

Commissioner Unes questioned if this would impact the flight plan for Mount Hawley. Ms. Allison confirmed that written documentation provided by the petitioner states that the Federal Aviation Association has issued a Determination of No Hazard letter.

Vice Chairperson Misselhorn questioned the regulation for towers in the area. Ms. Allison explained it is staff's recommendation to accept towers on a case by case basis.

Jim Auld, petitioner and representative for SBA Communications, thanked City Staff for the assistance with this process and for the presentation of his request. Auld stated the intention of his presence was to answer any questions presented by the Commission and the public.

There being no interest in public testimony, Chairperson Wiesehan closed the Public Hearing at 1:16 P.M.

Motion:

Commissioner Unes made the motion to approve the request as presented, seconded by Commissioner Anderson.

Vice Chairperson Misselhorn read the findings of facts.

The motion was approved unanimously viva voce vote 6 to 0.

CASE NO. PZ 15-22

Public Hearing on the request of Denny Oedewaldt, of Prairie Material, to rezone property from a Class I-2 (Railroad/Warehouse Industrial) District to Class I-3 (General Industrial) District, for the property located at 100 Cass Street, 114 Cass Street, 115 Cass Street, and 2026 SW Washington, Parcel Index Numbers (18-17-258-005, 18-17-258-009 through 18-17-258-012, 18-17-259-008 and 18-17-259-017 through 18-17-259-018), Peoria, Illinois (Council District 1).

Senior Urban Planner, Kimberly Smith, Community Development Department, read Case No. PZ 15-22 into the record and presented the request to rezone property from a Class I-2 (Railroad/Warehouse Industrial) District to Class I-3 (General Industrial) District.

The Site Plan Review Board Recommends APPROVAL of the requested rezoning for the properties on the east side of Cass, specifically including 100 Cass (PINs 18-17-259-008 and 18-17-259-017 through -018).

The Site Plan Review Board Recommends DENIAL of the requested rezoning for the properties on the west side of Cass, with addresses of 114 Cass, 115 Cass, and 2026 SW Washington (PINs 18-17-258-005 and -009 through -012).

Ms. Smith noted the I-3 would allow the existing concrete business to add silos; and the existing I-2 zoning on the west side was sufficient for proposed possible future equipment storage.

Commissioner Durand entered the Council Chambers at 1:18 P.M.

Commissioner Unes questioned the Site Plan Review Board's recommendation of denial for the west side of Cass Street. Unes said the denial may limit the company to expand the business in the future.

Commissioner Viera referred to Staff's presentation and said keeping the I-2 zoning for the west of Cass should not limit the business.

Ms. Smith explained this area is competing pressures. Industrial makes sense on the east, but on the west

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: