MINUTES
BLOOMINGTON PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, JANUARY 14, 2015, 4:00 P.M.
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE STREET, BLOOMINGTON, ILLINOIS

MEMBERS PRESENT:	Mr. Balmer, Mr. Cain, Mr. Wills, Mr. Pearson, Mr. Scritchlow, Mr. Protzman, Mr. Stanczak
MEMBERS ABSENT:	Mr. Diamond, Mr. Cornell, Mr. Suess
OTHERS PRESENT:	Mr. Kevin Kothe, City Engineer Mr. Tom Dabareiner, Community Development Director Mr. Mark Woolard, City Planner
CALL TO ORDER:	Chairman Cain called the meeting to order at 4:02 P.M.
ROLL CALL:	Mr. Woolard called the roll. A quorum was present.
PUBLIC COMMENT:	None

MINUTES: The Commission reviewed the December 10, 2014 minutes. Mr. Pearson moved to approve the December 10, 2014, minutes as written. Mr. Balmer seconded the motion which passed by a vote of 7-0 with the following votes being cast on roll call: Mr. Scritchlow-yes; Mr. Pearson-yes; Mr. Cain-yes; Mr. Balmer-yes; Mr. Protzman-yes; Mr. Wills-yes; Mr. Stanczak-present; Mr. Diamond-absent; Mr. Cornell-absent; Mr. Suess-absent.

REGULAR AGENDA:
Z-01-15. Public hearing and review on the petition submitted by John G. Nottoli Land Trust requesting the approval of a Rezoning from M-1, Restricted Manufacturing District to B-2, General Business Service District for the property located north of Oakland Avenue, west of McClun Street and east of the Constitution Trail, consisting of approximately 2.2 acres.

Chairman Cain introduced the case. Mr. Woolard presented the staff report and described the adjacent land uses and zoning. He identified the location and stated there will be access to Oakland and McClun. He explained how the elevated Constitution Trail has a berm that buffers the industrial areas to the west. The area appears to be transitioning to less heavy industrial uses without the railroad. Mr. Woolard stated staff supports the request.

Mr. Scritchlow inquired about the notification process and stated he did not receive the notice. Mr. Woolard explained the process. There was discussion on the GIS system. Mr. Woolard stated he would review the process for accuracy.

Chairman Cain opened the public hearing. Ms. Carla Kimmell, Farnsworth Group, 301 West Washington, Pontiac, IL, was sworn in and stated this will be a good use of the land since it will be with other B-2 zoning districts to the north and east. She stated the site will have a Dollar

General store with entrances off Oakland and McClun. She said the property would have one building with parking and detention. She stated there was a small piece of their land to the north that they are considering transferring for an adjacent business.

Chairman Cain asked if there was anyone who would like to speak in favor. There was none.

Chairman Cain asked if there was anyone who would like to speak in opposition of the case. Steve Parker, 1314 Clinton Boulevard, Bloomington was sworn in and stated his business is located at 511 S. McClun which shares the lot line with the petitioner. Mr. Parker shared that he has owned this land for 35 years and is the sixth generation of Bloomington business owners. He said his great grandfather platted this land as part of the Parker Subdivision. He stated the Nottoli's have leased land to him in order to back their vans out of their space. He said the Dollar General makes good sense for the area's growth and supports the request. He stated he just needs vehicle access to his business property. Mr. Parker also mentioned that there may be other businesses in the same situation near the property lines.

Mr. Wills asked if Mr. Parker is against the rezoning. Mr. Parker stated he is absolutely not opposed to the change and is asking for a tweaking of the plan in order to accommodate area businesses. He said he is supports the Dollar General business as it will bring tax dollars to Bloomington. There was discussion regarding Mr. Parker's property layout and his easement lease with the Nottoli's.

Ms. Kimmell offered to take the idea of a gravel driveway back to the Nottoli's for consideration.

Chairman Cain asked if anyone would like to speak in opposition of the case and no one spoke.

Chairman Cain asked if there was anyone who would like to ask questions of the case. Mr. Rodney Phillips, 74 N 2100 E, Heyworth, was sworn in and stated he owns property at 503 S. McClun and expressed interest in access for his business. He stated that he is not opposed to the rezoning but he stated concern over adding traffic and wait time at the corner. He stated that he does not have a problem with the rezoning.

