



**AGENDA
BLOOMINGTON PLANNING COMMISSION
REGULAR MEETING
COUNCIL CHAMBERS
109 EAST OLIVE STREET
BLOOMINGTON, IL
WEDNESDAY, AUGUST 28, 2019 4:00 P.M.**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT**
- 4. MINUTES** Review the minutes of the August 14, 2019, regular meeting of the Bloomington Planning Commission.
- 5. REGULAR AGENDA**
 - A. Z-07-19** Public hearing, review and action on a petition submitted by, Rewerts, Zimmerman & Rewerts, Inc. requesting a rezoning of property at 1815 N Towanda Barnes Rd. ADJ from B-1 (General Commercial District) to A (Agricultural District). (Ward 9)
- 6. OLD BUSINESS**
- 7. NEW BUSINESS**
- 8. ADJOURNMENT**

DRAFT
MINUTES
BLOOMINGTON PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, AUGUST 14, 2019 4:00 P.M.
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE STREET
BLOOMINGTON, ILLINOIS

MEMBERS PRESENT: Mr. David Stanczak (arrived at 4:11 p.m.); Mr. Kevin Suess; Mr. John Protzman; Mr. Justin Boyd; Mr. Mark Muehleck; Ms. Megan McCann; Chairperson Megan Headean.

MEMBERS ABSENT: Mr. Eric Penn; Mr. Thomas Kreiger; Mr. Tyson Mohr

OTHERS PRESENT: Ms. Katie Simpson, City Planner; Ms. Casey Weeks, Assistant City Planner; Ms. Erin Kennedy, Manager, Center for Healthy Lifestyles at OSF Health Care St. Joseph Medical Center; Ms. Cathy Coverston Anderson, Assistant Administrator, McLean County Health Department.

CALL TO ORDER: Chairperson Headean called the meeting to order at 4:01 PM. Ms. Simpson called roll. With six members present, the Commission established a quorum.

PUBLIC COMMENT: None

MINUTES: The Commission reviewed the minutes from the June 12, 2019 regular meeting. Prior to the meeting, Mr. Mohr submitted additions to the minutes which Chairperson Headean shared with the Commission. These included adding the following purposes to the discussion on the sign ordinance: 1) Align with Comp Plan; 2) Comply with SCOTUS decision on content descriptions; and 3) Ease of use. Mr. Boyd motioned to approve the minutes as corrected; Mr. Muehleck seconded the motion. The minutes were approved by voice vote 6-0.

REGULAR AGENDA:

Presentation by Cathy Coverston Anderson, Assistant Administrator, McLean County Health Department, and Erin Kennedy, Manager, Center for Healthy Lifestyles at OSF HealthCare St. Joseph Medical Center, on the 2019 McLean County Community Health Needs Assessment.

Ms. Erin Kennedy, OSF St. Joseph Medical Center, presented an overview of the Community Health Needs Assessment (CHNA), a summary of the data, and next steps for the groups. She explained the 2019 assessment was a joint effort between the Health Department, OSF St. Joseph Medical Center, Advocate BroMenn Medical Center, and Chestnut Health Systems. The hospitals are required to complete a needs assessment every three years and the Health Department is required to do an assessment every five years. She explained that 2016 was the first time the community completed a joint assessment. Following the assessment, the community put together a Community Health Improvement Plan (CHIP), which is still effective.

The 2017-2019 CHIP outlines objectives and activities for addressing the three health priorities identified in the 2016 CHNA: obesity, access to health care, and behavioral and mental health.

Ms. Kennedy shared community progress and accomplishments towards these goals. She stated that the team just published the 2019 CHNA which is available on the four entities' websites. The three priorities identified in the 2019 CHNA are healthy eating active living (HEAL), access to health care, and mental and behavioral health. Ms. Kennedy explained the data collection and outreach. Methods included online and paper surveys (about 700 usable surveys received), and secondary data analysis. Ms. Kennedy highlighted results focused on access to care and stated a lack of insurance and inability to pay for care are the major barriers for access. However, stigma and embarrassment are an additional barriers identified for accessing counseling services. More respondents identified poor mental health or a lower quality of mental health than in 2016. However, she noted that based on the survey more people are speaking to others about their mental health. More than half of the population, mostly men, are not meeting the recommended exercise guidelines. Affordability and access to facilities were identified as barriers to exercise. Daily fruit and vegetable consumption is low for McLean County. Ms. Kennedy highlighted positive county-wide data from the CHNA including higher graduation rates and income than the state average. Ms. Kennedy highlighted areas of disparities in Bloomington's 61701 zip code, Chenoa, Colfax, and Stanford.

Ms. Coverston Anderson, McLean County Health Department, provided a summary of secondary data and health disparities in McLean County. She noted although the top two causes of death for McLean County for the last four years were cancer and heart disease, the county, in comparison to the state, is still low for cancer and heart disease. She shared graphs that illustrated disparities by race. Black and African Americans, and Latinos were in the ER more than the county rate for diabetes, alcohol, asthma, and hypertension. Ms. Coverston Anderson also showed that residents from the 61701 zip code also visit the ER more than the county rate for dental problems, substance and alcohol use, asthma, adult and adolescent suicide and self-inflicted injuries, mental health, and type 2 diabetes. She stated that this level and quality of data was not available prior to 2016. The partnerships with the hospitals opened the community to better and standardized data. This partnership with multiple health organizations is rare in Illinois.

Mr. Stanczak asked if the other zip codes from Bloomington are represented in the assessment. Ms. Coverston Anderson shared the Center for Disease Control and Prevention's 500 cities initiative that maps health related information by census tract. She shared data on dental care results presented by census tract. She shared information on the Social Determinants of Health (SDOH). The places where you live, work, and play influence health outcomes. She presented a map of grocery stores, exercise facilities, and information on sidewalk quality. Next steps include completing the 2020-2022 CHIP. There are three priority action teams, one per each objective, that anyone can be on to come up with goals for the next three years. She explained the Invest Health program and the partnership with the City, Mid Central Community Action, and the health organizations.

Chairperson Headean asked what the Planning Commission can do to help meet the 3 goals identified in the CHNA. Ms. Coverston Anderson asked to be involved when there are decisions

about the built environment being made. Ms. Kennedy stated there are three priority action teams that, if interested, the Commissioners can serve on and provide guidance toward the priorities identified.

Ms. McCann commended the CHNA. She asked about a breakdown of the survey respondents. Ms. Kennedy stated that respondents 1000 completed the survey, and a number were removed to establish a confidence interval. Mr. Stanczak asked if the numbers are a representation of the community. Ms. Kennedy confirmed that between the primary and secondary data it is.

OLD BUSINESS: none.

NEW BUSINESS: Ms. Casey Weeks, Assistant Planner, introduced herself to the Commission. Ms. Simpson state that the meeting on 9/11/19 will be a joint meeting with Planning Commission and the ZBA about the sign ordinance.

ADJOURNMENT: The meeting was adjourned at 4:49 pm by voice vote, motioned by Mr. Boyd and seconded by Ms. McCann.

