

**CITY OF BLOOMINGTON  
COUNCIL MEETING AGENDA  
109 E. OLIVE  
MONDAY, FEBRUARY 11, 2013, 7:00 P.M.**

- 1. Call to order**
- 2. Pledge of Allegiance to the Flag**
- 3. Remain Standing for a Moment of Silent Prayer**
- 4. Roll Call of Attendance**
- 5. Public Comment**
- 6. Recognition/Appointments**
- 7. “Consent Agenda”**
  - A. Council Proceedings of January 28, 2013. (Recommend that the reading of the minutes of the previous Council Proceedings of January 28, 2013 be dispensed with and the minutes approved as printed.)**
  - B. Bills and Payroll. (Recommend that the Bills and Payroll be allowed and the orders drawn on the Treasurer for the various amounts as funds are available.)**
  - C. Fireman’s Pension and Policeman’s Pension Comprehensive Annual Financial Reports, (CAFR) for FY2012. (Recommend that the reports be received and placed on file.)**
  - D. Analysis of Bids for one (1) 2013 Chevrolet Volt for Water Department’s Water Purification Division. (Recommend that the bid for a 2013 Chevrolet Volt for Water Department’s Water Purification Division be awarded to Peterson Chevrolet- Buick Inc., Fairbury, IL, in the amount of \$36,594, and the Purchasing Agent be authorized to issue a Purchase Order for same.)**

- E. Application of Auctus, LLC, d/b/a Parke Hotel, located at 1413 Leslie Dr., for an RAS liquor license, which will allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week. (Recommend that an RAS liquor license for Auctus, LLC, d/b/a Parke Hotel, located at 1413 Leslie Dr., be created, contingent upon compliance with all applicable health and safety codes with the following condition: 1.) the bar manager and bartenders shall be BASSET certified within ninety (90) days of the license being issued.) (*Change of ownership*)
  - F. Suspension of Ordinances to Allow Consumption of Alcohol at Lake Bloomington's Davis Lodge on April 27, 2013. (Recommend that the Ordinance suspending Section 26(d) of Chapter 6 and Section 701 of Chapter 31 to allow the suspension and consumption of alcohol at the Lake Bloomington's Davis Lodge on April 17, 2013 be passed.)
  - G. Review of Petition submitted by James A. Shirk and Beer Nuts, Inc., requesting approval of a Rezoning from M-1, Restricted Manufacturing District to B-1, Highway Business District, for property commonly located 911 and 921 E. Washington St. (Recommend that the Council approve the Rezoning Petition and the Ordinance passed.)
  - H. Review of Petition submitted by James A. Shirk and Beer Nuts, Inc., requesting approval of a Special Use Permit for *The Foundry*, a Mixed Use Development for property commonly located at 911 and 921 E. Washington St. (Recommend that the Council approve the Special Use Permit and the Ordinance passed.)
8. "Regular Agenda"
- A. Appointment of Ward 1 Alderman. (Recommend that the appointment be approved and candidate be sworn in.) (*20 minutes*)
  - B. Motion to remove Managed Competition Policy from the table. (Recommend that motion be made.) (*10 minutes*)
  - C. City Manager's Recommended Budget for FY2014. (Presentation only.) (*30 minutes*)
9. City Manager's Discussion
- A. General Street Resurfacing Project for CY2013 Update. (Attached map)
10. Mayor's Discussion
11. City Aldermen's Discussion
12. Executive Session - cite section

**13. Adjournment**

**14. Notes**



FOR COUNCIL: February 11, 2013

**SUBJECT:** Council Proceedings of January 28, 2013

**RECOMMENDATION/MOTION:** That the reading of the minutes of the previous Council Proceedings of January 28, 2013 be dispensed with and the minutes approved as printed.

**STRATEGIC PLAN LINK:** Goal 1. Financially sound City providing quality basic services.

**STRATEGIC PLAN SIGNIFICANCE:** Objective 1.d. City services delivered in the most cost-effective, efficient manner.

**BACKGROUND:** The Council Proceedings of January 28, 2013 have been reviewed and certified as correct and complete by the City Clerk.

In compliance with the Open Meetings Act, Council Proceedings must be approved within thirty (30) days after the meeting or at the Council's second subsequent regular meeting whichever is later.

In accordance with the Open Meetings Act, Council Proceedings are made available for public inspection and posted to the City's web site within ten (10) days after Council approval.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Not applicable.

**FINANCIAL IMPACT:** Not applicable.

Respectfully submitted for Council consideration.

Prepared by: Tracey Covert, City Clerk

Recommended by:

David A. Hales  
City Manager

Motion: \_\_\_\_\_ Seconded by: \_\_\_\_\_

	Aye	Nay	Other		Aye	Nay	Other
				Alderman Purcell			
Alderman Fazzini				Alderman Sage			
Alderman Fruin				Alderman Schmidt			
Alderman McDade				Alderman Stearns			
Alderman Mwilambwe							
				Mayor Stockton			



FOR COUNCIL: February 11, 2013

**SUBJECT:** Bills and Payroll

**RECOMMENDATION/MOTION:** That the bills and payroll be allowed and orders drawn on the Treasurer for the various amounts as funds are available.

**STRATEGIC PLAN LINK:** Goal 1. Financially sound City providing quality basic services.

**STRATEGIC PLAN SIGNIFICANCE:** Objective 1.d. City services delivered in the most cost-effective, efficient manner.

**BACKGROUND:** The list of bills and payrolls will be posted on the City’s website on Thursday, February 7, 2013 by posting via the City’s web site.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Not applicable.

**FINANCIAL IMPACT:** Total disbursements information will be provided via addendum.

Respectfully submitted for Council consideration.

Prepared by: Tracey Covert, City Clerk

Financial & budgetary review by: Patti-Lynn Silva, Director of Finance

Recommended by:

David A. Hales  
City Manager

**Attachment:** Attachment 1. Bills and Payroll on file in the Clerk’s office. Also available at [www.cityblm.org](http://www.cityblm.org)

Motion: \_\_\_\_\_ Seconded by: \_\_\_\_\_

	Aye	Nay	Other		Aye	Nay	Other
				Alderman Purcell			
Alderman Fazzini				Alderman Sage			
Alderman Fruin				Alderman Schmidt			
Alderman McDade				Alderman Stearns			
Alderman Mwilambwe							
				Mayor Stockton			



FOR COUNCIL: February 11, 2013

**SUBJECT:** Reports

**RECOMMENDATION/MOTION:** That the reports be received and placed on file.

**STRATEGIC PLAN LINK:** Goal 1. Financially sound City providing quality basic services.

**STRATEGIC PLAN SIGNIFICANCE:** Objective 1.a. Budget with adequate resources to support defined services and level of services.

**BACKGROUND:** The following reports should be received and placed on file with the City Clerk:

1. Firemen’s Pension Fund Comprehensive Annual Financial Report for the Years Ended April 30, 2012.
2. Police Pension Fund Comprehensive Annual Financial Report for the Year Ended April 30, 2012.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Not applicable.

**FINANCIAL IMPACT:** Not applicable.

Respectfully submitted for Council consideration.

Prepared by: Tracey Covert, City Clerk

Recommended by:

David A. Hales  
City Manager

**Attachments:** Attachment 1. Firemen’s Pension Fund Comprehensive Annual Financial Report for the Years Ended April 30, 2012 & 2011  
Attachment 2. Police Pension Comprehensive Annual Financial Report for the Year Ended April 20, 2012

Motion: \_\_\_\_\_ Seconded by: \_\_\_\_\_

	Aye	Nay	Other		Aye	Nay	Other
				Alderman Purcell			
Alderman Fazzini				Alderman Sage			
Alderman Fruin				Alderman Schmidt			
Alderman McDade				Alderman Stearns			
Alderman Mwilambwe							
				Mayor Stockton			



FOR COUNCIL: February 11, 2013

**SUBJECT:** Analysis of Bids for one (1) 2013 Chevrolet Volt for Water Department's Water Purification Division

**RECOMMENDATION/MOTION:** That the bid for a 2013 Chevrolet Volt for Water Department's Water Purification Division be awarded to Peterson Chevrolet- Buick Inc., Fairbury, IL, in the amount of \$36,594, and the Purchasing Agent be authorized to issue a Purchase Order for same.

**STRATEGIC PLAN LINK:** Goal 1: Financially Sound City Providing Quality Basic Services.

**STRATEGIC PLAN SIGNIFICANCE:** Objective 1.a. - In order to be responsive to citizen needs, adequate resources must be provided to employees to fulfill the goal of providing quality basic services. This purchase will replace a van that is at the end of its useful life and will end up costing more to maintain than replacing the vehicle. This provides value to the citizen and allows services to be delivered in a cost-effective manner.

**BACKGROUND:** Water Department has a 2007 Dodge Caravan with over 109,000 miles on it. This unit is used daily in the operations of the Water Purification Division. It is used to attend meetings and training in and out of town. This unit was selected to be replaced with an electric vehicle based on its annual usage. The Chevrolet Volt was selected for its Range Extender Internal Combustion Engine. This is the only electric car with this option. It is an engine that powers an electric generator to provide power to the drive system after batteries are depleted. This allows the vehicle to travel out of town or longer distances in cold weather without having to stop and wait for the batteries to be recharge. Estimated fuel cost for the life of the van was \$17,700. Estimated fuel cost for the life of the electric vehicle is expected to be \$3,300. Maintenance cost for the van in Fiscal Year 2012 was \$3037.39 and year to date Fiscal Year 2013 are \$1,850.91. On January 16, 2013 the bids were opened and the results are as follows:

<b>Bidder's Name</b>	<b>Make &amp; Model Bid</b>	<b>Bid Amount</b>
Peterson Chevrolet Inc.	2013 Chevrolet Volt	\$36,549
Lemans Chevy City	2013 Chevrolet Volt	\$39,845

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** None.

**FINANCIAL IMPACT:** The FY 2013 Water Purification Budget appropriated \$35,200 for the purchase of one (1) Electric Vehicle in line 50100130-72130. The total cost to purchase the unit is \$36,549. The difference of \$1,349 is expected to be offset by the salvage value of the existing vehicle which will be sold at an online public auction and is expected to be worth \$3,100. Stakeholders may locate this purchase in the FY 2013 Capital, Enterprise, & Other Funds Budget Document on page #310.

Respectfully submitted for Council consideration.

Prepared by: Jim Karch, PE CFM, Director Public Works

Reviewed by: Barb Adkins, Deputy City Manager



Reviewed by: Craig M. Cummings, Director of Water

Financial & Budgetary review by: Timothy L Ervin, Budget Manager

Recommended by:

David A. Hales  
City Manager

**Attachments:** Attachment 1. Photos

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Motion: \_\_\_\_\_ Seconded by: \_\_\_\_\_

	Aye	Nay	Other		Aye	Nay	Other
				Alderman Purcell			
Alderman Fazzini				Alderman Sage			
Alderman Fruin				Alderman Schmidt			
Alderman McDade				Alderman Stearns			
Alderman Mwilambwe							
				Mayor Stockton			



Chevy Volt



**CITY FLEET VEHICLE BEING REPLACED**



FOR COUNCIL: February 11, 2013

**SUBJECT:** Application of Auctus, LLC, d/b/a Parke Hotel, located at 1413 Leslie Dr., for an RAS liquor license, which will allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week

**RECOMMENDATION/MOTION:** That an RAS liquor license for Auctus, LLC, d/b/a Parke Hotel, located at 1413 Leslie Dr., be created, contingent upon compliance with all applicable health and safety codes with the following condition: 1.) the bar manager and bartenders shall be BASSET certified within ninety (90) days of the license being issued.

**STRATEGIC PLAN LINK:** Goal 4. Grow the Local Economy.

**STRATEGIC PLAN SIGNIFICANCE:** Objective 4.a. Retention and growth of current local business.

**BACKGROUND:** The Bloomington Liquor Commissioner Steve Stockton called the Liquor Hearing to order to hear the application of Auctus, LLC d/b/a Parke Hotel, located at 1413 Leslie Dr., requesting an RAS liquor license which allows the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week. Present at the hearing were Liquor Commissioners Stephen Stockton, Marabeth Clapp and Geoffrey Tompkins; George Boyle, Asst. Corporation Counsel, Clay Wheeler, Asst. Police Chief, and Tracey Covert; City Clerk, and Ricki Roeng, Core 3 Property Management and Applicant representative.

Commissioner absent: Steve Petersen and Mark Gibson.

Commissioner Stockton opened the liquor hearing and requested that the Applicant address the Commission. Ricki Roeng, Core 3 Property Management and Applicant representative, addressed the Commission. This application was due to a change in ownership.

Commissioner Stockton questioned if there were any changes planned. Mr. Roeng noted that the bank had taken possession of the property through foreclosure. An investor created an LLC, (Auctus LLC). An agreement was negotiated with Busey Bank to purchase the property. There were no structural changes planned. There was a potential for a business name change. The liquor license would include the entire premises - hotel, restaurant and banquet facilities.

Commissioner Stockton questioned if the sale of tangible items would exceed alcohol sales. Mr. Roeng had reviewed the past twelve (12) months. Liquor sales equaled a small percentage of total sales.

Commissioner Stockton questioned if the Applicant was aware of the City's liquor ordinances. He also questioned the Applicant's experience with liquor sales. Mr. Roeng responded affirmatively. He had experience in the operations of Baxter's located at 3212 E. Empire. In addition, the company had additional holdings in MO.

Commissioner Stockton questioned if there would be menu changes. Mr. Roeng responded affirmatively.

Commissioner Tompkins questioned the building's owner. Mr. Roeng was a managing member of the LLC. The LLC would own the building.

Commissioner Stockton restated that Mr. Roeng would manage the property. Mr. Roeng responded affirmatively.

Commissioner Stockton questioned if alcohol would be available via room service. Mr. Roeng responded affirmatively. Commissioner Stockton noted the license holder's responsibility.

Commissioner Clapp questioned the ownership and day to day management of the hotel. Mr. Roeng informed the Commission that he had been hired as the General Manager. His employment would commence in two (2) weeks. Core 3 would oversee the property. He noted his hospitality experience. The plan was to retain the existing staff.

Commissioner Clapp questioned BASSET, (Beverage Alcohol Sellers & Servers Education & Training), training. Mr. Roeng could not address same.

Commissioner Clapp questioned entertainment. Mr. Roeng cited the banquet facilities. The hotel might host entertainment. In addition, there was a lounge area.

Commissioner Stockton noted that entertainment would be occasional and not routine. Mr. Roeng responded affirmatively.

