

MINUTES
BLOOMINGTON PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, SEPTEMBER 24, 2014, 4:00 P.M.
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE STREET, BLOOMINGTON, ILLINOIS

MEMBERS PRESENT: Mr. Cornell, Mr. Balmer, Mr. Cain, Mr. Suess, Mr. Scritchlow,
Mr. Stanczak, Mr. Diamond, Mr. Protzman

MEMBERS ABSENT: Mr. Wills, Mr. Pearson

OTHERS PRESENT: Mr. Kevin Kothe, Director City Engineer
Mr. Tom Dabareiner, Community Development Director
Mr. Mark Woolard, City Planner

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

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

PUBLIC COMMENT: None

MINUTES: The Commission reviewed the September 10, 2014 minutes. On page two sentence which reads, "Chairman Cain" is to be replaced with "Mr. Cornell" "stated he was not a big fan of the location." Mr. Balmer moved to approve the September 10, 2014, minutes as corrected. Mr. Scritchlow seconded the motion which passed by a vote of 6-0 with the following votes being cast on roll call: Mr. Scritchlow-yes; Mr. Cornell-yes; Mr. Cain-yes; Mr. Balmer-yes; Mr. Protzman-yes; Mr. Suess-yes; Mr. Stanczak-present; Mr. Diamond-present; Mr. Pearson- absent; Mr. Wills-absent.

REGULAR AGENDA:

Z-08-14. Public hearing and review on the petition submitted by McLean County Land Trust FSB 1200 Land Trust (d/b/a Towanda Plaza Corp.) requesting the approval of a Rezoning from C-3, Community Regional Shopping District to R-3A, Multiple-Family Residence District, for 1234, 1236, 1238 East Empire Street, consisting of approximately .769 acres.

Chairman Cain introduced the case. Mr. Woolard stated staff supports the rezoning request for lots 1234 and 1236, however staff does not recommend approval of the rezoning for 1238 East Empire. He said the 1238 rezoning from a C-3 to R-3A would create a nonconforming use which staff does not support.

Mr. Balmer asked if there was concern over one access to the parking through the one common use alleyway. Chairman Cain stated that since the plan was just provided, more time would be needed for its review.

Chairman Cain opened the public hearing. Mr. Mike Hundman, 5 Jodi Ln, was sworn in and stated the eastern most lot, which is 1238 E. Empire, was considered because garages increase

the required floor coverage ratio. He said it is acceptable to not rezone 1238 E. Empire. He stated if the ownership group decides to have garages, they may request a variance. Mr. Hundman stated the owners desire to rezone the site because of the run down condition of the property. The ownership feels it to be a better fit to place an apartment building in that area. That would better line up with the other apartments owned to the north and the separation from the commercial development to the northeast. He said their intention is to construct the apartments in a similar fashion to the existing buildings so it will blend well.

Chairman Cain asked if there was anyone in opposition to the petition. Mr. Terry Roach, 1237 E Empire St, was sworn in and stated he had lived there roughly 50 years. He said the two buildings discussed have been run down and needing a new roof for over three years. Anyone else would have received a city citation. He asked how many apartment units are they talking about and when was the last time an area traffic survey was taken? He stated the traffic situation gets worse every year. He sees vehicles traveling 40 to 60 miles per hour on Empire after the traffic light at Towanda even when there is school. He stated most vehicles do not stop at the stop sign on Stortz Drive. With more apartments there will be more children. There was a serious wreck about seven weeks ago. It's not safe for more children in the area where there is nothing for them to do. He said they have had problems with the apartments in the winter with plowing snow onto their yards. Mr. Roach stated he has called city hall several times and he is still waiting for an answer. He said the litter is getting worse and it's not from the kids but the adults. Mr. Roach stated this is a wrong decision if this goes forward.

Mr. Kothe explained Empire is a state route with state jurisdiction. The city has some input, however ultimately it's the state's decision on posting speed limits. He stated there was a speed survey on all state routes through Bloomington within the last three years. He said the state felt the 30 mph posting is appropriate.

Mr. Balmer asked if there was concern over access. Mr. Kothe stated he had not viewed the proposed plan yet, however the access points are controlled by the state since. Mr. Kothe said the city has some comment on it, but in the end, the state rules.

Mr. Hundman stated the proposed plan has 16 units with 12-two bedroom units and 4-one bedroom units. He stated one of the other owners is Tom O'Rourke who has managed the property for a number of years, and he could address other concerns.