Respectfully submitted,
Katie Simpson
City Planner

**CITY OF BLOOMINGTON
REPORT FOR THE PLANNING
COMMISSION AUGUST 28, 2019**

CASE NUMBER:	SUBJECT PROPERTY:	TYPE:	SUBMITTED BY:
Z-07-19	1815 N. Towanda Barnes Road Near the northeast Intersection of Towanda Barnes and General Electric Road	Rezone	Planning Staff
PETITIONER'S REQUEST:	Rezone the above referenced properties from B-1, General Commercial District to A, Agricultural.		
<i>Staff finds that the petitions do not meet the Zoning Ordinance's map amendment guidelines for the A Agricultural.</i>			

STAFF RECOMMENDATION: Approval

Staff recommends the Planning Commission pass the following motions recommending:

- A. That Planning Commission **recommend denial** of the rezoning of 1815 N. Towanda Barnes Road from B-1 to A, case Z-07-19.



Figure 1 The property boundaries are marked with a blue line.

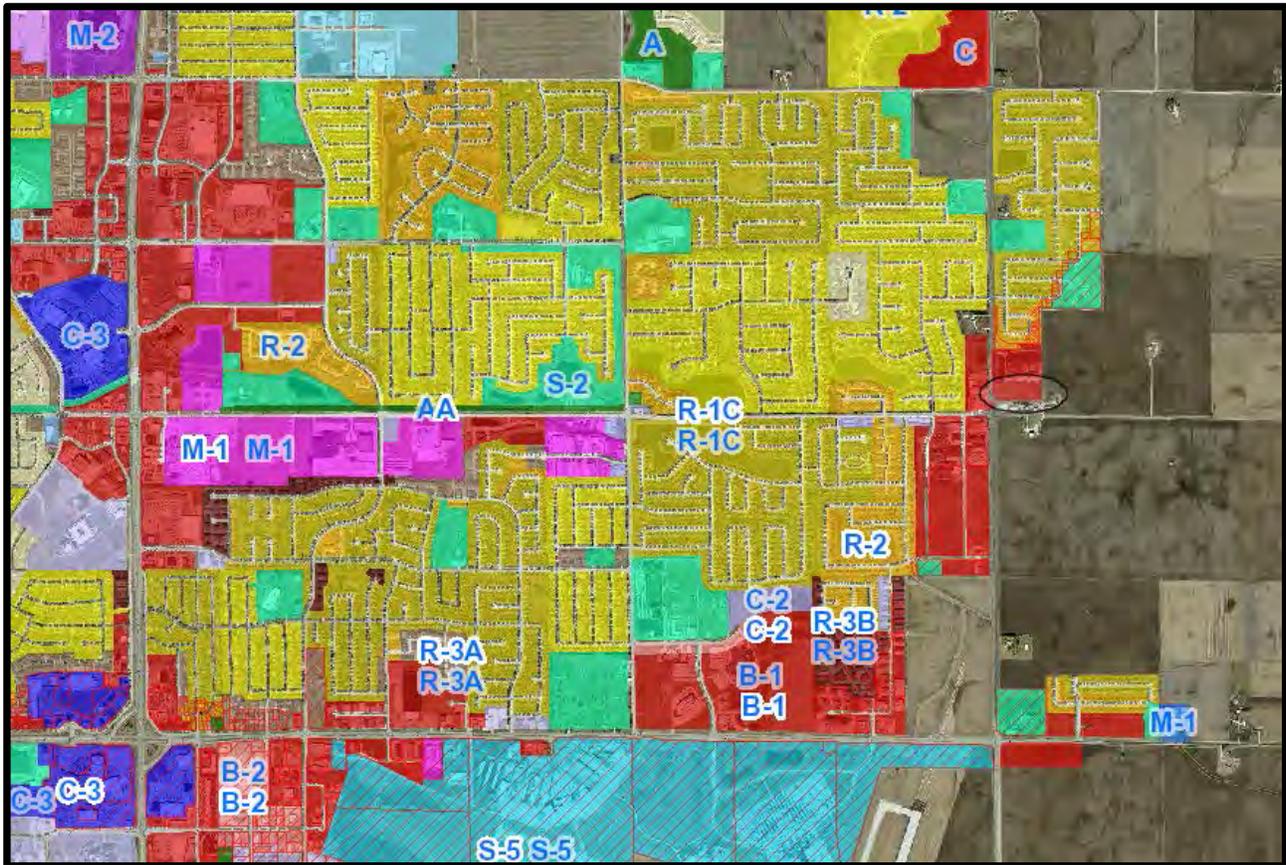


Figure 2 The location of the property is marked with an oval showing the existing zoning nearby.

NOTICE

The application has been filed in conformance with applicable procedural requirements and public notice was published in *The Pantagraph* on August 12, 2019.

GENERAL INFORMATION

Owner and Applicant: Rewerts, Zimmerman & Rewerts, Inc.

PROPERTY INFORMATION

1815 N. Towanda Barnes Road

Outlot B in the Resubdivision of Eagle View South Commercial Subdivision, being a subdivision of a part of Lot 4 in Barnes Subdivision of Section 29 and Part of the Original Town of Barnes, al being a part of the Southwest Quarter of Section 29, Township 24 North, Range 3 East of the Third Principal Meridian, McLean County, Illinois, the Plat of which is recorded as Document Number 2018-00002317 in the McLean County Recorder’s Office.

PIN: 15-29-356-009

Existing Zoning: **B-1, General Commercial District**
Existing Land Use: **Agricultural/vacant**

Property size: **4.88 Acres**

Surrounding Zoning and Land Uses

Zoning

North: B-1 General Commercial District
North: R-2 Mixed Residence District
East: A Agriculture (Unincorporated)
South: A Agriculture (Unincorporated)
West: R-1B Single Family Residential
West: C Commercial (Unincorporated)

Land Uses

North: Assisted Living Facility
North: Single-Family and Two-family homes
East: Agriculture
South: Agriculture
West: Single family homes
West: Landscaping Business

Analysis

This report is based on the following documents, which are on file with the Community Development Department:

1. Petition for Zoning Map Amendment
2. Aerial photographs
3. Zoning Map
4. Site visit

PROJECT DESCRIPTION

Background: The subject property is located on the eastern edge of the City near the intersection of N. Towanda Barnes Road and General Electric Road. The property is currently used for crops and is zoned B-1 General Commercial District. The previous zoning was agricultural, but for future use, it is appropriate for B-1 General Commercial District with its location on a major corridor and intersection. Zoning was changed from agricultural to B-1 when the property was annexed in 2008 (Ordinance #2008-23). The property is approximately 212,572.8 square feet located at the intersection of a two minor arterial roads. The traffic counts taken from the IDOT map shows 7,100 vehicles traveling daily along General Electric and 7,450 vehicles traveling daily on N. Towanda Barnes Road at the intersection of the two corridors. The property is also accessible from the Constitution Trail.

