



# PLANNING & ZONING COMMISSION

**TO:** City of Peoria Planning & Zoning Commission  
**FROM:** Development Review Board (prepared by Kerilyn Weick)  
**DATE:** February 4, 2021  
**CASE NO:** PZ 171-2020 (deferred from December 3, 2020)

**REQUEST:** Hold a Public Hearing and forward a recommendation to City Council on the request of Katie J. Kim, of the Kim Group, on behalf of KM Real Properties LLC and Jim McComb Chevrolet, Inc., to replace the existing Special Use Ordinance 15,077 with a Special Use in a Class C-2 (Large Scale Commercial) District, for a banking center with drive-through ATM's for the property located at 3624, 3622, 3602 N University Street and 1205 W Florence Avenue (Parcel Identification Nos. 14-29-401-020, 14-29-401-021, 14-29-401-024, 14-29-401-026, 14-29-401-007 and 14-29-401-008), Peoria IL. (Council District 2)

**SUMMARY OF PROPOSAL & REQUESTED WAIVERS**

The petitioner is amending the special use request to the following:

1. Establish a Shopping Center over six parcels. Development at this time would be a banking center with drive-thru ATMs.
2. Request a waiver from the lot access requirement to allow vehicle access to/from lots with different zoning designations, in this case access to the C-2 parcels through C-1 parcels.
3. Limit access to Florence Avenue to be left in/right out only.

The property owners of the subject six parcels in cooperation with adjacent property owner have agreed to pursue reciprocal access across properties. Such agreement is made to pursue access between University Street and Parish Avenue, and from Parish Avenue to War Memorial Drive.

A summary of the relevant development items from the Unified Development Code are provided in the table below.

Development Item	Applicant Proposal	Applicant Waiver Request & Justification	DRB Comment
Uses	Bank Center: 3-4,000 SF footprint, 1-2 stories	None	None
Height	Bank: 1-2 stories	None	Maximum height in the C-2 district is 45 feet.
Setbacks, Yards, Build To	Front setbacks along University Street and War Memorial Drive: Buildings 25 feet. Parking 20 feet.  Side/Rear setbacks of shopping center: 5-10 feet	Waiver to allow side/rear yard setbacks as shown on site plan. Allows for 20 additional parking spaces for the apartment use. Allows greater flexibility.	Building setbacks for the interior of a shopping center may be 0 lot line.  No objection to setback waiver request.
Parking	Bank: 49 spaces, includes 2 accessible	None	No required parking for commercial uses.
Access & Circulation	Use existing driveway entrance from University Street with Left/Right exit onto University Ave.	None	Public Works Department recommends left in/right out only from Florene Avenue  IDOT recommends no sidewalk along the War Memorial frontage.

Development Item	Applicant Proposal	Applicant Waiver Request & Justification	DRB Comment
	Use driveway entrance from Florence Avenue as left in/right out only.  Internally, Tract 1 and 2 will have cross access via private easement with shared maintenance and repair agreements		
Landscaping and Transitional Bufferyard	Landscaping and buffering plan will comply with code.	None	Landscaping plan shall be required.  Drive-through lanes between a building and War Memorial must be lined with a continuous hedge.
Exterior Lighting	Lighting will comply with code	None	Lighting plan, showing location and style of exterior lighting shall be required for each building permit.
Mechanical, Utility & Dumpster Screening	Screening will be provided as required.	None	Refuge areas and mechanical ground or roof top equipment shall be screened from view of public streets or residential zoning district.
Signs	One, multi-tenant, freestanding sign on Tract 1  Individual tenant signs will comply with code.	None	All signs shall comply with the ordinance. No waiver is requested.
Off-Premise Sign/Billboard	One proposed along War Memorial frontage.		Requires IDOT approval for sign type along state highway. Recommend deferral of this item until comments/review from IDOT.

