



ZONING BOARD OF APPEALS - REGULAR SESSION
GOVERNMENT CENTER CHAMBERS, 4TH FLOOR, ROOM #400
115 E. WASHINGTON STREET, BLOOMINGTON, IL 61701
WEDNESDAY, JANUARY 17, 2024, 4:00 PM

1. Call to Order

2. Roll Call

3. 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 may register at cityblm.org/register at least 5 minutes before the start of the meeting.

4. Consent Agenda

Items listed on the Consent Agenda are approved with one motion; Items pulled from the Consent Agenda for discussion are listed and voted on separately.

- A. Review and approval of the minutes of the December 20, 2023, regular meeting of the Bloomington Zoning Board of Appeals. (Recommended Motion: Motion to accept the minutes, as presented.)

5. Regular Agenda

- A. SP-01-24 - Public hearing, review, and action on a request submitted by Glass America, for approval of a **Special Use Permit** for a Vehicle Repair & Service Use, in the B-1 (General Commercial) District for the property located at 1706 E. Hamilton Road (PIN: 21-15-179-006). (Recommended Motion: Motion to establish findings of fact that all standards for approval of a Special Use Permit are met, and to recommend **approval** of the request with no conditions.)

6. New Business

7. Adjournment

Individuals with disabilities planning to attend the meeting who require reasonable accommodations to observe and/or participate, or who have questions about the accessibility of the meeting, should contact the City's ADA Coordinator at 309-434-2468 or mhurt@cityblm.org.



REGULAR AGENDA ITEM NO. 4.A.

FOR ZONING BOARD OF APPEALS: January 17, 2024

WARD IMPACTED: City-Wide Impact

SUBJECT: Review and approval of the minutes of the December 20, 2023, regular meeting of the Bloomington Zoning Board of Appeals.

RECOMMENDED MOTION: Motion to accept the minutes, as presented.

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: N/A

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

Respectfully submitted for consideration.

Prepared by: Jon Branham

ATTACHMENTS:

[ZBA Minutes - 2023-12-20.pdf](#)



MINUTES
ZONING BOARD OF APPEALS - REGULAR SESSION
WEDNESDAY, DECEMBER 20, 2023, 4:00 PM

The Zoning Board of Appeals convened in regular session at 4:01 PM, December 20, 2023. Chair Straza called the meeting to order.

Roll Call

Attendee Name	Title	Status
Terry Ballantini	Vice Board Chair	Present
Michael Straza	Board Chair	Present
Ross Webb	Board Member	Present
Tim Foley	Board Member	Present
Zachary Zwaga	Board Member	Present
Nikki Williams	Board Member	Present
Victoria Harris	Board Member	Present

City Staff present included Jon Branham, City Planner; John Myers, Assistant City Planner; and George Boyle, Assistant Corporation Counsel.

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 may register at cityblm.org/register at least 5 minutes before the start of the meeting.

No public comment provided.

Consent Agenda

Items listed on the Consent Agenda are approved with one motion; Items pulled from the Consent Agenda for discussion are listed and voted on separately.

Vice Board Chair Ballantini made a motion, seconded by Board Member Harris, to approve the consent agenda as presented.

AYES: Vice Board Chair Ballantini; Board Chair Straza; Board Member Webb; Board Member Foley; Board Member Zwaga; Board Member Williams; Board Member Harris.
Motion carried (viva voce).

Item 4.A. Review and approval of the minutes of the November 15, 2023, regular meeting of the Bloomington Zoning Board of Appeals.

Regular Agenda

The following item was presented:

Item 5.A. V-14-23 - Public hearing, review, and action on a request submitted by Western Avenue Community Center (WACC) for approval of Variances to allow reduced off-street parking setbacks, reduced parking design standards, and reduced minimum parking lot landscaping requirements, for the properties located at 601 N. Western Avenue and 1210 W. Locust Street (PINs: 21-05-252-016 and 21-05-252-009) and reduced minimum off-street parking requirements for the property located at 600 N. Western Avenue (PIN: 21-05-251-035).