Aside from having streets and trail access, the subject property also has access to a 16-inch public water main and an 18-inch public storm sewer located on the west side of Towanda Barnes Road. Public sanitary sewer was extended to the subject property from the property north in 2017. The subject property has access to all utilities.

The property is adjacent to a senior living facility, developed in 2018, and just south of the Eagle View subdivision. Other commercial property exists across Towanda Barnes Road including a hotel, day care center, small strip center, and a bank. New townhomes are proposed on Woodbine Road and residential developments exist within a quarter mile of the subject property. The trend in development for the area is towards business, residential and office. Some adjacent property remains unincorporated and is used as farm land.

Purpose and Intent

B-1 General Commercial District

The intent of this B-1 Commercial District is to facilitate the development of community and regional commercial areas. Customers in this district will generally use a motor vehicle to reach a desired establishment. The development contemplated in this district has such distinguishing characteristics as unified site planning and development that promotes a safe and conducive atmosphere for large volumes of shoppers; site accessibility such that the high volumes of traffic generated create minimal congestion and adverse impact upon surrounding land use; and unified

Agenda Items: 5A. Z-07-19 Rezoning from B-1 to A
architectural treatment of buildings rather than an assemblage of separate, conflicting store and structural types.

This district contemplates uses ranging from offices, restaurants and retail to trade and construction services, personal and professional services, hotels, and other entertainment and hospitality uses, and utilities like commercial solar, and private solar and wind facilities. Uses like a truck stop, truck wash, vehicle services, and mini warehouse storage are only permitted with a special use permit.

New development in this district requires a legislative site plan review and approval by City Council. The purpose of the review is to ensure the new development is compatible in mass, scale, and use with surrounding development and will not negatively impact adjacent property owners.

A-Agricultural District.

The intent of this A-Agricultural District is to govern the use of land, buildings, and structures within areas of the City where soil, topographic, and other conditions are best suited for the pursuit of agriculture or where essential community facilities or utilities do not yet or are not reasonably expected to serve the property. These regulations are further intended to provide for the protection and conservation of natural resources, to prevent or minimize conflicts between agriculture and non-agriculture land uses; act as a holding zone for annexed land prior to timely development; and to facilitate orderly and efficient urban development by preventing a scattered and indiscriminate pattern of urban growth.

This district primarily contemplates agricultural uses and allows single family homes, commercial solar, and riding stables. Some uses like churches, veterinary clinics and commercial wind are allowed with a special use permit.

Development in the agriculture district does not require a legislative site plan review.

Project Description:

The intent of the current zoning district, B-1 General Commercial District, is to allow for the establishment of businesses to serve the residents on the eastern side of the city. The property is on the City's eastern edge near the northeast intersection of N. Towanda Barnes Road and General Electric Road each running north-south and east-west providing a node of development along the corridors. The B-1 designation will allow the property to be developed providing amenities to the residents nearby with easy access to the intersection. The land's current use as agricultural reflects the previous zoning, but for the future B-1 zoning is more appropriate to meet the needs of the residents. Additionally, it is typical to farm vacant land in the city without needing to change the property's zoning to the A-Agricultural District. Although the Permitted use table for B-1 was amended in March 2019, and no longer lists Agriculture as a principal use in the B-1 district, the property has been farmed, and can continue to be farmed until redeveloped. No zoning amendment is necessary as a nonconforming use may continue to exist. Furthermore, the business zoning encourages and facilitates the redevelopment of the land, whereas, amending the zoning to Agriculture creates an additional barrier for redevelopment.

Link to Comprehensive Plan:

The Comprehensive Plan's goals for economic development support mixed use developments and exploring land opportunities for other retail and commercial uses. Goal ED-4.2 proposed

Agenda Items: 5A. Z-07-19 Rezoning from B-1 to A finding retail locations within residential areas within appropriate densities. ED-4.3 proposes to find buffer areas between residential and industrial uses to continue to promote less intense businesses and opportunity for economic development. The Infill redevelopment map identifies this tract as a Tier 1 development priority since it is located adjacent to city utilities and already annexed into the corporate limits. The Future Land Use map shows the area as regional commercial.

FINDINGS OF FACT

The Zoning Ordinance has “*Zoning Map Amendment Guidelines*” and by states, “*In making its legislative determination to zone or rezone property to a A Agricultural zoning classification, the Planning Commission and City Council may apply the following guidelines to the proposal under consideration:*

1. *The suitability of the subject property for uses authorized by the existing zoning;* The trend of development for the area is towards business. The subject property has access to utilities and is located at the intersection of two minor arterial roads. **The standard is met.**
2. *The length of time the property has remained vacant as zoned considered in the context of land development in the area;* The land was annexed and rezoned to B-1 in 2008. A development agreement between the property owner to the north, the City, and the subject property owner discussed extension of roads, sewer and water. That agreement was dissolved in 2017. **The standard is not met.**
3. *The suitability of the subject property for uses authorized by the proposed zoning;* The intention of the agricultural district is to promote a viable use of land that does not have access to public infrastructure. While the subject property could be used for agriculture, it has access to infrastructure and is capable of a higher and better use that will benefit the surrounding area. **The standard is not met.**
4. *The existing land uses and zoning of nearby property;* The existing zoning around the intersection is commercial. There is a landscaping business to the west across Towanda Barnes Road that that is zoned commercial and unincorporated. A bank and hotel are located on the southwest corner of the intersection. The trend in development for the intersection is towards commercial, the proposed zoning does not match that trend and could be incompatible with surrounding developments. **The standard is not met.**
5. *Relative gain or hardship to the public as contrasted and compared to the hardship or gain of the individual property owner resulting from the approval or denial of the zoning amendment application;* The existing zoning encourages redevelopment of vacant land, and redevelopment of a Tier 1 infill redevelopment priority. The intent is to provide commercial resources to residents on the eastern side of the City, so they do not have to drive very far for amenities. Amending the zoning to Agriculture could deprive residents and the City of a potential redevelopment opportunity, and would only benefit the property owner. **The standard is not met.**
6. *The extent to which adequate streets are connected to the arterial street system and are available or can be reasonable supplied to serve the uses permitted in the proposed zoning classification;* The subject property has road frontage on N. Towanda Barnes Road near the intersection of General Electric Road.. These roads are four lane corridors

Agenda Items: 5A. Z-07-19 Rezoning from B-1 to A heavily trafficked. The agricultural district is contemplated in areas that are less traveled and less commercial. **The standard is not met.**

