



## REGULAR AGENDA ITEM NO. 9.A.

**FOR COUNCIL:** May 28, 2024

**WARD IMPACTED:** Ward 1 and Ward 2

**SUBJECT:** Consideration and Action on a Resolution Authorizing an Annexation Agreement with David Hruska for the Property Commonly Known as 2440 W. Washington Street, PIN: 20-01-300-004, as requested by the Economic & Community Development Department.

**RECOMMENDED MOTION:** The proposed Resolution be approved.

**STRATEGIC PLAN LINK:**

Goal 5. Great Place - Livable, Sustainable City

**STRATEGIC PLAN SIGNIFICANCE:**

Objective 5a. Well-planned City with necessary services and infrastructure

Objective 5b. City decisions consistent with plans and policies

**BACKGROUND:** David Hruska, with the assistance of Christopher B. Burke Engineering and in partnership with New Leaf Energy (Developer), have submitted a request for approval of an Annexation Agreement for an approximately 132-acre property, commonly known as 2440 W. Washington Street. The Applicant seeks to incorporate the property and construct a Community-Scale Solar Energy Conversion Facility on a portion (approximately 1/4) of the premises; the balance of the property is planned for continued agricultural operation.

Chapter 8.5, § 203 of the City Code and 65 ILCS 5/11-15.1.1 require that the City Council hold a public hearing prior to adopting any Annexation Agreement; ***the required City Council public hearing will occur the evening of May 28, 2024.*** City Code also requires that Council approve or reject the Annexation Agreement on the basis of (1) the facts presented at the public hearing; (2) the recommendations of the Planning Commission; and (3) the recommendations of City Staff.

**Summary of the Request:**

- County A (Agricultural) District to City A (Agriculture) District
- The Agreement secures right-of-way dedication commitments from the Property Owner for the City's Planned/Proposed future transportation network.
- The right to tap (access) public water and sewer are provided to the Owner, upon the availability of such and the payment of applicable fees.
- No waivers or incentives are provided as part of this Agreement.
- The proposed Site Plan for the Solar Energy Conversion Facility meets or exceeds the setback requirements for development the use in either the City or the County.
- The Developer has agreed to restrict the proposed project to a 10-foot height, which is 50% of the legally-allowable height for the Use in the County or City.
- The Developer has agreed to provide vegetative screening above and beyond the requirement present in Code.
- Contiguity, and therefore the ability to enact the annexation, is contingent upon

annexation of PIN 20-01-100-031, which is the subject of Case Z-06-24, and involved an annexation agreement with Joseph and Carri Scharf.

On May 1, 2024, the Planning Commission held a public hearing and voted 6-0-0 to recommend approval of the Annexation Agreement and Zoning Map Amendment, concerns regarding the potential height, setbacks, and screening of the Solar Energy Conversion Facility proposed for a portion of the premises were the primary subjects of public testimony and the hearing; the Agreement has since been modified to reflect changes that address those concerns.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Notice of the Planning Commission hearing was published in *The Pantagraph* on Monday, April 8, 2024. Courtesy notices were mailed to 19 property owners within 500 feet of the subject property, as well as to Dale Township, McLean County, and Unit 5 School District.

The Applicant provided notice of this public hearing before the City Council, by Certified Mail, to the following parties on May 7, 2024: Dale Township Fire Protection District, McLean County Unit 5 School District, Golden Prairie Public Library District, Dale Township, Dale Township Highway Commission, Bloomington-Normal Airport Authority, and Bloomington-Normal Water Reclamation District.

Additionally, the notice for the City Council public hearing was published in *The Pantagraph* on Friday, May 10, 2024.

**FINANCIAL IMPACT:** The proposed Annexation and Zoning Map Amendment will add to the City's tax base. The Agreement secures vital infrastructure pathways for the future development throughout the area of "emerging" west Bloomington. The Applicant will be responsible for the construction and cost of any infrastructure for development on the subject property, with tap-on fees contributing to the cost of existing water and sewer infrastructure upon further subdivision or development.

**AMERICAN RESCUE PLAN FUNDING IMPACT:** N/A

**COMMUNITY DEVELOPMENT IMPACT:** This request meets the following goals and objectives of the Bloomington Comprehensive Plan 2035: Goal UEW-2 (Promote and facilitate energy conservation and alternate energy generation and resources), Objective UEW-2.2 (Ensure at least 25% of energy use comes from renewable energy sources); Goal TAQ-1 (A safe and efficient network of streets, bicycle-pedestrian facilities and other infrastructure to serve users in any surface transportation mode), Objectives TAQ-1.1 (Maintenance and development of a continuous network of arterial, collector and local streets that provides for safe and efficient movement of people, goods and services between existing and proposed residential areas and major activity centers, maximizes walkability, and provides multimodal linkages to the state and interstate highway system), and TAQ-1.5 (Plan for appropriate and safe access to major surface transportation facilities, including arterial and collector streets); Goal NE-3 (Reduce environmental pollutants), Objective NE-3.1 (Identify and reduce air pollutants), Policy NE-3.1a (Work to attract and provide incentives for wind, solar, geothermal, biofuel, and other types of renewable energy development); and Goal CF-1 (Continue to provide quality public facilities and services), Objectives CF-1.1 (Provide adequate City services for current and new annexations) and CF-1.4 (Focus resources on maintaining and developing facilities that support the goal of contiguous and compact growth).

Respectfully submitted for consideration.

Prepared by: Alissa Pemberton, City Planner

**ATTACHMENTS:**

[E&CD 3B Resolution](#)

[E&CD 3C - Resolution Exhibit B](#)

[E&CD 3D Z-05-24 Staff Report](#)

[E&CD 3E Draft Planning Commission Minutes for Z-05-24](#)