Mr. Branham presented the staff report and background on the request, with a recommendation for approval. He noted the variances include reduced off-street parking requirements, reduced parking design standards and setbacks, and reduced minimum parking lot landscaping requirements. He noted the variances are a part of a project to expand and renovate the existing Western Avenue Community Center (WACC). Mr. Branham discussed the proposed site plan, which includes removal of the existing park located north of the existing parking area, to create a larger parking area with a total of 69 spaces. He added that the Applicant is also working with Public Works on an alley vacation as part of the project. He noted the Applicant is proposing providing a fee-in-lieu related to on-site stormwater detention.

The Board asked staff for clarification of the fee-in-lieu item and if there could be stormwater issues for surrounding neighbors, specifically the property adjacent to the east.

Mr. Branham stated that the applicant and Public Works have been reviewing stormwater detention. He added that Public Works will conduct an analysis to ensure that stormwater issues do not affect the surrounding neighbors.

Board Member Foley asked about the timeline of the alley vacation and what would happen in the event the vacation is not approved.

Mr. Branham stated there is not an exact timeline and if it is not approved the project would likely be terminated. He stated the applicant is meeting with neighboring properties in the next few weeks to initiate that part of the discussion.

The Board asked if there has been any public opposition.

Mr. Branham responded that staff has not received any comments in opposition prior to the meeting.

Elizabeth Megli (115 W Jefferson St #400), Attorney on behalf of Applicant, provided further details on the request. She noted that the Applicant has been working on the project for an extended time and has been challenging due to limited room for the proposed expansion. She stated Western Avenue Community Center is a non-profit and

they have been working to maximize what the City requires, while ensuring the project is economically viable. She noted that most of the time the existing parking lot is not at full capacity, and the number of staff is limited - typically 2-3 full-timers and some volunteers. She stated that during times of overflow, there are currently oral agreements between the neighbors to accommodate parking. She also noted that most people who use the facility do not use individual vehicles as their primary mode of transportation. In addition, she discussed stormwater detention noting that if on-site stormwater detention is required then it would eliminate additional parking spaces and make the project economically infeasible.

Board Member Webb expressed concern about the park being removed.

Ms. Megli stated that there are nearby recreational facilities, and she noted that the current park was underutilized.

Mr. Branham noted that O'Neil Park is located within two blocks of the property.

Ms. Megli addressed the alley vacation stating that they are currently reviewing with Public Works and neighbors. She confirmed that in the event it is not approved, the project would be terminated.

Mr. Branham noted that currently the alley is not accessible by vehicles.

Board Chair Straza inquired about funding and timeline of expansion of the Community Center.

Ms. Megli stated that currently there are no fundraisers for the expansion due to its reliance on the current project. She noted that there are community members who have reached out that are interested in funding. She stated that the Community Center wanted the project approved before seeking funding.

Board Chair Straza closed the public hearing.

Vice Board Chair Ballantini expressed concerns about the extent of the parking variance.

Mr. Branham reviewed the required parking for the use. He noted that standards were related to maximum occupancy of the facility and highlighted the underutilized existing parking area.

Vice Board Chair Ballantini discussed ensuring that the Board is not granting an exception that others are not granted.

Board Chair Straza stated that he believed this is a unique case and that he still has concerns about stormwater management.

Mr. Branham reiterated that Public Works will still fully review the plans to ensure stormwater does not negatively impact surrounding neighbors.

Vice Chair Board Ballantini expressed concern that the variance for the setback item may negatively impact the neighbor directly east of the property. He reviewed the landscaping and fencing options.

Board Member Zwaga noted that the Board may be making assumptions. He stated that the Board should be encouraging these types of infill projects, because the Community Center is vital to the neighborhood.

Vice Chair Board Ballantini cautioned the precedent the case may have in the future.