7. *The extent to which the proposed amendment is consistent with the need to minimize flood damage and the development of the subject property for the uses permitted in the proposed zoning classification will not have a substantial detrimental effect on the drainage patterns in the area;* The Agricultural District contemplates uses that do not require impervious surfaces. The Business District requires new development to provide to comply with storm water management requirements. **The standard is met.**
8. *The extent to which adequate services (including but not limited to fire and police protection, schools, water supply, and sewage disposal facilities) are available or can be reasonable supplied to serve the uses permitted in the proposed zoning classification;* Existing water mains and sanitary sewer are available for connection. Existing residential properties and the assisted living facility north of the lot already establish the need for police and fire protection. **The standard is not met.**
9. *The extent to which the proposed amendment is consistent with the public interest, giving due consideration for the purpose and intent of this Code as set forth in 17-1 herein;* Existing zoning provides orderly planning centered around a transportation node allowing an accessible commercial site along a heavily trafficked intersection. Amending the zoning would be contrary to the public interest given the intention of the Code. **The standard is not met.**
10. *The extent to which property values are diminished by the particular zoning restriction;* Agricultural zoning designation would make this property less desirable and decrease its value. **The standard is not met.**
11. *The extent to which the destruction of property values promotes the health, safety, morals, or general welfare of the public;* Amending the zoning can negatively impact the property values of nearby residents since surrounding compatible investment may not occur. **The standard is not met.**
12. *Whether a comprehensive plan for land use and development exists, and whether the ordinance is in harmony with it;* This lot lies in Tier 1 of development priorities on Land Use Priorities in the Comprehensive Plan. Tier 1 includes vacant and underutilized land for infill development or redevelopment with the City, unincorporated land surrounded by incorporated areas, and areas platted for future development of existing subdivisions but not yet built out to completion. **The standard is not met.**
13. *And whether the City needs the proposed use;* Commercial use, rather than agricultural uses, will generate additional tax revenue on the eastern edge of the City which consists of many single-family homes and requires additional resources such as road maintenance revenue, and educational services. **The standard is not met.**

STAFF RECOMMENDATION:

Staff recommends the Planning Commission pass the following motions recommending: That Planning Commission **recommend denial** the rezoning of **1815 N. Towanda Barnes Road** from B-1 to A, case Z-07-19.

Respectfully submitted,

Community Development Staff

Attachments:

- Draft Ordinance
- Petitions for Zoning Map Amendment
- List of Permitted Uses in the B-1 District
- List of Permitted Uses in Agricultural
- Aerial Map
- Zoning Map
- Newspaper Notice and Neighborhood Notice w/Map
- Notification Mailing List



Figure 3 This photo was taken from the southern boundary of the property line looking west toward N. Towanda Barnes Road.



Figure 4 This view is facing northwest from the southern boundary line showing the assisted living facility located north of the property.



Figure 5 View to the north showing the assisted living facility.



Figure 7 View along south access road showing the silos to the south of the property.



Figure 6 Road frontage along N. Towanda Barnes Road on the west boundary of the property line.



Figure 8 Intersection of N. Towanda Barnes Road and General Electric Road/Route 9 looking southwest from the property.



Figure 9 View looking east along the access road on the south boundary of subject property.



Figure 10 View of the silos from the subdivision north of the subject property.



Figure 12 View of the bank on the southwest corner of the intersection.

DRAFT
ORDINANCE NO. _____

**AN ORDINANCE DENYING THE ZONING MAP AMENDMENT FOR 1815
TOWANDA BARNES ROAD, APPROXIMATELY 4.33 ACRES, FROM B-1
GENERAL COMMERCIAL DISTRICT TO
A-AGRICULTURAL DISTRICT**

WHEREAS, there was heretofore filed with the Community Development Department of the City of Bloomington, McLean County, Illinois, a petition rezoning certain premises described in Exhibit(s) A, which is attached hereto and made part hereof by this reference; and

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

WHEREAS, the Bloomington Planning Commission found the petition to not comply with the standards for a map amendment identified in Chapter 44 Division 17-E2 of the City Code; and

WHEREAS, following said public hearing, the Planning Commission recommended denial of rezoning; and

WHEREFORE, the City Council of said City is authorized to adopt this Ordinance and deny the petition to rezone said Premises;

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Bloomington, McLean County, Illinois that the petition to deny rezoning the premises hereinafter described in Exhibit(s) A shall be and the same is hereby approved.

PASSED this _____ day of _____, 20____.

APPROVED this _____ day of _____, 20____.

CITY OF BLOOMINGTON:

ATTEST:

Tari Renner, Mayor

Leslie Yocum, City Clerk

Exhibit "A"

Legal Description for 1815 Towanda Barnes Rd

Outlot B in the Resubdivision of Eagle View South Commercial Subdivision, being a subdivision of a part of Lot 4 in Barnes Subdivision of Section 29 and Part of the Original Town of Barnes, all being a part of the Southwest Quarter of Section 29, Township 24 North, Range 3 East of the Third Principal Meridian, McLean County, Illinois, the Plat of which is recorded as Document Number 2018-00002317 in the McLean County Recorder's Office.

PIN: 15-29-356-009

DRAFT

DRAFT
ORDINANCE NO. _____

**AN ORDINANCE APPROVING THE ZONING MAP AMENDMENT FOR 1815
TOWANDA BARNES ROAD, APPROXIMATELY 4.33 ACRES, FROM B-1
GENERAL COMMERCIAL DISTRICT TO
A-AGRICULTURAL DISTRICT**

WHEREAS, there was heretofore filed with the Community Development Department of the City of Bloomington, McLean County, Illinois, a petition rezoning certain premises described in Exhibit(s) A, which is attached hereto and made part hereof by this reference; and

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

WHEREAS, the Bloomington Planning Commission found the petition to comply with the standards for a map amendment identified in Chapter 44 Division 17-E2 of the City Code; and

WHEREAS, following said public hearing, the Planning Commission recommended approval of rezoning; and

WHEREFORE, the City Council of said City is authorized to adopt this Ordinance and approve the petition to rezone said Premises;

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Bloomington, McLean County, Illinois that the petition to rezone the premises hereinafter described in Exhibit(s) A shall be and the same is hereby approved.

PASSED this _____ day of _____, 20____.

APPROVED this _____ day of _____, 20____.

CITY OF BLOOMINGTON:

ATTEST:

Tari Renner, Mayor

Leslie Yocum, City Clerk

Exhibit "A"

Legal Description for 1815 Towanda Barnes Rd

Outlot B in the Resubdivision of Eagle View South Commercial Subdivision, being a subdivision of a part of Lot 4 in Barnes Subdivision of Section 29 and Part of the Original Town of Barnes, all being a part of the Southwest Quarter of Section 29, Township 24 North, Range 3 East of the Third Principal Meridian, McLean County, Illinois, the Plat of which is recorded as Document Number 2018-00002317 in the McLean County Recorder's Office.

PIN: 15-29-356-009

DRAFT

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 Rewerts, Zimmerman & Rewerts, Inc., an Illinois corproation, hereinafter referred to as your petitioner(s), respectfully representing and requesting as follows:

1. That your petitioner(s) is (are) the owner(s) 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 is (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 B-1 (Highway Business 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 petitioner(s) hereby request that the Official Zoning Map of the City of Bloomington, McLean County, Illinois be amended to reclassify said premises into the A (Agricultural) 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 petitioner(s) by the present zoning of said premises.

WHEREFORE, your petitioner(s) respectfully pray(s) 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 B-1 (Highway Business District) to A (Agricultural).