Commissioner Tompkins noted that the Parke was a self contained hotel. He added that this application would replace Midas Restaurant Solutions LLC's d/b/a Parke Hotel & Conference Center, liquor license.

Commissioner Stockton questioned BASSET training. Commissioner Clapp encouraged same.

Commissioner Tompkins recommended that the bar manager and bartenders be BASSET certified within ninety (90) days. Mr. Roeng noted that Core 3 had an extensive training program.

Commissioner Stockton noted that BASSET training might become a requirement. Heartland Community College offered BASSET training. If there was an issue, then the Applicant should contact the City Clerk's Office. He described the BASSET program as a good one.

Motion by Commissioner Tompkins, seconded by Commissioner Clapp that the application of Auctus, LLC d/b/a Parke Hotel, located at 1413 Leslie Dr., requesting an RAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week, be approved with the following condition: 1.) the bar manager and bartenders shall be BASSET certified within ninety (90) days of the license being issued.

Motion carried, (viva voce).

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Public notice was published in the Pantagraph on December 31, 2012 in accordance with City Code. In accordance with City Code, approximately one (1) courtesy copies of the Public Notice were mailed on December 31, 2012. In addition, the Agenda for the January 8, 2013 Meeting of the Liquor Commission was placed on the City's web site. There also is a list serve feature for the Liquor Commission.

**FINANCIAL IMPACT:** None. Request is for a change of ownership. Annual fee for an RAS liquor license is \$2,210.

Respectfully submitted for Council consideration.

Recommended by:

Stephen F. Stockton  
Mayor

Motion: \_\_\_\_\_ Seconded by: \_\_\_\_\_

	Aye	Nay	Other		Aye	Nay	Other
				Alderman Purcell			
Alderman Fazzini				Alderman Sage			
Alderman Fruin				Alderman Schmidt			
Alderman McDade				Alderman Stearns			
Alderman Mwilambwe							
				Mayor Stockton			



FOR COUNCIL: February 11, 2013

**SUBJECT:** Suspension of Ordinances to Allow Consumption of Alcohol at Lake Bloomington's Davis Lodge on April 27, 2013

**RECOMMENDATION/MOTION:** That the Ordinance suspending Section 26(d) of Chapter 6 and Section 701 of Chapter 31 to allow the suspension and consumption of alcohol at the Lake Bloomington's Davis Lodge on April 17, 2013 be passed.

**STRATEGIC PLAN LINK:** Goal 5. Great Place – Livable, Sustainable City.

**STRATEGIC PLAN SIGNIFICANCE:** Objective 5.d. Appropriate leisure and recreational opportunities responding to the needs of residents.

**BACKGROUND:** The Bloomington Liquor Commissioner Stephen Stockton called the Liquor Hearing to order to hear the request of the Madison Salisbury and Patrick Fox to allow moderate consumption of alcohol at Lake Bloomington's Davis Lodge for their wedding reception on April 27, 2013. Present at the hearing were Liquor Commissioners Steve Stockton, Marabeth Clapp and Geoffrey Tompkins; George Boyle, Asst. Corporation Counsel; Clay Wheeler, Asst. Police Chief; and Tracey Covert, City Clerk; and Garretta Schaefer, groom's mother.

Absent: Steve Petersen and Mark Gibson, Commissioners.

Commissioner Stockton opened the liquor hearing and requested that Madison Salisbury, bride, address the Commission regarding this request. Garretta Schaefer, groom's mother, addressed the Commission. She informed them that the wedding reception was scheduled for Saturday, April 27, 2013. She and her husband would host the reception. Times Past Inn would act as the caterer. Beer and wine would be offered at the reception. The wedding was scheduled for 3:00 p.m. Food service would begin at 5:00 p.m. The reception would end at 10:00 p.m.

Commissioner Stockton noted that currently only catered events were allowed at Davis Lodge. Ms. Schaefer expressed her opinion that there would be minimal alcohol consumption. Seventy-five percent (75%) of the guests were family. She described the Davis Lodge as lovely.

Commissioner Clapp questioned anticipated attendance. Ms. Schaefer stated eighty (80) to 100.

Motion by Commissioner Tompkins, seconded by Commissioner Clapp that the request of Madison Salisbury and Patrick Fox to allow moderate consumption of alcohol at Lake Bloomington's Davis Lodge for their wedding reception on April 27, 2013 be approved.

Motion carried.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** The Agenda for the January 8, 2013 Meeting of the Liquor Commission was placed on the City's web site. There also is a list serve feature for the Liquor Commission.

**FINANCIAL IMPACT:** None.

Respectfully submitted for Council consideration.

Recommended by:

Stephen F. Stockton  
Mayor

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Motion: \_\_\_\_\_ Seconded by: \_\_\_\_\_

	Aye	Nay	Other		Aye	Nay	Other
				Alderman Purcell			
Alderman Fazzini				Alderman Sage			
Alderman Fruin				Alderman Schmidt			
Alderman McDade				Alderman Stearns			
Alderman Mwilambwe							
				Mayor Stockton			



**ORDINANCE NO. 2013 -**

**AN ORDINANCE SUSPENDING PORTIONS OF SECTION 701 OF CHAPTER 31 AND SECTION 26(d) OF CHAPTER 6 OF THE BLOOMINGTON CITY CODE FOR A WEDDING RECEPTION AT THE LAKE BLOOMINGTON DAVIS LODGE**

WHEREAS, Madison Salisbury and Patrick Fox are planning to hold their wedding reception at the Lake Bloomington Davis Lodge from 5:00 p.m. to 10:00 p.m. on April 27, 2013; and

WHEREAS, Madison Salisbury and Patrick Fox have requested permission from the City to serve beer and wine during this event; and

WHEREAS, in order to legally possess alcohol in a City Park, Section 701(a), (b) and (c) of Chapter 31 of the Bloomington City Code, which prohibits the drinking, selling and possessing alcohol beverages with the City parks and Section 26(d) of Chapter 6 of the Bloomington City Code, which prohibits possession of open alcohol on public property must be suspended;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLOOMINGTON, ILLINOIS;

Section 1: That Sections 701(a), (b) and (c) of Chapter 31 and Section 26(d) of Chapter 6 of the Bloomington City Code, 1960, as amended, are suspended for the duration of the wedding reception at the Lake Bloomington Davis Lodge on April 27, 2013 under the conditions set forth in the rental agreement.

Section 2: Except for the date of date set forth in Section 1 of this Ordinance, Sections 701(a), (b) and (c) of Chapter 31 and Section 26(d) of Chapter 6 of the Bloomington City Code, 1960, shall remain in full force and effect. Nothing in this Ordinance shall be interpreted as repealing said Sections 701(a), (b) and (c) of Chapter 31 and Section 26(d) of Chapter 6.

Section 3: This Ordinance shall be effective on the date of its passage and approval.

Section 4: This Ordinance is adopted pursuant to the home rule authority granted the City of Bloomington by Article VII, Section 6 of the 1960 Illinois Constitution.

PASSED this 11<sup>th</sup> day of February, 2013.

APPROVED this \_\_\_<sup>th</sup> day of February, 2013.

APPROVED:

Stephen F. Stockton  
Mayor

ATTEST:

Tracey Covert  
City Clerk



FOR COUNCIL: February 11, 2013

**SUBJECT:** Review of Petition submitted by James A. Shirk and Beer Nuts, Inc., requesting approval of a Rezoning from M-1, Restricted Manufacturing District to B-1, Highway Business District, for property commonly located 911 and 921 E. Washington St.

**RECOMMENDATION/MOTION:** That the Council approve the Rezoning Petition and the Ordinance passed.

**STRATEGIC PLAN LINK:** Goal 4 – Grow the Local Economy

**STRATEGIC PLAN SIGNIFICANCE:** Objective 4.d. – The rezoning will expand retail business and foster economic development within the core of the city.

**BACKGROUND:** The petitioner is seeking the business zone in place of the industrial zoning for a vacant 3 acre parcel which fronts on Washington Street just west of McClun Street. The site is just east of and adjacent to the Constitutional Trail. Ultimately this along with approval of a special use permit for multi-family residences will enable a mixed use development of the site. The desired uses as well as other possible uses allowed in the B-1 zoning district will be more compatible with nearby existing land uses than the uses allowed in the M-1 zoning district.

This case was presented before the Planning Commission for a public hearing and review on January 9, 2013. City staff spoke in favor of the petition and explained the request is considered a “down zoning” which indicates the zoning change should result in less intense and objectionable land uses than allowed without the zoning change. The petitioner, his attorney, architect and two members of the audience spoke in favor of the petition stating it will result in optimal land rather than what is allowed in the M-1 zone. This project is considered an upscale project which will compliment and work well with the adjacent trail, and will be tasteful for the residents and the neighbors. The petitioners contended this project will benefit the overall economy through the provision of jobs, and the Shirks will own it and be a good neighbor. This project will locate residents closer to the historic districts and will not consist entirely of students, but high end tenants. Twelve people spoke in opposition to the petition and stated objections to many traffic problems, preference for a park or community center, rental turnover and problems with trucks. Additionally, there were concerns in regards to the type of businesses, impacts on the historic districts and the single-family residences, lighting, garbage, and crime.

Many of the neighbors who spoke in opposition to the petition were concerned about traffic, especially on E. Front Street; however staff feels that the project will not make a significant impact on the traffic. The road design of East Washington and McClun Streets are more than adequate to support the additional traffic generated by this development. The neighbors on E. Front are concerned about their narrow and congested street yet these issues are compelling reasons why newly generated traffic from the Foundry is unlikely to use and negatively impact Front Street.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Public notice was published in the Pantagraph in accordance with the Bloomington City Code. 178 courtesy copies of the Public Notice were mailed to nearby property owners. A public notice sign was posted on the site.

**FINANCIAL IMPACT:** The current site is an undeveloped piece of property. This development will generate additional property taxes, but additional sales taxes in regards to the introduction of retail businesses on the first floor of the facility. Staff is unable to determine an estimate for either tax.

Respectfully submitted for Council consideration.

Prepared by: Mark Woolard, City Planner

Financial & Budgetary review by: Timothy L Ervin, Budget Officer

Legal review by: Rosalee Dodson, Assistant Corporation Counsel

Recommended by:

David A. Hales  
City Manager

- Attachments:**
- Attachment 1. Petition
  - Attachment 2. Ordinance
  - Attachment 3. Legal Description
  - Attachment 4. Planning Commission Staff Report – January 3, 2013
  - Attachment 5. UNAPPROVED Planning Commission Minutes – January 9, 2013
  - Attachment 6. Map – zoning petition
  - Attachment 7. Map – zoning petition mailing
  - Attachment 8. Mailing List – zoning petition

Motion: \_\_\_\_\_ Seconded by: \_\_\_\_\_

	Aye	Nay	Other		Aye	Nay	Other
Alderman Anderson				Alderman Purcell			
Alderman Fazzini				Alderman Sage			
Alderman Fruin				Alderman Schmidt			
Alderman McDade				Alderman Stearns			
Alderman Mwilambwe							
				Mayor Stockton			

**PETITION FOR ZONING MAP AMENDMENT**

State of Illinois        )  
                                  )        ss.  
County of McLean     )

TO: THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF BLOOMINGTON, MC LEAN COUNTY, ILLINOIS

Now comes James A. Shirk and Beer Nuts, Inc., hereinafter referred to as your petitioners, respectfully representing and requesting as follows:

1. That your petitioners are the owners of the freehold or lesser estate therein of the premises hereinafter legally described in Exhibit A, which is attached hereto and made a part hereof by this reference, or are a mortgagee or vendee in possession, assignee of rents, receiver, executor (executrix), trustee, lessee or other person, firm or corporation or the duly authorized agents of any of the above persons having proprietary interest in said premises;
2. That said premises legally described in Exhibit "A" presently has a zoning classification of M – 1, Restricted Manufacturing District under the provisions of Chapter 44 of the Bloomington City Code, 1960;
3. That the present zoning on said premises is inappropriate due to error in original zoning, technological changes altering the impact or effect of the existing land uses, or the area in question having changed such that said present zoning is no longer contributing to the public welfare;
4. That your petitioners hereby request that the Official Zoning Map of the City of Bloomington, McLean County, Illinois be amended to reclassify said premises into the B – 1, Highway Business District zoning district classification;
5. That said requested zoning classification is more compatible with existing uses and/or zoning of adjacent property than the present zoning of said premises; and
6. That said requested zoning classification is more suitable for said premises and the benefits realized by the general public in approving this petition will exceed the hardships imposed on your petitioners by the present zoning of said premises.

WHEREFORE, your petitioners respectfully pray that the Official Zoning Map of the City of Bloomington, McLean County, Illinois be amended by changing the zoning classification of the above-described premises from M – 1, Restricted Manufacturing District to B – 1, Highway Business District.

Respectfully submitted,

By: James Shirk

**ORDINANCE NO. 2013 - \_\_\_\_**

**AN ORDINANCE REZONING 911 AND 921 E. WASHINGTON ST.  
FROM M – 1, RESTRICTED MANUFACTURING DISTRICT TO B – 1, HIGHWAY  
BUSINESS DISTRICT**

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a Petition for rezoning of certain premises hereinafter described in Exhibit “A”; and

WHEREAS, the Bloomington Planning Commission, after proper notice was given, conducted a public hearing on said Petition; and

WHEREAS, the City Council of said City has the power to pass this Ordinance and rezone said premises.

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

1. That the premises hereinafter described in Exhibit “A” shall be and the same are hereby rezoned from M-1 Restricted Manufacturing District to B-1 Highway Business District.
2. The Official Zoning Map of said City shall be amended to reflect this change in zoning classification.
3. This Ordinance shall take effect immediately upon passage and approval.

PASSED this 11<sup>th</sup> day of February, 2013.

APPROVED this \_\_\_\_ day of February, 2013.

