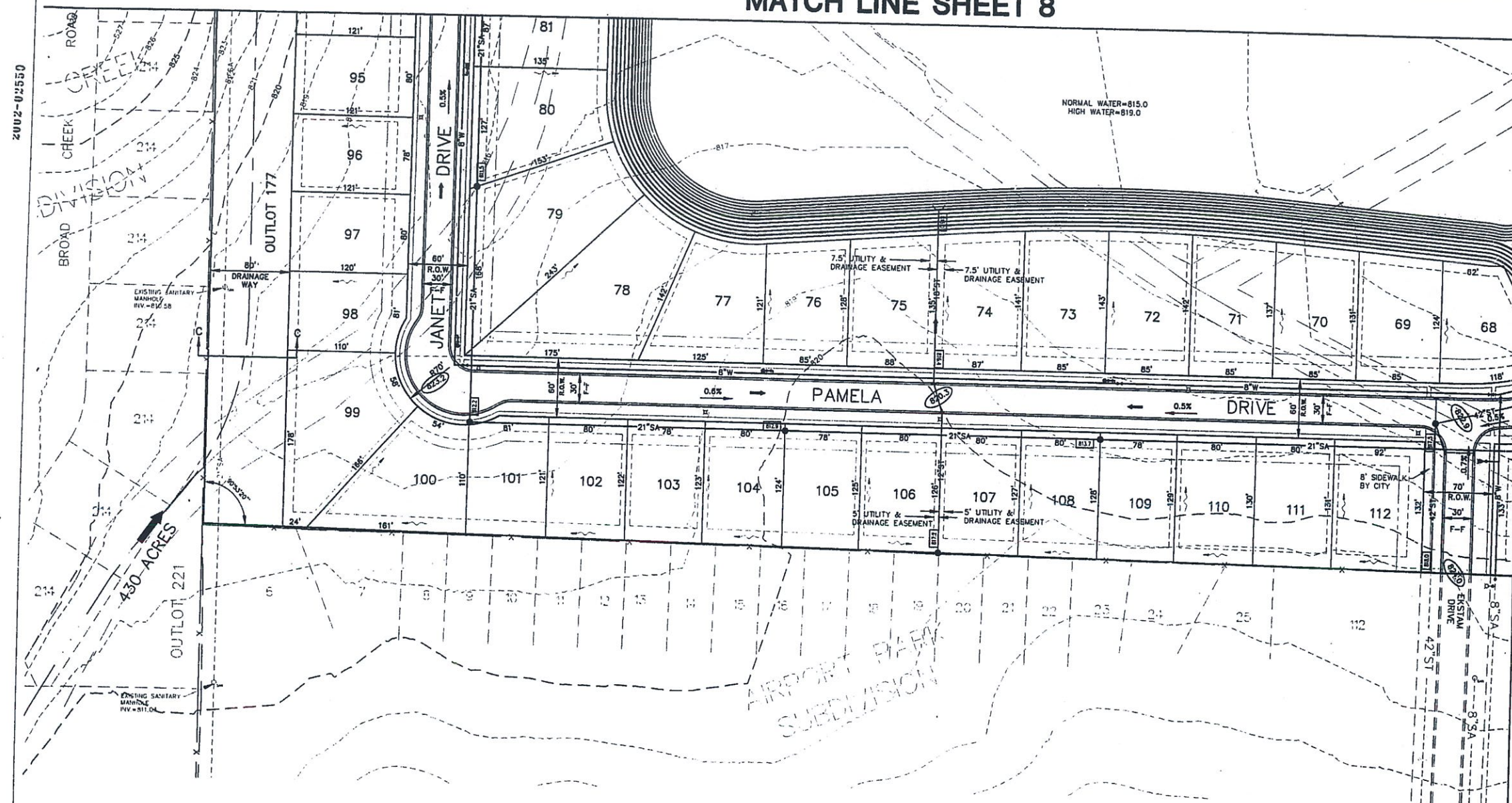


REVISION:
8/1/01 R.L.W.
10/16/01 R.L.W.

DATE: 8/8/01
DRAWN: RLW
APPROVED: DLA
BOOK NO: 2318
FILE NO: 24-0748

SHEET TITLE:
HAWTHORNE
COMMERCIAL
PARK
PRELIMINARY PLAN
2002-02550
SHEET NUMBER:

MATCH LINE SHEET 8



MATCH LINE SHEET 5



SIGNATURE _____
EXPIRATION DATE _____
CONSULTANT: _____

PROJECT:



REVISIONS:
9/1/01 R.L.W.
10/16/01 R.L.W.

DATE: 8/8/01

DRAWN: **RLW**

APPROVED: DLA

BOOK NO: 2318

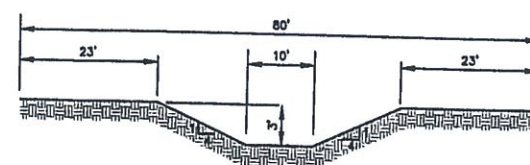
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SHEET TITLE:
HAWTHORNE
COMMERCIAL
PARK

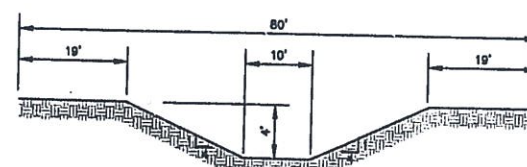
PRELIMINARY PLAN

2002-02550
SHEET NUMBER:

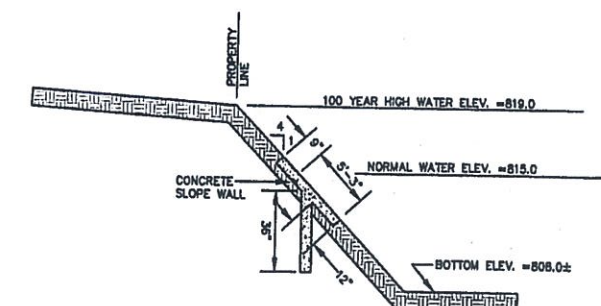
8 of 8



FLOOD ROUTE DETAIL
SECTION C-C



FLOOD ROUTE DETAIL
SECTION D-D



LAKE BANK DETAIL
TYPICAL SECTION

AMENDED PRELIMINARY PLAN FOR A PORTION OF HAWTHORNE COMMERCIAL SUBDIVISION

PART OF THE NE¼ OF SEC. 31, T.24N., R.3E., 3 P.M.,
CITY OF BLOOMINGTON, McLEAN COUNTY, ILLINOIS

Agenda Item 5F
PS-05-21

LYB
www.lybinc.com

PRELIMINARY PLAN NOTES:

- THIS SITE CONTAINS 19.86 ACRES DIVIDED INTO TWO TRACTS SEPARATED BY PREVIOUSLY DEDICATED, CURRENTLY UNIMPROVED WOODBINE ROAD.
- TRACT 1 IS SUBDIVIDED INTO TWO ZONING DESIGNATIONS: LOTS 151 THROUGH 155 ARE ZONED B-1; LOTS 153 THROUGH 152 ARE ZONED R-2.
- TRACT 2 IS SUBDIVIDED INTO THREE ZONING DESIGNATIONS: LOT 187 IS ZONED R-3A; LOTS 188 THROUGH 192 ARE ZONED R-2; LOTS 158, 159, 166, AND 167 ARE ZONED B-1.
- TOPOGRAPHIC INFORMATION IS FROM SURVEYS MADE BY LEWIS, YOCKEY & BROWN, INC. OCTOBER 2021.
- NO PORTION OF THIS PROPERTY LIES WITHIN THE SPECIAL FLOOD HAZARD ZONE.
- ALL STREETS ARE TO BE CONSTRUCTED IN PUBLIC RIGHT-OF-WAY AND DEDICATED TO THE CITY OF BLOOMINGTON.
- SANITARY SEWERS, STORM SEWERS, AND WATER MAINS SHALL BE CONSTRUCTED IN PUBLIC RIGHT-OF-WAY OR EASEMENTS AND DEDICATED TO THE CITY OF BLOOMINGTON.
- ALL RESIDENTIAL LOTS SHALL BE SERVICED BY A SUMP PUMP DISCHARGE LINE.
- DRAINAGE CALCULATIONS, CROSS SECTIONS OF PROPOSED DRAINAGE WAYS, LOT DRAINAGE, SUMP PUMP DISCHARGE LINES, AND EROSION CONTROL PLAN WILL BE SUBMITTED AS A PART OF THE CONSTRUCTION PLANS TO BE APPROVED BY THE CITY ENGINEER.
- A PORTION OF THIS PROPERTY LIES WITHIN THE S-3 AIRCRAFT NOISE IMPACT OVERLAY DISTRICT.
- THE DEVELOPER SHALL PAY A FEE IN LIEU OF DEDICATING PARKLAND FOR THE RESIDENTIAL PORTION OF THIS DEVELOPMENT.

Legal Description Tract I

A part of the NE¼ of Section 31, Township 24 North, Range 3 East of the Third Principal Meridian, City of Bloomington, McLean County, Illinois, more particularly described as follows: Beginning at the southwest corner of Lot 21 in the Thirtieth Addition to Hawthorne Commercial Subdivision, according to the Plat thereof recorded as Document No. 2018-7743 in the McLean County Recorder of Deeds Office, being on the east line of Sapphire Lake Subdivision according to the Plat thereof recorded as Document No. 2002-07481 in said Recorder's Office; thence N.90°-00'-00"E. 150.00 feet to the west right of way line of Woodbine Road as dedicated with Resolution No. 2007-99, recorded as Document No. 2007-29742 in said Recorder's Office; thence S.00°-00'-00"E. 1388.24 feet on said west right of way line to the north right of way line of Pamela Drive as dedicated with said Resolution recorded as Document No. 2007-29742; thence N.90°-00'-00"W. 23.21 feet on said north right of way line; thence southwesterly on said north right of way line 128.01 feet on a tangential curve concave to the southeast having a central angle of 13°-42'-32" a radius of 535.00 feet and a chord of 127.70 feet bearing S.85°-08'-44"W. from the last described course to the southeast corner of Lot 91 in Second Addition to Sapphire Lake Subdivision according to the Plat thereof recorded as Document No. 2005-17335 in said Recorder's Office; thence N.00°-00'-00"E. 1403.48 feet to the Point of Beginning containing 4.80 acres, more or less, with assumed bearings given for description purposes only.

Legal Description Tract II

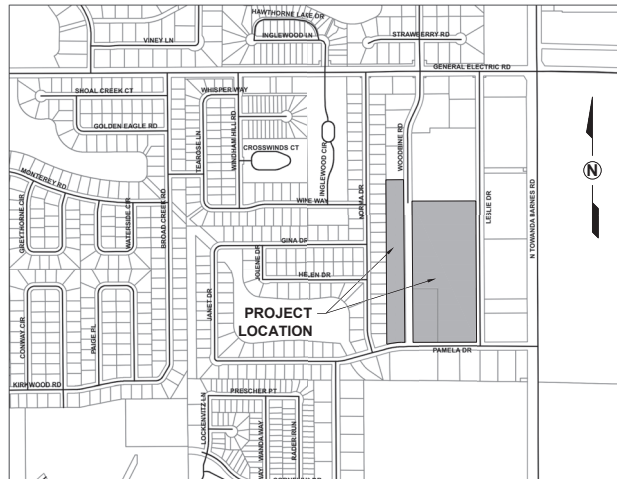
A part of the NE¼ of Section 31, Township 24 North, Range 3 East of the Third Principal Meridian, City of Bloomington, McLean County, Illinois, more particularly described as follows: Beginning at the southeast corner of Lot 20 in the Twelfth Addition to Hawthorne Commercial Subdivision, according to the Plat thereof recorded as Document No. 2015-16156 in the McLean County Recorder of Deeds Office, said point being on the west right of way line of Leslie Drive as dedicated with Resolution No. 2007-99, recorded as Document No. 2007-29742 in said Recorder's Office; thence S.00°-00'-00"E. 1203.48 feet on said west right of way line to the north right of way line of Pamela Drive as dedicated with said Resolution recorded as Document No. 2007-29742; thence N.90°-00'-00"W. 545.00 feet on said north right of way line to the east right of way line of Woodbine Road as dedicated with said Resolution recorded as Document No. 2007-29742; thence N.00°-00'-00"E. 1203.48 feet on said east right of way line to the southwest corner of said Lot 20; thence N.90°-00'-00"E. 545.00 feet to the Point of Beginning, containing 15.06 acres, more or less, with assumed bearings given for description purposes only.

BENCHMARKS:

NO.	DESCRIPTION	ELEVATION
1	TOP OF HYDRANT AT THE NORTHEAST CORNER OF PAMELA DRIVE AND LESLIE DRIVE	834.04

OWNER/DEVELOPER: TERRA, LLC
1904 LONGWOOD LANE
BLOOMINGTON, IL 61705
ATTN: KRISHNA BALAKRISHNAN, MANAGER
PHONE: 248-703-3410

ATTORNEY: WOOD, DeVARY, & ARMSTRONG
SUITE 400
207 WEST JEFFERSON STREET
BLOOMINGTON, IL 61705
ATTN: DAVID ARMSTRONG
PHONE: 309-827-0044



LOCATION MAP
NO SCALE

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

"NOTICE IS HEREBY GIVEN THAT THIS AMENDED PRELIMINARY PLAN FOR A PORTION OF HAWTHORNE COMMERCIAL SUBDIVISION SHOWN HEREON IS RECOMMENDED BY THE PLANNING COMMISSION OF BLOOMINGTON, ILLINOIS, FOR CITY COUNCIL APPROVAL WITH THE MODIFICATIONS CONTAINED IN APPENDIX A (IF ANY), WHICH IS ATTACHED HERETO."

PLANNING COMMISSION OF BLOOMINGTON, ILLINOIS

DATE _____, 20__

BY _____
CHAIRPERSON

BY _____
EXECUTIVE SECRETARY

NOTICE OF APPROVAL OF PRELIMINARY PLAN BY

THE CITY COUNCIL OF BLOOMINGTON, ILLINOIS

"THE AMENDED PRELIMINARY PLAN FOR A PORTION OF HAWTHORNE COMMERCIAL SUBDIVISION 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 BLOOMINGTON, ILLINOIS

DATE _____, 20__

DATE _____, 20__

ATTEST BY _____
CITY CLERK

BY _____
MAYOR

LEGEND

—●—	BOUNDARY OF SUBJECT PREMISES
—X—X—X—	¾" IRON ROD FOUND (UNLESS NOTED OTHERWISE)
—X—X—X—	EASEMENT LIMITS
—X—X—X—	EXISTING BUILDING
—X—X—X—	EXISTING FENCE
—○—	EXISTING SANITARY MANHOLE
—○—	EXISTING SANITARY SEWER
—○—	EXISTING HYDRANT
—○—	EXISTING WATER VALVE
—○—	WATER METER PIT
—○—	EXISTING WATER MAIN
—○—	EXISTING STORM MANHOLE
—○—	EXISTING STORM INLET
—○—	EXISTING STORM SEWER
—○—	HANDHOLE
—○—	ELECTRICAL PEDESTAL
—○—	CATY PEDESTAL
—○—	SIGN
—○—	LANDSCAPED AREA
—○—	EXISTING CONTOUR
—○—	PROPOSED FLOOD ROUTE
—○—	FRONT YARD SETBACK - 25' TYPICAL
—○—	PROPOSED EASEMENT LIMITS
—○—	PROPOSED OR EXISTING INVERT
—○—	PROPOSED SANITARY MANHOLE
—○—	PROPOSED SANITARY SEWER
—○—	PROPOSED HYDRANT
—○—	PROPOSED WATER VALVE
—○—	PROPOSED WATER MAIN
—○—	PROPOSED STORM INLET
—○—	PROPOSED STORM SEWER
—○—	PROPOSED LIGHT POLE
—○—	PROPOSED PAVEMENT ELEVATION
—○—	PROPOSED PAVEMENT SLOPE
—○—	PROPOSED FLOOD ROUTE

INDEX OF SHEETS

SHEET NO.	DESCRIPTION
1	COVER SHEET
2	COMPREHENSIVE LOCATION PLAN SHEET
3	PLAN SHEET

I, DAVID P. BROWN, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2725, DO HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE PLAT SHOWN HEREON IS AN ACCURATE REPRESENTATION OF A SURVEY MADE UNDER MY DIRECTION.

DAVID P. BROWN IPLS NO. 2725 11/03/2021 DATE



EXP. DATE 11/03/2022

THIS PRELIMINARY PLAT WAS PREPARED BY LEWIS, YOCKEY & BROWN, INC., 505 NORTH MAIN STREET, BLOOMINGTON, ILLINOIS.