Respectfully submitted,
Rewerts, Zimmerman & Rewerts, Inc., an
Illinois corporation

By: 
Robert Rewerts, Sr., Its President

Exhibit "A"

Outlot B in the Resubdivision of Eagle View South Commercial Subdivision, being a subdivision of a part of Lot 4 in Barnes Subdivision of Section 29 and Part of the Original Town of Barnes, all being a part of the Southwest Quarter of Section 29, Township 24 North, Range 3 East of the Third Principal Meridian, McLean County, Illinois, the Plat of which is recorded as Document Number 2018-00002317 in the McLean County Recorder's Office.

PIN: Part of 15-29-356-005

Petition for Zoning Map Amendment: Further Information

- (a) The suitability of the subject property for uses authorized by the existing zoning;

Based upon the size and location of the parcel, it is unlikely to be utilized for B-1 purposes as constituted.

- (b) The length of time the property has remained vacant as zoned considered in the context of land development in the area;

The property has been zoned B-1 since 2005, which occurred during annexation of the property to the City of Bloomington. The property has never been developed for B-1 purposes, and has remained unimproved land utilized for agricultural purposes.

- (c) The suitability of the subject property for uses authorized by the proposed zoning;

This property has never been improved, and continues to be utilized for agricultural purposes, namely, planting crops.

- (d) The existing land uses and zoning of nearby property;

The property to the north is zoned B-1 (General Commercial District); the property to the west is zoned C (Commercial); the properties to the south and east are zoned A (Agriculture).

- (e) Relative gain or hardship to the public as contrasted and compared to the hardship or gain of the individual property owner resulting from the approval or denial of the zoning amendment application;

There is no hardship to the public in rezoning the property from B-1 (General Commercial District) to A (Agriculture). The property has never been used for commercial purposes and continues to be utilized for agricultural purposes. Allowable uses in an agricultural district are more restricted than those in the B-1 zoning classification, providing protection to the general public.

- (f) The extent to which adequate streets are connected to the arterial street system and are available or can be reasonably supplied to serve the uses permitted in the proposed zoning classification;

The current access is appropriate for the current use and the requested zoning classification.

- (g) The extent to which the proposed amendment is inconsistent with the need to minimize flood damage and that the development of the subject property for the uses permitted in the proposed zoning classification will not have a substantial detrimental effect on the drainage patterns in the area;

The proposed amendment is not inconsistent with the need to minimize flood damage. In fact, maintaining the current property for agricultural purposes avoids erosion and promotes more efficient water drainage.

- (h) The extent to which adequate services (including but not limited to fire and police protection, schools, water supply, and sewage disposal facilities) are available or can be reasonably supplied to serve the uses permitted in the proposed zoning classification;

No services are required for the intended zoning classification, and present use. In fact, the permitted zoning classification requires additional services not currently supplied to the property.

- (i) The extent to which the proposed amendment is consistent with the public interest, giving due consideration for the purpose and intent of this Code as set forth in 17-1 herein;

The proposed amendment is consistent with the public interest, and constitutes a more restrictive use of the property.

- (j) The extent to which property values are diminished by the particular zoning restriction;

This consideration is neutral as neither the current zoning restriction, nor the proposed zoning restriction, negatively impact property values. Though, as presently zoned, the value of this property is overstated and detrimental to the Petitioner.

- (k) The extent to which the destruction of property values promotes the health, safety, morals, or general welfare of the public;

There is no anticipated destruction of property values.

- (l) Whether a comprehensive plan for land use and development exists, and whether the ordinance is in harmony with it;

A comprehensive plan for land use and development exists for the City of Bloomington. The proposed zoning map amendment is not inconsistent with that plan.

- (m) Whether the City needs the proposed use.

Agriculture benefits the community and provides a more conservative zoning classification.

*City of Bloomington, IL
Thursday, August 22, 2019*

Chapter 44. Zoning

Article V. Business District Regulations

§ 44-502. [Ch. 44, 5-2] Permitted uses.

Refer to Article **XVII**, Definitions, for clarity on the uses listed.

A. Land uses. Uses are allowed in the Business Districts in accordance with Table 502A. The following key is to be used in conjunction with the Use Table.

- (1) Permitted uses. A "P" indicates that a use is considered permitted within that district as of right subject to compliance with all other requirements of this Code.
- (2) Special uses. An "S" indicates that a use is permitted, though its approval requires review by the City Council as required in Article **XVII**, subject to compliance with all other requirements of this Code and contingent upon conditions of approval which may be imposed by the City.
- (3) Uses not permitted. A blank space or the absence of the use from the table indicates that the use is not permitted within that district.
- (4) Use regulations. Many allowed uses, whether permitted by right or as a Special Use, are subject to compliance with Article **XVII**.
- (5) Unlisted uses. If an application is submitted for a use not listed, the Zoning Enforcement Officer shall make a determination as to the proper zoning district and use classification for the new or unlisted use. If no permitted or special use is similar in character, intensity, and operations to that of the proposed use, a text amendment may be initiated pursuant to Article **XVII** to establish parameters for permitting such use within the City of Bloomington.

B. Allowed Uses Table.

Table 502A: Business Districts - Permitted and Special Uses							
	B-1	B-2	C-1	D-1	D-2	D-3	Reference
Agricultural							
Forestry	P	P					
Horticultural Services	P	P					
Urban Agriculture						P	
Urban Garden					P	P	
RESIDENTIAL							
Household Living							

Table 502A: Business Districts - Permitted and Special Uses							
	B-1	B-2	C-1	D-1	D-2	D-3	Reference
Dwelling Unit, Single-Family				P ²		P ¹	
Dwelling Unit, Single-Family Attached			S		P	P ¹	
Dwelling Unit, Two-Family		P ¹	S	P ²	P	P ¹	
Dwelling Unit, Multiple-Family		P ¹	S	P ²	P	P	
Live/Work Unit			S	P ²	P	P	
Group Living							
Agency Supervised Homes			S	P ²	P		§ 44-1019
Agency-Operated Family Homes			S	P ²	P		§ 44-1019
Agency-Operated Group Homes			S	P ²	P	P ¹	§ 44-1019
Convents, Monasteries			P				§ 44-1019
Dormitories			S		S		§ 44-1019
Group Homes for Parolees			S	S	S	S	§ 44-1019
INSTITUTIONAL							
Education							
Pre-schools	P	P	P		S		
Business and Trade Schools	P		P				
College and University Classrooms			P		S		
Government							
Courthouses				P			
Government Services and Facilities	P	P	P	P	P	P	
Police Stations, Fire Stations	P	P	P	P	P	P	
Religious							
Place of Worship	S ²		P ²	P ²	P ²		
Health							
Ambulatory Surgical Treatment Center	P	P	P	P			
Hospital or Medical Center	S		S				
Residential-Type							

