

: OFFICIAL PROCEEDINGS :

: OF THE CITY OF PEORIA, ILLINOIS :

A meeting of the Planning and Zoning Commission was held on Thursday, March 3, 2016, at 1:00p.m., at City Hall, 419 Fulton St., in Room 400.

ROLL CALL

The following Planning and Zoning Commissioners were present: Michele Anderson, Mark Misselhorn, Nick Viera, Chairperson Mike Wiesehan-5. Commissioners absent: Winsley Durand, Eric Heard, Richard Unes - 3.

City Staff Present: Leah Allison, Kim Smith, Madeline Wolf

SWEARING IN OF SPEAKERS

Speakers were sworn in by Staff Member Madeline Wolf.

MINUTES

Motion:

Commissioner Misselhorn moved to approve the minutes of the Planning and Zoning Commission meeting held on February 4, 2016; seconded by Commissioner Anderson.

The motion was approved unanimously viva voce vote 4 to 0.

REGULAR BUSINESS

CASE NO. PZ 16-04

Public Hearing on the request of Kathleen Groark of Insite, Inc. and Verizon Wireless to obtain a Special Use for a Wireless Communication Facility for the property located at 2112 N Linn Street (Parcel Identification Nos. 14-33-378-019 & 14-33-378-020), Peoria, Illinois. (Council District 2)

The petitioner respectfully requested a 30 day deferral.

Motion:

Commissioner Misselhorn made a motion to defer the case for 30 days; seconded, by Commissioner Anderson.

The motion was approved viva voce vote 4 to 0.

Commissioner Durand entered the Council Chambers at 1:05p.m.

With a request from a citizen to speak to Case No. PZ 16-04, Chairperson Wiesehan opened the Public Hearing at 1:05p.m.

Kenneth Albert, a concerned citizen, disapproved of the request for Case No. PZ 16-04. Mr. Albert did not support the use of residential space for a wireless communication tower.

With no further interest from citizens to provide public testimony, Chairperson Wiesehan closed the Public Hearing.



CASE NO. PZ 16-05

Public Hearing on the request of Ferenc and Ruth Davidovics for approval of an Annexation Agreement including a subdivision plat, and with a request to rezone from a Class R-3 (Single Family Residential) District to a Class R-2 (Single Family Residential) District (upon annexation) for the property identified as Parcel

Identification No. 09-29-301-020 and with an address of 1818 W. Wilhelm Road, Peoria, Illinois. The petitioner was proposing to annex 1.84 acres. (Council District 5)

Senior Urban Planner, Leah Allison, Community Development Department, read Case No. PZ 16-05 into the record and presented the request. Ms. Allison referred to the memo.

The petitioner requested to annex 1.84 acres with the following terms of the proposed agreement:

- 1) Property shall be zoned Class R-2 Single Family Residential District;
- 2) Approval of the Carlson Subdivision Plat with duplex designation on Lot 2.
- 3) Connection to public sanitary sewer required upon residential development of Lot 2.
- 4) 50% brick material required for new construction.

The Site Plan Review Board recommended APPROVAL of the annexation agreement, including the request of rezoning to Class R-2 Single Family Residential district.

Michael Honegger, representing the petitioner, asked the commission to approve the request. Mr. Honegger said the new construction would be a duplex while the existing single-family home remained. Mr. Honegger said the current well would remain until it was no longer useful, then the properties would connect to the City of Peoria sanitary sewer and water lines.

Chairperson Wiesehan opened the Public Hearing at 1:13p.m.

Colette Lundstrom, of 10809 N Dana Drive, questioned if the rezoning request allowed construction of an apartment building. Ms. Lundstrom requested clarification of the setback requirements for the new construction. Ms. Lundstrom questioned parking restrictions on the property. Ms. Lundstrom expressed concern of maintaining property values.

Ms. Allison addressed Ms. Lundstrom's inquiries. Ms. Allison confirmed the rezoning would not allow construction of an apartment building. Ms. Allison said the R-2 zoning classification required an 8 foot setback from the property line to the dwelling structure. Ms. Allison said property owners and occupants must adhere to city ordinances, including parking regulations.

