

there are more commercial uses.

Danny Oedewaldt, petitioner, gave a background of his business that has existed as a business since 1975. He said the existing plant is quite dated so he came to the city to see what he needed to do make the necessary improvements. He is going to insert a mixing plant to the existing business location. He understands it requires rezoning, hence the reason for his request.

Vice Chairperson Misselhorn clarified that the zoning of I-2 on the west still allows (Oedewaldt's) business to proceed.

There being no interest in public testimony, Chairperson Wiesehan closed the Public Hearing at 1:32 P.M.

Motion:

Commissioner Unes made motion for approval of the petitioner's request; therefore granting approval to rezone all parcels presented from an I-2 District to an I-3 District; seconded Commissioner Heard.

Discussion:

Commissioner Viera agreed with the Site Plan Review Board's recommendation and was not in support of the proposed motion.

Vice Chairperson Misselhorn agreed with Commissioner Viera. He said that as the business might change in the future, there is not a present need for the rezoning of all the parcels.

Commissioner Heard said the rezoning would not adversely affect the neighborhood. He said uniformity is fair in this situation. Heard said if the petitioner wants expand his business in the future, approving his request would protect him from having to go through this process again.

Commissioner Anderson said she does not see how the request adversely affects the block. She said she will support the request if this will assist with the expansion of business in the future.

Vice Chairperson Misselhorn read the findings of facts.

The motion was approved by showing of hands.

Yeas: Chairperson Wiesehan, Commissioners Anderson, Heard, Unes – 4;

Nays: Vice Chairperson Misselhorn, Commissioners Durand, Viera –3.

CASE NO. PZ 15-23

Public Hearing on the request of Michael Cochran of Austin Engineering Company for Rebecca Homolka, for a minor subdivision, with waivers, for the property located at 3410 N Knoxville Avenue (Parcel Identification No. 14-28-451-007), Peoria, IL (Council District 3).

Senior Urban Planner, Shannon Techie, Community Development Department, read Case No. PZ 15-23 into the record and presented the request for a minor subdivision with waivers. The waivers include:

1. Waiver to Allow Duplexes for Subdivisions with Fewer than 5 lots: The proposal includes a 3-lot subdivision with 2 lots designated for duplex development.
2. Waiver to Allow a Private Driveway in Place of the Required Private Street: A waiver is requested to allow for a private driveway to serve all three lots, as opposed to a private street.

The Site Plan Review Board recommends APPROVAL of the request, including requested waivers, and subject to the following conditions:

1. Add location map to the preliminary plat.
2. Add existing topography, including contours, to the preliminary plat.
3. Revise the note labeling the existing north entrance to eliminate the double occurrence of words "the private" on the preliminary plat.
4. Revise the sixth general note to refer to the Access Easement (not a private drive) on the preliminary plat.
5. Revise scale to 1=100' on the final plat.
6. Label the 10' and 15' wide utility easements. Make sure label falls with the boundaries of the three lots on the final plat.
7. For clarity, revise the label "Private Drive & Utility Easement" to read "Out lot A - Access & Utility Easement" on both the preliminary and final plats.
8. Since the driveway is within an out lot (not on private property), a maintenance agreement detailing responsibility for ownership and maintenance must be submitted and approved.
9. Storm water detention is required for this subdivision. A note should be added to both the preliminary and final plat to reflect this requirement. TR-55 (or other acceptable method) is required for any project that increases impervious area by more than 0.5 acre, cumulative over the last 5 years. For projects that will increase impervious area by less than 0.5 acres, storm water detention is required using the City's simplified rational method.

All conditions have been met by the petitioner except for conditions 4, 8, and 9.

Ms. Techie further explained that a request was brought before the commission a few months ago to rezone the property to a multi-family zoning designation and at the time the Commission proposed duplexes as a more appropriate alternative for the property than a multi-family development.

Rebecca Homolka, petitioner of the request, said she resides directly across the street from the proposed subdivision. She explained that she and her husband want to develop the vacant parcel into something similar to what is currently in the area.