APPROVED:

Stephen F. Stockton  
Mayor

ATTEST:

Tracey Covert  
City Clerk

## **EXHIBIT "A"**

### Description of Property to be Rezoned from M - 1 to B - 1

A part of Lots 4 and 5 in the Subdivision of the South Half of Section 3 and a part of the Southwest Quarter of Section 3, all being in Township 23 North, Range 2 East of the Third Principal Meridian, in the City of Bloomington, McLean County, Illinois, more particularly described as follows: Beginning at the Northeast Corner of said Lot 4. From said Point of Beginning, thence west 433.6 feet along the North Line of said Lot 4 and the North Line of a tract of land conveyed to Beer Nuts Inc. described as Tract 4 in Warranty Deed Document No. 88-10275 in the McLean County Recorder's Office to the Northwest Corner of said tract 4; thence south 412.33 along the West Line of said Tract 4 and the West Line of a Tract of land conveyed to Beer Nuts Inc. described as Tract 1 in Warranty Deed Document No. 88-10275 in said Recorder's Office to the Southwest Corner thereof, also being the Northwest Corner of a tract of land conveyed to A.B. Hatchery described in Warranty Deed Document No. 2000-20065 in said Recorder's Office; thence east along the North Line of said A.B Hatchery tract and the easterly extension thereof to the West Line of said Lot 5; thence north along said West Line of Lot 5 and the West Line of said Lot 4 to the Southwest Corner of a tract of land conveyed to Betty J. and James A. Shirk described as Northeast Parcel in Warranty Deed Document No. 2000-16053 in said Recorder's Office; thence east 248.14 feet along the South Line of said Northeast Parcel to the Southeast Corner thereof; thence north 242.31 feet along the East Line of said Lot 4 to the Point of Beginning, to be known as Lot 1 in the proposed Foundry Subdivision.



To: Bloomington Planning Commission  
From: Staff

Subject: **Z-06-12**. Public hearing and review on the petition submitted by James A. Shirk and Beer Nuts, Inc. requesting the approval of a Rezoning from M-1, Restricted Manufacturing District to B-1, Highway Business District, for the property commonly located at 911 and 921 E. Washington Street.

**BACKGROUND INFORMATION:**

Adjacent Zoning

North: M-1, Restricted Manufacturing District  
North: R-3A, Multiple-Family Residence District  
  
South: B-2, General Business Service District  
South: M-1, Restricted Manufacturing District  
East: R-1C, Single-Family Residence District  
East: M-1, Restricted Manufacturing District  
West: M-1, Restricted Manufacturing District

Adjacent Land Uses

North: Vacant  
North: Single and Multi-Family Residences  
South: Garden Center  
South: Warehouse  
East: Single-Family Residence  
East: Warehouse/candle Business  
West: Beer Nuts Factory

The Comprehensive Plan calls for heavy industrial for the site.

In addition to approval of the rezoning the project must receive approval a special land use for the multi-family residences and a variance for the building height.

The land subject to the petition is currently vacant except for a building on the southwest part of the site. The site fronts on Washington Street. The intended land uses for the site are a mix of apartments and retail/offices. These types of uses should be compatible with the existing nearby uses and as indicated above there are a variety of uses. If approved, this change in zoning would not allow the more intense industrial land uses in the M-1 district and this is often referred to as a “down zoning” which is usually less objectionable from potential incompatibilities than the other way around. Thus staff supports the request.

**STAFF RECOMMENDATION:**

Staff recommends the planning commission pass a motion recommending that the City Council rezone the property in Case **Z-06-12** from M-1, Restricted Manufacturing District to B-1, Highway Business District, for the property commonly located commonly located at 911 and 921 E. Washington Street.

Respectfully submitted,

Mark Woolard  
City Planner

**UNAPPROVED MINUTES  
BLOOMINGTON PLANNING COMMISSION  
REGULAR MEETING,  
WEDNESDAY, JANUARY 9, 2013, 4:00 P.M.  
COUNCIL CHAMBERS, CITY HALL  
109 E. OLIVE ST., BLOOMINGTON, ILLINOIS**

**MEMBERS PRESENT:** Mr. J Balmer, Chairperson Stan Cain, Mr. Rex Diamond, Mrs. Julie Morton, Mr. Jim Pearson, Mr. David Stanczak, Mr. Charles Stuckey (arrived 4:04), Mr. Robert Wills

**MEMBERS ABSENT:** Mr. Bill Schulz

**OTHERS PRESENT:** Mr. Mark Huber, Director PACE Department  
Mr. Kevin Kothe, City Engineer  
Mr. Mark Woolard, City Planner

**CALL TO ORDER:** Chairperson Cain called the meeting to order at 4:00 P.M.

**ROLL CALL:** Mr. Woolard called the roll. A quorum was present.

**PUBLIC COMMENT:** None

**REGULAR AGENDA:**

**Z-06-12. Public hearing and review on the petition submitted by James A. Shirk and Beer Nuts, Inc. requesting the approval of a Rezoning from M-1, Restricted Manufacturing District to B-1, Highway Business District, for the property commonly located at 911 and 921 E. Washington Street.**

Chairperson Cain introduced the petition. Mr. Woolard highlighted the nearby zoning and land uses and explained the petition is a down zoning in that the industrial uses are more intense and objectionable than in a business zone. The project is a mix use proposal of residential and retail and staff feels it is compatible with the variety of nearby uses. Mr. Huber explained the processes involved for the development and stated the current zoning allows for a vast mix of uses. The Planning Commission's primary focus is to look at whether the B-1 zoning is compatible in this particular location. The Constitution Trail has a long term easement and will not be affected by the development.

Chairperson Cain opened the public hearing and asked the petitioner to present their case. Mr. William C. Wetzel, of 115 W. Jefferson Street explained the use is for an infill area and the area will benefit from the project. It will be upscale residential and will be accessible to the trail. They had a neighborhood meeting in November and they tried to include everyone. More detail will be presented here than needed for a rezoning since it is part of a package and when the City Council acts it will be with recommendations from the Commission and the Zoning Board of Appeals. The city does have an easement for the trail and there is nothing any owner could do to take away the rights given to the city. The trail is an amenity that fits well with the project.

James A. Shirk, 103 N. Robinson Street, explained how they first acquired the property and how they made the business decision after the trail development which separated them from the newly acquired property across from the trail and their expansion to the east was foregone. Now they

have worked to figure out what to do with the site and Kyle has done the research for what works for such a site.

Kyle Glandon, 2117 W. Homer, Chicago, Illinois, stated they are looking at a mixed use project with two buildings with about 7,000 square feet of retail and 16 apartments and 14,000 square feet and 32 apartments total. The parking on the north side of the project will be for retail and the south side will be for the apartments. Ten of the units will have garage parking. The trail is a popular resource for the community and the purpose of having the retail there is to find tenants that can take advantage of the trail. This will create an amenity for the retail as well as for the tenants above. The building is set back 115 feet instead of the 30 feet as required so the scale of the project will not be perceived as being right on the street. The signage will be tasteful to appeal to the residential tenants as well as the neighbors.

Mr. Wills asked what is the main argument for going from the M-1 to the B-1 and Mr. Wetzel stated it is the only way to get the project built. Mr. Huber stated a lot of ordinances are set up such that a use allowed in the lesser zoning can be put in the other zones but our code is set up to look at compatibility and there are no allowances for residential in an M-1 district. Residential is allowed as a special use in the B-1.

Chairperson Cain asked if there were any members of the audience who wished to speak in opposition to the petition. Kate Watson, 216 E. Front Street, stated Front Street is a little residential street that will greatly be affected and they have not had the luxury of knowing about this for very long and Front Street was not included in the November meetings. She has talked to about ten home owners and out of them she and her husband were the only ones to receive a letter. Front Street is very narrow with sidewalks right on the street and their biggest concern is the traffic flow from McClun. The city buses go down there both ways. People go from Normal to Bloomington down Linden, Davis and McClun. She said we are concerned about the outlets and if there has been any traffic studies concerning McClun. Front and McClun are in no shape to handle an influx of traffic. She asked if there have been any traffic studies done and Mr. Kothe stated that there has not been a study for this development. He said in the past there have been studies done at the intersection of McClun and Grove and requests for an all way stop has not met warrants. Ms. Watson said they are very upset that they were not informed since they are smack in middle of the project. They are a little street, two cars cannot go down it and they have major parking issues. They are afraid people might try to leave the McClun Street exits and zip down Front. They feel they have not been fairly given a voice in the impact.

Lisa Texeira, 206 S. Clinton, stated she echoes everything said about Front and traffic is also her concern and she did not get notification either. Clinton is very busy and she has witnessed accidents. She said she has mixed feelings because something is going to happen to the property. It is a business zone and that worry's her and she wishes she could change it all into a nice park. It is a concern with that many more cars because just trying to find a place to park on her street or on Front is a big problem. At 7:00 or 8:00 in the morning it is really dangerous there and her main concern is traffic and a study needs to be done.

Mary Mooney 1120 E. Grove Street, stated there will be a lot of turnover with rentals. They petitioned and were awarded the R-1 zoning to avoid the historic homes being used for multi tenants. The property borders Dimmetts and Founders Grove. There is the historic aspect and there already are multiple traffic issues and this will increase and compound those issues. No

one east of the project was notified of the meeting. There is a concern about the rentals with a lot of transition, turnover and if they sit empty.

Patti Geske, 1020 E. Front Street, stated the development definitely impacts her and everyone on her block because they feel a definite connection to the Beernuts growth and the neighborhood and its integrity. They received an incredible amount of traffic when Front Street was closed and they have many young children. The rentals will have children and they will park on Front Street a block from the school. She wants to know what traffic patterns will be put in place when the building will be taking place. Retailers will also have trucks. They are for commerce but not at the sake of losing history.

Kathy Spahn, 1003 E. Front Street, stated she has the same concerns and it was awful when Washington was closed, especially at Grove and McClun where it is an awful corner anyways with so much traffic. People have parked where she could not get out her own driveway. She also is concerned about what type of businesses will go in there and does not want things like a tattoo parlor.

Chris Nyweide stated he and his wife live at 1005 E. Jefferson Street, and they are in a historic district and nothing has been said about that today. They also own a property on the Washington Street side and a lot next to them on Jefferson Street. All of these properties are within shouting, hearing and sight distance of the property in question and they have a very strong interest in what is going on. He said to the north of the property is the historic district which has not been mentioned and is right across the street and is single-family residential. The historic district has been there for over a hundred years. Also to the east is mostly residential and there is a lot of concern with all the residential nearby. There is residential on both sides. All of this property has evolved over time and there has not been any manufacturing for decades however on their side of Washington it has become a lovely area and gateway to the David-Jefferson Historic District and the David Davis Mansion, one of the best parts of Bloomington. As to the reference about the subject site being historic, there is nothing left. There are no railways, buildings, railway station and manufacturing has long since left and it is not compatible with the manufacturing aspect, yet the single-family continues to thrive. In the B-1 there are over 200 businesses that could go in there and that is a concern. There are 80 proposed parking spaces in front and people are going to have to go in and out and a lot of people cut through now. The question is will it be compatible with their single-family use. Also there are not any businesses in there and it is the business that is the concern.

Mike Kerber, 406 N. Linden Street, stated his concern is the retail and the traffic it will generate. He is happy there will be apartments.

Becky Bols, 1018 E. Front Street, stated she has concerns about the traffic on Front Street and they get a lot of traffic from the school and not just for school but for many other events at the school. The funeral home also creates a lot of traffic and the whole street is filled with parking for visitations. In the fall and winter with the leaves and snow, people park farther from the curb and it makes the street skinny and it is hard to pass and people get their speed up. The proposed garages could be used for storage and not parking. There also will not be room for guests and thus people will park on Front Street. She questioned where the employees will park. A semi parks on McClun now when they make deliveries and it is very hard to get around it. The school has employees who park on Front Street and it is not equipped for extra parking on the street.

Amanda Zook, 1033 E. Front Street, stated her biggest concern is what audience will be targeted and having rentals will bring a younger crowd and is concerned about parties. She also is concerned about what type of businesses are being recruited. She is concerned about traffic and right now it is impossible to drive down the street on a normal Saturday and that is when there are no teachers around. It is very difficult to drive down Front Street now and it is impossible to see people around the delivery vehicle. She is concerned about the safety aspect with the kids and could this area be used for a community center or a park for the kids to go.

Tim Watson, 1016 E. Front Street, stated traffic is a concern and the rendering is beautiful and he loves the trees. He is concerned about trucks, lighting, garbage trucks and where the trash will go and traffic by the stop sign. On Front and McClun Streets there is no green space adjacent to the curb. The apartments are a concern regarding crime and rental turnover. Traffic is especially a concern.

Mark Menken, 1024 E. Front Street, said his concern was for how much percentage of the apartments can be used for section eight housing.

Beverly Miller, 1029 E. Front Street, stated she agrees with the apartments and the traffic on Front Street is still there. She is concerned about the traffic that will be generated from the apartments and the retail for Washington, Grove, McClun, State and all of it.

Chairperson Cain asked if there were any members of the audience who wished to speak in favor of the petition. Gary Erwin, 816 E. Washington Street, stated there is always friction between residential and commercial and in today's economy we need to be sensitive to jobs and employers. This is a great opportunity to develop some jobs and increase the tax base. He said you need to look at the Shirk family and although there are no guarantees, he has been a wonderful neighbor, committed to the community, will probably not have tattoo parlors or 4:00 a.m. bars, and being next to the family business he will not do something against their heritage. He maintains green space and an empty lot is not a good business plan. He closed the door for M-1 development for the trail. Retail would enhance the trail experience. He has heard nothing other than traffic that is a down side and traffic issues come with progress which is needed. He does not want to forego a reasonable development for some traffic issues which we already have and with sensitivity they can be lessened. He cannot think of a better use than what is proposed.

Sue Mescher, 1007 E. Washington Street, stated you cannot compare traffic on Washington, a thoroughfare, with traffic on Front Street and she would not let children play in the front yard. It is our responsibility to teach the children. The drawing is awesome and it will be a boon to the economy. There will be more people close to the historic area that can learn about our history. The college students will not want to live that far from campus and these will be higher end apartments and she does not think students will live there.

Chairperson Cain asked if there were any members of the audience who had questions, or who wished to speak in opposition or in favor of the petition and no one else responded.

Mr. Wetzel stated once this is approved by the Council they will begin construction in the spring. He said he does not know how they identified people to invite to the neighborhood meeting but he thinks what was done was to give notice similar to how the city does it. They did want to hear

from anyone who had an opinion to be prepared for what they were doing here today. The Washington Street project was a burden on many streets and disruption but that was different from this project. He said he believes if he was a tenant, worker or customer in these buildings he cannot imagine going east on Front Street more than one time and this is not something that will generate a lot of traffic. The tenants will to some extent be users of the trail. If there were a rezoning request for R-3A apartments there would be wholesale objections. The Shirk family will continue to own this project after it is built and will have a high level of interest in watching the retail component. They will have high end apartments and without students or section eight and they will have jobs. The commercial and apartments components are necessary to justify the project cost and are inseparable. There will not be a lot of traffic from this project on Front Street. They will not park on Front Street because you cannot park there now. He said if this project is not built there will be something there and it's an M-1 zone. It deserves your support.