Table 502A: Business Districts - Permitted and Special Uses							
	B-1	B-2	C-1	D-1	D-2	D-3	Reference
Domestic Violence Shelter	P		P	P	P		
Home for the Aged			P		S		§ 44-1019
Other Institutional, Cultural							
Clubs and Lodges	P	P	P	S	P		§ 44-1012
Food Pantry	P	P	P		P		§ 44-1018
Libraries			P	P	P		
Museums and Cultural Institutions			P	P	P	P	
Zoos	S						
RECREATIONAL							
Country Clubs, Golf Clubs, Golf Courses			P				§ 44-1016
Community Center			P	P	P	S	§ 44-1013
Fairgrounds, Agricultural Exhibits	S						§ 44-1017
Parks and Recreation Facilities	P	P	P	P	P	P	
Riding Stables, Riding Schools	S						
Swimming Clubs	P	P					
Swimming Pools, Community	P	P	P				§ 44-1032
COMMERCIAL							
Aircraft and Automotive							
Car Wash	P ³	S					§ 44-1069
Farm Machinery Sales and Service	P ³						
Towing Services							
Truck Stops, Truck Plazas	S						
Truck Wash	S						
Vehicle Fueling Station	P	S					
Vehicle Repair and Service	S						§ 44-1034
Vehicle Rental Service	P ³						
Vehicle Sales and Service	S						
Entertainment and Hospitality							

Table 502A: Business Districts - Permitted and Special Uses							
	B-1	B-2	C-1	D-1	D-2	D-3	Reference
Amusement Parks	S						
Commercial Recreation Facilities	P	P		S			§ 44-1015
Community Reception Establishments					S		§ 44-1014
Entertainment and Exhibition Venues	P ³				S		
Miniature Golf Courses	P						
Sexually Oriented Entertainment Businesses	P ⁵						
Sports and Fitness Establishments	P	P	P	P	S	S	§ 44-1013
Theaters and Auditoriums	P			P		S	
Lodging							
Bed-and-breakfast Establishments		P	P ⁶	P	P		§ 44-1007
Boarding and Rooming Houses		P		P	S		§ 44-1019
Camp and Camping Establishments	S						§ 44-1008
Hotel or Motel	P			P	S	S	§ 44-1021
Offices							
Financial Services	P	P	P	P	P		
General Offices, Business or Professional	P	P	P	P	P	P	
Medical or Dental Office or Clinic	P	P	P	P	P		§ 44-1024
Medical Laboratory	P	P	P				
Printing, Copying and Mailing Services	P	P	P	P	P	P	
Recording and Broadcast Studios	P		P ⁷	P		P	
Research Facility or Laboratory	S		S			P	
Personal Services							
Clothing Care: Tailor, Dry Cleaning, Coin Laundry, Shoe Repair, etc.	P	P	P ⁷	P	P	P	
Funeral Parlor, Mortuary	P	P	P		S		

Table 502A: Business Districts - Permitted and Special Uses							
	B-1	B-2	C-1	D-1	D-2	D-3	Reference
Instructional Studios	P	P	P ⁷	P	P	P	
Kennels, with no outdoor exercise areas	P ³	P ³	P ³			P ³	
Kennels, with outdoor exercise areas	S						
Personal Care: Barber Shop, Beauty Salon, Day Spa, etc.	P	P	P ⁷	P	P	P	
Pet Care: Grooming, Day Care, Training	P	P	P	P	P	P	
Veterinary Office or Clinic	P	P	S		P		§ 44-1035
Day-care centers	P	P	P		S		
Retail and Service							
Artisanal/Craft Production and Retail	P	P		P	P	P	
Auction Houses	P					P	
Bars, Taverns, Nightclubs	P ³	S	P ⁷	P	S	P	
Building Materials and Supplies	P						
Catering Services	P	P				P	
Drive-Through, attached to a retail or service use	P ³	P ³	S			S	
Drug Stores and Pharmacies	P	P	S	P	P		
Farmers Market				P			
Grocery Stores, Supermarkets	P	P					
Gun Shops	P ³	P ³					
Liquor Stores	P	P	P ⁷				
Manufactured and Mobile Home Sales	S						§ 44-1023
Medical Marijuana Dispensing Organization	P	P	P	P	P	P	
Mobile Food and Beverage Vendor	P	P	P	P		P	§ 44-1027
Restaurants	P	P	P ⁷	P	P	P	
Retail Sales, General	P	P	P ⁷	P	P	P	
Retail sales, Outdoor	P	S		S		P	

Table 502A: Business Districts - Permitted and Special Uses							
	B-1	B-2	C-1	D-1	D-2	D-3	Reference
Roadside Markets	P						
Sexually Oriented Business	P ⁵						
Specialty Food Shops	P	P	P ⁶	P	P	P	
INDUSTRIAL							
Manufacturing and Production, Light							
Apparel, Fabrics, Leather Industries						P	
Commercial Cleaning and Repair Services	P		P				
Commercial Community Kitchen			P	P	S	P	
Electronics Assembly Plants							
Fabricated Metal Industries						S	
Furniture and Fixtures Industries						S	
Trade and Construction Services	P	P				P	
Storage and Equipment Yards							
Mini Warehouses	S						§ 44-1026
Parking Lot, Commercial	S	S	S	S		S	
Transportation							
Bus and Taxi Passenger Terminals	S			S			
Heliports, Heliport Terminals	S		S				
Rail Passenger Terminals	P			P			
Utilities							
Commercial Solar Energy Conversion Facilities	P	P				P	§ 44-1031
Private Solar Energy Conversion Facilities	P	P	P	P	P	P	§ 44-1031
Private Wind Energy Conversion Facilities	P	P					§ 44-1036
Public or Private Utility Facility, Minor	P	P	P	P	P	P	

Table 502A: Business Districts - Permitted and Special Uses							
	B-1	B-2	C-1	D-1	D-2	D-3	Reference
Radio, Television Stations-Towers	P			P		P	
Wireless Communication Facilities	P	P	P	P	P	P	§ 44-1037

Notes:

1. A Special Use is required when the use adjoins a Residential District boundary line.
2. The use is permitted only when located above the first story above grade
3. Maximum permitted height is 45 feet or three stories, whichever is lower.
4. A Special Use is required when the use adjoins a Residential District boundary line.
5. The use is allowed in the zoning district represented by that column provided that no lot line of the lot to be occupied by such use shall be located closer than 1,000 feet to the lot line of a lot occupied by a Sexually Oriented Entertainment Business, or other Sexually Oriented Business, and further provided that no lot line of the lot to be occupied by such use shall be located closer than 500 feet to the lot line of a lot used for a Commercial Recreation Facility, a Day-care center, children's museum, Agency-Operated Family Home, Agency-Operated Group Home, Agency-Supervised Home, hobby shop or toy store, Pre-school, Public or Private School, Boarding School, Park or Recreation Facility, Sports and Fitness Establishment, Community Center, Place of Worship, Residential Dwelling Unit, Hospital or Zoo.
6. The use is allowed in that zoning district only as an accessory use occupying not more than 40% of the floor area of any story within a Business, Office or Residential Building or combination thereof;
7. The use is allowed in that zoning district only as an accessory use occupying not more than 25% of the floor area of any story within an Office or Residential Building or combination thereof;