Board Member Harris made a motion, seconded by Board Member Zwaga, to establish finding of face that the standards for approval of the Variances are met, that carrying out the strict letter of the Code does create a practical difficulty or particular hardship for the petitioner, and to approve the Variances with no conditions.

Roll call.

AYES: Board Chair Straza; Board Member Webb; Board Member Harris; Board Member Williams; Board Member Zwaga.

NAYES: Vice Board Chair Ballantini; Board Member Foley.

Motion passed.

New Business

None

Adjournment

The Meeting Adjourned at 4:36PM

CITY OF BLOOMINGTON

Michael Straza, Board Chair

Jon Branham, Staff Liaison



REGULAR AGENDA ITEM NO. 5.A.

FOR ZONING BOARD OF APPEALS: January 17, 2024

WARD IMPACTED: Ward 1

SUBJECT: SP-01-24 - Public hearing, review, and action on a request submitted by Glass America, for approval of a **Special Use Permit** for a Vehicle Repair & Service Use, in the B-1 (General Commercial) District for the property located at 1706 E. Hamilton Road (PIN: 21-15-179-006).

RECOMMENDED MOTION: Motion to establish findings of fact that all standards for approval of a Special Use Permit are met, and to recommend **approval** of the request with no conditions.

STRATEGIC PLAN LINK:

Goal 5. Great Place - Livable, Sustainable City

Goal 3. Grow the Local Economy

STRATEGIC PLAN SIGNIFICANCE:

Objective 5b. City decisions consistent with plans and policies

Objective 3a. Retention and growth of current local businesses

BACKGROUND: The Applicant seeks a Special Use Permit to allow a Vehicle Repair & Service Use in the B-1 (General Commercial) District, per § 44-502B.

- No waivers of Use Provisions are requested.
- The Applicant proposes to occupy a former Construction Services use into a Vehicle Sales & Service Use.
- Vehicular access will be provided via existing curb cut along Commerce Parkway.
- No exterior modifications to the property are proposed.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Notice was published in The Pantagraph on Tuesday, January 2, 2024. Courtesy notices were mailed to 10 property owners within 500 feet of the subject property.

FINANCIAL IMPACT: Growth of local tax base.

Respectfully submitted for consideration.

Prepared by: Jon Branham

ATTACHMENTS:

[SP-01-24 - Staff Report - 1706 E. Hamilton Rd.pdf](#)



ZONING BOARD OF APPEALS

TO: ZONING BOARD OF APPEALS

FROM: Economic & Community Development Department

DATE: January 17, 2024

CASE NO: SP-01-24, Special Use Permit for Vehicle Repair & Service

REQUEST: Public hearing, review, and action on a petition submitted by Glass America requesting approval of a Special Use Permit for a Vehicle Repair & Service Use in the B-1 (General Commercial) District, for the property located at 1706 E. Hamilton Road. PIN: 21-15-179-006.

BACKGROUND

Request:

The Applicant seeks a Special Use Permit to allow a Vehicle Repair & Service in the B-1 (General Commercial) District, per § 44-502B which indicates Vehicle Repair & Service may be permitted as Special Uses in the B-1 District. No waivers to Use Provisions are requested. The Applicant proposes to minimally modify the interior to accommodate the proposed use. There are no anticipated exterior modifications proposed for the property at this time. According to the Applicant, the property will be primarily utilized for vehicle windshield repair and replacement. Any servicing of vehicles would occur in the existing two service bays at the property.

Notice:

The application was filed in conformance with applicable procedural and public notice requirements. Notice was published in *The Pantagraph* on Tuesday, January 2, 2024. Courtesy notices were mailed to 10 property owners within 500 feet of the subject property.

ANALYSIS

Property Characteristics:

The subject property consists of 0.75 acres of land located near the intersection of E. Hamilton Road and Commerce Parkway. The structure on the property is currently vacant and was most recently occupied as a Construction Services Use. Neighboring properties contain a mix of commercial and manufacturing-type uses. An active railroad line is located directly to the rear of the subject property.

