

The Hearing Officer meeting was held on Wednesday, September 27, 2023 in the Kelly Conference Room #155 and on Zoom. Hearing Officer present: Beth Rosenbarger

**REPORTS RESOLUTIONS AND COMMUNICATIONS:**

**PETITIONS:**

**CU-29-23      Tracy Gates**  
615 N. Fairview St  
Parcel: 53-05-32-100-008.000-005  
Request: Conditional use approval to allow a “food production or processing use” in the Mixed-Use Medium Scale (MM) zone.  
Case Manager: Katie Gandhi

Katie Gandhi, Case Manager, presented the staff report. Staff is recommending the Hearing Officer adopt the proposed findings and approve CU-29-23 with the following conditions:

1. This Conditional Use approval is for the proposed use only, as described above and in the packet.
2. City of Bloomington Utilities Department (CBU) must review and approve the plumbing plans before a Conditional Use Permit will be issued.
3. If there is a change in the name of the business, the owner, plumbing system, or business processes related to the initiation of serving coffee or food, the City of Bloomington Utilities Department must be contacted, so that review for a grease interceptor meeting Bloomington Municipal Code 10.17 can commence.

Ryan Robling, Hearing Officer, wanted to know if the third condition was requested by City of Bloomington Utilities. Gandhi said it was requested by the City of Bloomington Utilities department in an email to Tracy Gates.

**Robling moved to adopt the *Amended Findings of Fact* and approve CU-29-23 with the 3 conditions listed in the staff report.**

Amended Findings of Fact:

1. Replace Finding #1 with: "This application complies with the UDO, other applicable regulations, utility service, and improvement standards as required by the general compliance criteria. The petition does not include any exterior site or structural improvements, nor are any required by the establishment of this use. The City of Bloomington Utilities department has conducted a review of the petition and waive the requirement for the installation of the grease interceptor. The petitioner will comply with CBU and Health Department regulations for this use."

2. Remove the 1st and last lines of Finding #2 and add: "The petition is consistent with and does not interfere with the goals and objectives of the comprehensive plan. The comprehensive plan has identified this area as mixed-urban residential and is adjacent to parks/open space and downtown. While the mixed-urban residential designation is not met with this petition, the future land use map uses a broad brush approach establishing designation boundaries. When reviewed under the land use development approvals guidance for the downtown, this petition does substantially meet with the guidance of that section."

Meeting adjourned 2:18 P.M.