B. Allowed Uses Table.

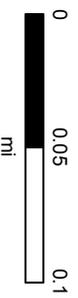
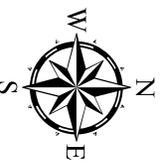
TABLE 3-2(A): AGRICULTURAL DISTRICT – PERMITTED AND SPECIAL USES		
	A	Reference
Agricultural		
Agriculture	P	
Apiary, Beekeeping	P	10-5
Aquaculture, Aquaponics, Hydroponics	P	
Animal Breeding Services	S	
Fish Hatcheries, Poultry Hatcheries	P	
Forestry	P	
Horticultural Services	P	
Urban Agriculture	P	
Urban Garden	P	
RESIDENTIAL		
Household Living		
Dwelling Unit, Single-Family	P	
INSTITUTIONAL		
Government		
Government Services and Facilities	P	
Police Stations, Fire Stations	P	
Religious		
Place of Worship	S ¹	
Cemetery and Columbarium	S	10-10
RECREATIONAL		
Country Clubs, Golf Clubs, Golf Courses	S	10-16
Fairgrounds, Agricultural Exhibits	S	10-17
Parks and Recreation Facilities	P	
Riding Stables, Riding Schools	P	
Swimming Pools, Community	S	10-32
COMMERCIAL		
Personal Services		
Veterinary Office or Clinic	S	10-35
Retail and Service		
Roadside Markets	P	
INDUSTRIAL		
Transportation		
Airport and Landing Fields	S	10-3
Heliports, Heliport Terminals	S	
Utilities		
Commercial Solar Energy Conversion Facilities	P	10-31
Commercial Wind Energy Conversion Facilities	S	10-36
Private Solar Energy Conversion Facilities	P	10-31
Private Wind Energy Conversion Facilities	P	10-36
Wireless Communication Facilities	S	10-37

1. Maximum permitted height is forty-five (45) feet or three (3) stories, whichever is lower.

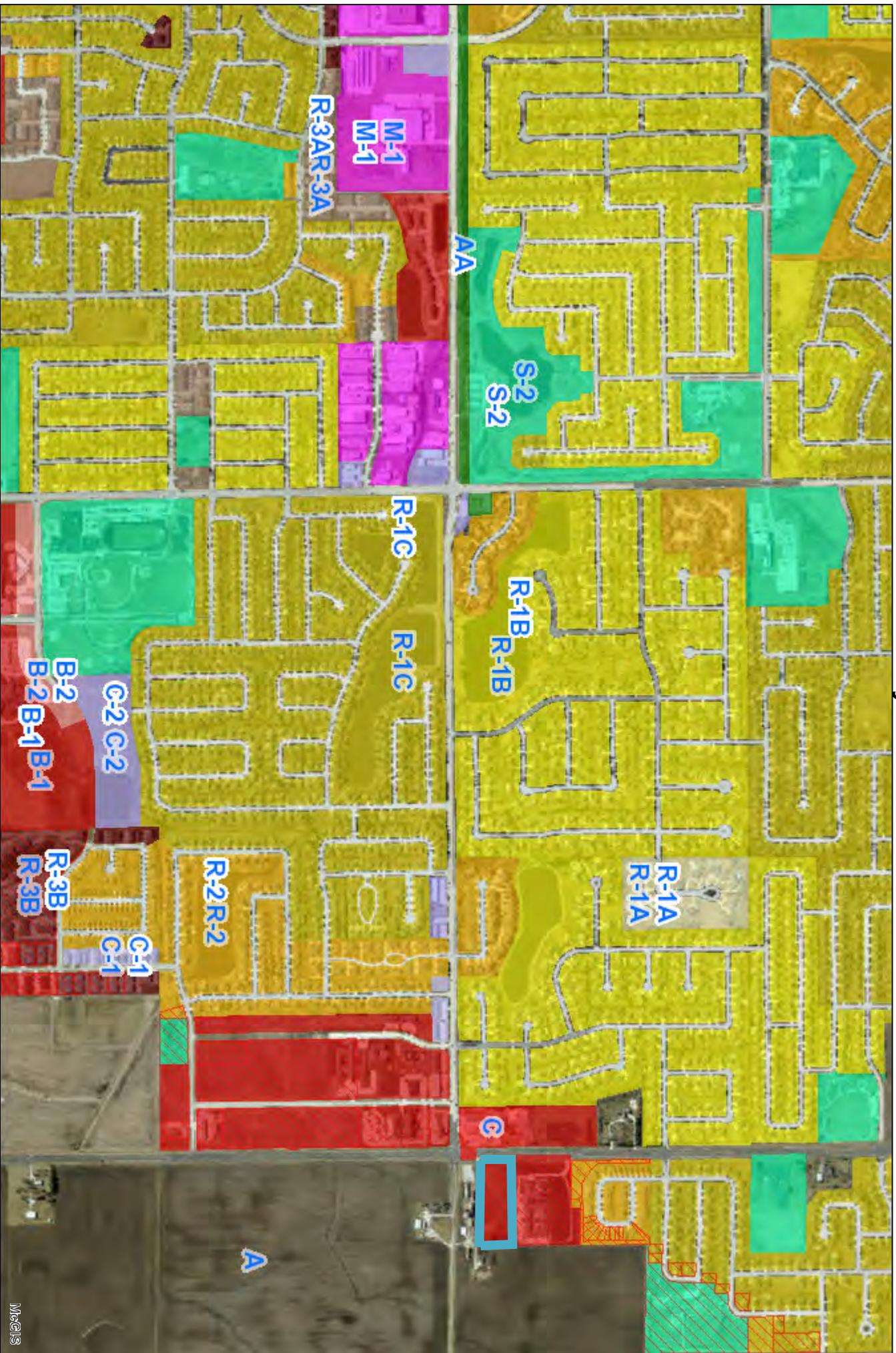


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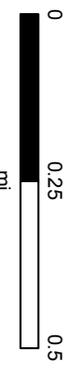
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McLean County GIS Consortium



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Department of Community Development
115 E Washington St, Ste 201
Bloomington IL 61701

August 12, 2019

Dear Property Owner or Resident:

The Planning Commission of the City of Bloomington, Illinois, will hold a public hearing on August 28, 2019 at 4 pm in the Council Chambers, 109 E. Olive Street, Bloomington, Illinois to hear testimony for a petition submitted by Rewerts, Zimmerman & Rewerts, Inc. to rezone property at 1815 N Towanda Barnes Rd ADJ to A Agricultural District.

REQUEST

The petitioner is requesting to rezone property at 1815 N Towanda Barnes Rd ADJ to A Agricultural District.

LEGAL DESCRIPTION: RESUB EAGLE VIEW SOUTH COMMERCIAL SUB OL B 4.887 ACRES

You are receiving this courtesy notification since you own property within a 500 foot radius of the land described above (refer to attached map). All interested persons may present their views upon said petition, or ask questions related to the petitioner's request at the scheduled public hearing. Copies of the submitted petition are available for public review at the Department of Community Development, 115 E. Washington St. Bloomington, IL 61701. Communications in writing in relation to the petition may be sent to the Department of Community Development prior to the hearing, or presented at such hearing.