Mr. Glandon stated the apartments rent will be in the \$1100-1200 range and will have young professionals.

Mr. Wetzel said the parking will be as required in the code and no off-street parking is planned but if there is a major event of some kind he is not suggesting that people will not park on Mcclun. Lighting will be compatible with what they are doing and will meet the code. A buyer with an M-1 use could go in and we would not even be here.

Ms. Watson reiterated that the concern is the increase of traffic coming onto Mcclun and whether the area can take it. We know people will go down Front Street once and not want to go down it again but there are many thousands of people that will do just that. We want to drive home the changes that will be made with 32 people going to school and work there is a big increase in traffic and Mcclun cannot handle it and we will be boxed in. We will be at a huge disadvantage and we were overlooked and hope you will consider where we live and our lives.

Chairperson Cain closed the public hearing.

The Planning Commission expressed gratitude for everyone's participation. They discussed the need to look at how it will not remain vacant and with M-1 you may have much truck traffic. Although traffic is a concern there is still the need to look at what land uses could go in if we do not change it from the M-1 zone. Mr. Wills stated the city in seeing this developed, should consider street work for Mcclun and Front Streets. There were comments about how the city should look into the traffic patterns and do a traffic study at some point and help the people on Front Street. The city could benefit as a whole as businesses feed off the constitution trail and we want to encourage people to not have to get in and out of their cars. Mr. Stanczak stated B-1 is clearly a preferred choice and although a petitioner is not committed under the law to follow his plan, the plans presented reflect a lot of fore thought and are close to optimum for the area.

Mr. Wills moved that the Planning Commission recommend the City Council approve Case Z-06-12. Mr. Balmer seconded the motion which passed by a vote of 8 to 0 with the following votes being cast on roll call:

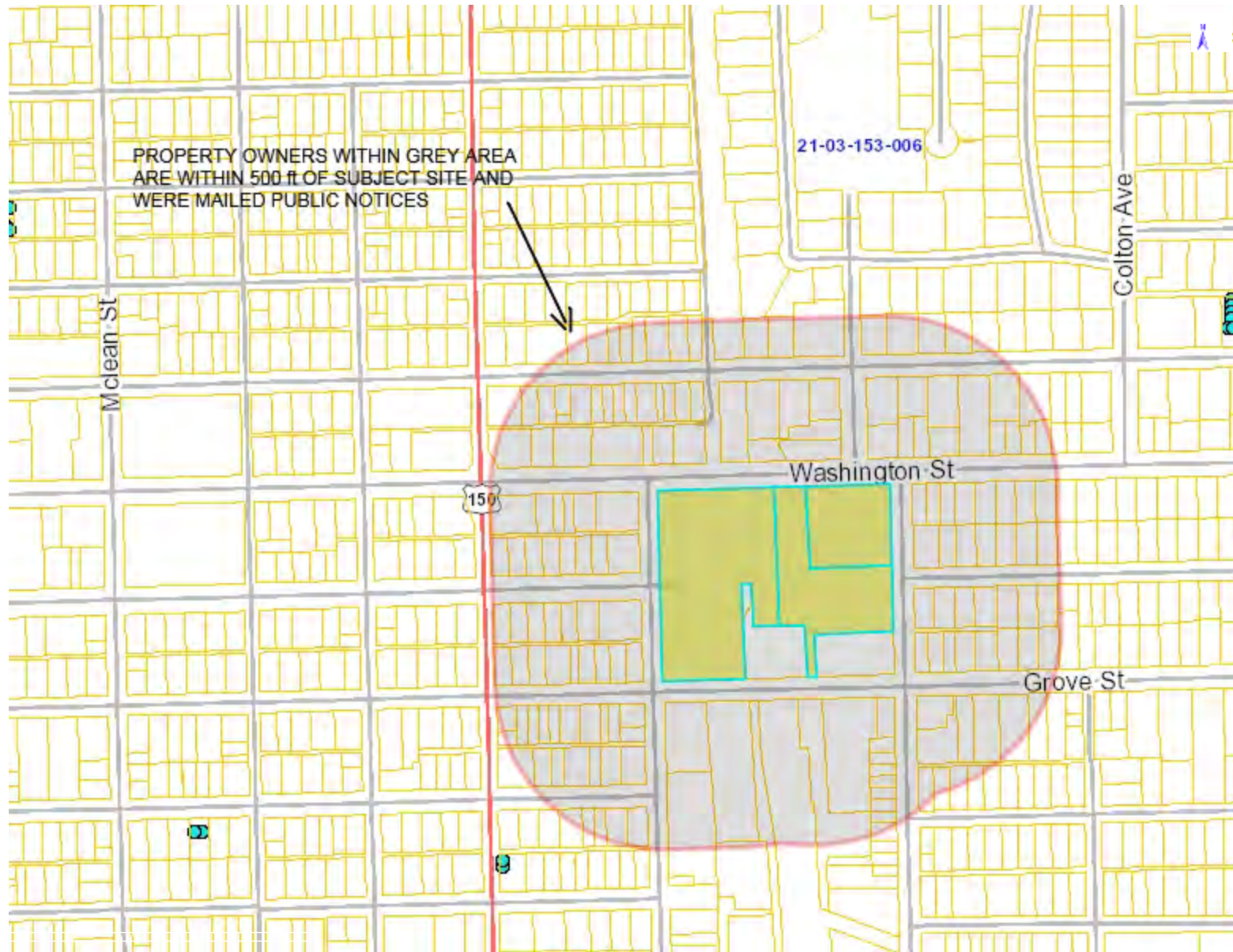
Mr. Cain--yes; Mr. Stuckey--yes; Mr. Wills--yes; Mrs. Morton--yes; Mr. Pearson--yes; Mr. Balmer--yes; Mr. Schulz--absent; Mr. Stanczak--yes; Mr. Diamond--yes.





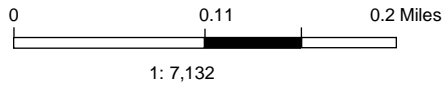


# AREA OF FOUNDRY PUBLIC NOTICE MAILINGS



### Legend

- Parcels
- Condo\_Improve
- Interstates
- US\_Highways
- State\_Highways
- County\_Highways
- County\_Rd
- City\_Streets**
  - ALLEY
  - CITY\_ARTERIAL
  - CITY\_COLLECTOR
  - CITY\_STREET
  - PRIVATE\_STREET
- Railroad
- County



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### Notes

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109 E OLIVE ST  
BLOOMINGTON, IL 61701

1003 E Washington St  
BLOOMINGTON, IL 61701

2510 W Washington St  
BLOOMINGTON, IL 61705

1005 1/2 E WASHINGTON ST  
BLOOMINGTON, IL 61701

1005 E WASHINGTON  
BLOOMINGTON, IL 61701

1009 E WASHINGTON ST  
BLOOMINGTON, IL 61701

2625 Day Lily Run  
THE VILLAGES, FL 32162

1005 E JEFFERSON ST  
BLOOMINGTON, IL 61701

311 S MAIN ST  
NORMAL, IL 61761

806 E WASHINGTON  
BLOOMINGTON, IL 61701

2514 TIMBER VIEW DR  
BLOOMINGTON, IL 61701

PO BOX 34  
MINIER, IL 61759

49 El Camino Dr  
CORTE MADERA, CA 94925

49 El Camino Dr  
CORTE MADERA, CA 94925

53 STONEBROOK CT  
BLOOMINGTON, IL 61704

808 E JEFFERSON ST  
BLOOMINGTON, IL 61701

1006 E FRONT ST  
BLOOMINGTON, IL 61701

823 E JEFFERSON ST  
BLOOMINGTON, IL 61701

201 W OLIVE STREET  
BLOOMINGTON, IL 61701

1009 E JEFFERSON  
BLOOMINGTON, IL 61701

1005 E JEFFERSON ST  
BLOOMINGTON, IL 61701

812 & 812 1/2 E JEFFERSON  
BLOOMINGTON, IL 61701

811 E Jefferson St  
BLOOMINGTON, IL 61701

1010 N MCLEAN ST  
BLOOMINGTON, IL 61701

32 COUNTRY CLUB PL  
BLOOMINGTON, IL 61701

816 E JEFFERSON ST  
BLOOMINGTON, IL 61701

1904 MARINA DR  
NORMAL, IL 61761

53 STONEBROOK COURT  
BLOOMINGTON, IL 61704

1007 E WASHINGTON ST  
BLOOMINGTON, IL 61701

1001 E WASHINGTON  
BLOOMINGTON, IL 61701

PO BOX 1549  
BLOOMINGTON, IL 61702

1008 E JEFFERSON ST  
BLOOMINGTON, IL 61701

819 E JEFFERSON ST  
BLOOMINGTON, IL 61701

817 1/2 E JEFFERSON  
BLOOMINGTON, IL 61701

1317 FLAGG RD  
DIXON, IL 61021

109 E OLIVE  
BLOOMINGTON, IL 61701

825 E Jefferson St  
BLOOMINGTON, IL 61701

1012 E WASHINGTON ST  
BLOOMINGTON, IL 61701

202 Grandview Dr  
NORMAL, IL 61761

1010 E JEFFERSON ST  
BLOOMINGTON, IL 61701

1406 W WOOD ST  
BLOOMINGTON, IL 61701

811 E WASHINGTON ST  
BLOOMINGTON, IL 61701

6 THOMAS DR  
NORMAL, IL 61761

1011 E Washington St  
BLOOMINGTON, IL 61701

812 E FRONT ST  
BLOOMINGTON, IL 61701

808 E FRONT ST  
BLOOMINGTON, IL 61701

1005 E JEFFERSON ST  
BLOOMINGTON, IL 61701

1256 SILVER OAK  
NORMAL, IL 61761

1006 E JEFFERSON ST  
BLOOMINGTON, IL 61701

1011 E JEFFERSON ST  
BLOOMINGTON, IL 61701

1008 E WASHINGTON ST  
BLOOMINGTON, IL 61701

1002 E FRONT STREET  
BLOOMINGTON, IL 61701

107 BUTTERCUP WAY  
BLOOMINGTON, IL 61704

6 THOMAS DR  
NORMAL, IL 61761

902 E JEFFERSON ST  
BLOOMINGTON, IL 61701

1004 E JEFFERSON ST  
BLOOMINGTON, IL 61701

4200 SW 3RD AVE  
CAPE CORAL, FL 33914

16092 E 450 NORTH  
HEYWORTH, IL 61745

202 DAVIS AVE  
BLOOMINGTON, IL 61701

WILEY, LAURA L  
818 E JEFFERSON ST  
BLOOMINGTON, IL 61701

WILEY, ROBERT F  
32 COUNTRY CLUB PL  
BLOOMINGTON, IL 61701

8403 Surrey Cir  
BLOOMINGTON, IL 61705

311 S MAIN ST  
NORMAL, IL 61761

WILSON, STEVEN J  
1919 BERKSHIRE GARDEN  
NORMAL, IL 61761

PO BOX 5012  
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2504 Piney Run  
BLOOMINGTON, IL 61705

1001 E Jefferson St  
BLOOMINGTON, IL 61701

810 E FRONT  
BLOOMINGTON, IL 61701

806 E FRONT ST  
BLOOMINGTON, IL 61701

905 E JEFFERSON ST  
BLOOMINGTON, IL 61701

183 N BARWELL LAKE RD  
CARLOCK, IL 61725

809 E WASHINGTON ST  
BLOOMINGTON, IL 61701

15885 OLD COLONIAL ROAD  
BLOOMINGTON, IL 61705

49 El Camino Dr  
CORTE MADERA, CA 94925

RR 2  
DANVERS, IL 61732

4215 ANDERSON DR  
HEYWORTH, IL 61745

1007 E JEFFERSON ST  
BLOOMINGTON, IL 61701

1002 E JEFFERSON ST  
BLOOMINGTON, IL 61701

1503 ESTATE DR  
NORMAL, IL 61761

1004 E FRONT  
BLOOMINGTON, IL 61701

2625 Day Lily Run  
THE VILLAGES, FL 32162

655 COUNTY ROAD 1675 E  
EUREKA, IL 61530

2707 KOBY CT  
BLOOMINGTON, IL 61704

901 E JEFFERSON ST  
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WILSON, STEVEN J  
204 DAVIS AVE  
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816 E WASHINGTON ST  
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PO BOX 1009  
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PO BOX 1549  
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100 E WASHINGTON ST  
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1014 E FRONT ST  
BLOOMINGTON, IL 61701

1014 E WASHINGTON ST  
BLOOMINGTON, IL 61701

1015 E WASHINGTON  
BLOOMINGTON, IL 61701

9520 N 2200 East Rd  
DOWNS, IL 61736

3003 MORNINGSIDE DR  
BLOOMINGTON, IL 61704

501 Watford Dr  
BLOOMINGTON, IL 61704

1016 E FRONT  
BLOOMINGTON, IL 61701

PO BOX 1448  
BLOOMINGTON, IL 61702

PO Box 5895  
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801 IRONWOOD CC DR  
NORMAL, IL 61761

801 IRONWOOD CC DR  
NORMAL, IL 61761

PO BOX 5201  
BLOOMINGTON, IL 61704

7601 W 79TH STREET  
BRIDGEVIEW, IL 60455

301 S MCCLUN  
BLOOMINGTON, IL 61701

810 E GROVE ST  
BLOOMINGTON, IL 61701

801 IRONWOOD CC DR  
NORMAL, IL 61761

1002 E OLIVE ST  
BLOOMINGTON, IL 61701

6 THOMAS DR  
NORMAL, IL 61761

PO BOX 670  
BLOOMINGTON, IL 61702

1001 E GROVE ST  
BLOOMINGTON, IL 61701

219 S MC CLUN  
BLOOMINGTON, IL 61701

3005 CAPODICE RD  
BLOOMINGTON, IL 61705

2503 YORKTOWN DR  
BLOOMINGTON, IL 61704

209 S MCCLUN ST  
BLOOMINGTON, IL 61701

PO BOX 1543  
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PO BOX 1543  
BLOOMINGTON, IL 61702