ERIN L. ESTABROOK ILEPE NO. 51348 11/03/2021 DATE



EXP. DATE 02/28/2022

Lewis, Yockey & Brown, Inc.
Consulting Engineers & Land Surveyors
Professional Design Firm Registration #184.000806
505 North Main Street, Bloomington, Illinois
Ph: (309) 523-2552

REVISED	-
12/20/2021	-
-	-
-	-
-	-

PR	920
DRN	MOV/ELE
DRN	ELE
APP	DPB

AMENDED PRELIMINARY PLAN FOR A PORTION OF
HAWTHORNE COMMERCIAL SUBDIVISION
PRELIMINARY PLAN
COVER SHEET

SHEET

1
OF 3
JOB #

45128.07

REVISED	-
12/20/2021	-
-	-
-	-
-	-

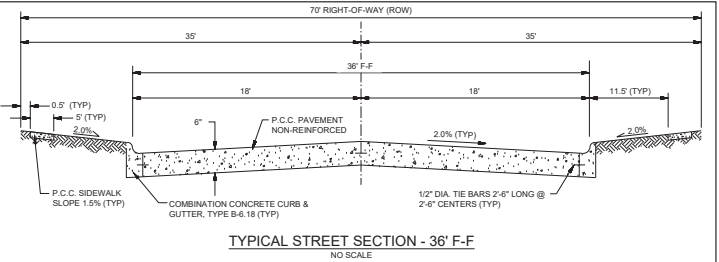
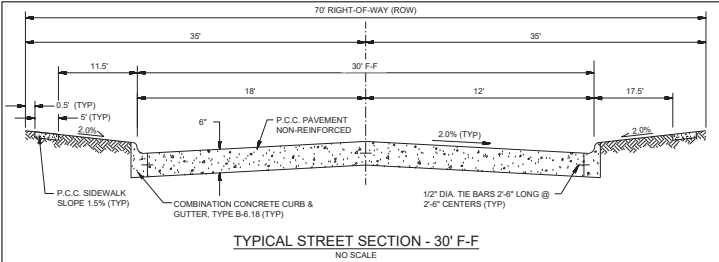
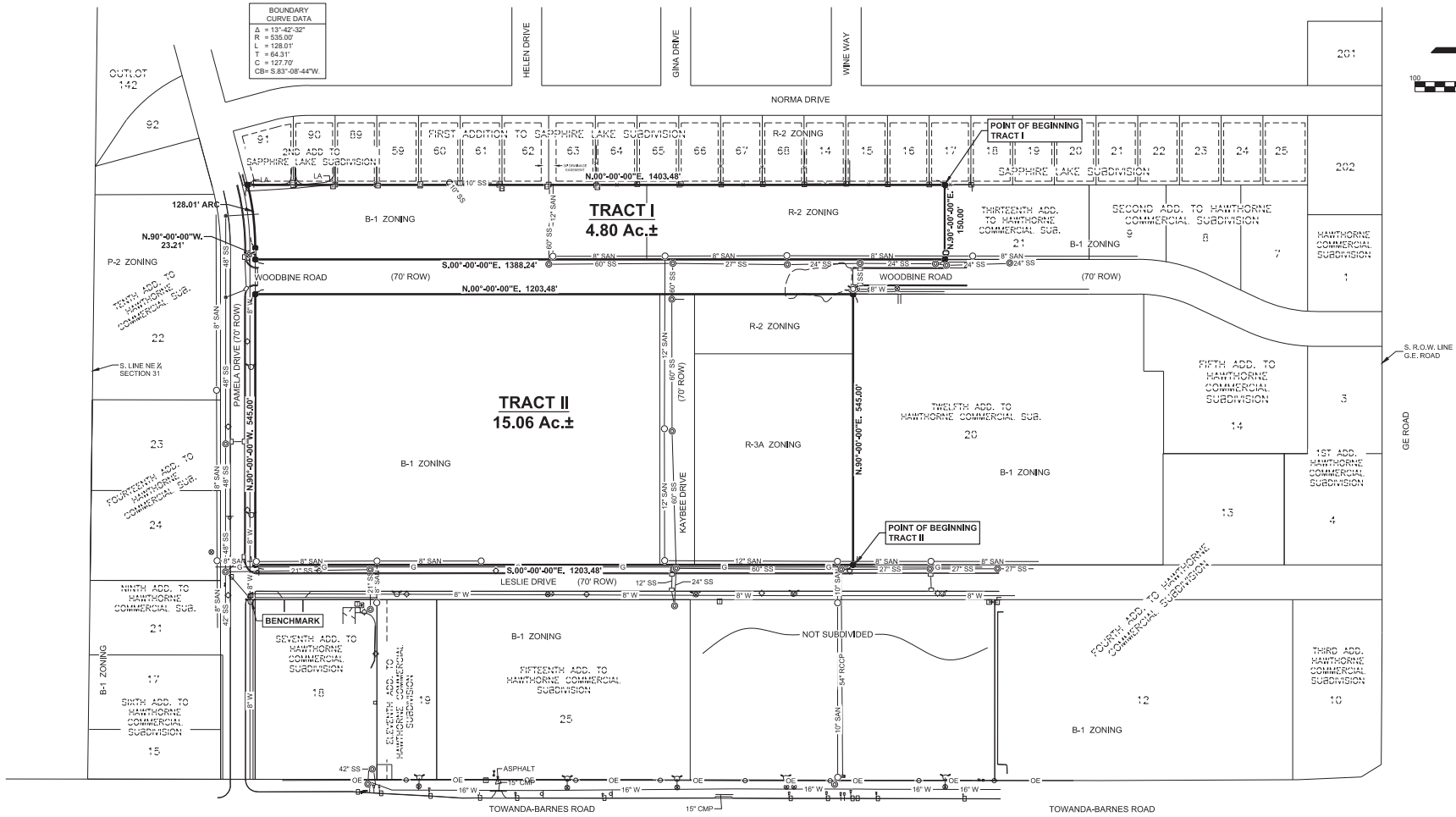
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APP	DPB

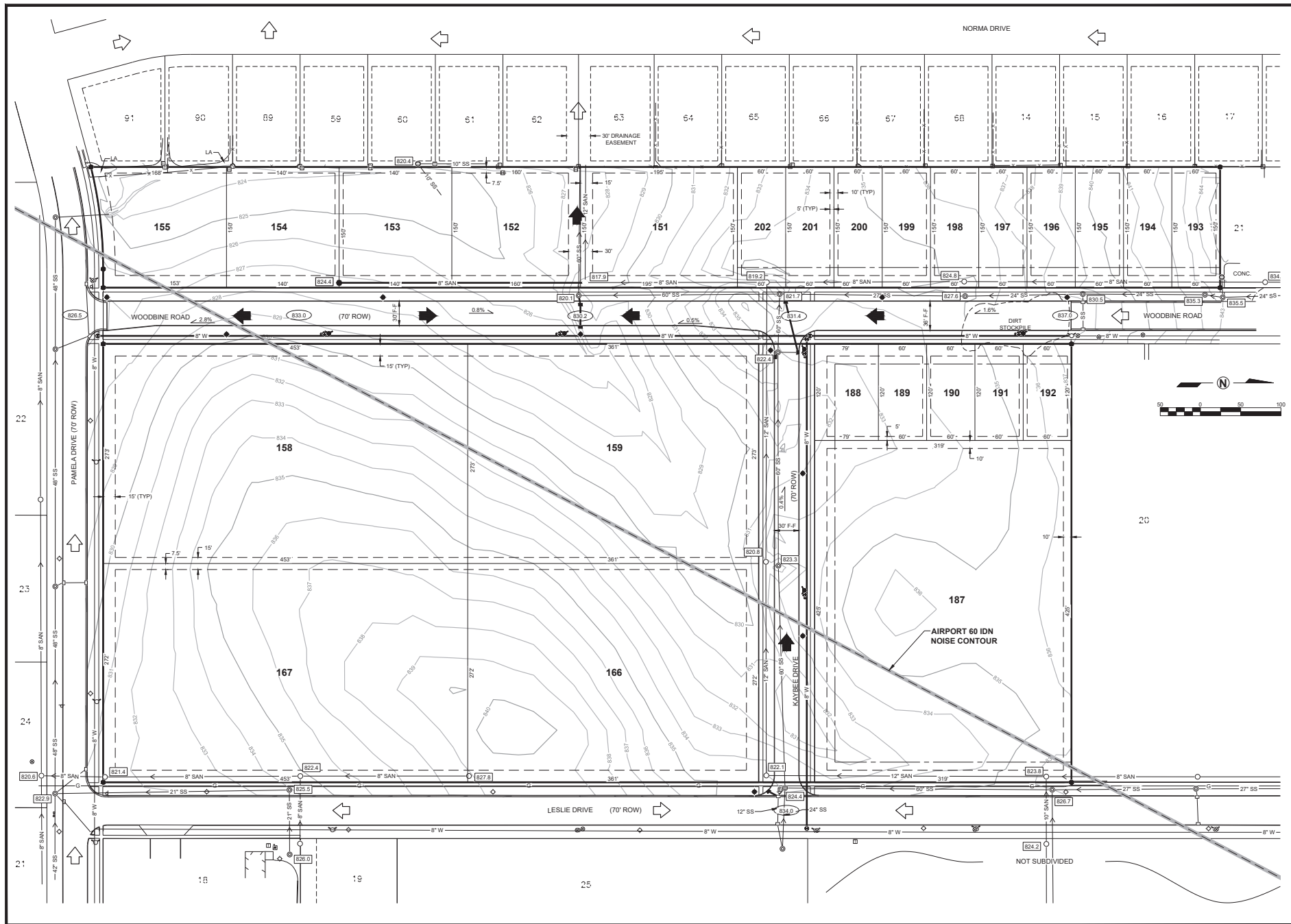
AMENDED PRELIMINARY PLAN FOR A PORTION OF
HAWTHORNE COMMERCIAL SUBDIVISION
PRELIMINARY PLAN
COMPREHENSIVE LOCATION PLAN

SHEET

2

OF: 3
JOB #:
45128.07





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PR	920
DRN	MOBILE
DRN	ELE
APP	DPB

AMENDED PRELIMINARY PLAN FOR A PORTION OF
HAWTHORNE COMMERCIAL SUBDIVISION
PRELIMINARY PLAN
PLAN SHEET

SHEET

interest of the applicant.

Chairperson Mohr asked Mr. Armstrong if the property has always been vacant. Mr. Armstrong stated that was correct.

There was no public comment.

The only discussion had by the Commission was made by Chairperson Mohr when he stated how suited the site would be for residential development given the adjacent amenities and how the proximity would allow the residents to walk or bike to them.

Motion to establish finding of facts was made by Mr. Muncy and was seconded by Mr. Danenberger. A Roll Call vote was taken. Mr. Stanczak - Yes, Mr. Danenberger - Yes, Mr. Sant-Amour - Yes, Mr. Muncy - Yes, Mr. Galpalli - Yes, Chair Mohr - Yes. Vote - 6-0. Passed

Motion to recommend approval of rezoning to City Council was made by Mr. Muncy and was seconded by Mr. Danenberger. A Roll Call vote was taken. Mr. Stanczak - Yes, Mr. Danenberger - Yes, Mr. Sant-Amour - Yes, Mr. Muncy - Yes, Mr. Galpalli - Yes, Chair Mohr - Yes. Vote - 6-0. Passed

F. PS-05-21 Public hearing, review and action on a petition Submitted by David P. Brown, Agent for Property owner Terra, LLC (1904 Longwood Lane, Bloomington, IL 61704) requesting an Amended Preliminary Plan for a Portion of Hawthorne Commercial Park. (PINs: 15-31-276-026, 15-31-278-001 and 15-31-278-003). (Ward 3)

City Staff, Glen Wetterow, presented the case. All standards have been met and recommends approval. There were no questions for staff from the Commission.

The petitioner, David Brown (505 N Main St, Bloomington IL) representing Terra LLC spoke on the case. He stated the purpose of the preliminary plan as to serve as an assurance of infrastructure. Mr. Wetterow stated that Public Works had reviewed the preliminary plan and had approved the plan based upon their review criteria.

There was no public comment.

Chairperson Mohr asked to clarify why the standards of Chapter 24 were being applied. Mr. Wetterow stated Chapter 24 is the portion of the City's Code that regulated subdivision. Mr. Mohr asked if the relevant standards were pulled from this section. Mr. Wetterow stated yes the standards present are the general standards all subdivisions are to be reviewed under.

Motion to establish finding of facts was made by Mr. Muncy and was seconded by Mr. Danenberger. A Roll Call vote was taken. Mr. Stanczak - Yes, Mr. Danenberger - Yes, Mr. Sant-Amour - Yes, Mr. Muncy - Yes, Mr. Galpalli - Yes, Chair Mohr - Yes. The motion was approved (6-0-0).

Motion to recommend approval of the preliminary plan to City Council was made by Mr. Stanczak and was seconded by Mr. Muncy. A Roll Call vote was taken. Mr. Stanczak - Yes, Mr.

DRAFT

MEETING MINUTES

PUBLISHED BY THE AUTHORITY OF THE PLANNING COMMISSION OF BLOOMINGTON, ILLINOIS

WEDNESDAY, JANUARY 19, 2022

Danenberger - Yes, Mr. Sant-Amour - Yes, Mr. Muncy - Yes, Mr. Galpalli - Yes, Chair Mohr - Yes. The motion was approved (6-0-0).

- A. Z-24-21** Public Hearing, review and action on text amendments, modifications and deletions to the Bloomington Zoning Ordinance, Chapter 44 of the City Code, submitted by the Bloomington City Council (Resolution 2021-31) relating to (1) auto sale exclusions, definition, and zoning; (2) updating certain zoning classifications; (3) reviewing residential uses that were previously permitted by right or via Special Use in commercial districts should again be allowed; (4) zoning for snack food manufacturing; (5) zoning for assisted living facilities; and (6) the review and submission process and commission schedules. *Continued from November 10, 2021* **REQUEST TO TABLE**

The Chairperson indicated that this case as noticed, but staff does not have anything to present at this time. So, he is looking for a motion to table to a date uncertain. A motion to table to a date uncertain was made by Commissioner Stanczak and was seconded by Commissioner Muncy. A Roll Call vote was taken. Mr. Stanczak - Yes, Mr. Danenberger - Yes, Mr. Sant-Amour - Yes, Mr. Muncy - Yes, Mr. Galpalli - Yes, Chair Mohr - Yes. The motion was approved (6-0-0).

- B. PR-09-21** Public hearing, review, and action on a petition submitted by Stan Cain on behalf of Wesley United Methodist Church requesting approval of a Site Plan (with potential variances) for a Food Pantry in the D-2 (Downtown Transitional) District for the property located at one site with multiple addresses, commonly known as 413 E. Washington, 410 E. Front and 416 E. Front Street. (PINs: 21-04-411-003, 21-04-411-011, and 21-04-44-009). (Ward 6) **WITHDRAWN**

Chairperson Mohr identified that the item had been noticed but was subsequently withdrawn by the petitioner and thus had been formally withdrawn. There is no action for the Commission to take on the item.

G. Update of Planning Commission Bylaws

Chairperson Mohr indicated that staff had become aware of some discrepancies between the Commission Bylaws and City Ordinances. The purpose of amending the bylaws is to bring to the two into alignment.

City Staff George Boyle summarized one of the modifications to the bylaws: 1) the frequency in which the Commission meetings. The bylaws indicate twice a month. The Commission now only meets on the first Wednesday of every month. 2) Number of commissioners needed to establish quorum. The bylaws currently establish quorum based upon the total number of commission members. They will be revised to base quorum off the total number of commission members holding office. This will allow the Commission to reach and maintain a quorum more easily. 3) Update Code references.

Chairperson Mohr mentioned the updated bylaws reflecting the amendments will be included with the record. Assistant Corporate Counsel George Bolye read the amendments that would be made to the bylaws.

DRAFT

MEETING MINUTES

PUBLISHED BY THE AUTHORITY OF THE PLANNING COMMISSION OF BLOOMINGTON, ILLINOIS

WEDNESDAY, JANUARY 19, 2022



CONSENT AGENDA ITEM NO. 7.J

FOR COUNCIL: February 14, 2022

SPONSOR: Economic & Community Development Department

WARD IMPACTED: Ward 7

SUBJECT: Consideration and action on an Ordinance Approving a Zoning Map Amendment Rezoning Property from B-1 (General Commercial) District, to R-3A (Multiple-Family Residence) District, for the Properties Generally Located South of Enterprise Drive and West of Maple Hill Road (PINS: 14-31-326-001 and 14-31-326-003) 12.32 Acres More or Less, as requested by the Economic & Community Development Department.

RECOMMENDED MOTION:

The proposed Ordinance be approved.

STRATEGIC PLAN LINK:

- Goal 5. Great Place - Livable, Sustainable City
- Goal 4. Strong Neighborhoods

STRATEGIC PLAN SIGNIFICANCE:

- Objective 5b. City decisions consistent with plans and policies
- Objective 4c. Preservation of property/home valuations

BACKGROUND: The petitioner, David K. Stark on behalf of Stark Engineering, Inc. and Interchange City West, LLC is requesting approval of a zoning map amendment for properties generally located south of Enterprise Drive and west of Maple Hill Road in the City of Bloomington, from B-1 (General Commercial) District, to R-3A (Multiple-Family Residence) District.

On Wednesday, October 13, 2021, the Planning Commission held a public hearing and voted 6-0-0 to recommend approval of the request to rezone the subject property from the B-1 (General Commercial) District to R-3A (Multiple Family Residence) District. The recommendation is consistent with the staff recommendation.

For more detailed information, please see the attached Staff Report to the Planning Commission and draft meeting minutes.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Planning Commission held a public hearing on Wednesday, October 13, 2021. The City published notice of the hearing in *The Pantagraph* on Monday, September 27, 2021. Courtesy notices were mailed to 132 property owners within 500 feet of the subject property. City staff placed a large metal notification sign on the property. The applicant spoke in favor of the petition. Two people spoke against the petition.

FINANCIAL IMPACT: The proposed map amendment will allow for investment and redevelopment of vacant property adding to the City's tax base and potentially increasing future revenues for the City.

COMMUNITY DEVELOPMENT IMPACT: The 2035 Comprehensive Plan's Future Land Use map identifies this section of Enterprise Dr and Maple Hill Rd as new neighborhood under emerging areas. The Land Use Priorities map does not identify this area as a priority area. The proposed map amendment promotes the following goals and objectives of the Bloomington Comprehensive Plan: N-1.5. Promote creation of connected neighborhoods, focused on people, rather than isolated subdivisions in the Emerging areas. N-1.5a Proactively develop sub-area plans for the emerging areas guided by the land use plan. H-1.1 Ensure that the housing to accommodate the new growth is a broad range (of type, size, ages, densities, tenancies, and costs) equitably distributed throughout the City recognizing changing trends in age-group composition, income, and family-habits. N1-1. Enhance the livability of all Bloomington Neighborhoods.

Respectfully submitted for Council consideration.