In compliance with the Americans with Disabilities Act and other applicable federal and state laws, the hearing will be accessible to individuals with disabilities. Persons requiring auxiliary aids and services should contact the City Clerk at (309) 434-2240, preferably no later than five days before the hearing. Please note that cases are sometimes continued or postponed for various reasons (i.e lack of quorum, additional time needed, etc.). The date and circumstance of the continued or postponed hearing will be announced at the regularly scheduled meeting.

The agenda and packet for the hearing will be available prior to the hearing on the City of Bloomington website at www.cityblm.org. If you desire more information regarding the proposed petition or have any questions you may email me at ksimpson@cityblm.org or call me at (309) 434-2341.

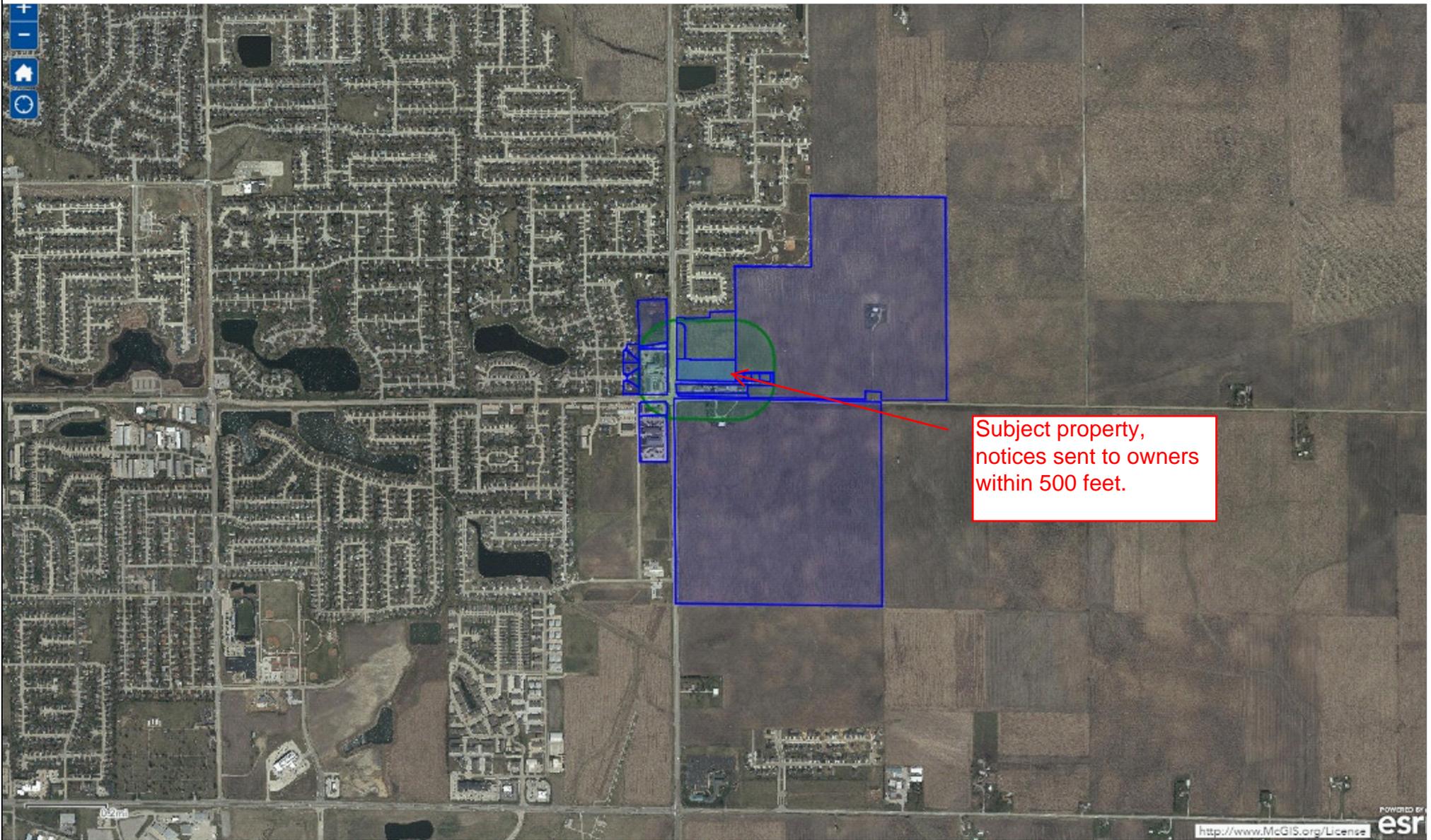
Sincerely,

A handwritten signature in black ink, appearing to read 'Katie'.

Katie Simpson, City Planner

Attachments:

Map of notified properties within 500 ft of subject property.

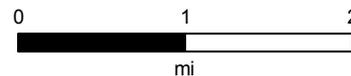


Subject property,
notices sent to owners
within 500 feet.

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, McGIS



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Not to Scale



SCOTT MILLER
17 Strawberry Rd
Bloomington, IL 617042833

BLOOMINGTON TOWANDA RD SERIES RHP INVESTMENTS LLC
% REGINALD PHILLIPS 2402 S 18TH ST
CHARLESTON, IL 61902

STEPHEN G & KELLY C SMURLO
18 STRAWBERRY RD
BLOOMINGTON, IL 617042833

MICHAEL COX
1 LAVENDAR LANE
BLOOMINGTON, IL 61704

DENNIS GRIEDER
1804 N TOWANDA BARNES RD
BLOOMINGTON, IL 617042825

Joseph Grizzle
19 Strawberry Rd
Bloomington, IL 617042833

KENNETH PRICE
8811 DEVAULT PRICE CT
BLOOMINGTON, IL 617059013

PETER MARTIN
13 RASPBERRY RD
BLOOMINGTON, IL 617042816

ED DORAN
308 E JACKSON
TOWANDA, IL 61776

AUCTUS LLC
1413 LESLIE DR
BLOOMINGTON, IL 617045409

KEVIN HANLEY
P O BOX 240935
DOUGLAS, AK 99824

FIRST FARMERS STATE BANK
4001 GE ROAD
BLOOMINGTON, IL 61704

DOUGLAS ADAMS
1841 KY HIGHWAY 36 E
CARROLLTON, KY 410088734

DENNIS GRIEDER
1804 N TOWANDA BARNES RD
BLOOMINGTON, IL 617052825

ROBERT REWERTS
2405 E EMPIRE ST
BLOOMINGTON, IL 61704

NORTHSIDE CHURCH OF CHRIST
1908 N TOWANDA BARNES RD
BLOOMINGTON, IL 61704

KRAFT FARMS LLC
2132 CHERRY RD
SPRINGFIELD, IL 627043213

REWERTS ZIMMERMAN & REWERTS INC
% ROBERT REWERTS 2405 E EMPIRE ST
BLOOMINGTON, IL 617048200