

: OFFICIAL PROCEEDINGS :**: OF THE CITY OF PEORIA, ILLINOIS :**

A meeting of the Planning & Zoning Commission was held on Thursday, May 3, 2018, at 1:00 p.m., at City Hall, 419 Fulton St., in Room 400 with Chairperson Mike Wiesehan presiding and with proper notice having been posted.

ROLL CALL

The following Planning & Zoning Commissioners were present: Michele Anderson, Ed Barry, Eric Heard, Mark Misselhorn, Richard Unes, and Mike Wiesehan – 5. Commissioners absent: Michele Anderson, George Ghareeb – 2.

City Staff Present: Leah Allison, Kim Smith, Shannon Techie and Madeline Wolf

SWEARING IN OF SPEAKERS

Speakers were sworn in by Staff Member Madeline Wolf.

MINUTES

Commissioner Misselhorn moved to approve the minutes of the Planning & Zoning Commission meeting held on April 5, 2018; seconded by Commissioner Unes.

The motion was approved viva voce vote 5 to 0.

REGULAR BUSINESS

Chairperson Wiesehan requested Case No. PZ 18-16 be heard first as it had been requested a 30 day deferral. Commissioner Unes made a motion to move case 18-16 to the beginning of the agenda; seconded by Commissioner Heard.

The motion was approved viva voce vote 5 to 0.

CASE NO. PZ 18-16

Hold a Public Hearing and forward a recommendation to City Council on the request of Robert Culp of Midwest Engineering and Associates, Inc. for Peoria Public Schools District 150, to rezone property from a Class R-3 (Single-Family Residential) District to a Class C-1 (General Commercial) District, for a portion of the property (approximately 4.3 acres in the southwest corner of the property) located at 400 E War Memorial Drive (Parcel Identification Number 14-28-276-001), and commonly known as Peoria Stadium, Peoria, Illinois (Council District 3).

Senior Urban Planner, Shannon Techie, Community Development Department, read Case No. PZ 18-16 into the record and said the Petitioner respectfully requested a deferral until the June 7, 2018 meeting.

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

Motion:

Commissioner Barry made a motion to defer the request until the June 7, 2018 meeting; seconded, by Commissioner Heard.

The motion was APPROVED viva voce vote 5 to 0.

Yeas: Barry, Unes, Heard, Misselhorn, and Wiesehan –5.

Nays: None.

CASE NO. PZ 18-11

Hold a Public Hearing and forward a recommendation to City Council on the request of Marsha N Romain to obtain a Special Use in a Class R-6 (Multi-Family Residential) District for a School for the Arts for the property identified as Parcel Identification No. 18-03-310-015, with an address of 919 NE Jefferson Avenue, Peoria IL (Council District 1).

Senior Urban Planner, Leah Allison, Community Development Department, read Case No. PZ 18-11 into the record and presented the request. Ms. Allison provided the Summary of Proposal, Background, and the Development Review Board Analysis and Recommendation as outlined in the memo.

The Development Review Board recommended APPROVAL of the request with the following conditions and waivers:

1. Repair parking area and access to be free from potholes, ruts, channels, growth of vegetation, other similar obstructions.
2. If provided, a garbage dumpster must be placed in a six to seven foot tall, four-sided solid enclosure with a gate for access.
3. All parking spaces must be striped in accordance with regulations.
4. Repair or remove the exterior chain link fence.
5. Waiver to allow existing street trees on Jefferson Ave and Evans Street to satisfy landscaping requirements.
6. Waiver to allow exterior lighting to remain. Any additions or changes to exterior lighting must meet current zoning regulations. i.e. footcandles
7. Waiver to allow existing building setbacks for the front yard on Jefferson and the rear yard, which are not in compliance with the R-6 zoning district regulations.
8. Waiver to eliminate parking lot perimeter landscape screen.

Chairperson Wiesehan opened the Public Hearing.

