



PLANNING & ZONING COMMISSION

TO: City of Peoria Planning & Zoning Commission
FROM: Development Review Board (Prepared by Leah Allison)
DATE: May 2, 2019
CASE NO: PZ 19-14

REQUEST: Hold a Public Hearing and forward a recommendation to City Council on the request of Michael D. Williams of 309 Auto Care to rezone property from a Class R-4 (Single Family Residential) District to a Class C-N (Neighborhood Commercial) District and to obtain a Special Use in a Class CN (Neighborhood Commercial) District, for Auto Sales and Service, for the properties located at 314 S Western Avenue (Parcel Identification No. 18-08-305-017) and 1835 W Kettelle St (Parcel Identification No. 18-08-305-018), Peoria IL. (Council District 1)

SUMMARY OF PROPOSAL & REQUESTED WAIVERS

The petitioner is requesting to:

- 1) Rezone property from a Class R-4 (Single Family Residential) to a Class C-N (Neighborhood Commercial) and
- 2) Obtain a Special Use for Auto Sales and Service as described below:

Development Item	Applicant Proposal	Applicant Waiver Request & Justification	DRB Comment
Parking	One customer parking space and one employee parking space	None	One handicap accessible parking space must be provided.
Mechanical & Utility Screening	No change	None	In compliance
Use Standards	Standards for auto sales and service to be met. No auto repair will be conducted at the site. See standards listed below.	Service bay doors are oriented toward the front of the building due to existing built conditions.	No objection
Landscaping	Existing tree located along Kettelle St	Allow for existing landscaping due to site conditions.	No objection
Buffers & Screening	None proposed.	None	A fence or landscape area must be provide along the east property line as a buffer to the adjacent residential property.
Signs	None proposed	None	All signs will require a separate sign permit.
Exterior Lighting	None proposed	None	Exterior lighting cannot exceed 0.5 foot candles when measured at the property line.
Setbacks, Yards, Build To	No change to existing building setback.	Building does not meet the build-to of 0 to15 feet from the property line.	No objection
Height	Existing one story	None	In compliance

Development Item	Applicant Proposal	Applicant Waiver Request & Justification	DRB Comment
Windows & Doors	No change	Existing Kettelle St façade with less than 40% fenestration.	No objection
Open Space Area	Open yard located on the east side of the building.	None	In compliance
Access & Circulation	No change	Existing driveway access from Western Ave is less than 75 feet from the corner	No objection

Use Standards for Vehicle Repair, Sales and Service:

1. Vehicle Repair and Service in C-N, C-G, and B-1

- a. Where the facility is adjacent to any residential use, there shall be a 100 percent opaque eight-foot high visual barrier or screen on the property line abutting the property, provided such barrier or screen shall not restrict clear sight at any intersection, alley or driveway.
- b. There shall be no dismantling of vehicles for salvage.
- c. The storage of impounded vehicles shall not be permitted.
- d. All repair and service of motor vehicles shall be conducted within a fully-enclosed building.
- e. A maximum of three service bay doors shall be permitted. The service bay doors shall be oriented towards the side or rear of the building. If fronting a street, façade in which the doors are placed must be recessed 10 feet from the front façade of the building. The service bay doors shall be fully screened from view from the public right-of-way and adjacent property.
- f. The outdoor overnight storage of vehicles awaiting repair may be permitted in accordance with [8.4](#), Outdoor Storage and Display.

2. Vehicle Sales

- a. Vehicle display area must be depicted on a site plan subject to Development Review Board approval.
- b. All vehicles located in the vehicle display area must be marked for sale, independently maneuverable, and operable.
- c. No parking space striping is required for the vehicle display area. Any parking provided apart from the vehicle display area must be striped per code requirements.

BACKGROUND

Property Characteristics

The subject property includes two parcels totaling 0.35 acres of land. The parcel located at 314 S Western is zoned both C-N (Neighborhood Commercial) and R-4 (Single Family Residential) and currently developed with a single story commercial building. The building was original constructed as an auto service station. The parcel located at 1835 W Kettelle St is currently undeveloped and zoned R-4 (Single Family Residential). These parcels are surrounded C-N (Neighborhood Commercial) zoning to the north and south, and R-4 (Single-Family Residential) zoning to the east and west.

History

In 1988 an application was submitted to rezone the subject properties to C-3 (General Commercial). Only the property at 314 S Western was rezoned while the properties on Kettelle remained residentially zoned.

Date	Zoning
1931 - 1958	F (Commercial)
1958 - 1963	F (Neighborhood Commercial)
1963 - 1990	C3 (General-Commercial) and R1 (Low Density Residential)
1990 - Present	CN (Neighborhood Commercial) and R4 (Single Family Residential)

DEVELOPMENT REVIEW BOARD ANALYSIS

The DRB examines each application against the appropriate standards found in the Code of the City of Peoria and/or in case law.