Prepared by: Glen Wetterow, City Planner

Reviewed by:



Melissa Hill, Economic and Community Development Director

2/3/2022



Chris Tomerlin, Budget Manager

2/4/2022

George Boyle

George Boyle, Assistant Corporation Counsel

2/7/2022



Tara Henry, Legislative Assistant & Records Manager

2/10/2022

Attachments:

- E&CD 2B Ordinance Z-21-21
- E&CD 2C Staff Report Z-21-21
- E&CD 2D Aerial Map Z-21-21
- E&CD 2E Zoning Map Z-21-21
- E&CD 2F Minutes Z-21-21

ORDINANCE NO. 2022 - _____

AN ORDINANCE APPROVING A ZONING MAP AMENDMENT FROM B-1 (GENERAL COMMERCIAL) DISTRICT, TO R-3A (MULTIPLE-FAMILY RESIDENCE) DISTRICT, FOR THE PROPERTIES GENERALLY LOCATED SOUTH OF ENTERPRISE DRIVE AND WEST OF MAPLE HILL ROAD (PINS: 14-31-326-001 AND 14-31-326-003) 12.32 ACRES MORE OR LESS

WHEREAS, there was heretofore filed with the Economic and Community Development Department of the City of Bloomington, McLean County, Illinois, a petition requesting to rezone the properties commonly described as twelve and thirty-two hundredths of an acre generally located at the intersection of Enterprise Drive and west of Maple Hill Road (PINs: 14-31-326-001 & 14-31-326-003) legally described in Exhibit “A” and hereinafter referred to as “Property,” which is attached hereto and made part hereof by this reference; and

WHEREAS, the Bloomington Planning Commission, after proper notice was given, conducted a public hearing on said petition to rezone the Property from B-1 (General Commercial) District to R-3A (Multiple-Family Residence) District and adopted findings of fact on the same; and

WHEREAS, the Bloomington Planning Commission found the requested rezoning to be in the public interest and not solely for the benefit of the applicant, using the standards and objectives of the City Code as set forth in Chapter 44 Division 17-6; and

WHEREAS, following said public hearing, the Planning Commission recommended approval of rezoning of the Property and zoning map amendment to R-3A (Multiple-Family Residence) District; and

WHEREAS, the City Council is authorized to adopt this Ordinance and approve the petition to rezone said Property.

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

1. The above recitals are incorporated into and made a part of this Ordinance as though fully set forth herein.
2. The Council hereby adopts the findings of fact made by the Planning Commission.
3. The petition requesting to rezone the properties commonly described as twelve and thirty-two hundredths of an acre generally located at the intersection of Enterprise Drive and west of Maple Hill Road (PINs: 14-31-326-001 & 14-31-326-003) legally described in Exhibit “A” is hereby approved.
4. This Ordinance shall be in full force and effective as of the time of its passage and approval.

PASSED this 14th day of February 2022.

APPROVED this _____ day of February 2022.

CITY OF BLOOMINGTON

Mboka Mwilambwe, Mayor

ATTEST

Leslie Smith-Yocum, City Clerk

EXHIBIT A

Legal Description Tract I

A part of the Sw1/4 of Section 31. Township 24 North, Range 2 East of the Third Principal Meridian, City of Bloomington, McLean County, Illinois, more particularly described as follows: Commencing at the southeast corner of Interchange City West Subdivision in the Town of Normal, according to the Plat thereof recorded as Document No. 93-6665 in the McLean County Recorder of Deeds Office; thence N.89°-13'-45"W. 232.75 feet on the south line of said Interchange City West Subdivision, also being the south right of way line of Enterprise Drive to the Point of Beginning on the east line of the Sw1/4 of Section 31; thence S.00°-09'26"E. 489.92 feet on the east line of the Sw1/4 of said Section 31 to the north line of Block 1 of Sohn's Maple Hill Subdivision; thence N.89°-19'-35"W. 903.25 feet on the north line of said Block 1 in Sohn's Maple Hill Subdivision and the north line of Outlot "A" in Interchange City West Subdivision 3rd Addition, according to the Plat thereof recorded as Document NO. 98-34772 in said Recorder's Office to the east line of Interchange City West Subdivision 14th Addition, according to the Plat thereof recorded as Document NO. 2006-35431 in said Recorder's Office; then N.00°-07'-39"W. 491.45 feet on said east line to the south right of way line of said Enterprise Drive; thence S.89°-13'-45"E. 903.02 feet to the Point of Beginning with assumed bearings given for description purposes only, EXCEPT that portion conveyed to the Town of Normal for Maple Hill Road right of way in Warranty Deed recorded as Document No. 94-11150 and in Correction Deed recorded as Document No. 94-19031 in said Recorder's Office.

Said Tract I contains 9.78 acres, more or less.

Legal Description Tract II

Outlot "A" in Interchange City Est Subdivision 3rd Addition according to the Plat thereof recorded as Document No. 98-34772 in the McLean County Recorder of Deeds Office, being a part of the SW1/4 of Section 31, Township 24 North, Range 2 East of the Third Principal Meridian, City of Bloomington, McLean County, Illinois, containing 2.55 acres, more or less.



PLANNING COMMISSION

TO: Planning Commission

FROM: Economic & Community Development Department

DATE: October 13, 2021

CASE NO: Z-21-21, Zoning Map Amendment

REQUEST: Public Hearing, review and action on a petition submitted by David K. Stark on behalf of Stark Excavating, Inc. and Interchange City West, LLC requesting a zoning map amendment for properties generally located south of Enterprise Dr and west of Maple Hill Rd in the City of Bloomington, from B-1, General Commercial District, to R-3A, Multiple-Family Residence District.



Above: South of Enterprise Dr and West of Maple Hill Rd (Source: Google)

NOTICE

The application has been filed in conformance with applicable procedural and public notice requirements. Notice was published in *The Pantagraph* on Monday, September 27, 2021. Courtesy notices were mailed to 132 property owners within 500 feet of the subject property.

PROPERTY INFORMATION

Subject Property: Properties generally located south of Enterprise Dr and west of Maple Hill Rd in the City of Bloomington. P.I.N.s: 14-31-326-001 and 14-31-326-003

Applicant: David K. Stark on behalf of Stark Excavating, Inc. and Interchange City West, LLC

Existing Zoning: B-1 General Commercial District

Existing Land Use: Vacant Land

Property Size: 12.32 acres

PINs: 14-31-326-001 and 14-31-326-003

BACKGROUND

Petitioners' request:

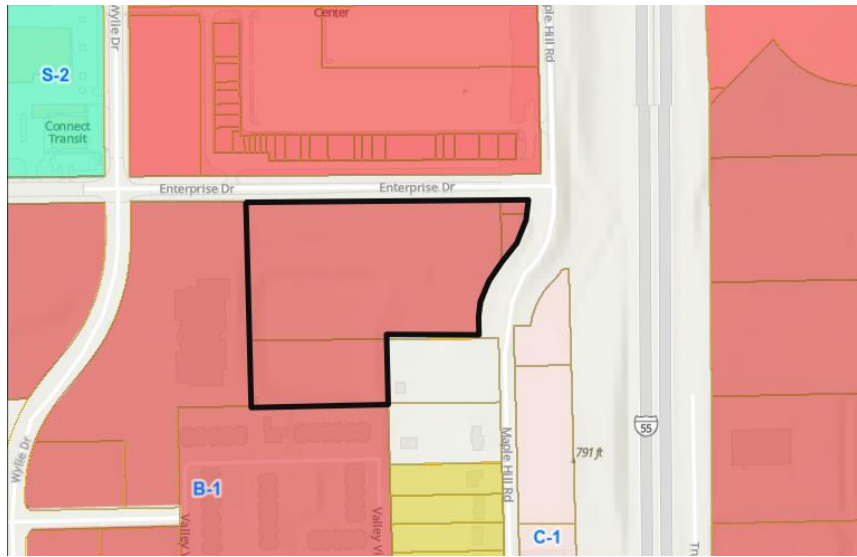
The petitioner seeks to rezone the subject property from B-1, (General Commercial) District, to R-3A, (Multiple-Family Residence) District to allow for the construction of multi-family dwelling units on the property. Amendments to the Zoning Code in 2019 resulted in residential uses not being permitted in the B-1 (General Commercial) District. The requested rezoning ensures the proposed development is properly zoned.

Property Characteristics:

The subject properties consist of 12.32 acres of land generally located south of Enterprise Dr and west of Maple Hill Rd in the Western region of the City of Bloomington. The property lies just to the west of Interstate 55 and south of Crossroads Center. The property is currently vacant. The properties to the north, west and south are zoned B-1, (General Commercial) District. The property to the east is zoned C-1 (Office) District and the property located to the Southeast which is zoned R1-C (Single-Family Residence) District.

SURROUNDING ZONING AND LAND USES

Zoning		Land Uses
North	B-1	Crossroads Center
South	B-1	Apartment Buildings
East	C-1	Vacant
West	B-2	Movie Theater (Marcus)



ANALYSIS

*Comparison of Existing and Proposed Districts**

B-1 General Commercial District	R-3A Multiple-Family Residence District
The intent of this B-1 General Commercial District is to facilitate the development of community and regional commercial areas. Customers in this district will generally use a motor vehicle to reach a desired establishment. The development contemplated in this district has such distinguishing characteristics as unified site planning and development that promotes a safe and conducive atmosphere for large volumes of shoppers; site accessibility such that the high volumes of traffic generated create minimal congestion and adverse impact upon surrounding land use; and unified architectural treatment of buildings rather than an assemblage of separate, conflicting store and structural types.	The intent of R-3A zoning is to facilitate the development of residential districts for primarily multiple-family dwelling units which may generally serve as a zone of transition between nonresidential districts and residential districts of more moderate density. This district is further intended to provide for the needs of persons desiring multiple-family dwelling units at densities from 12 to 29 dwelling units per acre.

*A list of permitted uses for commercial districts and public districts can be found online in [Chapter 44, Divisions 5-2](#) and [4-1](#) respectively.

Compliance with the Comprehensive Plan

Rezoning requests should be consistent with the Comprehensive Plan designation. The 2035 Comprehensive Plan's Future Land Use map identifies this section of Enterprise Dr and Maple Hill Rd as new neighborhood under emerging areas. The Land Use Priorities map does not identify this area as a priority area.

The proposed R-3A zoning map amendment supports the following Comprehensive Plan goal:

- N-1.5. Promote creation of connected neighborhoods, focused on people, rather than isolated subdivisions in the Emerging areas.
 - N-1.5a Proactively develop sub-area plans for the emerging areas guided by the land use plan.
- H-1.1 Ensure that the housing to accommodate the new growth is a broad range (of types, sizes, ages, densities, tenancies and costs) equitably distributed throughout the city recognizing changing trends in age-group composition, income, and family living habits.
- Goal N1-1. Enhance the livability of all Bloomington Neighborhoods

STANDARDS FOR REVIEW

As indicated in Ch. 44, 17-6 Zoning Map (rezoning) and text amendments, the Planning Commission shall be guided by those purposes, standards, and objectives of this Code and shall not recommend the adoption of any amendment unless it finds that such amendment is in the public interest and not solely for the benefit of the applicant.

Standards for Consideration of Rezoning

Standard	Discussion	Finding
<i>The suitability of the subject property for uses authorized by the existing zoning.</i>	Uses permitted within the B-1 General Commercial District are primarily oriented to commercial uses accessed by motor vehicle. Multi-family development is not permitted by the current version of the City's Code	Standard is met.

	of Ordinances, but prior versions did allow multi-family development in the B-1 zoning District.	
<i>The length of time the property has remained vacant as zoned considered in the context of land development in the area.</i>	The property has remained vacant for many years. County property tax records indicate the properties have been vacant from at least 2001.	Standard is met.
<i>The suitability of the subject property for uses authorized by the proposed zoning.</i>	The intent of R-3A Multiple-Family Residence District is to facilitate the development of residential districts for primarily multiple-family dwelling units which may generally serve as a zone of transition between nonresidential districts and residential districts of more moderate density. The proposed multi-family dwelling units meet this criteria.	Standard is met.
<i>The existing land uses and zoning of nearby property.</i>	Commercial zoning predominates in the area immediately surrounding the subject property. Nearby uses consist of a mix of commercial and residential (apartments) uses. Much of the neighboring commercial property has a residential use on it.	Standard is met.
<i>Relative gain or hardship to the public as contrasted and compared to the hardship or gain of the individual property owner resulting from the approval or denial of the zoning amendment application.</i>	If the zoning map amendment is granted, the applicant would be able to develop the site in a manner that allows for the creation of multi-family housing. The City of Bloomington is currently experiencing a housing shortage. All forms of housing are needed at this time.	Standard is met.
<i>The extent to which adequate streets are connected to the arterial street system and are available or can be reasonably supplied to serve the uses permitted in the proposed zoning classification.</i>	The site has access to both Enterprise Dr and Maple Hill Rd.	Standard is met.
<i>The extent to which the proposed amendment is inconsistent with the need to minimize flood damage and that the development of the subject property for the uses permitted in the proposed zoning classification will not have a substantial detrimental effect on the drainage patterns in the area.</i>	Any construction that will occur on the site will be done under the approval of the City's Public Works department. The Public Works department will ensure drainage on and off of the site will meet City Code and will have minimal to no impact on flooding. There is currently a large stormwater detention basin on the property that can accept runoff from this development.	Standard is met.
<i>The extent to which adequate services (including but not limited to fire and police protection, schools, water supply, and sewage disposal facilities) are available or can be reasonably supplied to serve the uses permitted in the proposed zoning classification.</i>	The site is currently served by existing watermain and sewer connections, as well as fire and police protection.	Standard is met.
<i>The extent to which the proposed amendment is consistent with the public interest, giving due consideration for the purpose and intent of this Code as set forth in § 44-1701 herein.</i>	The map amendment is intended to facilitate use of underutilized properties, providing a net benefit to the area. Additionally, the proposed use represents much need housing.	Standard is met.

<i>The extent to which property values are diminished by the particular zoning restriction.</i>	The zoning restrictions will not diminish the property values. The property values are likely to go up as this property been vacant for a number of years.	Standard is met.
<i>The extent to which the destruction of property values promotes the health, safety, morals, or general welfare of the public.</i>	The proposed rezoning and use are not anticipated to diminish property values in the area.	Standard is met.
<i>Whether a Comprehensive Plan for land use and development exists, and whether the ordinance is in harmony with it.</i>	The Comprehensive Plan's Future Land Use map identifies the subject properties as an emerging area for new neighborhoods. The Land Use Priorities map does not directly call this area out. This type of development in this area is both desired and prioritized.	Standard is met.
<i>Whether the City needs the proposed use.</i>	It has been identified that the City of Bloomington has a housing shortage. The proposed use will aid in reducing this shortage. Additionally, the City's Comprehensive Plan calls out the need for diverse housing options which the proposed use will provide.	Standard is met.

STAFF RECOMMENDATION

Staff finds that the application meets all the standards for a zoning map amendment and recommends that the Planning Commission take the following actions:

1. Motion to establish findings of fact that the proposed map amendment is in the public interest and not solely for the benefit of the petitioner.
2. Motion to recommend approval of the petition submitted by by David K. Stark on behalf of Stark Excavating, Inc. and Interchange City West, LLC requesting a zoning map amendment for properties generally located south of Enterprise Dr and west of Maple Hill Rd in the City of Bloomington, from B-1, General Commercial District, to R-3A, Multiple-Family Residence District. PIN(s): 14-31-326-001;14-31-326-003. (Ward 6)

Respectfully submitted,

Glen Wetterow
City Planner

Attachments:

- Draft ordinance
- Aerial map
- Zoning map
- Neighborhood notice and map

DRAFT

ORDINANCE NO. 2021 - _____

AN ORDINANCE APPROVING A ZONING MAP AMENDMENT FROM B-1, GENERAL COMMERCIAL DISTRICT, TO R-3A, MULTIPLE-FAMILY RESIDENCE DISTRICT, FOR THE PROPERTIES GENERALLY LOCATED AT THE INTERSECTION OF ENTERPRISE DR AND MAPLE HILL RD, 12.32 ACRES MORE OR LESS.

WHEREAS, there was heretofore filed with the Economic and Community Development Department of the City of Bloomington, McLean County, Illinois, a petition requesting to rezone the properties commonly described as twelve and thirty-two hundredths of an acre generally located at the intersection of Enterprise Dr and Maple Hill Rd (PINs: 14-31-326-001 & 14-31-326-003) legally described in Exhibit “A” and hereinafter referred to as “Property”, which is attached hereto and made part hereof by this reference; and

WHEREAS, the Bloomington Planning Commission, after proper notice was given, conducted a public hearing on said petition to rezone the Property from B-1 General Commercial District to R-3A Multiple-Family Residence District and adopted findings of fact on the same; and

WHEREAS, the Bloomington Planning Commission found the requested rezoning to be in the public interest and not solely for the benefit of the application, using the standards and objectives of the City Code as set forth in Chapter 44 Division 17-6, E2; and

WHEREAS, following said public hearing, the Planning Commission recommended approval of rezoning of the Property and zoning map amendment to R-3A Multiple-Family Residence District; and

WHEREAS, the City Council is authorized to adopt this Ordinance and approve the petition to rezone said Property.

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

1. The above recitals are incorporated into and made a part of this ordinance as though fully set forth herein.
2. The Council hereby adopt the findings of fact made by the Planning Commission.
3. The petition requesting to rezone the properties commonly described as twelve and thirty-two hundredths of an acre generally located at the intersection of Enterprise Dr and Maple Hill Rd (PINs: 14-31-326-001 & 14-31-326-003) legally described in Exhibit “A” is hereby approved.

4. This Ordinance shall be in full force and effective as of the time of its passage and approval.

PASSED this _____ day of November 2021.

APPROVED this _____ day of November 2021.