Surrounding Zoning and Land Uses:

Zoning		Land Uses
North	B-1 (General Commercial)	Office / Construction Services
South	County M-2 (General Manufacturing)	Railroad Property
East	M-1 (Restricted Manufacturing)	Construction Services
West	B-1 (General Commercial)	Vehicle Repair & Service

Description of Current Zoning District:

The B-1 (General Commercial) District is intended 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. (§ 44-501A).

Subject Code Requirements:

§ 44-502B, “Allowed Uses Table” indicates Vehicle Repair & Service permitted as a Special Use in the B-1 District.

§ 44-1034, Vehicle Repair and Service Use Provisions.

STANDARDS FOR REVIEW

The Zoning Board of Appeals (ZBA) shall hold at least one public hearing on any proposed Special Use and report to the Council its findings of fact and recommendations. Recommendations shall be made upon the determination that the Special Use meets all of the Standards of Approval listed in § 44-1707H and discussed below.

Special Use Permit for Vehicle Sales & Service in the B-1 (General Commercial) District.

1. **The establishment, maintenance, or operation of the Special Use will not be detrimental to or endanger the public health, safety, comfort, or general welfare.**

The establishment, maintenance, and operation of a Vehicle Repair & Service Use is appropriate for this location and will not be detrimental to the public health, safety, comfort, or general welfare of the other surrounding uses. ***Standard is met.***

2. **The Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.**

The designation on the City’s Future Land Use Map for this area is “Employment Center”; the proposed Special Use would not have a negative impact on other uses appropriate for within that designation. The Special Use would contribute to Goal ED-4 (Enhance the image of Bloomington as a business-friendly City), and Objective ED-4.2 (Prioritize infill and redevelopment to spur growth and reinvestment in the City) of the 2035 Comprehensive Plan. The proposed Special Use can be expected to maintain property values within the neighborhood by ensuring active occupancy and maintenance of the property. ***Standard is met.***

3. **The establishment of the Special Use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the zoning district.**

The proposed use is consistent with the character of other uses in the area. The uses adjacent to the site include a Vehicle Sales & Service Use and other compatible commercial or manufacturing-type uses. The addition of this Use does not result in a violation of § 44-1034A. ***Standard is met.***

4. Adequate utilities, access roads, drainage and/or necessary facilities have been or will be provided.

City water and sewer are already available to the property, roadway and sidewalk access is existing. ***Standard is met.***

5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

Ingress and egress are provided by an existing curb cut along Commerce Parkway. No exterior modifications are proposed with this request. Existing vehicle and parking standards on the surface lot at the site are also adequate and meet Code requirements. ***Standard is met.***

6. The Special Use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may be modified by the Council pursuant to the recommendations of the Board of Zoning Appeals.

The Use would be required to meet the standards for the District, including any provisions for bulk requirements, although no exterior modifications are proposed. No waivers are requested or provided as part of this Special Use Permit. ***Standard is met.***

STAFF RECOMMENDATION

Staff finds that the application ***meets*** all the standards for a Special Use Permit and recommends that the Zoning Board of Appeals take the following actions:

