

**MINUTES
ZONING BOARD OF APPEALS
REGULAR MEETING
WEDNESDAY, January 20, 2016, 4:03 P.M.
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE ST., BLOOMINGTON, IL**

Members present: Chairman Ireland, Mr. Briggs, Mr. Simeone, Mr. Bullington, Mr. Brown
Members absent: Mr. Kearney, Ms. Meek

Also present: Mr. Tom Dabareiner, Community Development Director
Mr. George Boyle, Assistant Corporation Counsel
Ms. Katie Simpson, City Planner

Mr. Dabareiner called the meeting to order at 4:03 p.m. and called the roll. With five in attendance, a quorum was present.

PUBLIC COMMENT: None

The Board reviewed the minutes from November 18, 2015 and accepted the minutes with modifications. Mr. Briggs noted two non-substantive changes. The minutes as amended were **approved** unanimously.

Chairman Ireland explained the meeting procedures. Mr. Dabareiner stated all items were properly published.

REGULAR AGENDA:

SP-06-15 Public hearing, consideration, review and approval of the petition submitted by Amerco Real Estate Company for: 1) A Special Use for a mini-warehouse under the Municipal Code 44.10-4. All for the property located at 1710 RT Dunn Dr. Zoned B-1, Highway Business District. (Ward 1).

Chairman Ireland noted that the two regular agenda cases are for a special use and for a variance for the same petitioner and location. He cautioned the petitioner to distinguish between the two cases as he makes his presentation. Aaron Freeman, U-Haul Corporation, 1032 Stevenson Drive, Springfield, was sworn in. Mr. Freeman explained he had a brief presentation about the business model for U-Haul which includes environmental sustainability, green buildings, a variety of energy conservation efforts, and extensive recycling of materials. He reviewed the site plan. In the future, it may include a propane distribution center, but this is not in the current proposal. U-Haul promotes truck sharing and these trucks have many sustainability components. Furthermore, the storage space allows a family to live in a more compact home. He described various programs that demonstrate U-Haul's reuse of recycled materials. Mr. Freeman described the proposed store with interior storage and some retail.

When asked by Chairman Ireland about the fence variance, Mr. Freeman noted that U-Haul is withdrawing Building B from the plan to help improve the case for a fence variance, since then all storage would be inside. He called Building B a "billboard" because it is sometimes hard for

people to recognize that there are interior, climate-controlled storage units. Mr. Bullington clarified that the petitioner is keeping the request for variance, but removing Building B from the plans; Mr. Freeman concurred. Mr. Dabareiner indicated that staff is willing to support the fence variance if Building B is withdrawn, as there would be no outdoor storage, which the code identifies as in need of visual protection and security. Mr. Briggs asked whether Building B was simply a sign or intended for storage; Mr. Freeman said the ten storage units in Building B would be available for use.

Mr. Simeone asked about the numbers of trucks on display. Mr. Freeman noted ten vehicles would likely sit in the front, along with equipment in the rear. Mr. Dabareiner noted that the proposal meets the City's parking requirements. Mr. Briggs added his desire that the U-Haul drop-off area would not become cluttered as seen at some thrift shops. No others spoke in favor or against the petition.

Mr. Dabareiner introduced Katie Simpson as the City's new City Planner. After providing some background about herself, Ms. Simpson presented staff's information about the case. She identified the various uses surrounding the property, show photos of and near the site, and presented the proposed site plan and concluded that the proposed use is compatible with the area. She added the desire for additional landscaping around the revised parking areas in the front parking lot. Mr. Dabareiner clarified that even without Building B, the nearby parking row would benefit from additional landscaped areas.

Mr. Dabareiner provided an overview on the variance request, noting that the recommendation will change given the removal of Building B. He reviewed the standards given the revised proposal and recommended in favor of granting the fence variance. Chairman Ireland clarified that staff's recommendation is that no perimeter fence is needed.

Chairman Ireland asked the petitioner if he had further comments. Mr. Freeman agreed to provide the additional landscaping as requested. Mr. Briggs clarified the security measures for access to the building versus the fence and security gate methods outlined in the code; Mr. Freeman provided an overview of their security system.

Chairman Ireland requested a roll call vote on the Special Use, noting that Building B is no longer part of the consideration. The motion was **approved** with five (5) voting in favor and none against with the following votes being cast on roll call: Mr. Brown—Yes; Mr. Bullington—Yes; Mr. Briggs—Yes; Mr. Simeone—Yes; Chairman Ireland—Yes.

Z-01-16 Public hearing, consideration, review and approval of the petition submitted by Amerco Real Estate Company for: 1) A variance not to install a fence where a six (6) foot fence is required for a mini-warehouse under the Municipal Code 44.10-4. All for the property located at 1710 RT Dunn Dr. Zoned B-1, Highway Business District. (Ward 1).

Chairman Ireland requested a roll call vote on the fence variance, noting that Building B is no longer part of the consideration. The motion was **approved** with five (5) voting in favor and none against with the following votes being cast on roll call: Mr. Brown—Yes; Mr. Bullington—Yes; Mr. Briggs—Yes; Mr. Simeone—Yes; Chairman Ireland—Yes.

OTHER BUSINESS:

Chairman Ireland introduced the two items for consideration. Mr. Simeone suggested that the discussion on the City Attorney's role be postponed to the next meeting when Mr. Kearney can be present. There was consensus to do so and place the item on the next agenda.

Discussion turned to the Election of a Vice Chair. Mr. Boyle noted the things a City board or commission can do are governed by state law, ordinances and sometimes by-laws. In the case of the Zoning Board of Appeals, there is no set of by-laws so they are governed by other laws. He distributed relevant copies of Chapter 44. He added that Chapter 44 makes no provision for a Vice Chair, but does ask that an Acting Chairman should be appointed when needed. Mr. Boyle indicated that the group can stick with the Acting Chairman provisions or propose a text amendment that would allow for selection of a Vice Chair. Mr. Simeone said he would like to keep things simple and would like to see an election each year of a Chairman and Vice-Chairman. There was general discussion about former ordinances and amendments and the elective positions desired. Mr. Bullington felt that the Acting Chair seemed to work fine last time and that an ordinance change would simply grant a title to someone in the same functional role; Mr. Briggs concurred, pointing out that the Acting Chair requirement would still be needed if both the Chair and Vice-Chair would be absent. Mr. Simeone repeated his hope for regular elections. There followed general discussion about whether the Chairman position is elected or appointed; Mr. Boyle concluded it is elected. He added that the election could not occur today, but could at a future meeting. Mr. Dabareiner read from Chapter 2 of the code which indicates the need for an annual election for Chairman and a limit for holding the office for two years. Chairman Ireland asked that the next agenda have the election of a new Chairman.

NEW BUSINESS:

None

ADJOURNMENT: 5:04PM

Respectfully,

Tom Dabareiner AICP