CITY OF BLOOMINGTON

ATTEST

Mboka Mwilambwe, Mayor

Leslie Smith-Yocum, City Clerk

EXHIBIT A

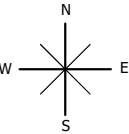
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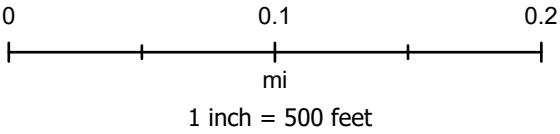
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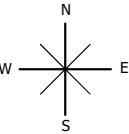
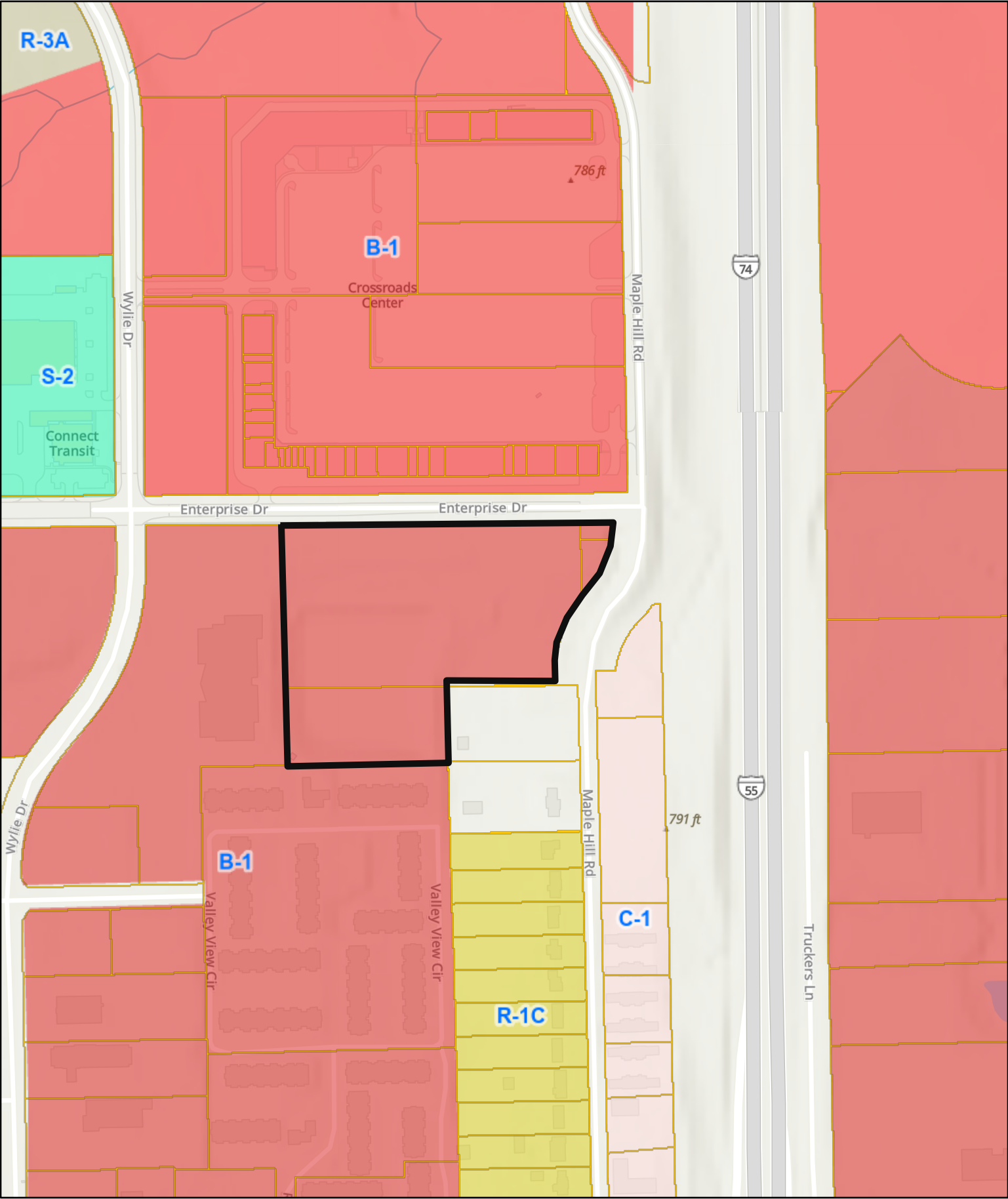
Legal Description Tract II

Outlot "A" in Interchange City Est Subdivision 3rd Addition according to the Plat thereof recorded as Document No. 98-34772 in the McLean County Recorder of Deeds Office, being a part of the SW1/4 of Section 31, Township 24 North, Range 2 East of the Third Principal Meridian, City of Bloomington, McLean County, Illinois, containing 2.55 acres, more or less.

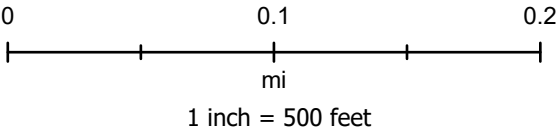


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Economic & Community Development
Department
115 E Washington St, Ste 201
Bloomington IL 61701
(309)434-2226
planning@cityblm.org

September 23, 2021

Dear Property Owner or Occupant:

The of the City of Bloomington Planning Commission will hold a public hearing on Wednesday, October 13, 2021 at 4:00 PM on an application submitted by David K. Stark on behalf of Stark Excavation, Inc & Interchange City West, LLC (1805 W. Washington Street, Bloomington, IL 61701).

You are receiving this notice because you own or occupy property within a 500-foot radius of the subject property (refer to attached map). All interested persons may present evidence or testimony regarding said petition, or ask questions related to the petitioner's request at the scheduled public hearing.

The applicant is requesting approval of a zoning map amendment for the properties generally located south of Enterprise Dr and west of Maple Hill Rd in the City of Bloomington, from B-1, General Commercial District, to R-3A, Multiple-Family Residence District. PIN(s): 14-31-326-001;14-31-326-003.

The agenda and packet for the hearing will be available prior to the hearing on the City of Bloomington website at www.cityblm.org. To testify live in a public hearing (where applicable) or provide live public comment you must register at <https://www.cityblm.org/register> or in-person at least 5 minutes before the meeting. Emailed public comment should be sent to publiccomment@cityblm.org at least 15 minutes before the start of the meeting.

This hearing will be accessible to individuals with disabilities in compliance with the ADA and other applicable laws. For special needs please contact the City Clerk at 115 E. Washington St., Ste 103, Bloomington, IL 61701 (309) 434-2240, cityclerk@cityblm.org or TTY at (309) 829-5115.

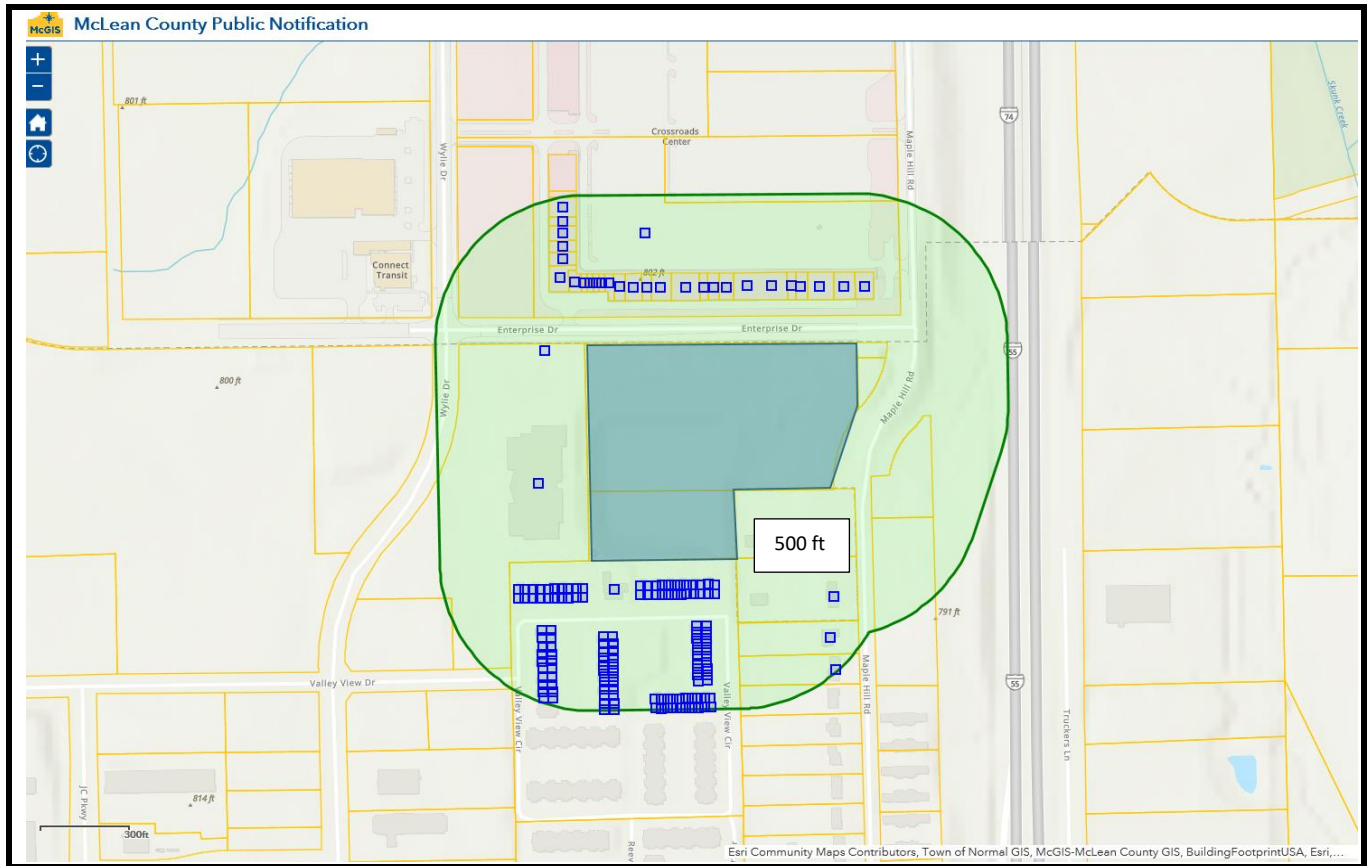
If you desire more information regarding the proposed petition or have any questions, you may email planning@cityblm.org or call (309) 434-2226.

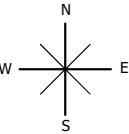
Please note this meeting could be subject to change based on a lack of quorum or other reasons. Notice of a change will also be posted online at www.cityblm.org.

Sincerely,

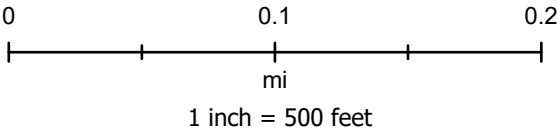
Planning Division staff

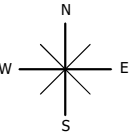
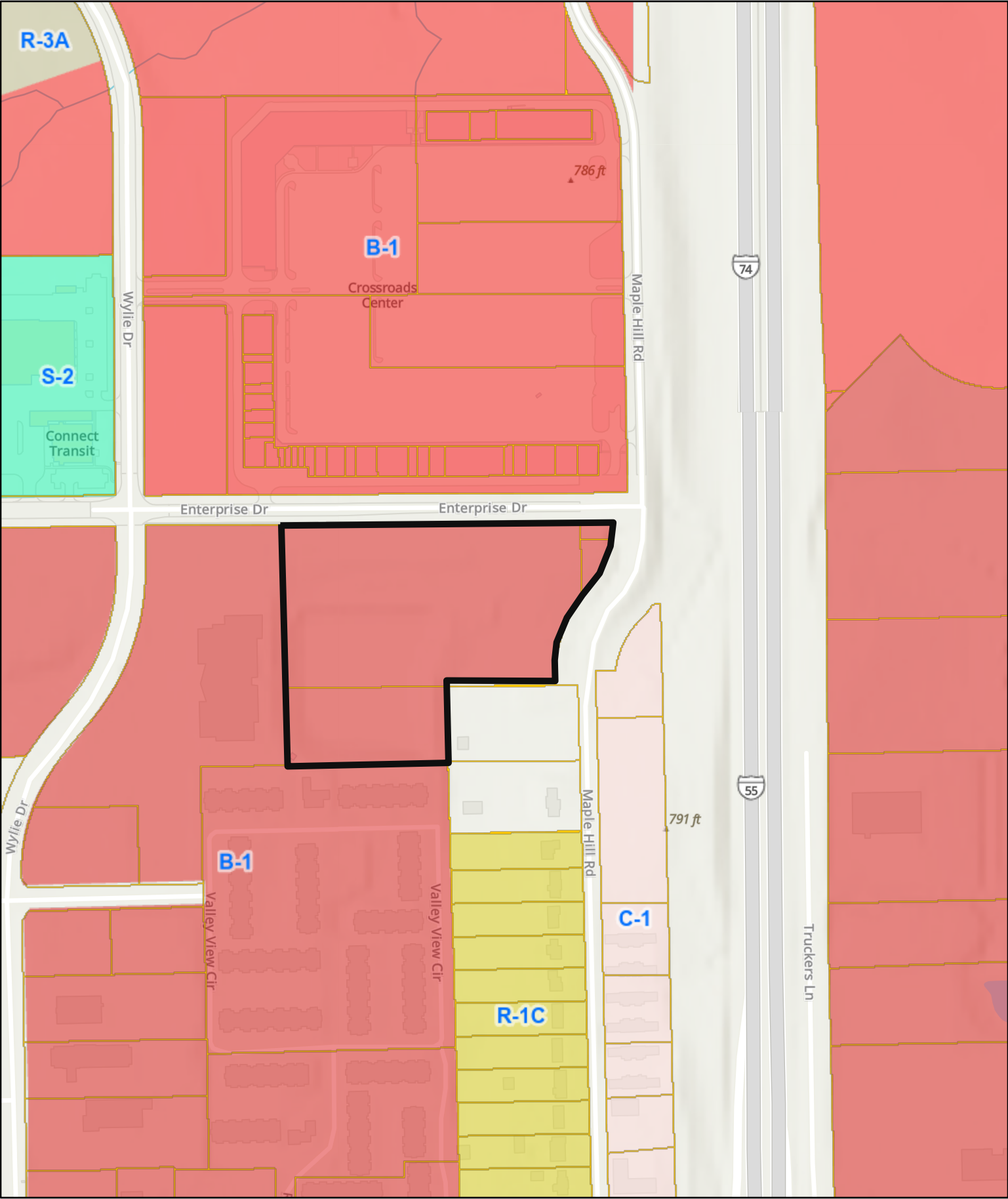
Map of notified properties within 500 ft of subject property



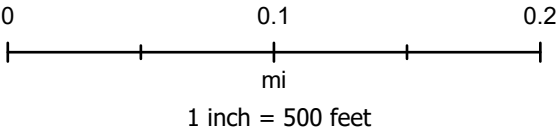


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MINUTES

Mr. Boyd motioned to approve the minutes from the regular September 22, 2021 meeting. Mr. Danenberger seconded. Voice Vote: The ayes were unanimous, and the motion carried.

REGULAR AGENDA

A. Z-21-21 Public Hearing, review and action on a petition submitted by David K. Stark on behalf of Stark Excavating, Inc. and Interchange City West, LLC requesting a zoning map amendment for properties generally located south of Enterprise Dr and west of Maple Hill Rd in the City of Bloomington, from B-1 (General Commercial) District, to R-3A (Multiple-Family Residence) District. PIN(s): 14-31-326-001;14-31-326-003. (Ward 7)

Mr. Wetterow presented the staff report on the case. He noted that prior to 2019 the zoning code permitted multifamily developments in B-1 zoning, however after 2019 this use was no longer permitted. The petitioner is seeking to zone the property to R-3A as this zoning permits by right multifamily developments. Mr. Wetterow informed the Commission that staff's recommendation was for approval of the requested rezoning.

Marly Roy of 1028 Maple Hill Road spoke against the proposed rezoning. Ms. Roy had concerns related to increased traffic and the conditions of the streets surrounding the proposed development. Ms. Roy disagreed with the City's Comprehensive Plan identifying this area as an emerging area.

Mr. Boyle interjected and informed Chairperson Mohr that the petitioner should have been the first to speak after staff's presentation. Mr. Boyle suggested Chairperson Mohr asked if the petitioner's representative (David Armstrong) was ok with Ms. Roy continuing. Chairperson Mohr asked the representative if he was ok with allowing Ms. Roy to continue. He stated he was ok with letting her finish. Ms. Roy continued.

Ms. Roy brought up the inclusion of pedestrian islands as traffic tends to speed up and down Maple Hill Road and other streets, which makes it unsafe for pedestrians to cross. Ms. Roy expressed her concern about the size of the development, which she believed to be 200 apartments. Ms. Roy concluded her comments.

The petitioner's representative, David Armstrong, spoke on behalf of the proposed rezoning. Mr. Armstrong stated he did not discredit Ms. Roy's concerns, but the concerns she has are with items that are outside the purview of the Commission as they are not zoning issues and are issues that would need to be addressed by the Public Works department. Mr. Armstrong noted the size of the proposed development is only 104 units. Mr. Armstrong highlighted how the development could not be 200 apartments as this would exceed the density of the R-3A zoning. Mr. Armstrong stated he felt the City's Comprehensive plan was correct in identifying this area as an emerging area. Additionally, the growth of Rivian in the area only further emphasized how this area is an emerging area. Mr. Armstrong noted how the proposed apartments will serve to meet the housing needs of Rivian staff. Mr. Armstrong concluded his comments.

Chairperson Mohr asked if there were any questions for Mr. Armstrong. There were no questions for Mr. Armstrong from the Commission.

Chairperson Mohr asked if there was any additional public comment on the case. No one indicated their desire to make additional public comments.

Mr. Boyd asked Ms. Roy to show on the map, the location of her traffic concerns. She indicated the areas on the map. The area she indicated was to the south along Maple Hill Road. Ms. Roy also noted there were issues of flooding and debris/litter with previous developments in the area (the apartments to the south of the property in question).

Mr. Armstrong addressed the flooding issues brought up by Ms. Roy. Mr. Armstrong stated that David Brown of Lewis Yockey and Brown Inc had reviewed the stormwater requirements and there is adequate drainage on site for the current developments. Based upon the information provided by Mr. Brown to the petitioner, another drainage pond would need to be constructed and would most likely be on the eastern portion of the property. Mr. Armstrong believes the previous drainage concerns were already addressed when the second group of apartments were built.

Don Knuth was sworn in as he wanted to speak to the issue of flooding and debris. Mr. Knuth has lived at his location for 64 years. He directly experienced the issue of flooding and debris associated with previous developments as he is located just to the east of them and just to the south of property which is being asked to be rezoned. Mr. Knuth emphasized his concern about a culvert that runs under Maple Hill Road as it is the key contributor to flooding in the area. Mr. Knuth is fine with the additional pond, but if the culvert is not addressed, the pond will not make a difference. Mr. Knuth feels the culvert is undersized and may need to be enlarged. Additionally, the culvert is filled with debris. Mr. Knuth stated the culvert is roughly $\frac{3}{4}$ full of debris. Mr. Knuth had no further comments.