Jonathon Romain, Petitioner, provided a summary of the intended use for the building. He stated that it would be a non-profit business allowing artists to use rooms as art studios. He said the use would provide a sustainable and positive impact on the community. Mr. Romain thanked the commission for hearing his request.

Commissioner Unes supported the request and thanked Mr. Romain for providing his background during his testimony.

In response to Commissioner Misselhorn's inquiry, Mr. Romain said the proposed use was a community arts center.

In response to Commissioner Heard's inquiry, Mr. Romain said he was agreeable to staff's conditions.

Michael Kennedy, CEO of the Human Service Center, expressed support for the concept but concern for the potential conflict of separation requirements for certain residents at 1005 NE Jefferson St. Mr. Kennedy suggested the proposed use to be limited to adults 18 years and older.

Christopher Komen, an interested citizen, spoke in favor of the request.

Elizabeth Barnes, an interested citizen, spoke in favor of the request.

Kelley Mammen, an interested citizen, spoke in favor of the request.

Robin Stewart, an interested citizen, spoke in favor of the request.

David Sumner, an interested citizen, spoke in favor of the request.

LeAnne Schmidgall, an interested citizen and representative of Habitat for Humanity, spoke in favor of the request.

Karrie Alms, a concerned citizen, expressed concern for the residents living at the halfway house located across the street from the proposed art studios. Ms. Alms expressed concern that as the halfway house's use was approved in 2012, it would not be fair to take that away because of the new request.

Denise Moore, Councilwoman for Council District 1, said according to city code, the halfway house may remain with the establishment of the school for the arts.

Jonathon Romain, in closing, expressed concern for the halfway house was an approved use close in proximity to an existing building previously used as a school and questioned the reuse of the existing building. Mr. Romain encouraged the commission to recommend approval for the request as it did not inflict with city code.

With no further interest from the public to provide public testimony, Chairperson Wiesehan closed the Public Hearing at approximately 2:08p.m.

Motion:

Commissioner Unes made a motion to APPROVE the request as presented; seconded, by Commissioner Heard.

Discussion:

Vice Chairperson Misselhorn read the Findings of Fact for Special Use.

Chairperson Wiesehan requested corporation counsel provide a definition of school.

Commissioner Misselhorn supported the project.

Commissioner Heard and Unes supported the project and noted the city does not regulate Mr. Kennedy's concern.

Commissioner Barry supported the project.

The motion was APPROVED viva voce vote 5 to 0.
Yeas: Barry, Heard, Misselhorn, Unes, and Wiesehan -5.
Nays: None.

Commissioner Unes left Council Chambers at 2:16p.m.

The commission meeting recessed at 2:16p.m. The commission meeting resumed at 2:20p.m.

CASE NO. PZ 18-18

Hold a Public Hearing and forward a recommendation to City Council on the request of Camilla Rabjohns of Invictus Woods Inc., to obtain a Special Use in a Class R-4 (Single-Family Residential) District for an Assisted Living Facility, with Waiver(s), for the property identified as Parcel Identification No. 14-32-132-005, with an address of 1328 W. Circle Road, Peoria, Illinois (Council District 2).

Senior Urban Planner, Kimberly Smith, Community Development Department, read Case No. PZ 18-18 into the record and presented the request. Ms. Smith provided the Summary of Proposal, Background, and the Development Review Board Analysis and Recommendation as outlined in the memo.

The Development Review Board recommended APPROVAL of the request to obtain a Special Use to allow for an Assisted Living Facility as described in this case; with the following waiver and conditions:

Waiver:

1. Waiver to allow one off-street parking space.

Conditions:

1. Allow a total of 5 occupants (which is four residents, plus one staff resident).
2. A maximum of two vehicles are permitted for the household, at the property.
3. One on-site staff member is required, and must remain at the site at any time a resident is present.
4. City Staff may inspect as needed.
5. Smoke detectors need to be interconnected in all the bedrooms and carbon monoxide detectors must be located within 15 feet of all bedrooms.
6. A licensed electrician must verify all electrical work that has been done since the new owner took possession. This work will need to be permitted.
7. Applicable permits are required.

