

 **PZ 1147-2022**

Hold a Public Hearing and forward a recommendation to City Council on the request of Bill Hoerr of Hoerr Brothers LLC to approve an Annexation Petition and Annexation Agreement with a request to rezone to Class I-1 (Industrial/Business Park) District for the property located at 9601 N Allen Road (Parcel Identification No. 09-31-300-007), Peoria IL (Council District 5).

Assistant Director, Leah Allison, Community Development Department, read the case into the record and summarized the request to rezone.

The Development Review Board recommends approval of the annexation agreement as proposed by the City.

Chairperson Wiesehan asked for clarification on the City's annexation agreement in terms of screening and the proposal to annex the property incrementally rather than all at once.

Ms. Allison stated that the City has proposed similar agreements in the past.

Steve Kerr, petitioner, was present and clarified the desire to annex the property incrementally. Mr. Kerr stated that the property is not conducive to adding sidewalks due to construction in 2016. Mr. Kerr further stated that the property owner does not object to the city's annexation agreement.

Discussion was held between Chairperson Wiesehan and Mr. Kerr regarding the previous and current infrastructure as it pertains to adding sidewalks.

Chairperson Wiesehan opened the public hearing at 1:58 PM.

Seth Uphoff objected to the annexation because it will provide great benefit yet little responsibility to the property owner. Mr. Uphoff expressed concern over annexing the property incrementally, noise and light pollution, and a lack of screening around the entire property (see Exhibit 1).

David Glavash expressed concern of public safety and health due to the burning of debris done by the landscaping business and the subsequent smoke that nearby residents must deal with. Mr. Glavash stated that some have medical conditions, such as asthma, and the smoke inhibits many from opening windows or going outside. Mr. Glavash further stated that the smoke poses a public safety concern for the nearby residents as well as those who shop at nearby businesses.

Charles Rosenthal agreed with the statements made by the previous speakers. Mr. Rosenthal stated that his wife has asthma and thus the smoke impedes on their ability to go outside.

Commissioner Unes asked the public to avoid making repetitive testimonies.

Randy Taylor expressed agreement with the previous testimonies regarding screening and the proposal to annex the property incrementally. Mr. Taylor expressed concern about the debris that is left on the street and the potentiality of pesticide drift. Mr. Taylor asked how far Van Winkle Way will be extended.

Ms. Allison stated that there is no immediate extension plan.

Mr. Kerr elaborated on the desire to annex the property incrementally. Mr. Kerr stated that this property is currently in Peoria County and the County has more lenient rules than the City, thus the agreement as it is written is a good thing for the public.

With no further public testimony, public hearing was closed at 2:18 PM.

Chairperson Wiesehan reminded the public that the City does not have jurisdiction over this property and all concerns should be brought to the County.

Discussion was held between Chairperson Wiesehan, Commissioner Grantham, and Ms. Allison regarding the City's additional requirements that were added to the agreement after the agenda packet was sent out.

Discussion was held between Chairperson Wiesehan and Ms. Allison regarding the construction of sidewalks outlined in the City's agreement.

Discussion was held between Chairperson Wiesehan, Commissioner Barry, and Ms. Allison regarding potential deferral of this request and the proposal to annex this property incrementally.

Commissioner Unes inquired about the estimated tax benefit of annexing this property.

Ms. Allison suggested talking with the Peoria County Assessment Office to obtain that information.

Motion:

Commissioner Martin made a motion to approve with staff recommendations without sidewalk requirement at the southwest corner of the intersection of Van Winkle Way and Allen Road; seconded by Commissioner Unes.

The motion was approved by viva voce vote 5 to 0.

The intent of this motion is to align sidewalks with the existing pedestrian crossing across Allen Road on the north side of Van Winkle Way.

PZ 1151-2022

Hold a Public Hearing and forward a recommendation to City Council on the request of Eliza Solowiej, of PCG Law Group, on behalf of Exxotic Strains, LLC to amend an existing Special Use Ordinance No. 14,612, as amended, in a Class C-2 (Large Scale Commercial) District for a Shopping Center to allow an Adult Use Cannabis Dispensary, for the property located at 1210 W Glen Avenue. The shopping center also includes properties located at 1222 W Glen Avenue, 4730, 4732, 4734, 4736, and 4738 N University Street, 4800 N University Street, 4810 N University Street, and 4816 N University Street, and commonly known as the Crossroads Shopping Center (Parcel Identification Nos. 14-20-401-001, 14-20-401-029, 14-20-401-032, 14-20-401-036, 14-20-401-037, 14-20-401-038), Peoria IL (Council District 3).

Senior Urban Planner, Kerilyn Weick, Community Development Department, read the case into the record and summarized the request to amend an existing Special Use Ordinance to allow for an Adult Use Cannabis Dispensary in a shopping center.

The Development Review Board recommends approval of the request with the following conditions:

1. Add a third accessible parking space pursuant to Section 8.1 of the Unified Development Code.
2. Replace required signage for existing accessible parking spaces.
3. Install at least three (3) bicycle parking spaces pursuant to Section 8.1.6 of the Unified Development Code.
4. Landscaping shall comply with previously approved landscaping plan for the 2008 amendment to the Shopping Center, Ordinance 16,264, or a new landscaping plan shall be submitted in compliance with Section 8.2 of the Unified Development Code.
5. All appropriate building permits shall be obtained for the alterations to the tenant space.
6. Sign permit shall be obtained for all new exterior signs. Said signs shall adhere to the requirements of Section 8.3 of the Unified Development Code.

Commissioner Unes inquired about the distance from this property to Notre Dame.