Mr. Armstrong stated there may be a need for the culvert under Maple Hill Road to be looked at, but this issue is outside the purview of the Commission as it is not a planning issue and is a Public Works issue or maybe even a County issue depending on who has ownership of the road. Mr. Armstrong emphasized the drainage should not impede the rezoning when the standards for rezoning are met.

Chairperson Mohr closed the public comment portion of the meeting.

Mr. Boyd acknowledged the concerns the public had stated, but there was a need to identify the scope of the Commission, which is rezoning. Mr. Boyd encouraged the public to reach out City Council and staff about addressing the issues.

Chairperson Mohr highlighted how the issues presented by the public would still be there with the current zoning of the property. The B-1 zoning allows for varying types of commercial development, like a big-box store. If this type of construction was to occur the issues would still be there.

Mr. Stanczak noted the concerns of the public, but the conditions of the area are not the fault of the petitioner and the question before the Commission is for rezoning. Mr. Stanczak is hopeful staff will look at minutes of meeting and review concerns of the public and do their best to address them.

There was no further discussion by the Commission.

Mr. Boyd made the motion to establish findings of fact that the proposed map amendment is in the public interest and not solely for the benefit of the petitioner. Mr. Danenberger seconded.

Chairperson Mohr asked if a legislative site plan come before the Planning Commission for review. Mr. Wetterow stated a legislative site plan review would not come before the Commission under the proposed zoning. Under the current zoning, a legislative site plan review would be required to be approved by the Planning Commission. There may be a preliminary plan or subdivision plan that would come before the Commission to be approved.

Chairperson Mohr proceeded with the vote and asked for a Roll Call Vote. Mr. Boyd - Yes, Mr. Stanczak - Yes, Mr. Danenberger - Yes, Mr. Muncy - Yes, Mr. Sant-Amour, Chairperson Mohr - Yes. The vote is 6-0 in favor. The motion passed.

Mr. Boyd made the motion to recommend approval of the petition submitted by by David K. Stark on behalf of Stark Excavating, Inc. and Interchange City West, LLC requesting a zoning map amendment for properties generally located south of Enterprise Dr and west of Maple Hill Rd in the City of Bloomington, from B-1, General Commercial District, to R-3A, Multiple-Family Residence District. Mr. Muncy seconded. Roll Call Vote. Boyd - Yes, Mr. Stanczak - Yes, Mr. Danenberger - Yes, Mr. Muncy - Yes, Mr. Sant-Amour, Chairman Mohr - Yes. The motion passed.

OLD BUSINESS

No items.

NEW BUSINESS

No items.

ADJOURNMENT

Mr. Boyd motioned to adjourn. Mr. Danenberger seconded. Voice Vote: Ayes were unanimous, and the motion carried. The meeting was adjourned at 4:40 PM



CONSENT AGENDA ITEM NO. 7.K

FOR COUNCIL: February 14, 2022

SPONSOR: Economic & Community Development Department

WARD IMPACTED: Ward 8

SUBJECT: Consideration and action on an Ordinance Approving a Zoning Map Amendment from B-1 (General Commercial) District, to R-3B (Multiple-Family Residence) District, for the Property Located at 205 N. Prospect Road (PIN: 21-02-253-017), 1.63 Acres More or Less, as requested by the Economic & Community Development Department.

RECOMMENDED MOTION:

The proposed Ordinance be approved.

STRATEGIC PLAN LINK:

- Goal 5. Great Place - Livable, Sustainable City
- Goal 4. Strong Neighborhoods

STRATEGIC PLAN SIGNIFICANCE:

- Objective 5b. City decisions consistent with plans and policies
- Objective 4c. Preservation of property/home valuations

BACKGROUND: The petitioner, Brent Alsman of Nokestraw LLC is requesting a zoning map amendment for property located at 205 N. Prospect Road in the City of Bloomington, from B-1, (General Commercial) District, to R-3B (Multiple-Family Residence) District.

On Wednesday, January 19, 2022, the Planning Commission held a public hearing and voted 6-0-0 to recommend approval of the request to rezone the subject property from the B-1 (General Commercial) District to R-3B (Multiple Family Residence) District. The recommendation is consistent with the staff recommendation.

For more detailed information, please see the attached Staff Report to the Planning Commission and draft meeting minutes.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Planning Commission held a public hearing on Wednesday, January 19, 2022. The City published notice of the hearing in *The Pantagraph* on Monday, December 20, 2021. Courtesy notices were mailed to 16 property owners within 500 feet of the subject property. City staff placed a large metal notification sign on the property. The applicant spoke in favor of the petition.

FINANCIAL IMPACT: The proposed map amendment will allow for investment and redevelopment of vacant property adding to the City's tax base and potentially increasing future revenues for the City.

COMMUNITY DEVELOPMENT IMPACT: The 2035 Comprehensive Plan's Future Land Use map identifies map identifies this section of N Prospect Road as a regional commercial area. The

Land Use Priorities map does not identify this area as a priority area. The proposed map amendment promotes the following goals and objectives of the Bloomington Comprehensive Plan: H-1.1 Ensure that the housing to accommodate the new growth is a broad range (of types, sizes, ages, densities, tenancies and costs) equitably distributed throughout the city recognizing changing trends in age-group composition, income, and family living habits. H-1.2 Ensure an adequate supply of affordable housing for low to moderate income households. H-1.2e Increase supply of affordable rental housing, especially in areas close to job centers, schools and community facilities. N1-1. Enhance the livability of all Bloomington Neighborhoods.

Respectfully submitted for Council consideration.

Prepared by: Glen Wetterow, City Planner

Reviewed by:

Kimberly Smith

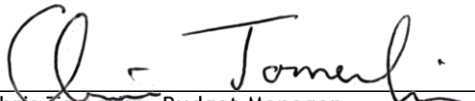
Kimberly Smith, Asst Economic & Community Development Director

2/2/2022



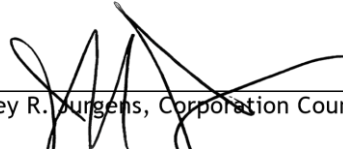
Melissa Hottel, Economic and Community Development Director

2/3/2022



Chris Tomerlin, Budget Manager

2/4/2022



Jeffrey R. Jurgens, Corporation Counsel

2/7/2022



Tara Henry, Legislative Assistant & Records Manager

2/9/2022

Attachments:

- E&CD 3B Ordinance Z-28-21
- E&CD 3C Staff Report Z-28-21
- E&CD 3D Aerial Map Z-28-21
- E&CD 3E Zoning Map Z-28-21
- E&CD 3F DRAFT PC Minutes Z-28-21

ORDINANCE NO. 2022 - _____

AN ORDINANCE APPROVING A ZONING MAP AMENDMENT FROM B-1 (GENERAL COMMERCIAL) DISTRICT, TO R-3B (MULTIPLE-FAMILY RESIDENCE) DISTRICT, FOR THE PROPERTY LOCATED AT 205 N. PROSPECT ROAD (PIN: 21-02-253-017), 1.63 ACRES MORE OR LESS

WHEREAS, there was heretofore filed with the Economic and Community Development Department of the City of Bloomington, McLean County, Illinois, a petition requesting to rezone the property commonly described as one and sixty-three hundredths of an acre located at 205 N. Prospect Road (PIN: 21-02-253-017), legally described in Exhibit "A" and hereinafter referred to as "Property," which is attached hereto and made part hereof by this reference; and

WHEREAS, the Bloomington Planning Commission, after proper notice was given, conducted a public hearing on said petition to rezone the Property from B-1 (General Commercial) District to R-3B (Multiple-Family Residence) District and adopted findings of fact on the same; and

WHEREAS, the Bloomington Planning Commission found the requested rezoning to be in the public interest and not solely for the benefit of the applicant, using the standards and objectives of the City Code as set forth in Chapter 44 Division 17-6; and

WHEREAS, following said public hearing, the Planning Commission recommended approval of rezoning of the Property and zoning map amendment to R-3B (Multiple-Family Residence) District; and

WHEREAS, the City Council is authorized to adopt this Ordinance and approve the petition to rezone said Property.

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

1. The above recitals are incorporated into and made a part of this Ordinance as though fully set forth herein.
2. The Council hereby adopts the findings of fact made by the Planning Commission.
3. The petition requesting to rezone the property commonly described as one and sixty-three hundredths of an acre located at 205 N. Prospect Road (PIN: 21-02-253-017), and legally described in Exhibit "A" is hereby approved.
4. This Ordinance shall be in full force and effective as of the time of its passage and approval.

PASSED this 14th day of February 2022.

APPROVED this _____ day of February 2022.

CITY OF BLOOMINGTON

Mboka Mwilambwe, Mayor

ATTEST

Leslie Smith-Yocum, City Clerk

EXHIBIT A

Legal Description

205 Prospect, Bloomington, Illinois

Lot 1 to Prospect Commons Subdivision, being a part of Lot 3 in First Addition to Beltline Subdivision, Part of Lot 14 in Ninth Addition to Beltline Subdivision, Part of Lot 2 in Estate of James Steele, and Part of the Northeast Quarter of Section 2, Township 23 North, Range 2 East of the Third Principal Meridian, in the City of Bloomington, according to the Plat thereof recorded September 20, 2004 as Document No. 2004-32008, in McLean County, Illinois.

PIN: 21-02-253-017



PLANNING COMMISSION

TO: Planning Commission

FROM: Economic & Community Development Department

DATE: January 5th, 2022

CASE NO: Z-28-21, Zoning Map Amendment

REQUEST: Public Hearing, review and action on a petition submitted by Brent Alsman of Nokestraw LLC requesting a zoning map amendment for property located at 205 N Prospect in the City of Bloomington, from B-1, General Commercial District, to R-3B, Multiple-Family Residence District.

BACKGROUND

Petitioners' request:

The petitioner seeks to rezone the subject property from B-1, (General Commercial) District, to R-3B, (Multiple-Family Residence) District to allow for the construction of multi-family dwelling units on the property. Amendments to the Zoning Code in 2019 resulted in residential uses not being permitted in the B-1 (General Commercial) District. The requested rezoning ensures the proposed development is properly zoned.

Notice:

The application has been filed in conformance with applicable procedural and public notice requirements. Notice was published in *The Pantagraph* on Monday, December 20, 2021. Courtesy notices were mailed to 16 property owners within 500 feet of the subject property.

Property Characteristics:

The subject property consists of 1.63 acres of land located at 205 N Prospect Rd. The property lies to the northeast of the intersection of N Prospect Rd and Maloney Dr. The property is currently vacant. The properties to the north, south, east, and west are zoned B-1, (General Commercial) District.

Surrounding Zoning and Land Uses

Zoning		Land Uses
North	B-1	Hotel (Eastland Suites)
South	B-1	Strip Mall/Center
East	B-1	Vacant
West	B-1	Bank (First State Bank)

ANALYSIS

*Comparison of Existing and Proposed Districts**

B-1 General Commercial District	R-3B Multiple-Family Residence District
The intent of this B-1 General Commercial District is to facilitate the development of community and regional commercial areas. Customers in this district will generally use a motor vehicle to reach a desired establishment. The development contemplated in this district has such distinguishing characteristics as unified site planning and development that promotes a safe and conducive atmosphere for large volumes of shoppers; site accessibility such that the high volumes of traffic generated create minimal congestion and adverse impact upon surrounding land use; and unified architectural treatment of buildings rather than an assemblage of separate, conflicting store and structural types.	Multiple-Family Residence District. The R-3B Residence District is intended to allow for increased neighborhood density through the development of small-lot single-family housing, townhomes, duplexes, and multifamily complexes, while being supportive of the overall historic character of the neighborhoods to which it is applied and the preservation of historic structures. The district allows for a maximum density of 70 dwelling units per acre and may be applied to areas best suited for such intense residential usage, principally on the fringes of the Bloomington Central Business District. It may also be applied to other areas in the City where comparable physical arrangements of land uses are present.

*A list of permitted uses for commercial districts and residential districts can be found online in [Chapter 44, Divisions 5-2](#) and [4-2](#) respectively.

Compliance with the Comprehensive Plan

Rezoning requests should be consistent with the Comprehensive Plan designation. The 2035 Comprehensive Plan's Future Land Use map identifies this section of N Prospect Road as a regional commercial area. The Land Use Priorities map does not identify this area as a priority area.

The proposed R-3B zoning map amendment supports the following Comprehensive Plan goals:

- H-1.1 Ensure that the housing to accommodate the new growth is a broad range (of types, sizes, ages, densities, tenancies and costs) equitably distributed throughout the city recognizing changing trends in age-group composition, income, and family living habits.
- H-1.2 Ensure an adequate supply of affordable housing for low to moderate income households
 - H-1.2e Increase supply of affordable rental housing, especially in areas close to job centers, schools and community facilities.
- Goal N1-1. Enhance the livability of all Bloomington Neighborhoods

STANDARDS FOR REVIEW

As indicated in Ch. 44, 17-6 Zoning Map (rezoning) and text amendments, the Planning Commission shall be guided by those purposes, standards, and objectives of this Code and shall not recommend the adoption of any amendment unless it finds that such amendment is in the public interest and not solely for the benefit of the applicant.

Standards for Consideration of Rezoning

Standard	Discussion	Finding
<i>The suitability of the subject property for uses authorized by the existing zoning.</i>	Uses permitted within the B-1 General Commercial District are primarily oriented to commercial uses accessed by motor vehicle. Multi-family development is	Standard is met.

	not permitted by the current version of the City's Code of Ordinances, but prior versions did allow multi-family development in the B-1 zoning District.	
<i>The length of time the property has remained vacant as zoned considered in the context of land development in the area.</i>	The property has remained vacant for 30+ years. The surrounding properties have been developed for between 15 to 20 years.	Standard is met.
<i>The suitability of the subject property for uses authorized by the proposed zoning.</i>	The intent of R-3B Multiple-Family Residence District is to allow for increased neighborhood density through the development of small-lot single-family housing, townhomes, duplexes, and multifamily complexes. The district allows for a maximum density of 70 dwelling units per acre and may be applied to areas best suited for such intense residential usage, principally on the fringes of the Bloomington Central Business District. It may also be applied to other areas in the City where comparable physical arrangements of land uses are present. The proposed multi-family dwelling units meet this criteria.	Standard is met.
<i>The existing land uses and zoning of nearby property.</i>	Commercial zoning predominates in the area immediately surrounding the subject property. Nearby uses consist of a mix of commercial uses. The property to the north is an extended stay hotel and conference center.	Standard is met.
<i>Relative gain or hardship to the public as contrasted and compared to the hardship or gain of the individual property owner resulting from the approval or denial of the zoning amendment application.</i>	If the zoning map amendment is granted, the applicant would be able to develop the site in a manner that allows for the creation of multi-family housing. The City of Bloomington is currently experiencing a housing shortage. All forms of housing are needed at this time.	Standard is met.
<i>The extent to which adequate streets are connected to the arterial street system and are available or can be reasonably supplied to serve the uses permitted in the proposed zoning classification.</i>	The site has access to N Prospect Rd	Standard is met.
<i>The extent to which the proposed amendment is inconsistent with the need to minimize flood damage and that the development of the subject property for the uses permitted in the proposed zoning classification will not have a substantial detrimental effect on the drainage patterns in the area.</i>	The petitioner has stated they will comply with any proposed drainage requirements the city may have. Before construction can proceed a stormwater detention plan will need to be provided and approved by the Public Works department.	Standard is met.
<i>The extent to which adequate services (including but not limited to fire and police protection, schools, water supply, and sewage disposal facilities) are available or can be reasonably supplied to serve the uses permitted in the proposed zoning classification.</i>	The site is currently served by existing watermain and sewer connections, as well as fire and police protection.	Standard is met.
<i>The extent to which the proposed amendment is consistent with the public</i>	The map amendment is intended to facilitate use of underutilized properties, providing a net benefit to the	Standard is met.

<i>interest, giving due consideration for the purpose and intent of this Code as set forth in § 44-1701 herein.</i>	area. Additionally, the proposed use represents much needed housing.	
<i>The extent to which property values are diminished by the particular zoning restriction.</i>	The zoning restrictions will not diminish the property values. The property values are likely to go up as this property been vacant for a number of years.	Standard is met.
<i>The extent to which the destruction of property values promotes the health, safety, morals, or general welfare of the public.</i>	The proposed rezoning and use are not anticipated to diminish property values in the area.	Standard is met.
<i>Whether a Comprehensive Plan for land use and development exists, and whether the ordinance is in harmony with it.</i>	The Comprehensive Plan's Future Land Use map identifies the subject properties as a regional commercial area. The Land Use Priorities map does not directly call this area out. This type of development in this area is both desired and prioritized.	Standard is met.
<i>Whether the City needs the proposed use.</i>	It has been identified that the City of Bloomington has a housing shortage. The proposed use will aid in reducing this shortage. Additionally, the City's Comprehensive Plan calls out the need for diverse housing options which the proposed use will provide.	Standard is met.