PO BOX 3561  
BLOOMINGTON, IL 61702

1016 N EVANS ST  
BLOOMINGTON, IL 61701

105 FAIRVIEW AVE  
BLOOMINGTON, IL 61701

YN, DRYAN  
...02 E GROVE ST  
BLOOMINGTON, IL 61701

.....  
PO BOX 1543  
BLOOMINGTON, IL 61702

2503 YORKTOWN DR  
BLOOMINGTON, IL 61704

808 E OLIVE ST  
BLOOMINGTON, IL 61701

10900 DEERPOINT DRIVE  
ORLAND PARK, IL 60467

805 E FRONT ST  
BLOOMINGTON, IL 61701

803 E FRONT ST  
BLOOMINGTON, IL 61701

PO BOX 3561  
BLOOMINGTON, IL 61702

204 S State St  
BLOOMINGTON, IL 61701

171-13-5450  
PO BOX 260888  
PLANO, TX 75028

1004 1/2 E GROVE  
BLOOMINGTON, IL 61701

1010 E OLIVE  
BLOOMINGTON, IL 61701

PO BOX 1009  
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PO BOX 72  
BLOOMINGTON, IL 61702

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14060 RHODES RD  
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816 E OLIVE ST  
BLOOMINGTON, IL 61704

222 FLEETWOOD DR  
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810 E Olive St  
BLOOMINGTON, IL 61701

808 E OLIVE ST  
BLOOMINGTON, IL 61701

806 E OLIVE ST  
BLOOMINGTON, IL 61701

7601 W 79TH STREET  
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817 E GROVE  
BLOOMINGTON, IL 61701

813 E GROVE ST  
BLOOMINGTON, IL 61701

1010 E GROVE  
BLOOMINGTON, IL 61701

608 E MULBERRY ST  
BLOOMINGTON, IL 61701

14225 N 900 EAST RD  
BLOOMINGTON, IL 61704

PO BOX 478  
MORRIS, IL 60450

502 VALE ST  
BLOOMINGTON, IL 61701

19446 E 850 NORTH RD  
BLOOMINGTON, IL 61705

~~19446 E 850 NORTH RD~~  
19446 E 850 North Rd  
BLOOMINGTON, IL 61705

3 HANEY CT  
BLOOMINGTON, IL 61701

19446 E 850 NORTH RD  
BLOOMINGTON, IL 61705

1001 E GROVE ST  
BLOOMINGTON, IL 61701

1012 E GROVE  
BLOOMINGTON, IL 61701

2503 YORKTOWN DR  
BLOOMINGTON, IL 61704

1008 E OLIVE ST  
BLOOMINGTON, IL 61701

1202 BROADMOOR DR  
BLOOMINGTON, IL 61704

1404 KURT DR  
BLOOMINGTON, IL 61701

217 S MCCLUN  
BLOOMINGTON, IL 61701

PO BOX 1543  
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801 IRONWOOD CC DR  
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809 E OLIVE  
BLOOMINGTON, IL 61701

814 E OLIVE ST  
BLOOMINGTON, IL 61701

812 1/2 E OLIVE ST  
BLOOMINGTON, IL 61701

206 S CLINTON ST  
BLOOMINGTON, IL 61701

401 S GROVE ST  
NORMAL, IL 61761

211 S MCCLUN  
BLOOMINGTON, IL 61701

PO BOX 1549  
BLOOMINGTON, IL 61702

820 E GROVE ST  
BLOOMINGTON, IL 61701

801 IRONWOOD CC DR  
NORMAL, IL 61761

1506 ROYAL POINTE DRIVE  
BLOOMINGTON, IL 61704

916 E GROVE ST  
BLOOMINGTON, IL 61701

109 E OLIVE ST  
BLOOMINGTON, IL 61701

7601 W 79TH STREET  
BRIDGEVIEW, IL 60465

907 E GROVE ST  
BLOOMINGTON, IL 61701

PO BOX 66149 MC-210  
SAINT LOUIS, MO 63166

16 NORBLOOM AVE  
BLOOMINGTON, IL 61701

1011 E FRONT ST  
BLOOMINGTON, IL 61701

2911 GRANDVIEW DR  
BLOOMINGTON, IL 61704

OFARRE, MAUREEN E  
1003 E FRONT ST  
BLOOMINGTON, IL 61701

4215 ANDERSON DR  
HEYWORTH, IL 61745

1015 E GROVE  
BLOOMINGTON, IL 61701

1016 E GROVE ST  
BLOOMINGTON, IL 61701





FOR COUNCIL: February 11, 2013

**SUBJECT:** Review of Petition submitted by James A. Shirk and Beer Nuts, Inc., requesting approval of a Special Use Permit for *The Foundry*, a Mixed Use Development for property commonly located at 911 and 921 E. Washington St.

**RECOMMENDATION/MOTION:** That the Council approve the Special Use Permit and the Ordinance passed.

**STRATEGIC PLAN LINKS:** Goal 3 – Grow the Local Economy and Goal 6 - Great Place to Live – A livable Sustainable City.

**STRATEGIC PLAN SIGNIFICANCE:** Objectives 3.c. and 6.c. - The significance of the Foundry, related to Goal 3 is the growth of business, expansion of jobs, and an increase in the City's tax base. The project provides a mixture of retail space intended to compliment the area, generate additional sales and property taxes, as well as provide additional residential space. By providing a mixed use development, the petitioners are establishing a sustainable design of locating residential occupancies with close, walkable business and retail opportunities.

**BACKGROUND:** Several months ago, the petitioners approached staff with a plan to develop a mixed business, retail and residential project on the site east of Beer Nuts and the Constitution Trail and west of McClun Street. After several meetings to determine the process and the most palatable plan, the petitioners presented what is now called "The Foundry". The project consists of two buildings containing retail space on the first floors and residential units on the second and third floors, for a total of 32 dwelling units. The plan was introduced by the petitioners to neighboring property owners at an open house at the Beer Nuts Factory in November, 2012; beginning the public scrutiny of this project.

In the meetings between City staff and the petitioners it was determined that for this project to be viable several things needed to happen. The property would have to be rezoned to B-1, Highway Business from the existing M-1, Manufacturing (down-zoning) to allow for the introduction of retail to the site and permit residential occupancies as a special use permit. These actions would require separate hearings before both the Planning Commission (for rezoning) and the Zoning Board of Appeals (Special Use Permit). Both actions would result in recommendations for final action by the City Council.

The action covered by this agenda item is for the special use permit to allow for residential occupancies in the B-1, Highway Zoning District. This presumes the City Council has approved the rezoning request presented earlier in the agenda.

The Zoning Board of Appeals heard the request for special use on January 16, 2013. The meeting was well attended by the petitioner and their representatives as well as neighboring property owners which represented opinions both for and against the project.

The petitioners presented testimony to represent the project as both good for the City as well as the neighborhood. It was the intent to use access to the Constitution Trail as a drawing point for the retail and residential occupancies. The building design was representative of the Beer Nuts facility to the west and to the former industrial buildings on the site (hence “The Foundry”).

Those present in opposition to the project presented several issues, but were primarily concerned with the possible impact of traffic on the 1000 block of E. Front St. East Front Street was represented as narrow and congested. These conditions were exasperated by spillover activities at Washington Elementary School and the funeral home on the east end of the street.

Staff has evaluated the project and finds it to be an appropriate use for the site. The down-zoning of the property provides an opportunity to remove an objectionable manufacturing zoning classification and provide a reasonable transitional zoning and land uses to the area. While staff is sympathetic to the traffic concerns, especially of those on E. Front Street, staff expertise suggest there is no reason for the Foundry project to make any appreciable difference. The road design of East Washington and McClun Streets are adequate to support the additional traffic anticipated by this development. The traffic concerns cited by the residence on E. Front (narrow and congested) coupled with the street’s limited access are the very reasons why traffic from the Foundry are unlikely to further impact Front Street.

The staff’s positive recommendation of this project was bolstered by the unanimous (5-0) recommendation of the Zoning Board of Appeals for the Council to approve the special use permit.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** The notice for the special use permit was published as required by Illinois law, followed by “notice” signs placed on the property and approximately 175 pieces of direct mail to property owners within 500 feet of the site.

**FINANCIAL IMPACT:** The current site is an undeveloped piece of property. This development will generate additional property taxes, but additional sales taxes in regards to the introduction of retail businesses on the first floor of the facility. Staff is unable to determine an estimate for either tax.

Respectfully submitted for Council consideration.

Prepared by: Mark R. Huber, Director of PACE

Reviewed by: Barb Adkins, Deputy City Manager

Financial & Budgetary review by: Timothy L Ervin, Budget Officer

Legal review by: Rosalee Dodson, Assistant Corporation Counsel

Recommended by:

David A. Hales  
City Manager

- Attachments:**
- Attachment 1. Petition
  - Attachment 2. Ordinance
  - Attachment 3. Legal Description
  - Attachment 4. Zoning Board of Appeals Staff Report – January 9, 2013
  - Attachment 5. UNAPPROVED Zoning Board of Appeals Minutes – January 16, 2013
  - Attachment 6. Map – area petitioned for zoning change
  - Attachment 7. Map – area sent mailing from City regarding request for zoning change
  - Attachment 8. List of area businesses and residents contacted
  - Attachment 9. Photos – view from building in question for rezoning
- 

Motion: \_\_\_\_\_

Seconded by: \_\_\_\_\_

	Aye	Nay	Other		Aye	Nay	Other
				Alderman Purcell			
Alderman Fazzini				Alderman Sage			
Alderman Fruin				Alderman Schmidt			
Alderman McDade				Alderman Stearns			
Alderman Mwilambwe							
				Mayor Stockton			



8. That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided to said premises for said special permitted use;
9. That adequate measures have been or will be taken to provide ingress and egress to and from said premises so designed as to minimize traffic congestion in the public streets; and
10. That said special permitted use on said premises shall, in all other respects, conform to the applicable regulations of the B - 1 zoning district in which it is located except as such regulations may, in each instance, be modified by the City Council of the City of Bloomington pursuant to the recommendations of the Bloomington Board of Zoning Appeals.

WHEREFORE, your petitioners respectfully pray that said special use for said premises be approved.

Respectfully submitted,

James Shirk

**ORDINANCE NO. 2013 - \_\_\_\_\_**

**AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR A  
MIXED USE RETAIL/MULTIPLE FAMILY DEVELOPMENT  
FOR PROPERTY LOCATED AT: 911 & 921 E. WASHINGTON ST.**

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a petition requesting a Special Use Permit for a Multiple Family Dwellings for certain premises hereinafter described in Exhibit A; and

WHEREAS, the Bloomington Board of Zoning Appeals, after proper notice was given, conducted a public hearing on said petition; and

WHEREAS, the Bloomington Board of Zoning Appeals, after said public hearing made findings of fact that such Special Use Permit would comply with the standards and conditions for granting such special permitted use for said premises as required by Chapter 44, Section 44.6-30 of the Bloomington, City Code, 1960; and

WHEREAS the City Council of the City of Bloomington has the power to pass this Ordinance and grant this special use permit.

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

1. That the Special Use Permit for a Mixed Use Retail/Multiple Family Development on the premises hereinafter described in Exhibit A shall be and the same is hereby approved.
2. This Ordinance shall take effect immediately upon passage and approval.

PASSED this 11<sup>th</sup> day of February, 2013.

APPROVED this \_\_\_\_\_ day of February, 2013.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Exhibit A  
Description of Property

Tract 1:

A part of Lots 4 and 5 in the Subdivision of the South Half of Section 3 and a part of the Southwest Quarter of Section 3, all being in Township 23 North, Range 2 East of the Third Principal Meridian, in the City of Bloomington, McLean County, Illinois, more particularly described as follows: Beginning at the Northwest Corner of said Lot 4, said corner being a point on the original East Right-of-Way Line of the Illinois Central Railroad. From said Point of Beginning, thence west 94.66 feet along the Westerly Extension of the North Line of said Lot 4; thence south 412.24 feet along a line lying along the Easterly side of a North-South concrete pavement and said line forms an angle to the right of  $88^{\circ}-34'-37''$  with the last described course to a point lying 154 feet north of the North Line of Grove Street in the City of Bloomington; thence east 76.20 feet along a line parallel with said North Line and which line forms an angle to the right of  $91^{\circ}-21'-22''$  with the last described course to a point lying 176 feet east of the centerline of the main track (now gone) of said Illinois Central Railroad; thence South 154.00 feet along a line which forms an angle to the right of  $268^{\circ}-37'-01''$  with the last described course to the North Line of said Grove Street; thence east 26.20 feet along said North Line which forms an angle to the right of  $91^{\circ}-22'-59''$  with the last described course to the Southwest Corner of said Lot 5; thence north 126.17 feet along the West Line of said Lot 5 being said original East Right-of-Way Line and said West Line forms and angle to the right of  $87^{\circ}-51'-12''$  with the last described course; thence east 239.87 feet along a line which forms and angle to the right of  $271^{\circ}-55'-42''$  with the last described course to a point on the East Line of said Lot 5 lying 127.00 feet north of the Southeast Corner thereof; thence north 196.36 feet along said East Line and the East Line of said Lot 4 which form an angle to the right of  $90^{\circ}-29'-07''$  with the last described course to a point lying 242.31 feet south of the Northeast Corner of said Lot 4; thence west 248.14 feet along a line which forms an angle to the right of  $89^{\circ}-30'-53''$  with the last described course to a point on the West Line of said Lot 4 lying 243.72 feet South of the Point of Beginning; thence north 243.72 feet along said West Line which forms an angle to the right of  $268^{\circ}-04'-18''$  with the last described course to the Point of Beginning, McLean County, Illinois.

Tract 2:

Not Included

Tract 3:

A part of Lots 4 in the Subdivision of the South Half of Section 3, Township 23 North, Range 2 East of the Third Principal Meridian, in the City of Bloomington, McLean County, Illinois, more particularly described as follows: Beginning at a point on the East Line of said Lot 4 lying 242.31 feet south of the Northeast Corner thereof. From said Point of Beginning, thence north 242.31 feet along said East Line to said Northeast Corner; thence west 258.40 feet along the North Line of said Lot 4 which forms an angle to the right of  $89^{\circ}-48'-00''$  with the last described course to the Northwest Corner thereof, said Northwest Corner being a point on the original East Right-of-Way Line of the Illinois Central Railroad; thence south 243.72 feet along the West Line of said Lot 4 being said East Right-of-Way Line which forms an angle to the right of



87°-47'-11" with the last described course; thence east 248.14 feet along a line which forms an angle to the right of 91°-55'-42" with the last described course to the Point of Beginning, McLean County, Illinois.