## **BACKGROUND**

### **Property Characteristics**

The subject property consists of 6 parcels, identified in two tracts, totaling 4.54 acres. The property is at the southeast corner of the intersection of War Memorial Drive and University Street. The property includes frontage along Florence Avenue. Two of the six parcels (0.37 acres) are in zoning Class C-1 (General Commercial) District. The remaining parcels are in zoning Class C-2 (Large-Scale Commercial) District. The property is currently undeveloped. The most recent use was vehicle sales.

<b>Surrounding zoning and known land uses:</b>		
North	C-1 (General Commercial); R-3 (Single Family Residential)	Gas Station, Residential
South	R-6 (Multi-Family Residential); R-3 (Single Family Residential)	Day care, Residential
East	C-2 (Large Scale Commercial); C-1 (General Commercial)	Undeveloped, Commercial
West	C-2 (Large Scale Commercial); C-1 (General Commercial)	Gas Station, Restaurant with drive-through, Retail with pharmacy

### **History**

The subject property, except for parcel 14-29-401-007 (1205 W Florence), has been in a commercial zoning district since 1963. Tract 1 was rezoned to a more intensive commercial district (C-3) in 1971. Most of the area in Tract 2 was rezoned to a more intensive commercial district (C-3) in 1966. The remaining area was in

Class C-2 (Neighborhood Commercial) and Class R-1 (Low Density Residential). A rezoning in 1996 further expanded the more intensive commercial zoning district in Tract 2. In 2001, Ordinance 15,077 approved, the rezoning of parcel 14-29-401-007 (1205 W Florence) from R-3 (Single Family Residential) to C-1 (General Commercial) and a special use for Auto Sales. All the property was then in a commercial zoning class. The 2001 ordinance included a condition limiting the use of the Florence access to right out/left in only.

Date	Zoning
1931 - 1958	Not in the City
1958 - 1963	A-One Family; Partly not in the City
1963 - 1990	C3 (General-Commercial); C2 (Neighborhood Commercial); R-1 Low Density Residential
1990 - Present	C2 (Large Scale Commercial) and C-1 (General Commercial)

### **DEVELOPMENT REVIEW BOARD ANALYSIS**

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

Standard for 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 nor diminishment to property values	Yes	None
No impediment to orderly development	Yes	Development of the site as a Shopping Center will help to ensure orderly development.
Provides adequate facilities	Yes	N/A
Ingress/Egress measures designed to minimize traffic congestion	Yes	A Shopping Center has shared site access, cross access, and parking. Recommend a condition to limit access to and from Florence Avenue to discourage traffic in the neighborhood.
If a public use/service, then a public benefit	N/A	N/A
Conforms to all district regulations	Yes, apart from requested waiver	Waiver for side/rear yard setbacks.
Comprehensive Plan Critical Success Factors	Grow Employers and Jobs; Reinvest in Neighborhoods	Development of the site as a shopping will help to ensure orderly development
City Council Strategic Plan Goals	Grow Business; Attractive Neighborhoods	

### **DEVELOPMENT REVIEW BOARD RECOMMENDATION**

The Development Review Board recommends APPROVAL of the Special Use request for a Shopping Center with the following conditions and waivers:

1. Access to and from Florence Avenue shall be limited to right out/left in only.
2. Drive-through lanes between a building and War Memorial must be lined with a continuous hedge.

3. Development of future uses and structures requires amendment to the special use through the Special Use process.
4. Amendments to approved developments which are substantially in conformance with the site plan may be reviewed administratively, by the Development Review Board.
5. Approval does not include approval for Off-Premise Signs. Any Off-Premise Sign/Billboard shall be reviewed through a separate review process.
6. Waiver to allow vehicle access to/from lots with different zoning designations, in this case access to the C2 parcels through C1 parcels.
7. Waiver to allow side/rear yard setbacks as shown on the site plan.

**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
4. Trip Generation Table
5. Agreement to Pursue Reciprocal Access