STAFF RECOMMENDATION

Staff finds that the application meets all the standards for a zoning map amendment and recommends that the Planning Commission take the following actions:

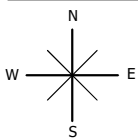
1. Motion to establish findings of fact that the proposed map amendment is in the public interest and not solely for the benefit of the petitioner.
2. Motion to recommend approval of the petition submitted by Brent Alsman of Nokestraw LLC requesting a zoning map amendment for property located at 205 N Prospect in the City of Bloomington, from B-1, General Commercial District, to R-3B, Multiple-Family Residence District. (P.I.N.: 21-07-276-029). (Ward 6)

Respectfully submitted,

Glen Wetterow
City Planner

Attachments:

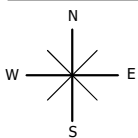
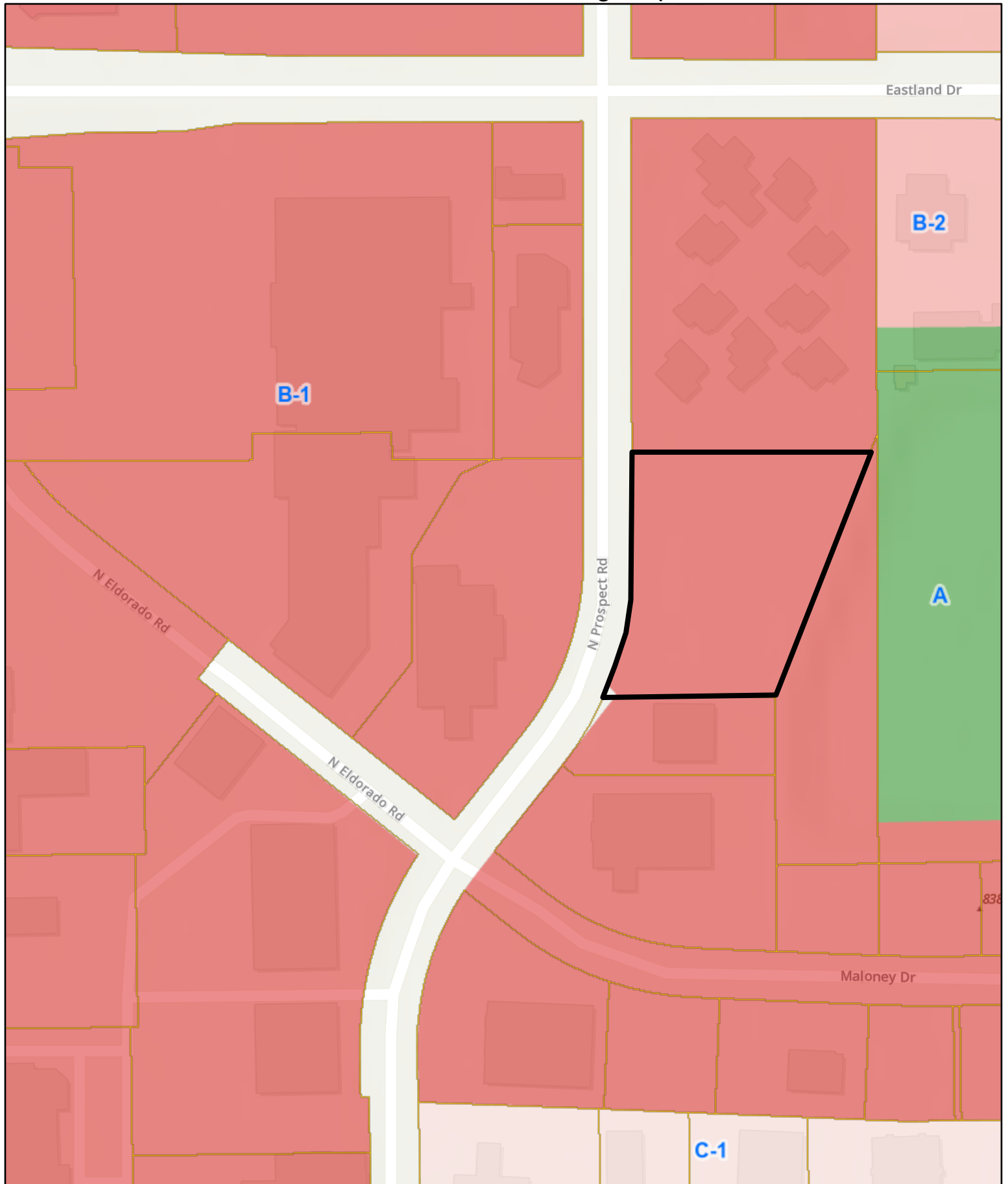
- Draft ordinance
- Aerial map
- Zoning map
- Neighborhood notice and map



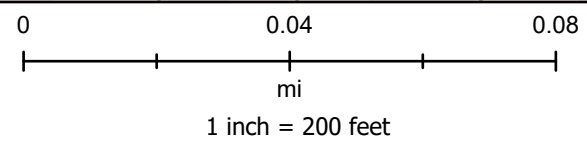
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1 inch = 200 feet





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Staff reviewed the list of individuals registered to speak and identified that all of them were still present on the virtual meeting.

D. Z-27-21 Public Hearing, review and action on a petition submitted by David K. Stark on behalf of Stark Excavating, Inc. and Interchange City West, LLC requesting a zoning map amendment for property generally located south of Enterprise Dr and west of Maple Hill Rd in the City of Bloomington, from B-1 (General Commercial) District, to R-3A (Multiple-Family Residence) District. (PIN: 14-31-401-003). (Ward 7)

City Staff Jon Branham, presented the staff report, indicated all standards have been met and concluded with a recommendation for approval.

Chairperson Mohr stated the adjacent properties were previously approved to be rezoned. Staff indicated this was correct. Staff indicated the case rezoning the adjacent properties has only been recommend for approval and has not been approved by City Council.

The Commission had no questions for staff.

David Armstrong (207 W Jefferson St, Suite 400, Bloomington, IL) spoke as a representative on behalf of the applicant. Mr. Armstrong thanked the Commission for reestablishing quorum. Mr. Armstrong highlighted that the petition is in the best interest of the public and not in the sole interest of the applicant. There were no questions for Mr. Armstrong from the Commission.

There was no public testimony.

Motion to establish finding of facts was made by Mr. Muncy and was seconded by Mr. Danenberger. A Roll Call vote was taken. Mr. Stanczak - Yes, Mr. Danenberger - Yes, Mr. Sant-Amour - Yes, Mr. Muncy - Yes, Mr. Galpalli - Yes, Chair Mohr - Yes. The motion was approved (6-0-0).

Motion to recommend approval of rezoning to City Council was made by Mr. Muncy and was seconded by Mr. Danenberger. A Roll Call vote was taken. Mr. Stanczak - Yes, Mr. Danenberger - Yes, Mr. Sant-Amour - Yes, Mr. Muncy - Yes, Mr. Galpalli - Yes, Chair Mohr - Yes. The motion was approved (6-0-0).

E. Z-28-21 Public Hearing, review and action on a petition submitted by Brent Alsman requesting a zoning map amendment for the property located at 205 N Prospect Rd from B-1 (General Commercial) District, to R-3B (Multiple-Family Residence) District. (PIN: 21-02-253-017). (Ward 8)

City Staff, Jon Branham, presented the case. All standards have been met and recommends approval. There were no questions for staff from the Commission.

David Armstrong (207 W Jefferson St, Suite 400, Bloomington, IL) spoke as a representative on behalf of the applicant. Mr. Armstrong asked the Commission to make a motion to approve the rezoning as the petition is in the best interest of the public and not in the sole

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MEETING MINUTES

PUBLISHED BY THE AUTHORITY OF THE PLANNING COMMISSION OF BLOOMINGTON, ILLINOIS

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interest of the applicant.

Chairperson Mohr asked Mr. Armstrong if the property has always been vacant. Mr. Armstrong stated that was correct.

There was no public comment.

The only discussion had by the Commission was made by Chairperson Mohr when he stated how suited the site would be for residential development given the adjacent amenities and how the proximity would allow the residents to walk or bike to them.

Motion to establish finding of facts was made by Mr. Muncy and was seconded by Mr. Danenberger. A Roll Call vote was taken. Mr. Stanczak - Yes, Mr. Danenberger - Yes, Mr. Sant-Amour - Yes, Mr. Muncy - Yes, Mr. Galpalli - Yes, Chair Mohr - Yes. Vote - 6-0. Passed

Motion to recommend approval of rezoning to City Council was made by Mr. Muncy and was seconded by Mr. Danenberger. A Roll Call vote was taken. Mr. Stanczak - Yes, Mr. Danenberger - Yes, Mr. Sant-Amour - Yes, Mr. Muncy - Yes, Mr. Galpalli - Yes, Chair Mohr - Yes. Vote - 6-0. Passed

- F. **PS-05-21** Public hearing, review and action on a petition Submitted by David P. Brown, Agent for Property owner Terra, LLC (1904 Longwood Lane, Bloomington, IL 61704) requesting an Amended Preliminary Plan for a Portion of Hawthorne Commercial Park. (PINs: 15-31-276-026, 15-31-278-001 and 15-31-278-003). (Ward 3)

City Staff, Glen Wetterow, presented the case. All standards have been met and recommends approval. There were no questions for staff from the Commission.

The petitioner, David Brown (505 N Main St, Bloomington IL) representing Terra LLC spoke on the case. He stated the purpose of the preliminary plan as to serve as an assurance of infrastructure. Mr. Wetterow stated that Public Works had reviewed the preliminary plan and had approved the plan based upon their review criteria.

There was no public comment.

Chairperson Mohr asked to clarify why the standards of Chapter 24 were being applied. Mr. Wetterow stated Chapter 24 is the portion of the City's Code that regulated subdivision. Mr. Mohr asked if the relevant standards were pulled from this section. Mr. Wetterow stated yes the standards present are the general standards all subdivisions are to be reviewed under.

Motion to establish finding of facts was made by Mr. Muncy and was seconded by Mr. Danenberger. A Roll Call vote was taken. Mr. Stanczak - Yes, Mr. Danenberger - Yes, Mr. Sant-Amour - Yes, Mr. Muncy - Yes, Mr. Galpalli - Yes, Chair Mohr - Yes. The motion was approved (6-0-0).

Motion to recommend approval of the preliminary plan to City Council was made by Mr. Stanczak and was seconded by Mr. Muncy. A Roll Call vote was taken. Mr. Stanczak - Yes, Mr.

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MEETING MINUTES

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CONSENT AGENDA ITEM NO. 7.L

FOR COUNCIL: February 14, 2022

SPONSOR: Economic & Community Development Department

WARD IMPACTED: Ward 7

SUBJECT: Consideration and action on an Ordinance Approving a Zoning Map Amendment from B-1 (General Commercial) District, to R-3A (Multiple-Family Residential) District, for the Property Generally Located South of Enterprise Drive and West of Maple Hill Road (PIN: 14-31-401-003) 0.23 Acres More or Less, as requested by the Economic & Community Development Department.

RECOMMENDED MOTION:

The proposed Ordinance be approved.

STRATEGIC PLAN LINK:

- Goal 5. Great Place - Livable, Sustainable City
- Goal 4. Strong Neighborhoods

STRATEGIC PLAN SIGNIFICANCE:

- Objective 5b. City decisions consistent with plans and policies
- Objective 4c. Preservation of property/home valuations

BACKGROUND: The petitioner, David K. Stark on behalf of Stark Engineering, Inc. and Interchange City West, LLC is requesting approval of a zoning map amendment for properties generally located south of Enterprise Dr. and west of Maple Hill Rd. in the City of Bloomington, from B-1 (General Commercial) District, to R-3A (Multiple-Family Residence) District.

On Wednesday, January 19, 2022, the Planning Commission held a public hearing and voted 6-0-0 to recommend approval of the request to rezone the subject property from the B-1 (General Commercial) District to R-3A (Multiple Family Residence) District. The recommendation is consistent with the staff recommendation.

For more detailed information, please see the attached Staff Report to the Planning Commission and draft meeting minutes.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Planning Commission held a public hearing on Wednesday, January 19th, 2021. The City published notice of the hearing in *The Pantagraph* on Monday, December 20, 2021. Courtesy notices were mailed to 8 property owners within 500 feet of the subject property. City staff placed a large metal notification sign on the property. The applicant spoke in favor of the petition.

FINANCIAL IMPACT: The proposed map amendment will allow for investment and redevelopment of vacant property adding to the City's tax base and potentially increasing future revenues for the City.

COMMUNITY DEVELOPMENT IMPACT: The 2035 Comprehensive Plan's Future Land Use map identifies this section of Enterprise Dr and Maple Hill Rd as new neighborhood under emerging areas. The Land Use Priorities map does not identify this area as a priority area. The proposed map amendment promotes the following goals and objectives of the Bloomington Comprehensive Plan: N-1.5. Promote creation of connected neighborhoods, focused on people, rather than isolated subdivisions in the Emerging areas. N-1.5a Proactively develop sub-area plans for the emerging areas guided by the land use plan. H-1.1 Ensure that the housing to accommodate the new growth is a broad range (of type, size, ages, densities, tenancies, and costs) equitably distributed throughout the City recognizing changing trends in age-group composition, income, and family-habits. N1-1. Enhance the livability of all Bloomington Neighborhoods.

Respectfully submitted for Council consideration.

Prepared by: Glen Wetterow, City Planner

Reviewed by:

Kimberly Smith

Kimberly Smith, Asst Economic & Community Development Director

2/2/2022



Melissa Hottel, Economic and Community Development Director

2/3/2022



Chris Tomerlin, Budget Manager

2/4/2022

George Boyle

George Boyle, Assistant Corporation Counsel

2/7/2022



Tara Henry, Legislative Assistant & Records Manager

2/9/2022

Attachments:

- E&CD 4B Ordinance Z-27-21
- E&CD 4C Staff Report Z-27-21
- E&CD 4D Aerial Map Z-27-21
- E&CD 4E Zoning Map Z-27-21
- E&CD 4F Z-27-21 DRAFT PC Minutes

ORDINANCE NO. 2022 - _____

AN ORDINANCE APPROVING A ZONING MAP AMENDMENT FROM B-1 (GENERAL COMMERCIAL) DISTRICT, TO R-3A (MULTIPLE-FAMILY RESIDENTIAL) DISTRICT, FOR THE PROPERTY GENERALLY LOCATED SOUTH OF ENTERPRISE DRIVE AND WEST OF MAPLE HILL ROAD (PIN:14-31-401-003) 0.23 ACRES MORE OR LESS

WHEREAS, there was heretofore filed with the Economic and Community Development Department of the City of Bloomington, McLean County, Illinois, a petition requesting to rezone the property commonly described as zero and twenty-three hundredths of an acre generally located south of Enterprise Drive and west of Maple Hill Road (PIN:14-31-401-003) legally described in Exhibit "A" and hereinafter referred to as "Property," which is attached hereto and made part hereof by this reference; and

WHEREAS, the Bloomington Planning Commission, after proper notice was given, conducted a public hearing on said petition to rezone the Property from B-1 (General Commercial) District to R-3A (Multiple-Family Residence) District and adopted findings of fact on the same; and

WHEREAS, the Bloomington Planning Commission found the requested rezoning to be in the public interest and not solely for the benefit of the applicant, using the standards and objectives of the City Code as set forth in Chapter 44 Division 17-6; and

WHEREAS, following said public hearing, the Planning Commission recommended approval of rezoning of the Property and zoning map amendment to R-3A (Multiple-Family Residence) District; and

WHEREAS, the City Council is authorized to adopt this Ordinance and approve the petition to rezone said Property.

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

1. The above recitals are incorporated into and made a part of this Ordinance as though fully set forth herein.
2. The Council hereby adopts the findings of fact made by the Planning Commission.
3. The petition requesting to rezone the property commonly described as zero and twenty-three hundredths of an acre generally located south of Enterprise Drive and west of Maple Hill Road (PIN:14-31-401-003) legally described in Exhibit "A" is hereby approved.
4. This Ordinance shall be in full force and effective as of the time of its passage and approval.

PASSED this 14th day of February 2022.

APPROVED this _____ day of February 2022.

CITY OF BLOOMINGTON

Mboka Mwilambwe, Mayor

ATTEST

Leslie Smith-Yocum, City Clerk

EXHIBIT A

Legal Description Tract III

A part of the SW¼ of Section 31, Township 24 North, Range 2 East of the Third Principal Meridian, City of Bloomington, McLean County, Illinois, more particularly described as follows: Commencing at the southeast corner of Interchange City West Subdivision in the Town of Normal, according to the Plat thereof recorded as Document No. 93-6665 in the McLean County Recorder of Deeds Office; thence N.89°-13'-45"W. 232.75 feet on the south line of said Interchange City West Subdivision, also being the south right of way line of Enterprise Drive to a point on the east line of the SW¼ of Section 31; thence S.00°-09'-26"E. 50.06 feet on the east line of the SW¼ of said Section 31 to the Point of Beginning; thence N.89°-34'-41"E. 96.08 feet to the west right of way line of Maple Hill Road as Conveyed to the Town of Normal in Warranty Deed recorded as Document No. 94-11150 and Correction Deed recorded as Document No. 94-19031 in said Recorder's Office; thence southwesterly on said west right of way line 156.44 feet on a non-tangential curve concave to the northwest having a central angle of 38°-08'-29", a radius of 235.00 feet and a chord of 153.57 feet bearing S.25°-38'-33"W. from the last described course; thence southwesterly on said west right of way line 43.86 feet on a reverse curve concave to the southeast having a central angle of 06°-03'-19", a radius of 415.00 feet and a chord of 43.84 feet bearing S.41°-41'-05"W. from the chord of the last described arc to a point on the east line of the SW¼ of said Section 31; thence N.00°-09'-26"W. 170.47 feet to the Point of Beginning containing 0.24 acres, more or less, with assumed bearings given for description purposes only.



PLANNING COMMISSION

TO: Planning Commission

FROM: Economic & Community Development Department

DATE: January 5, 2022

CASE NO: Z-27-21, Zoning Map Amendment

REQUEST: Public Hearing, review and action on a petition submitted by David K. Stark on behalf of Stark Excavating, Inc. and Interchange City West, LLC requesting a zoning map amendment for property generally located south of Enterprise Dr and west of Maple Hill Rd in the City of Bloomington, from B-1, General Commercial District, to R-3A, Multiple-Family Residence District.

BACKGROUND

Petitioners' request:

The petitioner seeks to rezone the subject property from B-1, (General Commercial) District, to R-3A, (Multiple-Family Residence) District to allow for the construction of multi-family dwelling units on the property. Amendments to the Zoning Code in 2019 resulted in residential uses not being permitted in the B-1 (General Commercial) District. This property is adjacent to property that was recently rezoned under case Z-21-21. This property was not identified in the rezoning of those properties and should have been included.