Tract 4:

The Westerly part of the following 2 parcels, being the Westerly 80.54 feet along the South line of Washington Street and the Westerly 74.8 feet along the South line of Tract No. 4:

Parcel 1:

A parcel of land located in the Southwest 1/4 of Section 3, Township 23 North, Range 2 East of the Third Principal Meridian, Bloomington, Illinois, more particularly described as follows: Beginning at the point of intersection of the North Line of Grove Street and the West line of Lot 5 in the Subdivision of the South Half of said Section 3, said point also being 200.2 feet easterly of the centerline of the main track of the Illinois Central Railroad Company as measured along the North Line of Grove Street; thence Northerly along the West Line of said Lot 5 and the West Line of Lot 4 in the Subdivision of the South Half of said Section 3 a distance of 293.10 feet; thence Westerly and parallel to the South Line of Washington Street a distance of 98.65 feet to the east edge of the most easterly curb of a North-South concrete pavement; thence Northerly along said easterly edge a distance of 154 feet to a point that is 96.47 feet westerly of the West Line of said Lot 4 and 119.23 feet southerly of the South Line of Washington Street; thence westerly parallel to the South line of Washington Street a distance of 78.66 feet to a point 25 feet easterly of the centerline of Grantor's main track; thence southerly 25 feet easterly of and parallel to said centerline of the main track a distance of 293.10 feet to a point, said point being 154 feet northerly of the North Line of Grove Street; thence easterly 154 feet northerly of and parallel to the North Line of Grove Street a distance of 151 feet; thence southerly a distance of 154 feet to a point on the North Line of Grove Street, 174 feet easterly of the centerline of Grantor's main track as measured along said North line; thence easterly along said North Line of Grove Street 26.2 feet to the point of beginning, in McLean County, Illinois.

Parcel 2:

A part of the Southwest 1/4 of Section 3, Township 23 North, Range 2 East of the Third Principal Meridian, described as follows: Beginning at the Northwest corner of Lot 4 in the Subdivision of the South Half of Section 3, Township 23 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois and which point is also on the South Line of Washington Street. From said Point of Beginning, thence South 273.23 feet along the West Line of said Lot 4; thence West 98.65 feet parallel with the South Line of Washington Street to a point on the East edge of the easternmost curb of a north-south concrete pavement; thence north 154 feet along the said east edge to a point which is 96.47 feet west of the West line of said Lot 4 and which point is also 119.23 feet south of the South Line of Washington Street; thence West 78.66 feet parallel with the South Line of Washington Street to a point which is 25 feet east of the centerline of the main track of the Illinois Central Railroad; thence North 119.23 feet parallel with said Centerline to a point on the South Line of Washington Street, said point being 175.2

feet west of the Point of Beginning; thence east 175.2 feet along the South Line of Washington Street to the point of beginning, in McLean County, Illinois.

**REPORT**

To: Zoning Board of Appeals

From: Staff

Subject: **SP-01-13** Public Hearing and Review on the petition submitted by James A Shirk and Beer Nuts, Inc. requesting approval of a special use permit for multiple-family dwellings for the property located at 911 and 921 E. Washington Street. Zoned B-1, Highway Business District. \*

**BACKGROUND INFORMATION:**

Adjacent Zoning

North: M-1, Restricted Manufacturing District  
North: R-3A, Multiple-Family Residence District

South: B-2, General Business Service District  
South: M-1, Restricted Manufacturing District  
East: R-1C, Single-Family Residence District  
East: M-1, Restricted Manufacturing District  
West: M-1, Restricted Manufacturing District

Adjacent Land Uses

North: Vacant  
North: Single and Multi-Family Residences  
South: Garden Center  
South: Warehouse  
East: Single-Family Residence  
East: Warehouse/candle Business  
West: Beer Nuts Factory

The Comprehensive Plan calls for heavy industrial for the site.

This petitioner is seeking a special use for multiple-family residential on a 3.07 acre parcel which is adjacent to Washington and Mcclun Streets. The development will have two buildings with retail on the first floor and apartments on the second and third floors. The site is level and vacant except for the storage building on the southern portion of the site which will be demolished to provide parking for the development.

\* Note that in addition to approval of the special use, the petitioner must also secure a rezoning from the current M-1, Restricted Manufacturing District to B-1, Highway Business District. Such a rezoning request is currently being processed and has a positive recommendation from the Planning Commission.

**Traffic and Parking**

The retail portion of the development will be isolated to the north side of the property and directed primarily towards Washington Street while the residential part has access from Mcclun and Grove Streets. Thus with the retail traffic accessing the site from Washington Street, a major arterial, the street will adequately carry the increased traffic. Traffic congestion will be minimized on Washington Street because there will be only one access point and it will be an adequate distance from nearby intersections. Parking is being provided a required by code.

**Analysis**

The development will be in compliance with all building setback and parking requirements. Even though there is some residential uses nearby overall the intensity of the uses is such that it will be compatible with the nearby land uses. There will be over 100 feet to the residences on the north side of Washington Street to the front of the building which is reasonable buffering between these land uses. This buffering will provide for the continued enjoyment of nearby properties. With the change from industrial uses to retail and residential uses the orderly redevelopment and improvement of surrounding nearby properties will not be impeded. The developer is not asking for any waiver of codes pertaining to utilities, access or drainage and such will adequately provided.

**Action by the Board of Zoning Appeals.**

For each special use application the Board of Zoning Appeals shall report to the Council its findings of fact and recommendations, including the stipulations of additional conditions and guarantees, when they are deemed necessary for the protection of the public interest or to meet the standards as specified herein. No special use application shall be recommended by the Board of Zoning Appeals for approval unless such Board shall find:

- 1. that the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, comfort or general welfare;**
- 2. that 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;**
- 3. that 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;**
- 4. that adequate utilities, access roads, drainage and/or necessary facilities have been or will be provided;**
- 5. that adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and**
- 6. that 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. (Ordinance No. 2006-137)**

**STAFF RECOMMENDATION:**

Based upon compliance with the above standards staff recommends that the Zoning Board of Appeals pass a motion recommending City Council approval of this petition in Case SP-01-13 to allow multiple-family dwellings for the property located at 911 and 921 E. Washington Street.

Respectfully submitted,

Mark Woolard  
City Planner

**UNAPPROVED MINUTES  
ZONING BOARD OF APPEALS  
REGULAR MEETING  
WEDNESDAY, JANUARY 16, 2013, 3:00 P.M.  
COUNCIL CHAMBERS, CITY HALL  
109 E. OLIVE ST., BLOOMINGTON, IL**

Members present: Mr. Dick Briggs, Mr. Mike Ireland, Mr. Robert Kearney, Mr. Steve Parker, Mr. Bill Zimmerman  
Members absent: Mrs. Barbara Meek  
Also Present: Mr. Kevin Kothe, City Engineer  
Ms. Kathryn Gruber, Acting Secretary  
Mr. Mark Huber, Director PACE Department

Ms. Gruber called the meeting to order at 3:00 p.m. and called the roll. A quorum was present.

The Board reviewed the minutes from December 19, 2012. The Board but had no corrections to the minutes. The minutes were accepted as printed.

Chairman Ireland explained the meeting procedures. Ms. Gruber stated that the cases had been published.

Chairman Ireland explained the following special use and variance cases will be reviewed concurrently.

**SP-01-13** Public Hearing and Review on the petition submitted by James A Shirk and Beer Nuts, Inc. requesting approval of a special use permit for multiple-family dwellings for the property located at 911 and 921 E. Washington Street. Zoned B-1, Highway Business District.

**Z-2-13** Public Hearing and Review on the petition submitted by James A Shirk and Beer Nuts, Inc. to allow construction of two buildings with retail and multi-family dwellings and to allow a variance from the Zoning Ordinance to increase the maximum allowed height from 35 feet to 42 feet for property located at 911 and 921 E. Washington Street. Zoned B-1, Highway Business District.

Chairman Ireland introduced the petitions. Mr. Huber explained the code does not address mixed uses very well and there is a petition in process to rezone the property from M-1 to B-1. The Planning Commission recommended approval of the rezoning. The special use and variance petitions are being heard today with the assumption that the property will be rezoned to B-1. Staff is recommending approval of the petitions. Changes to the plans include setbacks being farther back from the street, the height has been scaled back and the parking has been reconfigured to have the retail parking on the north side of the building and the residential to the south.

Chairman Ireland asked for anyone who would like to speak in favor of the petition to come forward.

Mr. William C. Wetzel, of 115 W. Jefferson Street, Suite 400, was sworn in and stated he represents the petitioners. He explained they held a neighborhood meeting in November to explain the project. The project and location is compatible with the neighborhood and has good high profile location.

Jim Shirk, 910 Timberlake Road, was sworn in and explained the history of how they first acquired the property and how the site was in disrepair. In 2004 the city council approved the Constitution Trail extension. The area improved and made it nice for business. Now they have worked to figure out what to do with the site and Kyle has done the research for what works for such a site and to make it an improvement to the site and the neighborhood.

Don Adams, 2709 McGraw Drive, was sworn in and stated the project is an infill development and all infrastructure is already in place. Access is to three public streets. They will comply with the required number of parking spaces of 155 and will exceed it with 162. One quarter of the second floor space could be retail and still meet the required parking.

Kyle Glandon, 2117 W. Homer, Chicago, Illinois, was sworn in and stated their vision is to create a transition from the smaller single-family to the larger manufacturing plant. He described the floor plans with the retail and residential. There will be 7,000 square feet of retail in each building. They are looking at young professional tenants. They want everything in the retail aspects of the project to work well with the residential so the lighting, signage or type of tenants will be complimentary. There will be 32 apartments. Since the building is 115 feet off the street, the height will not appear to be so significant. He stated the architecture was intended to reflect an industrial corridor. He said trying to mimic historic homes was the wrong approach but pulling the building back makes it sensitive to the homes nearby. The truck traffic will enter and exit from the south.

Chairman Ireland asked for anyone else who would like to speak in favor of the petition.

Sue Mescher, 1007 E. Washington Street, was sworn in and stated the structure is appealing, there is good use of landscaping and the design fits in with the neighborhood. Jobs will be created and is good for the tax base. There will be housing for families who will be mostly couples without children and it is a good project because of the Shirk's reputation.

Chairman Ireland asked for anyone who would like to speak in opposition to the petition.

Becky Bols, 1018 1/2 E. Front Street, was sworn in and stated she represents the residents of the 1000 block of E. Front Street. They are asking that the traffic concerns for Front, McClun, Washington and Grove Streets be addressed. They want the Council to table their decision until after a traffic study has been done in the area. McClun and Front Streets are not wide streets and they feel neither street can handle the influx of traffic and parking. McClun is used as a public bus stop and at Grove and McClun and the development will make the intersection very dangerous. They are going to target bicyclists however it is not California where it is sunny and 70° all year round, the winters all long and the trail runs north and south so other trail users will not use it for biking to their work. Even bikers will have cars to get around town

and the trail at this end is not widely used. Front Street is bogged down with school and funeral home traffic and with parking on both sides of the entire street. When the leaves fall the street becomes very narrow. Most of the homes and the mansions are well over 100 years old and if we have to put this structure up it should mesh better with the neighborhood. It has more of a strip mall look to it and would fit better in a new subdivision and they should look at a better design and not so cookie cutter. She provided photographs of structures in the neighborhood and a bottle to remind the board of the historic neighborhood where the structure is being built and the project should be kept in line with the look of the area. She explained they fear the traffic will come down their street and the semi-trucks cause problems.

Beverly Miller, 1029 E. Front Street, was sworn in and stated she was for the project but they are on Front Street which is right there and 32 apartments is a lot of cars and she has been there 51 years and she is concerned about having more traffic. Mr. Kearney said he thinks the residential traffic helps because it will generate less traffic than commercial. There was more discussion on the traffic and causes.

Mr. Wetzel responded to the comments. He thinks people going east on Front Street will not go down it again. He emphasized if this project is not built one should look at what can be built there without doing anything other than going in and getting a building permit. Also there is no request to waive the parking. He remembers what was there and the project name is the Foundry. It needs economic viability to be built. The project represents about as good of a use that anybody could hope for this property and you have good input from architects and an engineer.

Mr. Kothe stated we don't have traffic counts for Front Street because we do not count every residential street. He said we are just under 12,000 vehicles per day on Washington, just under 4,000 on Grove and 2,600 on McClun. The capacity of these streets is greater and will not be impacted. Front Street is narrow with parking on both sides and he agrees with the comments on how if someone goes down it they will not go down it again. There are pros and cons with that in that with the parking on both sides it results in traffic calming and cars are less likely to go down it because of the friction with another vehicle. He explained the method to remove the parking. There was a request to look at an all way stop at McClun and Grove and it did not meet the warrants in 2003 but it can be requested to be looked at again. A traffic light is not warranted.

Mr. Huber addressed questions. He explained the notification process and how the code addresses the required parking and assumes all the parking needed for a development is provided on the site. He said it is highly unlikely that they will be expanding the retail into an upper floor. Every lane of traffic should be able to carry 6,000 cars a day.

Before Mr. Kearney voted he stated that he thought we are lucky that Jim Shirk is behind the project because the site could have been sold and developed in a number of different ways and given not just his proximity to the location, but given the fact that it will be owned by him and he is responsible for the development but also given his impact on the community this is the best possible future for the property that we might have imagined. He said parenthetically he is not sure it is the best possible design aesthetically for the area and he says that not just because

he lives not far from there in the Founder's Grove area, an old part of Bloomington, and he says it not just because the area he lives in is exactly like the area he lived in in Chicago but because it is an industrial block design and he knows it is popular now and it looks like a redevelopment in terms of its design, not a new development. He is not sure that it is consistent with the area aesthetically and architecturally but for him based on the findings of fact that is not a reason to vote against it and for all the reasons that he began with it, he would have voted for it anyway.

The vote on the special use was approved with five (5) voting in favor and zero (0) against.