Chairman Cain asked if there was anyone in opposition to the petition. Mr. James McClure, 1239 E. Empire St, was sworn in and stated over the years the two buildings have been run down with the roofs in terrible condition. He said it was sad to see it go to waste and he didn't think that apartments are a good fit there. From Veterans to Main Street there are no apartments except for old houses that may be sectioned out by Wesleyan. He stated the cars coming out of the alleyway do not look anywhere but to their left to see oncoming traffic and they often don't look to the five houses across the street. Mr. McClure stated he is lucky he hasn't been hit while backing from his drive. He said there were cars coming up Empire Street the wrong way. He stated concern over the danger of adding more traffic to an already heavy traffic area. He said kids do not go to the corner crossing, they cross in the middle of the road.

Chairman Cain asked if there was anyone in opposition to the petition. Ms. Sharon Trowitch, 1218 E. Empire, was sworn in and stated she is part of the ownership in the property directly to the west of the area which extends to the Pinebach and Somerset subdivisions. She stated water travels down into the garages of those existing properties and the city is aware of the need for another storm sewer. She stated another concern was the green space which was set aside during the area development is not accessible to the residents of the existing apartments. As a result, the privately owned open field to the west of the apartment buildings is used for green space and there is an ongoing trespass issue. Ms. Trowitch stated her hopes that the developers will go forward responsibly and include the neighbors. Ms. Trowitch stated her favor of not rezoning the most eastern lot.

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

Mr. Hundman stated the property was just purchased approximately a year ago, and he is aware of the poor condition of the buildings, and that is the reason for the rezoning request. He stated they would have to put a lot of money into those houses and they are not desirable from a commercial standpoint. Mr. Hundman stated he resides in the neighborhood to the north and he doesn't have any flooding issues. Mr. Scritchlow asked if the impervious area would be comparable to what is currently in place in terms of runoff. Mr. Hundman stated there has not been an engineering study yet, but he said he believes the drainage moves toward Empire.

Chairman Cain asked if there were any questions, comments, or if anyone was in favor or opposition to the petition and no one spoke. He closed the public hearing.

Mr. Balmer stated he is concerned that city staff has not seen the plan yet, about the residents' comments and that there are access issues. Chairman Cain stated his concern for traffic, access and safety and it's hard to get a feel for this by strictly looking at pure rezoning. He stated it is a little early to address these concerns. He said with the recommendation there is always an understanding of encouraging the petitioner to work through issues with the neighboring property owners. Mr. Diamond stated his familiarity with the area and expressed concern over safety and the possible increase in traffic. He said he'd like to see the access issue addressed. Mr. Stanczak stated the alternative to this rezoning is to leave the property C-3 which is the same zoning as Arby's and the current commercial activity. He said while there is concern about the flow of traffic, the rezoning may not be the proper way to address it. Mr. Scritchlow stated the rezoning makes sense for the two properties however not on the eastern one.

Mr. Balmer moved to recommend the Case Z-08-14 rezoning of lots 1234, 1236, 1238 East Empire Street be reduced to lots 1234 and 1236 and rezoned to R-3A, Multiple-Family Residence District leaving lot 1238 East Empire as currently zoned, C-3, Community Regional Shopping District, and encourage the petitioner to work with the neighboring properties on all issues raised this day and working with the city and the state would be important as well.

Mr. Scritchlow seconded the motion which passed by a vote of 8 to 0 with the following votes being cast on roll call: Mr. Scritchlow-yes; Mr. Cornell-yes; Mr. Cain-yes; Mr. Balmer-yes; Mr.

Protzman-yes; Mr. Suess-yes; Mr. Stanczak-yes; Mr. Diamond-yes; Mr. Pearson-absent; Mr. Wills-absent.

OLD BUSINESS: Discussion of Comprehensive Plan: Mr. Woolard stated there will be a presentation on October 22. Chairman Cain stated there will be an update. There was discussion on data collection, data accuracy, interpretation of word cloud terms, categorizing, survey response rates and sources.

NEW BUSINESS: None

ADJOURNMENT: There being no further business to come to the Bloomington Planning Commission's attention, Mr. Balmer moved to adjourn the meeting. Mr. Stanczak seconded the motion which was approved unanimously. The meeting was adjourned at 4:50 p.m.

Respectfully submitted,

Mark Woolard, City Planner

For further information contact:

Mr. Woolard, City Planner

Department of Planning and Code Enforcement

Government Center, 115 E. Washington Street, Bloomington, IL 61701

Phone: (309) 434-2341 Fax: (309) 434-2857

E-mail: mwoolard@cityblm.org