Rodger Ellis, of 10721 N. Dana Drive, questioned the restrictions of the new construction. Mr. Ellis expressed concern for material regulations. Mr. Ellis requested information in regard to the city reviewing building plans to sure the design was consistent with the neighborhood.

Ms. Allison addressed Mr. Ellis' inquiries. Ms. Allison said the new development on Lot 2 required construction of 50% brick. Ms. Allison said the petitioner agreed with requirement. Ms. Allison said the new structure must adhere to the building code.

Chairperson Wiesehan said the commission and staff had no authority to enforce the design.

Mike Peterson, 10818 N. Bodell Drive, questioned enforcing the 50% brick requirement for the redevelopment of Lot 1.

Michael Honegger, in closing, said the proposed building would be in conformity with neighbors. Mr. Honegger said the large lot sizes as proposed include buffers on both sides. He asked the commission to approve the petition.

Ms. Allison addressed Mr. Peterson's inquiry and verified the agreement for 50% brick only applied to the construction of the duplex Lot 2.

Commissioner Misselhorn questioned if Mr. Honegger's clients would support the commission amending the annexation agreement to include the 50% brick requirement on both parcels.

Michael Honegger said the petitioner would not have an issue with the brick requirement if the existing

structure was rebuilt. Mr. Honegger said if the petitioner added an addition to the existing dwelling structure, the 50% brick requirement would not be appropriate.

Motion:

Commissioner Misselhorn moved to approve the annexation agreement and rezoning request with the modification to state new structures on either parcel must be (at least) 50% face brick; seconded by Commissioner Anderson.

Discussion:

Commissioner Anderson questioned the requirement in regard to a shed or accessory structure.

Commissioner Misselhorn confirmed the motion included the brick requirement for the primary structure.

Commissioner Viera expressed concern the brick requirement was arbitrary. He supported the use of brick material; he suggested the material requirement included stone, masonry, and/or brick.

Commissioner Misselhorn disagreed the material requirement was arbitrary. Misselhorn noted the petitioner agreed with the material requirement. Misselhorn supported Viera's suggestion for the material requirement to include stone, masonry, and/or brick. Misselhorn noted the adjacent properties may have material requirements through the Home Owner's Association that the annexation property did not have to follow. The brick requirement was a measure to maintain property values and consistency.

Amended Motion:

Commissioner Misselhorn amended his motion to approve the annexation agreement with a requirement for a minimum of 50% stone, masonry, and/or brick material for new homes on both parcels and to approve the rezoning request as presented; seconded by Commissioner Anderson.

Discussion:

Commissioner Durand requested confirmation from Misselhorn the restriction was not arbitrary but consistent with neighboring developments.

Commissioner Misselhorn addressed Durand's inquiry and said the neighbors are in favor of the petitioner's request and the requirements. Misselhorn said the petitioner was in favor of the requirements. Misselhorn said the material requirement's intention was to assure consistency in the neighborhood.

Ms. Allison said it was common to include material stipulations under annexation agreements. Ms. Allison agreed with Misselhorn, the intent of the brick requirement was to maintain property value in the area.

Commissioner Viera supported the annexation agreement. Viera said the request was a great example of a valid annexation agreement. Viera noted the annexed property must adhere to city ordinances; therefore, providing conformity.

Commissioner Anderson appreciated the commission's discussion. Anderson agreed with Misselhorn. Anderson supported the motion.

Chairperson Wiesehan said he felt the commission understood the reasons for the material requirement. He noted the commission's intent was to promote consistency throughout Peoria.

Commissioner Viera said he was unaware the surrounding neighborhood had specific covenants that impacted Case No. PZ 16-05.

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

CASE NO. PZ 16-B

Public Hearing on the request of the City of Peoria to amend Appendix B, the Zoning Ordinance and Appendix C, the Land Development Code, relating to Beekeeping.