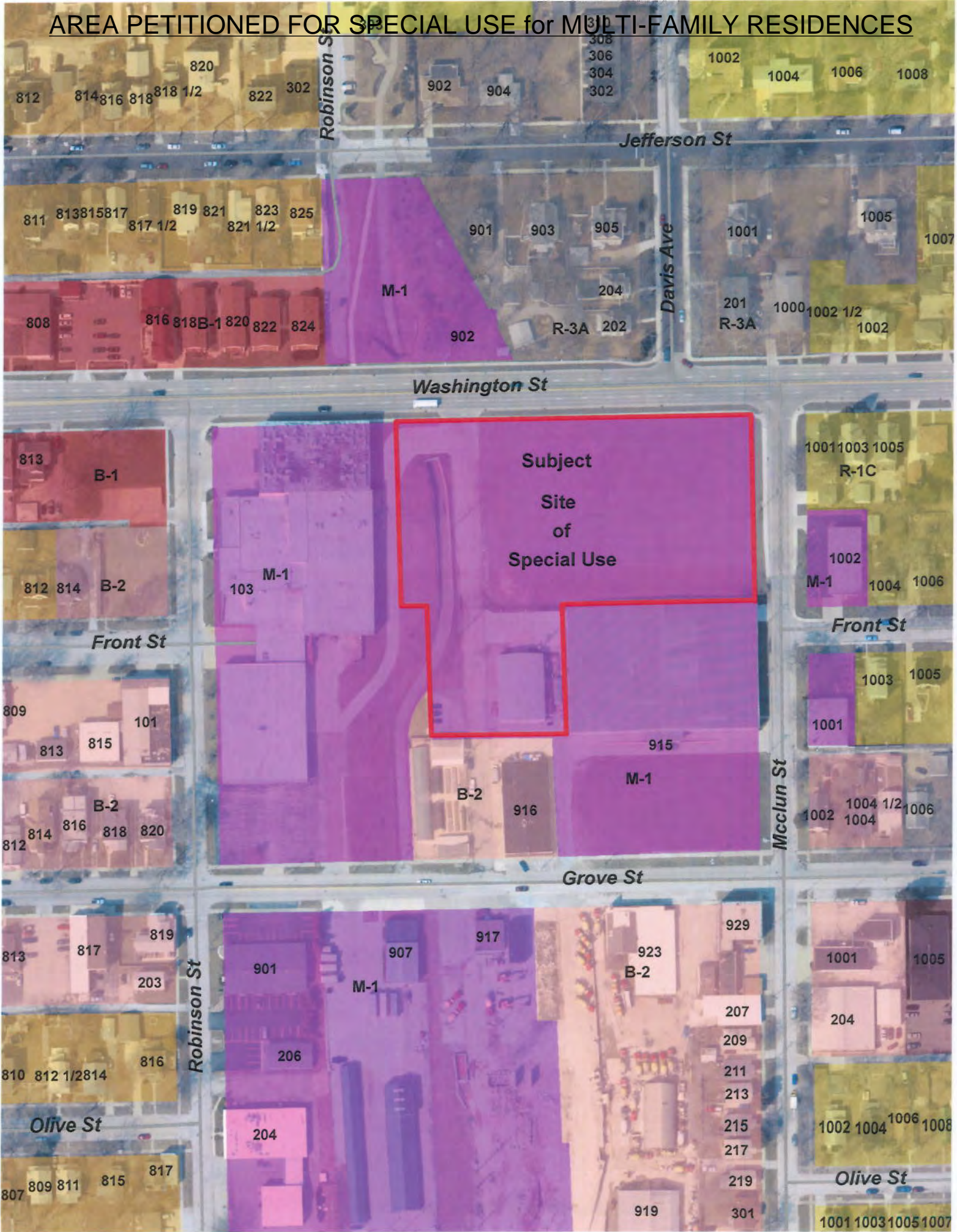
Chairman Ireland explained we have the authority to approve the variance.

Chairman Ireland stated before he voted that this part of the project is an important part. He said to the Board if you remember the project on Empire that had a height variance for student housing for Wesleyan, and if you have seen it recently it is clear out on the street and it is massive looking. He was concerned about the scale and did not expect it to look like it does. The setback here and the fact that it is industrial and adding to the height will remove some of that and is important aesthetically.

The vote on the variance was approved with five (5) voting in favor and zero (0) against.

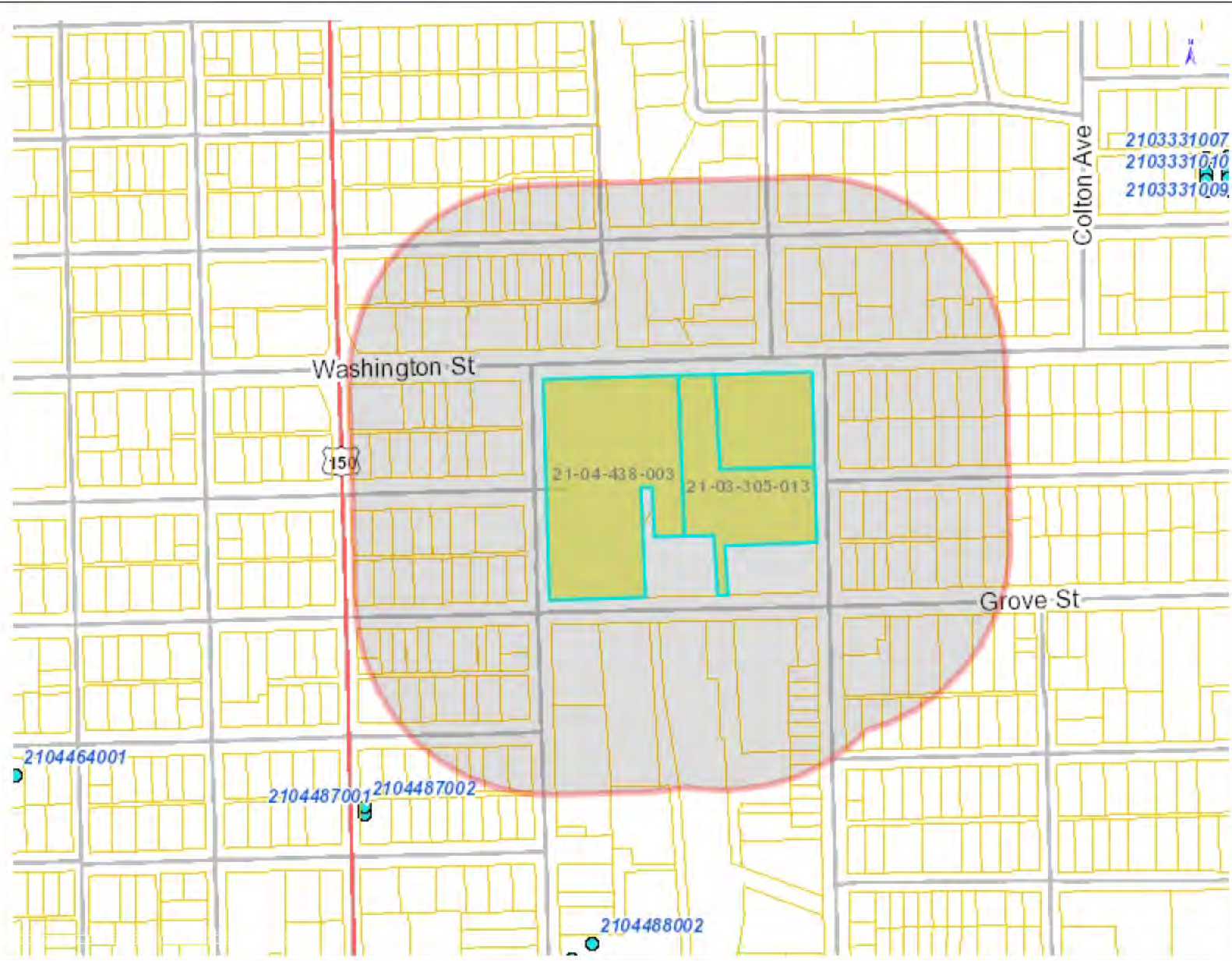


# AREA PETITIONED FOR SPECIAL USE for MULTI-FAMILY RESIDENCES



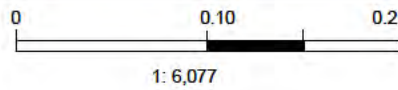


# Rezoning/Special Use for Multi-Family Residences



### Legend

- Parcels
- Condo\_Improve
- Interstates
- US\_Highways
- State\_Highways
- County\_Highways
- County\_Rd
- City\_Streets
  - ALLEY
  - CITY\_ARTERIAL
  - CITY\_COLLECTOR
  - CITY\_STREET
  - PRIVATE\_STREET
- Railroad
- County



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Notes

PO BOX 1549  
BLOOMINGTON, IL 61702

PO BOX 1549  
BLOOMINGTON, IL 61702

109 E OLIVE ST  
BLOOMINGTON, IL 61701

1003 E Washington St  
BLOOMINGTON, IL 61701

2510 W Washington St  
BLOOMINGTON, IL 61705

1005 1/2 E WASHINGTON ST  
BLOOMINGTON, IL 61701

1005 E WASHINGTON  
BLOOMINGTON, IL 61701

1009 E WASHINGTON ST  
BLOOMINGTON, IL 61701

2625 Day Lily Run  
THE VILLAGES, FL 32162

1005 E JEFFERSON ST  
BLOOMINGTON, IL 61701

311 S MAIN ST  
NORMAL, IL 61761

806 E WASHINGTON  
BLOOMINGTON, IL 61701

2514 TIMBER VIEW DR  
BLOOMINGTON, IL 61701

PO BOX 34  
MINIER, IL 61759

49 El Camino Dr  
CORTE MADERA, CA 94925

49 El Camino Dr  
CORTE MADERA, CA 94925

53 STONEBROOK CT  
BLOOMINGTON, IL 61704

808 E JEFFERSON ST  
BLOOMINGTON, IL 61701

1006 E FRONT ST  
BLOOMINGTON, IL 61701

823 E JEFFERSON ST  
BLOOMINGTON, IL 61701

201 W OLIVE STREET  
BLOOMINGTON, IL 61701

1009 E JEFFERSON  
BLOOMINGTON, IL 61701

1005 E JEFFERSON ST  
BLOOMINGTON, IL 61701

812 & 812 1/2 E JEFFERSON  
BLOOMINGTON, IL 61701

811 E Jefferson St  
BLOOMINGTON, IL 61701

1010 N MCLEAN ST  
BLOOMINGTON, IL 61701

32 COUNTRY CLUB PL  
BLOOMINGTON, IL 61701

816 E JEFFERSON ST  
BLOOMINGTON, IL 61701

1904 MARINA DR  
NORMAL, IL 61761

53 STONEBROOK COURT  
BLOOMINGTON, IL 61704

1007 E WASHINGTON ST  
BLOOMINGTON, IL 61701

1001 E WASHINGTON  
BLOOMINGTON, IL 61701

PO BOX 1549  
BLOOMINGTON, IL 61702

1008 E JEFFERSON ST  
BLOOMINGTON, IL 61701

819 E JEFFERSON ST  
BLOOMINGTON, IL 61701

817 1/2 E JEFFERSON  
BLOOMINGTON, IL 61701

1317 FLAGG RD  
DIXON, IL 61021

109 E OLIVE  
BLOOMINGTON, IL 61701

825 E Jefferson St  
BLOOMINGTON, IL 61701

1012 E WASHINGTON ST  
BLOOMINGTON, IL 61701

202 Grandview Dr  
NORMAL, IL 61761

1010 E JEFFERSON ST  
BLOOMINGTON, IL 61701

1406 W WOOD ST  
BLOOMINGTON, IL 61701

811 E WASHINGTON ST  
BLOOMINGTON, IL 61701

6 THOMAS DR  
NORMAL, IL 61761

1011 E Washington St  
BLOOMINGTON, IL 61701

812 E FRONT ST  
BLOOMINGTON, IL 61701

808 E FRONT ST  
BLOOMINGTON, IL 61701

1005 E JEFFERSON ST  
BLOOMINGTON, IL 61701

1256 SILVER OAK  
NORMAL, IL 61761

1006 E JEFFERSON ST  
BLOOMINGTON, IL 61701

1011 E JEFFERSON ST  
BLOOMINGTON, IL 61701

1008 E WASHINGTON ST  
BLOOMINGTON, IL 61701

1002 E FRONT STREET  
BLOOMINGTON, IL 61701

107 BUTTERCUP WAY  
BLOOMINGTON, IL 61704

6 THOMAS DR  
NORMAL, IL 61761

902 E JEFFERSON ST  
BLOOMINGTON, IL 61701

1004 E JEFFERSON ST  
BLOOMINGTON, IL 61701

4200 SW 3RD AVE  
CAPE CORAL, FL 33914

16092 E 450 NORTH  
HEYWORTH, IL 61745

202 DAVIS AVE  
BLOOMINGTON, IL 61701

WILEY, LAURA L  
818 E JEFFERSON ST  
BLOOMINGTON, IL 61701

WELLS, ROBERT H  
32 COUNTRY CLUB PL  
BLOOMINGTON, IL 61701

8406 Surrey Cir  
BLOOMINGTON, IL 61705

311 S MAIN ST  
NORMAL, IL 61761

1919 BERKSHIRE GARDEN  
NORMAL, IL 61761

PO BOX 5012  
BLOOMINGTON, IL 61702

2504 Piney Run  
BLOOMINGTON, IL 61705

1001 E Jefferson St  
BLOOMINGTON, IL 61701

810 E FRONT  
BLOOMINGTON, IL 61701

806 E FRONT ST  
BLOOMINGTON, IL 61701

905 E JEFFERSON ST  
BLOOMINGTON, IL 61701

183 N BARWELL LAKE RD  
CARLOCK, IL 61725

809 E WASHINGTON ST  
BLOOMINGTON, IL 61701

15895 OLD COLONIAL ROAD  
BLOOMINGTON, IL 61705

49 El Camino Dr  
CORTE MADERA, CA 94925

RR 2  
DANVERS, IL 61732

4215 ANDERSON DR  
HEYWORTH, IL 61745

1007 E JEFFERSON ST  
BLOOMINGTON, IL 61701

1002 E JEFFERSON ST  
BLOOMINGTON, IL 61701

1503 ESTATE DR  
NORMAL, IL 61761

1004 E FRONT  
BLOOMINGTON, IL 61701

2625 Day Lily Run  
THE VILLAGES, FL 32162

655 COUNTY ROAD 1675 E  
EUREKA, IL 61530

2707 KOBY CT  
BLOOMINGTON, IL 61704

901 E JEFFERSON ST  
BLOOMINGTON, IL 61701

204 DAVIS AVE  
BLOOMINGTON, IL 61701

903 E JEFFERSON ST  
BLOOMINGTON, IL 61701

816 E WASHINGTON ST  
BLOOMINGTON, IL 61701

PO BOX 1009  
BLOOMINGTON, IL 61702

PO BOX 1549  
BLOOMINGTON, IL 61702

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BLOOMINGTON, IL 61701

1014 E FRONT ST  
BLOOMINGTON, IL 61701

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1014 E WASHINGTON ST  
BLOOMINGTON, IL 61701

