

Section 1, 16.10.b. (1) “Evergreen or year-round plantings screen;” and Appendix C, the Land Development Code, 8.2.15.B.3.a. “Evergreen or year-round plantings screen.” The motion was seconded by Commissioner Jacobsen.

Commissioner Misselhorn clarified that the evergreen year-round plantings need to be taller than the unit it is screening within two years to achieve that height.

First Amended Motion:

Commissioner Misselhorn moved to approve ZC 13-M, approve Staff’s proposed Ordinances, related to Mechanical Equipment Screens, as amended: Appendix B, the Zoning Ordinance, with an amendment to Section 1, 16.10.b. (1) Planting screens that are evergreen or year-round and achieve a height of least the height of the unit it is screening within two years of planting.” and Appendix C, the Land Development Code, 8.2.15.B.3.a. “Planting screens that are evergreen or year-round and achieve a height of least the height of the unit it is screening within two years of planting.” The motion was seconded by Commissioner Jacobsen

Discussion ensued regarding not allowing a two-year time frame, and another friendly amendment was suggested that the planting material should be at least as high as the equipment being screening. Mr. Naven indicated that typically the Certificate of Occupancy is much earlier than two years.

Second Amended Motion/Final Motion:

Commissioner Misselhorn moved to approve ZC 13-M, approve Staff’s proposed Ordinances, related to Mechanical Equipment Screens, as amended: Appendix B, the Zoning Ordinance, with an amendment to Section 1, 16.10.b. (1) “Planting screens that are evergreen or year-round, and the planting material needs to be at least as high as the equipment it is screening”; and Appendix C, the Land Development Code, 8.2.15.B.3.a., “Planting screens that are evergreen or year-round, and the planting material needs to be at least as high as the equipment it is screening.” The motion was seconded by Commissioner Jacobsen.

The motion was approved unanimously by viva voce vote 4 to 0, with Commissioner Shea abstaining.



CASE NO. ZC 13-N

PUBLIC HEARING on the request of the City of Peoria to amend Appendix B, the Zoning Ordinance, and Appendix C, the Land Development Code, related to Open Air Café.

Mr. Naven explained the intent of this text amendment is to remove the beer garden designation and replace with open air café because the beer garden designation typically signifies that there is alcohol being served, whereas in certain areas, it may not. He said the intent is to provide those types of uses to be approved accessory to existing uses and in essence, let the Liquor Commission do what they are charged to do and provide the license for either a beer garden, outdoor entertainment, etc.

In responding to Commissioners, Mr. Naven explained that an open café is defined as an eating or drinking area. He said that even if an establishment already has a liquor license, it would be allowed as a permitted use, as long as they meet the zoning regulations of the district; and the Liquor Commission would complete their charge and determine if it is a good location for a drinking establishment. He indicated this would make it easier on the applicant because it is just a permitted use through the Site Plan Review Board, thus avoiding multiple public hearings for the same issue.

During discussion with Commissioners, Mr. Naven agreed with a cross reference in the definition to the City Code section for the liquor license requirements, such as, “See also, or if

alcoholic beverages are served, see also City Code section..." Regarding entertainment, Mr. Naven explained the noise ordinance would have to be followed.

Motion:

Commissioner Shea moved to approve Case No. ZC 13-N, as recommended by Staff, including the cross reference language relative to the Liquor Ordinance, to amend Appendix B, the Zoning Ordinance, and Appendix C, the Land Development Code, related to Open Air Café. The motion was seconded by Commissioner Misselhorn.

The motion was approved unanimously by viva voce vote 5 to 0.

CITIZENS' OPPORTUNITY TO ADDRESS THE COMMISSION

It was determined there were no citizens to address the Commission.

OTHER BUSINESS:

During discussion, Ms. Techie responded to Commissioners' questions regarding certificates of occupancy and the enforcement process.

Commissioners emphasized the need for an Enforcement Officer position. They pointed out that the previous sign sweep was successful and another one was needed.

ADJOURNMENT


Commissioner Shea motioned to adjourn the Regular Zoning Commission Meeting; seconded by Commissioner Misselhorn.

The motion was approved by viva voce vote.

The Zoning Commission Meeting adjourned at approximately 2:30 p.m.



Josh Naven, Senior Urban Planner



Shannon Techie, Senior Urban Planner

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