Commissioner Viera questioned the utility easement. Rebecca Homolka explained the existing access to the parcel is on the north because Knoxville Ave, or State Route 40, is operated by IDOT.

Chairperson Wiesehan opened the Public Hearing at 1:49 P.M.

Robert Mitchell, a concerned citizen and neighbor of the proposed subdivision, opposes the development of land into duplex lots. He has lived near this parcel for 21 years. Mitchell said he feared the owners of the property would not do routine maintenance. The rental properties in the area continue to deteriorate. He said there are plenty of existing rental properties in the area and he does not believe there is a need for more.

There being no more testimony, Chairperson Wiesehan closed the Public Hearing at 1:52 P.M.

Rebecca Homokla addressed the concern raised by Mitchell. She said she is not looking at developing a multi-family unit. She reiterated that she has the best of interest, due to the fact that she resides across the street too.

Motion:

Commissioner Misselhorn made a motion to approve the petitioner's request, seconded by Commissioner Heard.

Commissioner Misselhorn read the findings of facts.

Discussion:

Vice Chairperson Misselhorn reminded commissioners that a few months ago, the previous property owner was trying to rezone this property with the intention to sell. When the case was presented to the Commission, the Commission's response was that it was inappropriate to support multi-family housing in this area. The Commission made the suggestion to the petitioner to work with staff to exercise a less dense use of property to make it marketable. Misselhorn said what has been done and presented today is what we had asked.

Commissioner Viera agreed with Vice Chairperson Misselhorn and said the responsible increase of density is a good fit for the neighborhood and he is in support of the request.

Commissioner Durand suggested for the Commission to take into consideration the opposition and concern of the neighbor.

In response to Commissioner Durand's concern, both Commissioners Viera and Misselhorn stated that from a zoning perspective, this is a good solution, if not the best solution for this parcel. Both Commissioners agreed that this is a better alternative than multi-family housing and/or the lot remaining vacant.

The motion was approved unanimously viva voce vote 7 to 0.

CASE NO. PZ 15-24

Public Hearing on the request of Floyd Rashid to rezone property from a Class R-1 (Single-Family Residential) District to a Class C-1 (General Commercial) District for the property located at 816 W Glen Avenue (Parcel Identification Numbers 14-20-427-036, & -037), Peoria, Illinois, (Council District 3).

Senior Urban Planner, Shannon Techie, Community Development Department, read Case No. PZ 15-24 into the record and presented the request to rezone property from a Class R-1 (Single-Family Residential) District to a Class C-1 (General Commercial) District.

The Site Plan Review Board recommends DENIAL of the proposed rezoning from R-1 (Single Family Residential) District to C-1 (General Commercial) District. Ms. Techie explained that if the request included 14-20-427-008, -009, and -011 in addition to the currently requested parcels, Staff would recommend approval of a rezoning to C-1 or C-2; however, to request a rezoning to C-2, the parcels would need to be combined prior to the rezoning request to meet the minimum lot size requirement of 50,000 square feet.

Dr. Floyd Rashid, petitioner for the request, said he has been working with Schnucks properties and will obtain the surrounding property owned by Schnucks.

Unes requested confirmation that the owner of the parcels surrounding Dr. Rashid's parcel is Schnucks. Dr. Rashid confirmed Schnucks currently owns the surrounding parcels.

Chairperson Wiesehan opened the public hearing at 2:15 P.M.

Prior to proceeding, Commissioner Anderson swore in the petitioner and Mark Ackerman, the architect for Dr. Rashid, as both individuals had been absent for the initial swear in.

Mark Ackerman, the architect for Dr. Rashid, stated he has been working diligently with Schnucks to obtain the parcels. He said he is looking for a recommendation from the Commission of how to proceed.

Chairperson Wiesehan addressed Ackerman and Dr. Rashid and explained the proceedings. He said the Commission is waiting on clear and complete ownership of all the parcels from Dr. Rashid. Wiesehan stated that the Commission can not recommend what the petitioner does.