1015 E WASHINGTON  
BLOOMINGTON, IL 61701

9520 N 2200 East Rd  
DOWNS, IL 61736

3003 MORNINGSIDE DR  
BLOOMINGTON, IL 61704

501 Watford Dr  
BLOOMINGTON, IL 61704

1016 E FRONT  
BLOOMINGTON, IL 61701

PO BOX 1448  
BLOOMINGTON, IL 61702

PO Box 5895  
BLOOMINGTON, IL 61702

801 IRONWOOD CC DR  
NORMAL, IL 61761

801 IRONWOOD CC DR  
NORMAL, IL 61761

PO BOX 5201  
BLOOMINGTON, IL 61704

7601 W 79TH STREET  
BRIDGEVIEW, IL 60455

301 S MCCLUN  
BLOOMINGTON, IL 61701

810 E GROVE ST  
BLOOMINGTON, IL 61701

801 IRONWOOD CC DR  
NORMAL, IL 61761

1002 E OLIVE ST  
BLOOMINGTON, IL 61701

6 THOMAS DR  
NORMAL, IL 61761

PO BOX 670  
BLOOMINGTON, IL 61702

1001 E GROVE ST  
BLOOMINGTON, IL 61701

219 S MC CLUN  
BLOOMINGTON, IL 61701

3005 CAPODICE RD  
BLOOMINGTON, IL 61705

2503 YORKTOWN DR  
BLOOMINGTON, IL 61704

209 S MCCLUN ST  
BLOOMINGTON, IL 61701

PO BOX 1543  
BLOOMINGTON, IL 61702

PO BOX 1543  
BLOOMINGTON, IL 61702

PO BOX 3561  
BLOOMINGTON, IL 61702

1016 N EVANS ST  
BLOOMINGTON, IL 61701

105 FAIRVIEW AVE  
BLOOMINGTON, IL 61701

NN, DKTAN  
102 E GROVE ST  
BLOOMINGTON, IL 61701

PO BOX 1543  
BLOOMINGTON, IL 61702

2503 YORKTOWN DR  
BLOOMINGTON, IL 61704

806 E OLIVE ST  
BLOOMINGTON, IL 61701

10900 DEERPOINT DRIVE  
ORLAND PARK, IL 60467

805 E FRONT ST  
BLOOMINGTON, IL 61701

803 E FRONT ST  
BLOOMINGTON, IL 61701

PO BOX 3561  
BLOOMINGTON, IL 61702

204 S State St  
BLOOMINGTON, IL 61701

171-13-5450  
PO BOX 260888  
PLANO, TX 75026

1004 1/2 E GROVE  
BLOOMINGTON, IL 61701

1010 E OLIVE  
BLOOMINGTON, IL 61701

PO BOX 1009  
BLOOMINGTON, IL 61702

PO BOX 72  
BLOOMINGTON, IL 61702

PO BOX 670  
BLOOMINGTON, IL 61702

14060 RHODES RD  
BLOOMINGTON, IL 61705

816 E OLIVE ST  
BLOOMINGTON, IL 61704

222 FLEETWOOD DR  
BLOOMINGTON, IL 61701

810 E Olive St  
BLOOMINGTON, IL 61701

808 E OLIVE ST  
BLOOMINGTON, IL 61701

806 E OLIVE ST  
BLOOMINGTON, IL 61701

7601 W 79TH STREET  
BRIDGEVIEW, IL 60455

817 E GROVE  
BLOOMINGTON, IL 61701

813 E GROVE ST  
BLOOMINGTON, IL 61701

1010 E GROVE  
BLOOMINGTON, IL 61701

608 E MULBERRY ST  
BLOOMINGTON, IL 61701

14225 N 900 EAST RD  
BLOOMINGTON, IL 61704

PO BOX 478  
MORRIS, IL 60450

502 VALE ST  
BLOOMINGTON, IL 61701

19446 E 850 NORTH RD  
BLOOMINGTON, IL 61705

19446 E 850 North Rd  
BLOOMINGTON, IL 61705

3 HANEY CT  
BLOOMINGTON, IL 61701

19446 E 850 NORTH RD  
BLOOMINGTON, IL 61705

1001 E GROVE ST  
BLOOMINGTON, IL 61701

1012 E GROVE  
BLOOMINGTON, IL 61701

2503 YORKTOWN DR  
BLOOMINGTON, IL 61704

1008 E OLIVE ST  
BLOOMINGTON, IL 61701

1202 BROADMOOR DR  
BLOOMINGTON, IL 61704

1404 KURT DR  
BLOOMINGTON, IL 61701

217 S MCCLUN  
BLOOMINGTON, IL 61701

PO BOX 1543  
BLOOMINGTON, IL 61702

801 IRONWOOD CC DR  
NORMAL, IL 61761

809 E OLIVE  
BLOOMINGTON, IL 61701

814 E OLIVE ST  
BLOOMINGTON, IL 61701

812 1/2 E OLIVE ST  
BLOOMINGTON, IL 61701

205 S CLINTON ST  
BLOOMINGTON, IL 61701

401 S GROVE ST  
NORMAL, IL 61761

211 S MCCLUN  
BLOOMINGTON, IL 61701

PO BOX 1549  
BLOOMINGTON, IL 61702

820 E GROVE ST  
BLOOMINGTON, IL 61701

801 IRONWOOD CC DR  
NORMAL, IL 61761

1506 ROYAL POINTE DRIVE  
BLOOMINGTON, IL 61704

916 E GROVE ST  
BLOOMINGTON, IL 61701

109 E OLIVE ST  
BLOOMINGTON, IL 61701

7601 W 79TH STREET  
BRIDGEVIEW, IL 60455

907 E GROVE ST  
BLOOMINGTON, IL 61701

PO BOX 66149 MC-210  
SAINT LOUIS, MO 63166

16 NORBLOOM AVE  
BLOOMINGTON, IL 61701

1011 E FRONT ST  
BLOOMINGTON, IL 61701



2911 GRANDVIEW DR  
BLOOMINGTON, IL 61704

SEAR, NAIGLEEN E  
1003 E FRONT ST  
BLOOMINGTON, IL 61701

4215 ANDERSON DR  
HEYWORTH, IL 61745

1015 E GROVE  
BLOOMINGTON, IL 61701

1016 E GROVE ST  
BLOOMINGTON, IL 61701



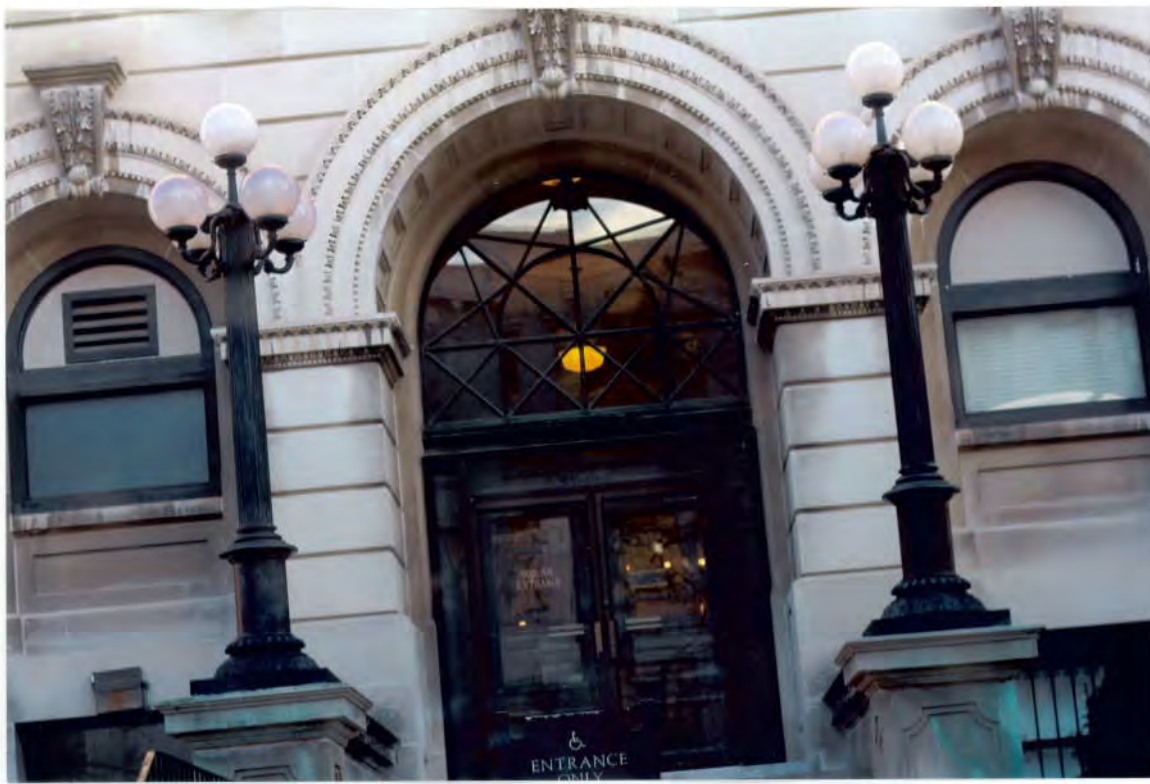
PHOTOS SUBMITTED AT SPECIAL USE HEARING BY BECKY BOLS ON BEHALF OF NEIGHBORS



PHOTOS SUBMITTED AT SPECIAL USE HEARING BY BECKY BOLS ON BEHALF OF NEIGHBORS

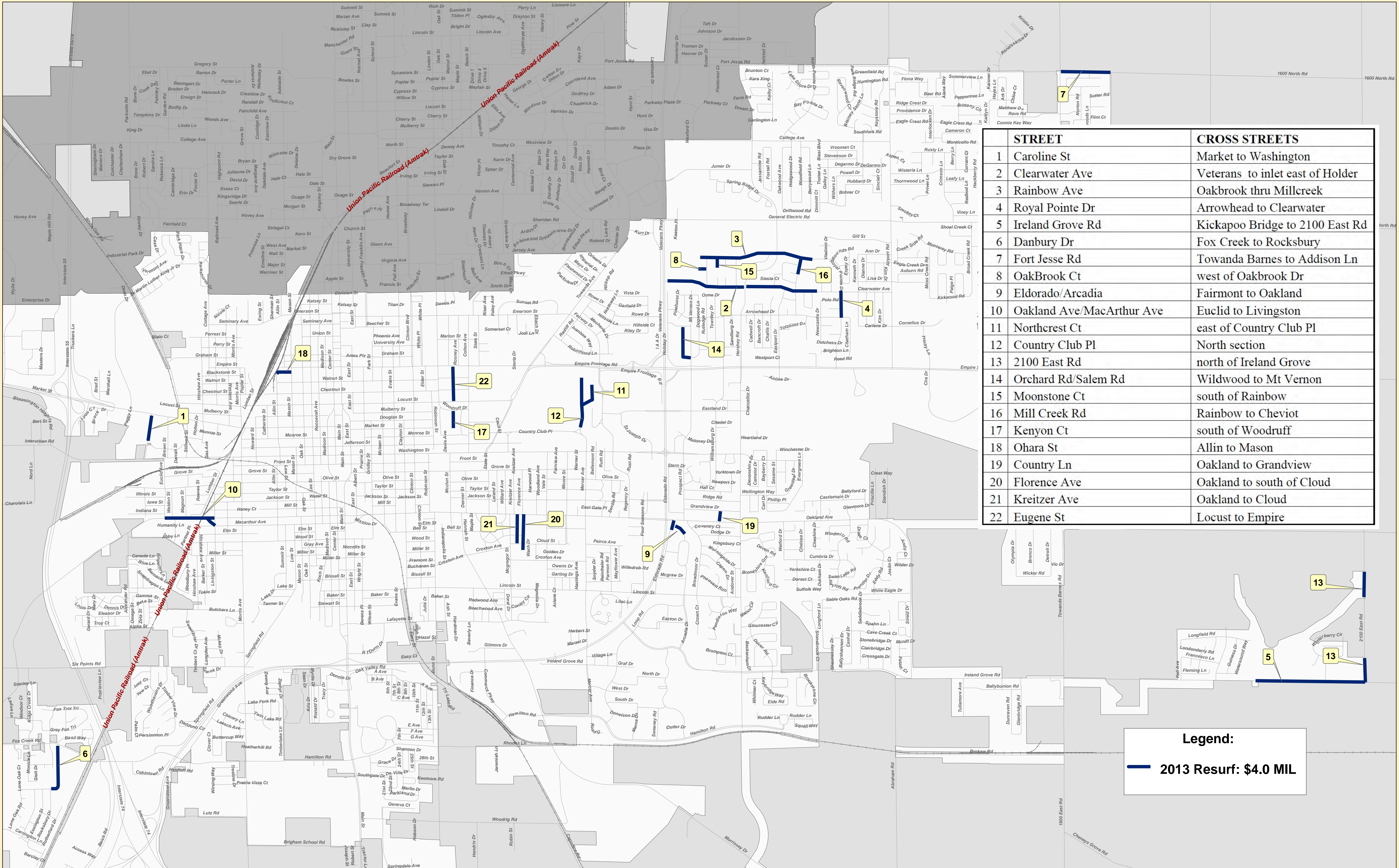
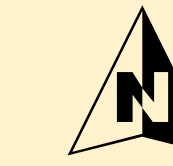


PHOTOS SUBMITTED AT SPECIAL USE HEARING BY BECKY BOLS ON BEHALF OF NEIGHBORS



PHOTOS SUBMITTED AT SPECIAL USE HEARING BY BECKY BOLS ON BEHALF OF NEIGHBORS

# Preliminary Resurfacing List for 2013



	STREET	CROSS STREETS
1	Caroline St	Market to Washington
2	Clearwater Ave	Veterans to inlet east of Holder
3	Rainbow Ave	Oakbrook thru Millcreek
4	Royal Pointe Dr	Arrowhead to Clearwater
5	Ireland Grove Rd	Kickapoo Bridge to 2100 East Rd
6	Danbury Dr	Fox Creek to Rocksbury
7	Fort Jesse Rd	Towanda Barnes to Addison Ln
8	Oakbrook Ct	west of Oakbrook Dr
9	Eldorado/Arcadia	Fairmont to Oakland
10	Oakland Ave/MacArthur Ave	Euclid to Livingston
11	Northcrest Ct	east of Country Club Pl
12	Country Club Pl	North section
13	2100 East Rd	north of Ireland Grove
14	Orchard Rd/Salem Rd	Wildwood to Mt Vernon
15	Moonstone Ct	south of Rainbow
16	Mill Creek Rd	Rainbow to Cheviot
17	Kenyon Ct	south of Woodruff
18	Ohara St	Allin to Mason
19	Country Ln	Oakland to Grandview
20	Florence Ave	Oakland to south of Cloud
21	Kreitzer Ave	Oakland to Cloud
22	Eugene St	Locust to Empire

**Legend:**  
 2013 Resurf: \$4.0 MIL