Notice:

The application was filed in conformance with applicable procedural and public notice requirements. Notice was published in *The Pantagraph* on Monday, November 22, 2021. Courtesy notices were mailed to 8 property owners within 500 feet of the subject property.

The application was originally submitted for the December 8, 2021, Planning Commission meeting. Because there was no quorum for the meeting, as a courtesy, notice was published again in the *The Pantagraph* on Monday, December 20, 2021. Courtesy notices were remailed to 8 property owners within 500 feet of the subject property.

Property Characteristics:

The subject property consists of 0.23 acres of land generally located south of Enterprise Dr and west of Maple Hill Rd in the Western region of the City of Bloomington. The property lies just to the west of Interstate 55 and south of Crossroads Center. The property is currently vacant. The properties to the north, west and south are zoned B-1, (General Commercial) District.

The property to the east is zoned C-1 (Office) District and the property located to the Southeast which is zoned R1-C (Single-Family Residence) District.

Surrounding Zoning and Land Uses:

Zoning		Land Uses
North	B-1	Crossroads Center
South	B-1	Apartment Buildings
East	C-1	Vacant
West	B-2	Movie Theater (Marcus)

ANALYSIS

*Comparison of Existing and Proposed Districts**

B-1 General Commercial District The intent of this B-1 General Commercial District is to facilitate the development of community and regional commercial areas. Customers in this district will generally use a motor vehicle to reach a desired establishment. The development contemplated in this district has such distinguishing characteristics as unified site planning and development that promotes a safe and conducive atmosphere for large volumes of shoppers; site accessibility such that the high volumes of traffic generated create minimal congestion and adverse impact upon surrounding land use; and unified architectural treatment of buildings rather than an assemblage of separate, conflicting store and structural types.	R-3A Multiple-Family Residence District The intent of R-3A zoning is to facilitate the development of residential districts for primarily multiple-family dwelling units which may generally serve as a zone of transition between nonresidential districts and residential districts of more moderate density. This district is further intended to provide for the needs of persons desiring multiple-family dwelling units at densities from 12 to 29 dwelling units per acre.
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*A list of permitted uses for commercial districts and residential districts can be found online in [5-2](#) and in [4-2](#) respectively.

Compliance with the Comprehensive Plan

Rezoning requests should be consistent with the Comprehensive Plan designation. The 2035 Comprehensive Plan's Future Land Use map identifies this section of Enterprise Dr and Maple Hill Rd as new neighborhood under emerging areas. The Land Use Priorities map does not identify this area as a priority area.

The proposed R-3A zoning map amendment supports the following Comprehensive Plan goal:

- N-1.5. Promote creation of connected neighborhoods, focused on people, rather than isolated subdivisions in the Emerging areas.
 - N-1.5a Proactively develop sub-area plans for the emerging areas guided by the land use plan.
- H-1.1 Ensure that the housing to accommodate the new growth is a broad range (of types, sizes, ages, densities, tenancies and costs) equitably distributed throughout the city recognizing changing trends in age-group composition, income, and family living habits.
- Goal N1-1. Enhance the livability of all Bloomington Neighborhoods

STANDARDS FOR REVIEW

As indicated in Ch. 44, 17-6 Zoning Map (rezoning) and text amendments, the Planning Commission shall be guided by those purposes, standards, and objectives of this Code and shall not recommend the adoption of any amendment unless it finds that such amendment is in the public interest and not solely for the benefit of the applicant.

Standards for Consideration of Rezoning

Standard	Discussion	Finding
<i>The suitability of the subject property for uses authorized by the existing zoning.</i>	Uses permitted within the B-1 General Commercial District are primarily oriented to commercial uses accessed by motor vehicle. Multi-family development is not permitted by the current version of the City's Code of Ordinances, but prior versions did allow multi-family development in the B-1 zoning District.	Standard is met.
<i>The length of time the property has remained vacant as zoned considered in the context of land development in the area.</i>	The property has remained vacant for many years. County property tax records indicate the properties have been vacant from at least 2001.	Standard is met.
<i>The suitability of the subject property for uses authorized by the proposed zoning.</i>	The intent of R-3A Multiple-Family Residence District is to facilitate the development of residential districts for primarily multiple-family dwelling units which may generally serve as a zone of transition between nonresidential districts and residential districts of more moderate density. The proposed multi-family dwelling units meet this criteria.	Standard is met.
<i>The existing land uses and zoning of nearby property.</i>	Commercial zoning predominates in the area immediately surrounding the subject property. Nearby uses consist of a mix of commercial and residential (apartments) uses. Much of the neighboring commercial property has a residential use on it.	Standard is met.
<i>Relative gain or hardship to the public as contrasted and compared to the hardship or gain of the individual property owner resulting from the approval or denial of the zoning amendment application.</i>	If the zoning map amendment is granted, the applicant would be able to develop the site in a manner that allows for the creation of multi-family housing. The City of Bloomington is currently experiencing a housing shortage. All forms of housing are needed at this time.	Standard is met.
<i>The extent to which adequate streets are connected to the arterial street system and are available or can be reasonably supplied to serve the uses permitted in the proposed zoning classification.</i>	The site has access to both Enterprise Dr and Maple Hill Rd.	Standard is met.
<i>The extent to which the proposed amendment is inconsistent with the need to minimize flood damage and that the development of the subject property for the uses permitted in the proposed zoning classification will not have a substantial detrimental effect on the drainage patterns in the area.</i>	Any construction that will occur on the site will be done under the approval of the City's Public Works department. The petitioner has retained an engineering firm which has done stormwater calculations and determined there is a need for an additionally detention basin. This basin will be created when the development of the property commences.	Standard is met.
<i>The extent to which adequate services (including but not</i>	The site is currently served by existing watermains and sewer connections, as well as fire and police protection.	Standard is met.

<i>limited to fire and police protection, schools, water supply, and sewage disposal facilities) are available or can be reasonably supplied to serve the uses permitted in the proposed zoning classification.</i>		
<i>The extent to which the proposed amendment is consistent with the public interest, giving due consideration for the purpose and intent of this Code as set forth in § 44-1701 herein.</i>	The map amendment is intended to facilitate use of underutilized properties, providing a net benefit to the area. Additionally, the proposed use represents much needed housing.	Standard is met.
<i>The extent to which property values are diminished by the particular zoning restriction.</i>	The zoning restrictions will not diminish the property values. The property values are likely to go up as this property been vacant for a number of years.	Standard is met.
<i>The extent to which the destruction of property values promotes the health, safety, morals, or general welfare of the public.</i>	The proposed rezoning and use are not anticipated to diminish property values in the area.	Standard is met.
<i>Whether a Comprehensive Plan for land use and development exists, and whether the ordinance is in harmony with it.</i>	The Comprehensive Plan's Future Land Use map identifies the subject properties as an emerging area for new neighborhoods. The Land Use Priorities map does not directly call this area out. This type of development in this area is both desired and prioritized.	Standard is met.
<i>Whether the City needs the proposed use.</i>	It has been identified that the City of Bloomington has a housing shortage. The proposed use will aid in reducing this shortage. Additionally, the City's Comprehensive Plan calls out the need for diverse housing options which the proposed use will provide.	Standard is met.

STAFF RECOMMENDATION

Staff finds that the application meets all the standards for a zoning map amendment and recommends that the Planning Commission take the following actions:

1. Motion to establish findings of fact that the proposed map amendment is in the public interest and not solely for the benefit of the petitioner.
2. Motion to recommend approval of the petition submitted by by David K. Stark on behalf of Stark Excavating, Inc. and Interchange City West, LLC requesting a zoning map amendment for property generally located south of Enterprise Dr and west of Maple Hill Rd in the City of Bloomington, from B-1, General Commercial District, to R-3A, Multiple-Family Residence District. PIN: 14-31-401-003. (Ward 7)

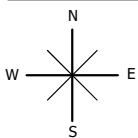
Respectfully submitted,

Glen Wetterow
City Planner

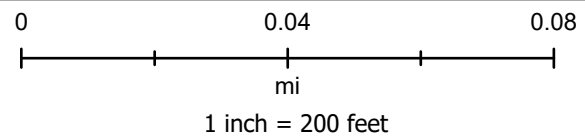
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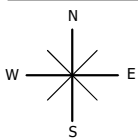
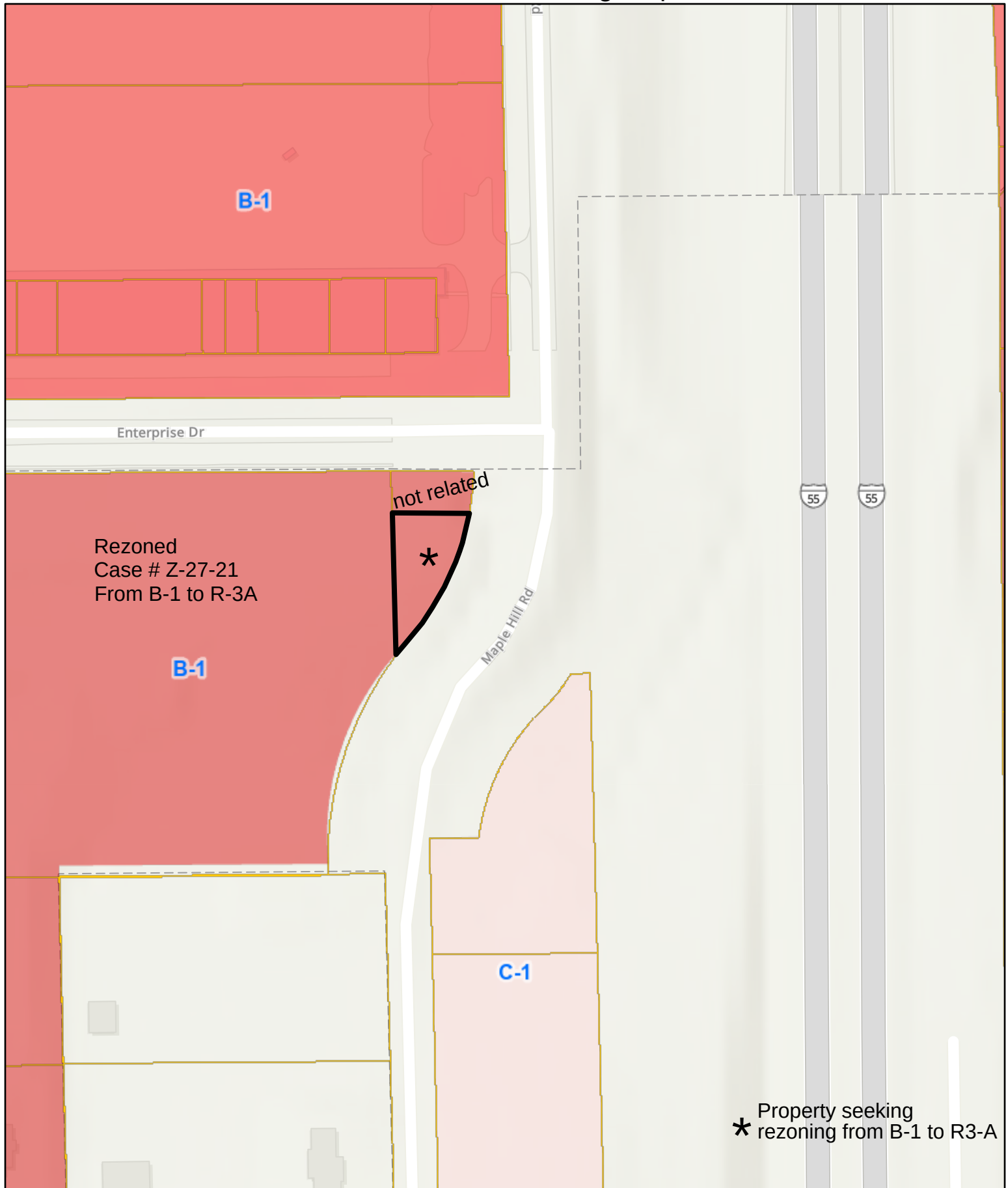
- Draft ordinance

- Aerial map
- Zoning map
- Neighborhood notice and map



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1 inch = 200 feet



Staff reviewed the list of individuals registered to speak and identified that all of them were still present on the virtual meeting.

D. Z-27-21 Public Hearing, review and action on a petition submitted by David K. Stark on behalf of Stark Excavating, Inc. and Interchange City West, LLC requesting a zoning map amendment for property generally located south of Enterprise Dr and west of Maple Hill Rd in the City of Bloomington, from B-1 (General Commercial) District, to R-3A (Multiple-Family Residence) District. (PIN: 14-31-401-003). (Ward 7)

City Staff Jon Branham, presented the staff report, indicated all standards have been met and concluded with a recommendation for approval.

Chairperson Mohr stated the adjacent properties were previously approved to be rezoned. Staff indicated this was correct. Staff indicated the case rezoning the adjacent properties has only been recommend for approval and has not been approved by City Council.

The Commission had no questions for staff.

David Armstrong (207 W Jefferson St, Suite 400, Bloomington, IL) spoke as a representative on behalf of the applicant. Mr. Armstrong thanked the Commission for reestablishing quorum. Mr. Armstrong highlighted that the petition is in the best interest of the public and not in the sole interest of the applicant. There were no questions for Mr. Armstrong from the Commission.

There was no public testimony.

Motion to establish finding of facts was made by Mr. Muncy and was seconded by Mr. Danenberger. A Roll Call vote was taken. Mr. Stanczak - Yes, Mr. Danenberger - Yes, Mr. Sant-Amour - Yes, Mr. Muncy - Yes, Mr. Galpalli - Yes, Chair Mohr - Yes. The motion was approved (6-0-0).

Motion to recommend approval of rezoning to City Council was made by Mr. Muncy and was seconded by Mr. Danenberger. A Roll Call vote was taken. Mr. Stanczak - Yes, Mr. Danenberger - Yes, Mr. Sant-Amour - Yes, Mr. Muncy - Yes, Mr. Galpalli - Yes, Chair Mohr - Yes. The motion was approved (6-0-0).

E. Z-28-21 Public Hearing, review and action on a petition submitted by Brent Alsmann requesting a zoning map amendment for the property located at 205 N Prospect Rd from B-1 (General Commercial) District, to R-3B (Multiple-Family Residence) District. (PIN: 21-02-253-017). (Ward 8)

City Staff, Jon Branham, presented the case. All standards have been met and recommends approval. There were no questions for staff from the Commission.

David Armstrong (207 W Jefferson St, Suite 400, Bloomington, IL) spoke as a representative on behalf of the applicant. Mr. Armstrong asked the Commission to make a motion to approve the rezoning as the petition is in the best interest of the public and not in the sole

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MEETING MINUTES

PUBLISHED BY THE AUTHORITY OF THE PLANNING COMMISSION OF BLOOMINGTON, ILLINOIS

WEDNESDAY, JANUARY 19, 2022



CONSENT AGENDA ITEM NO. 7.M

FOR COUNCIL: February 14, 2022

SPONSOR: City Clerk Department

WARD IMPACTED: Ward 3

SUBJECT: Consideration and action on a Change of Ownership Application for Tailwind BMI, LLC, d/b/a Tailwind News & Deli, located at 3201 CIRA DR., Unit 112, who holds a Class RAS (Restaurant, All Type of Alcohol, Package and Sunday Sales) Liquor License, as requested by the City Clerk Department.

RECOMMENDED MOTION:

The proposed Change of Ownership be approved.

STRATEGIC PLAN LINK:

-Goal 5. Great Place - Livable, Sustainable City

STRATEGIC PLAN SIGNIFICANCE:

-Objective 5d. Appropriate leisure and recreational opportunities responding to the needs of residents

BACKGROUND: Tailwind BMI, LLC, Applicant, which is currently located at 3201 CIRA DR., Unit 112, has requested a change in ownership of Tailwind BMI, LLC, who holds a Class RAS (Restaurant, All Type of Alcohol, and Sunday Sales) Liquor License. The letter from Gray Robinson Attorneys at Law (attached) details the change in the corporate ownership of the establishment. There are no anticipated changes in management or operations of the business.

The Applicant appeared before the Liquor Commission on February 8, 2022, where the Liquor Commission agreed to send the item to Council with a positive recommendation (draft minutes attached).

All license creations, amendments, or transfers are contingent upon compliance with all building, health, and safety codes.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: In accordance with City Code, on January 30, 2022, a public notice was published in *The Pantagraph* and 10 notices were mailed to properties adjacent to the applicant property.

FINANCIAL IMPACT: The current annual license fee for a Class RAS liquor license is \$3,300, which will be recorded in the Non-Departmental-Liquor Licenses account (10010010-51010). Stakeholders can locate this in the FY 2022 Budget Book titled "Budget Overview & General Fund" on page 132. It is also the establishment's responsibility to collect and pay all applicable taxes including State Sales Tax, Home Rule Tax, and Food and Beverage Tax.

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: Amanda Stutsman, Deputy Clerk

Reviewed by:



Leslie Yocum, City Clerk

2/10/2022



Chris Tomertin, Budget Manager

2/11/2022

Tim McCoy

Tim McCoy, Assistant Police Chief

2/11/2022



Melissa Hall, Economic and Community Development Director

2/11/2022

George Boyle

George Boyle, Assistant Corporation Counsel

2/11/2022



Tara Henry, Legislative Assistant

2/11/2022

Attachments:

- CLK 2B Clerk Memo_Tailwind BMI, LLC
- CLK 2C Change of Ownership Request_Tailwind BMI, LLC
- CLK 2D DRAFT 02-08-2022 LiqCom Minutes - Tailwind BMI, LLC

January 21, 2022

City Clerk Requirement Verification Memo

To: City Council Review

Re: Legal Name: Tailwind BMI, LLC

D/B/A Name: Tailwind Deli News & Gifts

Dear Reviewer,

The City Clerk Department has reviewed the application of the above-mentioned applicant's submission. The required documents below were reviewed and considered suitable.

- Articles of Organization
- Certificate of Good Standing with the State of Illinois
- A letter of lease extension valid through 12/31/2026
- Certificate of Liability Insurance (DRAM Shop) – 7/27/2021 to 7/27/2022
- Liquor Bond in the amount of \$2,000 - 10/27/2021 to 10/27/2022

The documents listed above are available for review upon request. If you have any questions or concerns, please feel free to reach out.