Chairperson Wiesehan reviewed the parking requirements for an assisted living facility and a single-family residential property.

Camilla Rabjohns, Petitioner, provided a background of Invictus Woods. The current Invictus Woods facilities housed males; the proposed property would house female residents. Ms. Rabjohns said parking would not be an issue and agreed to Condition No. 2. Ms. Rabjohns preferred two occupants per bedroom plus a house manager for a total of seven (7) residents.

Jamie Stahl, a concerned citizen, expressed concern the square footage of the house was too small for the proposed number of residents. Mr. Stahl was concerned the use would decrease property values, increase traffic, and be a detriment to the safety and wellbeing of the neighborhood.

Vickie Lewis, an Addiction Treatment Counselor, spoke in favor of the request and supported the request for two residents per bedroom.

Camilla Rabjohns, in closing, did not agree to Condition No. 4. In response to Commissioner Misselhorn's inquiries, Ms. Rabjohns said pets and males guests will not be permitted and that she had received positive feedback from neighbors and Councilman Grayeb. In response to Commissioner Barry, Ms. Rabjohns agreed to staff conditions with the exception of Condition Nos. 1 and 4.

With no further interest from the public to provide public testimony, Chairperson Wiesehan closed the Public Hearing at approximately 2:54p.m.

Motion:

Commissioner Heard made a motion to APPROVE the request with the exclusion of Condition No. 4; seconded, by Commissioner Misselhorn.

Discussion:

Vice Chairperson Misselhorn read the Findings of Fact for Special Use.

Chairperson Wiesehan expressed concern regarding Condition No. 4.

Ms. Smith said inspections are required to ensure compliance with an approved Special Use.

Commissioner Heard said he excluded Condition No. 4 in his motion because the Special Use may be revoked if the approved use was not in compliance.

Commissioner Misselhorn expressed concern the square footage of the house was too small for the requested number of residents. Commissioner Misselhorn supported the motion.

The motion was APPROVED viva voce vote 4 to 0.

Yeas: Barry, Heard, Misselhorn, and Wiesehan -4.

Nays: None.

CASE NO. PZ 18-19

Hold a Public Hearing and Forward a Recommendation to City Council on the request of Tyler Seibert of Bee-J Properties, Inc. to rezone property from a Class R-4 (Single Family Residential) District to a Class C-G (General Commercial) District for the property identified as Parcel Identification No. 18-19-177-025 with an address of 2311 S Ligonier Street, Peoria, Illinois (Council District 1).

Senior Urban Planner, Leah Allison, Community Development Department, read Case No. PZ 18-19 into the record and presented the request. Ms. Allison provided the Summary of Proposal, Background, and the Development Review Board Analysis and Recommendation as outlined in the memo.

The Development Review Board recommended APPROVAL of the request to rezone the subject property from R-4 (Single Family Residential) district to C-G (General Commercial) district.

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

Motion:

Commissioner Barry made a motion to approve the request as presented; seconded, by Commissioner Misselhorn.

Chairperson Misselhorn read the Findings of Fact for Rezoning.

The motion was APPROVED viva voce vote 4 to 0.
Yeas: Barry, Heard, Misselhorn, and Wiesehan -4.
Nays: None.

CITIZENS' OPPORTUNITY TO ADDRESS THE COMMISSION

There were no citizens present who wished to address the Planning & Zoning Commission at 3:16p.m.

ADJOURNMENT

Commissioner Misselhorn moved to adjourn the regularly scheduled Planning & Zoning Commission Meeting; seconded by Commissioner Heard.

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

The Planning & Zoning Commission Meeting was adjourned at approximately 3:16p.m.



Madeline Wolf, Development Technician