Standard for Rezoning	Standard Met per Community Development Dept. Review
<u>LaSalle Factor #1</u> : Existing uses of and zoning of nearby property	The subject property is surrounding by C-N (Neighborhood Commercial) zoning to the north and south. Existing uses of nearby property include commercial and residential.
<u>LaSalle Factor #2</u> : Extent to which property values are diminished by the particular zoning	Property values should not be diminished by the rezoning as the surrounding properties are also zoned commercial.
<u>LaSalle Factor #3</u> : Extent to which the destruction of property values of the complaining party benefits the health, safety, or general welfare of the public.	None
<u>LaSalle Factor #4</u> : Relative gain to the public as compared to the hardship imposed on the individual property owner.	The rezoning will allow for uniform zoning for the parcel at 314 S Western Ave and additional developable area for commercial.
<u>LaSalle Factor #5</u> : Suitability of the property for the zoned purpose.	The subject parcel is suitable for C-N (Neighborhood Commercial).
<u>LaSalle Factor #6</u> : Length of time the property has been vacant as zoned, compared to the development in the vicinity of the property.	The property has been vacant for approximately 15+ years.
<u>LaSalle Factor #7</u> : Public need for the proposed use.	None
Comprehensive Plan Future Land Use Designation	The Future Land Use Designation is Mixed Use and Medium Density Residential.

Standard Special Use	Standard Met per DRB Review	DRB Condition Request & Justification
No detriment to public health, safety, or general welfare	Yes	None
No injury to other property or diminish property values	Yes	None
No impediment to orderly development	Yes	None
Provides adequate facilities	Yes	None
Ingress/Egress measures designed to minimize traffic congestion	Yes	None
If a public use/service, then a public benefit	N/A	N/A
Conforms to all district regulations	No	Waivers noted due to existing conditions
Comprehensive Plan Critical Success Factors	Reinvest in Neighborhoods	N/A
City Council Strategic Plan Goals	Smart Population Growth	N/A

DEVELOPMENT REVIEW BOARD RECOMMENDATION

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

- 1) Adherence to use standards per Section 5.3.3.G of the Unified Development Code, except for standards relating to service bay doors.
- 2) Vehicle repair is prohibited.
- 3) The gravel areas located on the north and south sides of the building must be removed and replaced with sod/grass seed, or resurfaced with asphalt, Portland cement, interlocking concrete paver or brick, or bituminous cement binder pavement, or permeable pavers/porous paving system.
- 4) Provide 1 handicap accessible parking space appropriately striped and signed.
- 5) Customer/Employee parking spaces must be a striped as minimum of 18.5' in length by 8.5' in width.
- 6) Provide a pedestrian accessible route (PAR) between the public right-of-way and the building.
- 7) Repair the existing concrete parking surface to remove potholes and cracks with weeds.
- 8) Remove the concrete block with fence post laying in the rear yard area.
- 9) Construct a 100 percent opaque eight-foot high visual barrier or screen on the east property line abutting the residential property. Chain link or wire fencing is prohibited.
- 10) Any parking lot paving or resurfacing shall be completed by a contractor who is licensed and bonded with the City of Peoria.
- 11) Replace deteriorated and non-ADA-compliant sidewalks and curbs along all property frontages. Sidewalk participation may be available from the City of Peoria at an 80/20% cost share.
- 12) The driveways shall comply with current City Standards (including width, concrete thickness, apron dimensions and slopes). Depressed curb shall be installed (or maintained) through the driveway (curb should not follow the driveway flares).
 - a. Non-residential driveways shall be a minimum of 15 feet wide for one-way operation and 24 feet wide for two-way operation.
 - b. Non-residential driveways shall be a maximum of 30 feet wide.
 - c. Driveways shall be located a minimum of 50 feet from the intersecting curblines; and 5 feet from side property line; No part of the driveway apron shall encroach upon the intersection radii.
 - d. Driveway pavement (including the sidewalk at the driveway) shall be 8" thick concrete for commercial sites.
- 13) Western Ave is under the jurisdiction of the State. All work within the State right-of-way will require approval from Illinois Department of Transportation (IDOT).
- 14) Waivers due to existing site conditions for the following:
 - a. Service bay doors oriented toward the street and without screening from the public right-of-way.
 - b. No front yard landscaping along Western Ave.
 - c. Building setback greater than the build-to line of 15 feet.
 - d. Window and door fenestration less than 40 % on the Kettelle St façade.
 - e. Driveway access from Western Ave less than 75 feet from the street corner.

NOTE: If a City Code Requirement is not listed as a waiver, then it is a required component of the development. The applicant is responsible for meeting all applicable code requirements through all phases of the development.

ATTACHMENTS

1. Surrounding Zoning
2. Aerial Photo
3. Site Plan

314 S Western Ave



Disclaimer: Data is provided 'as is' without warranty or any representation of accuracy, timeliness or completeness. The burden for determining fitness for, or the appropriateness for use, rests solely on the requester. The requester acknowledges and accepts the limitations of the Data, including the fact that the Data is in a constant state of maintenance. This website is NOT intended to be used for legal litigation or boundary disputes and is informational only. -Peoria County GIS Division

Map Scale
1 inch = 83 feet
 4/10/2019



314 S Western Ave



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Map Scale
1 inch = 21 feet
 4/10/2019



- A) Vehicles for Sale
- B) Customer Parking
- C) Employee Parking

10/20/2011