Chairman Cain stated the case is regarding the zoning change. He asked if the aforementioned site or development plan changes need to be resolved before action can be taken on the zoning change. Mr. Woolard stated the zoning change is based on the compatibility for the adjacent area. Mr. Dabareiner stated the focus needs to be only on the compatibility of zoning uses. The site plan is not yet officially approved for the Dollar General store. He said this site plan is irrelevant with regard to the commission's decision. The commission's focus is to consider the rezoning for the range of uses within the zoning district. Mr. Dabareiner stated the adjacent property access should not be the concern at this point. The site plan was only provided as evidence that building, parking and storm water could fit on the site, the decision was made to share the site plan even though it is not approved.

Mr. Pearson stated the family trust of five tracts affect the three people who are present which are Mr. Whiteside, Mr. Parker and Mr. Phillips. He stated it seems their buildings will be tremendously impacted by the owner's use of the property. There seems to be extra room for a drive from McClun and maybe a postponed decision would allow for the three business owners to meet with the developer to work through these issues.

Mr. Dabareiner explained it is illegal in the state of Illinois to condition a rezoning. The consideration is for the zoning of the property only, which may or may not be used for Dollar General. Mr. Dabareiner stated the commission needs to look at the zoning question only.

Chairman Cain invited Mr. Dabareiner to explain the process for this project going forward for the benefit of the present property owners. Mr. Dabareiner stated there is always encouragement for the neighboring property owners to work together to create that kind of interface. Chairman Cain stated the commission has always supported that process in the past. Mr. Dabareiner stated this was a good open forum so that everyone can hear concerns. He said Mr. Kothe and Mr. Woolard need to hear the information in order to understand their plan review, however the zoning decision is completely separate from the city's plan review.

Mr. Balmer stated the past zoning recommendations to the city council have included additional verbiage. He said in a previous case like this one, objections are already a matter of record because they have spoken in this public meeting. Mr. Dabareiner stated it can be included as a separate point, however it can not to be linked together.

Mr. Dabareiner said the previously stated neighbor issues and concerns are very relevant, but they are relevant to the site plan, not to the rezoning.

Chairman Cain asked if there was anyone who would like to speak in opposition of the case or ask questions. Mr. Kent Whiteside, 3625 N 400 E Road, McLean, was sworn in and stated he is learning much and thanked the commission for concern and future help. He stated he understood the zoning is separate from personal concerns. Mr. Whiteside stated that how he accesses his facility and does business is greatly affected by the surrounding Nottoli owned land. He said if they are a good neighbor, that is great, however what they do does affect the neighbors. Mr. Whiteside stated he appreciated all of the discussion.

Chairman Cain asked if there was anyone who would like to speak in favor or opposition of the petition or who had questions or comments and no one spoke. He closed the public hearing.

Mr. Protzman stated in the past there have been other issues brought into consideration, but if the only issue is to vote on is the zoning change, then it seems pretty straight forward.

Mr. Pearson stated he thought the case should be tabled for two weeks to give time for the owners to discuss the developers plan.

Chairman Cain stated past cases have been given the time to discuss and return to the commission.

Mr. Balmer acknowledged project issues still need to be worked out, however in terms of this petition, there doesn't seem to be anything needed other than a recommendation to forward this to the city council. He recommended that access issues be addressed as the plan moves forward.

Mr. Wills stated he saw no controversy regarding the rezoning. There was great public participation with concerns over the site plan. He said there is a contiguous businesses in the area and it is great to see the re-energizing of lots that are closer to the city interior. Mr. Wills stated he sees this as a great rezoning decision.

David Stanczak stated no one has questioned the propriety of the rezoning. He said he would like to see the site plan things worked out but it is pretty well set as far as the zoning is concerned.

Mr. Scritchlow stated the rezoning is pretty straight forward and no one has an issue with it. The property owners will need to discuss how to treat their property lines.

Mr. Balmer moved to recommend to City Council, for case Z-01-15, approving the parcel for rezoning from M-1 to B-2 and recommend to the city staff to consider adjacent business access as the plan moves forward. Mr. Wills seconded the motion which passed by a vote of 5 to 2 with the following votes being cast on roll call: Mr. Scritchlow-yes; Mr. Pearson-no; Mr. Cain-yes; Mr. Balmer-yes; Mr. Protzman-no; Mr. Wills-yes; Mr. Stanczak-yes; Mr. Diamond-absent; Mr. Cornell-absent; Mr. Suess-absent.

OLD BUSINESS: None

NEW BUSINESS: None

ADJOURNMENT: There being no further business to come to the Bloomington Planning Commission's attention, Mr. Balmer moved to adjourn the meeting. Mr. Scritchlow supported the motion which was approved unanimously. The meeting was adjourned at 4:54 p.m.

Respectfully submitted,

Mark Woolard, City Planner
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