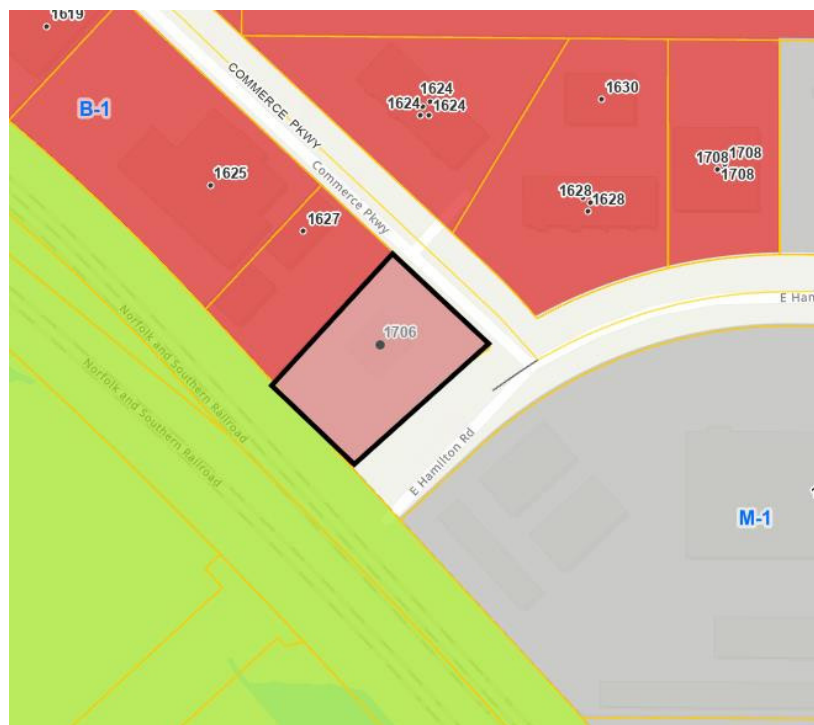
Motion to establish findings of fact that all ***standards for approval*** of a Special Use Permit ***are met***, and to ***recommend approval*** of the request with no conditions.

Respectfully submitted,
Jon Branham
City Planner

Attachments:

1. Zoning Map
2. Aerial Image
3. Ground-Level Views
4. Site Plan
5. Archival Site Plan (c. 1995)
6. Neighborhood notice map

Attachment 1 - Zoning Map



Attachment 2 - Aerial Image



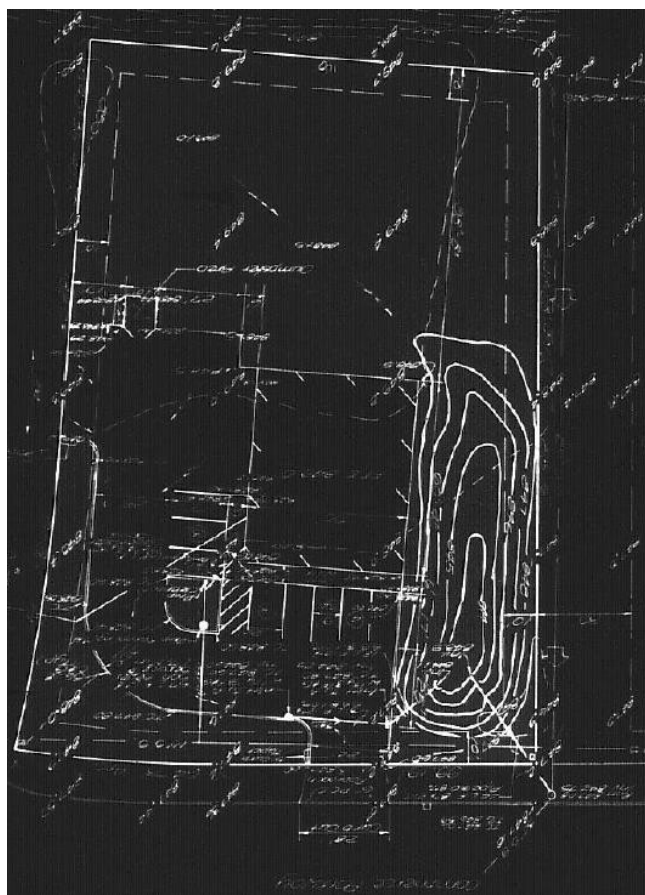
Attachment 3- Ground-Level Views



Attachment 4 - Site Plan



Attachment 5 - Archival Site Plan (c. 1995)



Attachment 6 - Neighborhood notice map