Respectfully,

Amanda Stutsman
Deputy City Clerk

ANNA M. WIAND


October 7, 2021

**VIA E-MAIL (astutsman@cityofblm.org)
AND FEDERAL EXPRESS STANDARD OVERNIGHT**

Amanda Stutsman, Licensing
City of Bloomington
109 E. Olive St.
Bloomington, Illinois 61701
(309) 434-2240

**Re: Notice of Ownership Change for Tailwind BMI, LLC d/b/a Tailwind Deli
News & Gifts**
3201 Cira Dr Post Security Ste 112, Bloomington, IL 61704
License number: 5110

Dear Ms. Stutsman:

GrayRobinson, P.A. and its *Nationwide Alcohol Industry Team* serve as alcohol regulatory compliance counsel to Palladin Consumer Retail Partners, LLC, a Boston-based private investment firm that focuses primarily on the retail and consumer products sectors in North America and Europe.

As demonstrated by the enclosed organizational charts, Palladin Consumer Retail Partners, LLC, through two limited partnerships, Tailwind Holdings I LP and Tailwind Holdings II LP, intends to acquire a majority ownership interest in Tailwind Concessions (“Tailwind”), an airport concessionaire specialized in providing full-service restaurants, bars, retail and gift shops in regional airports throughout the United States. The current owners of Tailwind will retain a significant ownership interest in Tailwind, and the management of Tailwind will not change. The transaction is expected to close by the end of October 2021.

For licensure and alcohol law compliance purposes, we are writing to you because Tailwind’s subsidiary, Tailwind BMI, LLC, is an alcohol beverage licensee in the City of Bloomington, and is included in the transaction.

October 7, 2021
Page 2

The transaction involves a stock purchase (rather than an asset acquisition), and does not disturb the corporate status of the downstream licensees themselves. Consequently, each of the current licensees will remain the same post-closing. Tailwind BMI, LLC will remain as the license holder in the City of Bloomington. As such, the FEIN, sales tax numbers, officer, and manager of Tailwind BMI, LLC will remain the same. However, the member of Tailwind BMI, LLC will change as shown on the enclosed organizational charts.

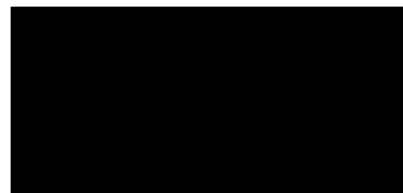
In order to assist with your review and record updates, enclosed please find charts depicting the original and updated organizational structure of Tailwind and its subsidiary licensees, and a press release regarding the transaction.

Please reply via e-mail to either me [REDACTED] or Hannah Becker [REDACTED] as soon as possible to confirm if your agency requires any additional filings as a result of the upstream changes, described above.

Thank you very much in advance for your cooperation and assistance.

Respectfully,

GRAYROBINSON, P.A.



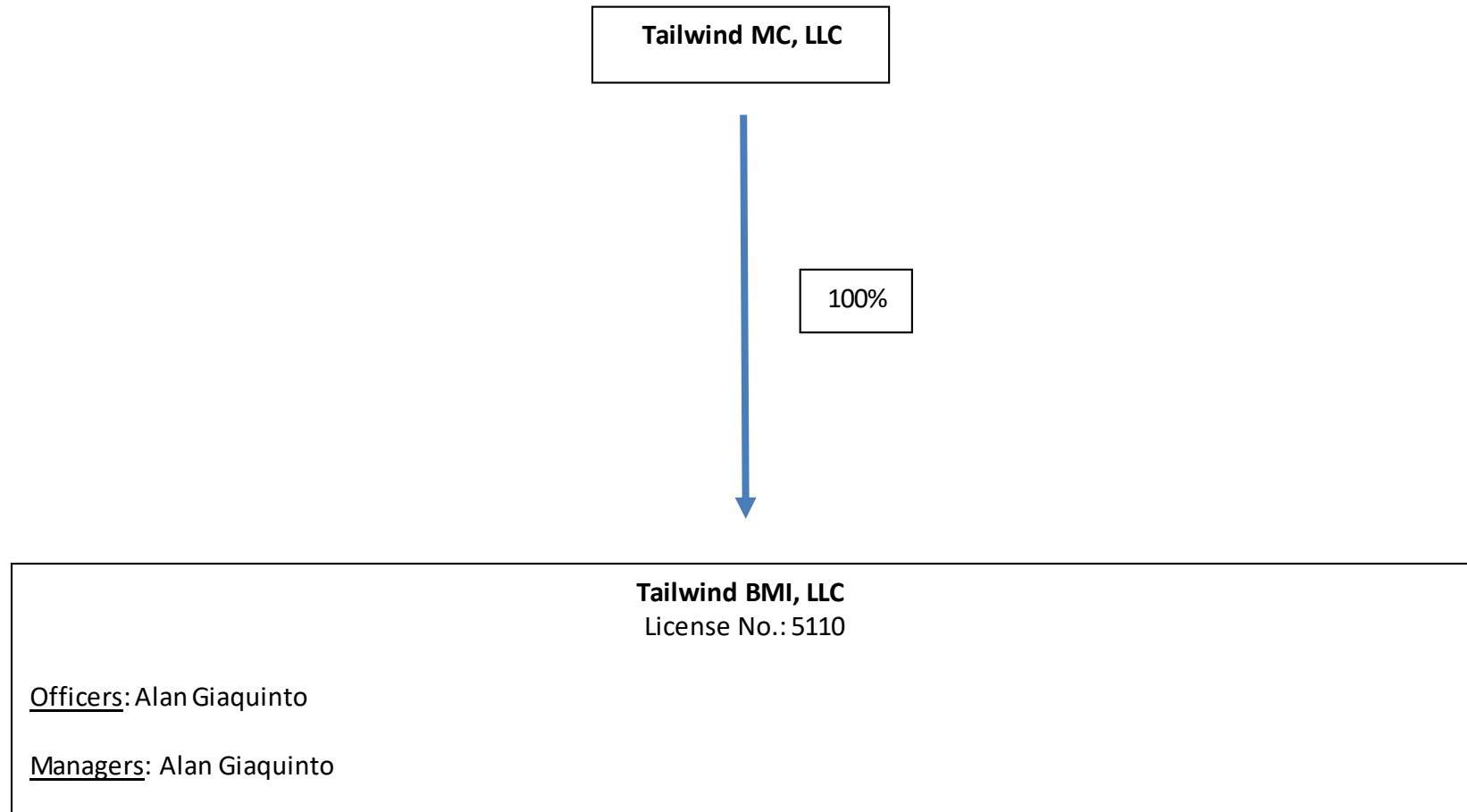
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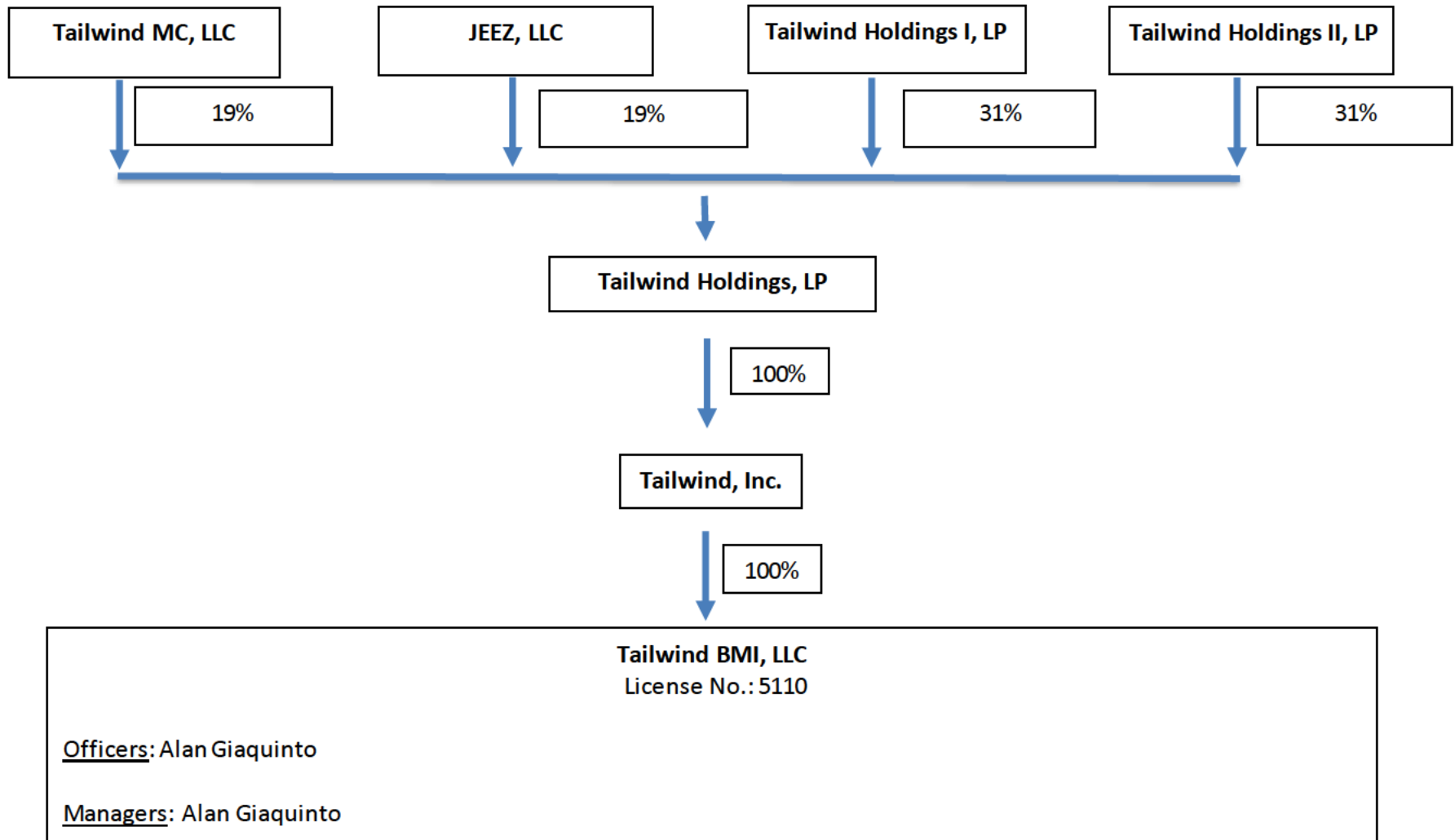
Enclosures

cc: Hannah Becker, esq.
John Thomas, esq.
Ashley Sadler, Licensing Specialist

Structure On File



Anticipated Post-Change Structure Chart



For Immediate Release



**PALLADIN CONSUMER RETAIL PARTNERS AND TAILWIND CONCESSIONS FORM
OPERATOR-DRIVEN PLATFORM**

Investment Provides Capital and Support for Growth and Acquisitions

Boston, MA and Wilmington, NC, October xx, 2021 - Palladin Consumer Retail Partners, LLC (“Palladin” or “PCRP”) (pcrp.com) announces the simultaneous acquisitions of Tailwind Concessions (“Tailwind” or the “Company”) (<https://www.tailwindconcessions.com/>) and Air Host, Inc. (<https://www.airhost.net/>) creating a leading airport concession platform throughout the United States.

Tailwind Concessions is a rapidly growing airport concessionaire specialized in providing full-service restaurants, bars, retail and gift shops in regional airports throughout the United States. Founded in 2001 by partners Alan Giaquinto and Jeffrey Switzer, Tailwind has grown its operational footprint to 28 non-hub primary and small hub airports located across 18 states. At the majority of Tailwind’s airports, the Company is the sole concessionaire providing premium service and high-quality food and beverages to a captive audience. In addition to striving for excellent customer service, Tailwind differentiates itself by providing unique, location-specific venues at each of its locations, meeting local tastes and needs, rather than implementing one brand across its network. Simultaneous with the closing, Tailwind and Palladin are acquiring Air Host, an airport concessionaire operating full-service restaurants, bars, retail and gift shops in seven other regional airports. Palladin contributed the capital for Tailwind to complete the acquisition of Air Host and rapidly expand the Company’s scale and footprint. Jeff Switzer, the CEO of Tailwind, will lead the combined companies post-closing as Tailwind continues to refine its offering and expand into new airports across the United States and internationally.

Palladin, founded in 1998, has partnered with numerous founders and management teams to expand their consumer and retail companies. The portfolio team led by Robert Fioretti, Managing Director, and Mark Schwartz, CEO, will work closely with the existing Tailwind team and Palladin operating partners providing marketing, financial, real estate, systems and other expertise to help expand the Tailwind Concession platform.

Jeff Switzer, CEO of Tailwind Concessions, said “We are excited to partner with Palladin as we grow our network and work with our airport partners to provide premium services to business and leisure travelers. The additional capital and operational resources will help to strengthen the leading services, product offerings and support that are the hallmark of our Company.”

Mark Schwartz, CEO of Palladin, added, “We are excited to partner with Jeff and his team who are highly respected in the industry. They are a very experienced group building a strong brand and dedicated to serving the needs of regional airports and their customers. We are confident that, with additional capital and resources, we can work well together to significantly expand the Tailwind platform.”

Rob Fioretti, Managing Director of Palladin commented, “The experience of the management team and their commitment to employees and customer service provide an excellent foundation for growth and development. We look forward to working with the team and growing Tailwind both organically and through acquisitions.”

Advisors to Palladin included Latham & Watkins, LLP, Morgan Lewis & Bockius, LLP and Gray Robinson, PA for legal services, Crowe, LLP for accounting, and Krauter & Company for insurance. The company was represented by Gussis and Alexander, LLC for legal services and Valtus Capital for financial advice. Air Host was advised by the Winchester Law Firm.

ABOUT PALLADIN CONSUMER RETAIL PARTNERS (PCRP)

Palladin Consumer Retail Partners is a private equity firm with extensive experience investing in and building leading consumer brands. Founded in 1998, the firm prides itself on working closely with management teams to create value through strategic and operational initiatives. Its principals have previously held CEO and other senior executive roles at several wholesale, retail, and related companies, and have invested in, financed, or managed over 100 public and private companies. Current and former investments include Leapfrog Brands, Decowraps, PB Metro, Splash Car Wash, KT Tape, Nic+Zoe, InMotion Entertainment, J. McLaughlin, Things Remembered, Restoration Hardware, Spencer Gifts, Jamba Juice, Worldlynx, Multi-Flow, and Kwik-Tek.

CONTACT:

TAILWIND CONCESSIONS

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PALLADIN CONSUMER RETAIL PARTNERS

Patricia Donnelly

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████████████████████

Item 5.A. Public Hearing and action on a Request for change in ownership of Tailwind BMI, LLC, d/b/a Tailwind News & Deli, located at 3201 CIRA DR., Unit 112, who holds a Class RAS (Restaurant, All Type of Alcohol, Package and Sunday Sales) Liquor License, as requested by the City Clerk Department.

Commissioner Mwilambwe opened the public hearing at 4:04 p.m.

Hannah Becker, Senior Associate with Grey-Robinson on behalf of Tailwind BMI, LLC, after being sworn, addressed the Commission. She explained that as a result of a recent transaction at the end of 2021, there was a change in ownership where Tailwind BMI, LLC was previously 100% owned by Tailwind MC, LLC but was now 100% owned by Tailwind Hospitality, Inc. She noted that Tailwind MC, LLC, remained part of the ownership structure but was now multiple tiers above. Ms. Becker stated that there was no change at the entity level with the exception of the addition of Jefferey Switzer who was now listed as the President, CEO and director of Tailwind BMI, LLC. She further explained that management and day-to-day operations would remain the same and that there would be no change to the way alcohol would be handled.

Commissioner Jordan had no questions and deferred to George Boyle, Assistant Corporation Council.

Mr. Boyle confirmed with Ms. Becker that Mr. Switzer had become the sole officer of Tailwind BMI, LLC. Ms. Becker confirmed. Mr. Boyle asked if Mr. Switzer was involved in the business prior to the change and if he would be involved in the day-to-day operations post-change. Ms. Becker responded that Mr. Switzer was involved prior to the change and that he managed multiple properties.

Mr. Boyle then asked if there would be any operational or management changes of the local establishment. Ms. Becker confirmed that there would not. Mr. Boyle then asked if Ms. Becker expected any further changes in local management or day-to-day operations. Ms. Becker responded that she did not expect any changes.

Tim McCoy, Assistant Chief of Police, and Chris McAlister, Building Official, had no questions or concerns.

Commissioner Mwilambwe asked if anyone would like to speak for or against the application.

Carl Olsen, Executive Director of Central Illinois Regional Airport Authority, after being sworn, addressed the Commission remotely. He spoke in favor of the application and noted the 12 years of successful partnership with Tailwind BMI, LLC at the airport. He stated that the Airport Authority supported the request.

Commissioner Mwilambwe closed the public hearing at 4:14 p.m.

Council Member Jordan made a motion, seconded by Council Member Mwilambwe, that the application be sent to Council with a positive recommendation.

Commissioner Mwilambwe directed the Clerk to call the roll, which resulted in the following:

AYES: Mwilambwe, Jordan

Motion carried.

REGULAR AGENDA



REGULAR AGENDA ITEM NO. 8.A

FOR COUNCIL: February 14, 2022

SPONSOR: Administration Department

WARD IMPACTED: City-Wide Impact

SUBJECT: "Mayor's Annual Address", presented by Mayor Mboka Mwilambwe, as requested by the Administration Department.

RECOMMENDED MOTION:

None; presentation only.

STRATEGIC PLAN LINK:

- Goal 5. Great Place - Livable, Sustainable City
- Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:

- Objective 5b. City decisions consistent with plans and policies
- Objective 1c. Engaged residents that are well informed and involved in an open governance process

BACKGROUND: Mayor Mboka Mwilambwe will present an overview of recent and upcoming accomplishments, activities, and plans.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: Tara Henry, Legislative Assistant & Records Manager

Reviewed by:


Billy Ryus, Deputy City Manager

2/9/2022


Tara Henry, Legislative Assistant

2/9/2022