

David Patch, owner of 2112 N Linn Street, said he was present to answer questions. He spoke in support of the request.

With no further interest from citizens to provide public testimony, Chairperson Wiesehan closed the Public Hearing at 1:40p.m.

**Motion:**

Commissioner Misselhorn made a motion to approve the request deleting Condition Nos. 15, 18, 20; seconded by Commissioner Unes.

**Discussion:**

Commissioner Heard agreed with Misselhorn to remove Condition No. 15. He expressed concern with the relocation of the dumpster and requested a relatively quick resolution.

The motion was approved viva voce vote 5 to 0.

**CASE NO. PZ 16-06**

Public Hearing on the request of John and Dorothy Durfee to rezone property from a class R-6 (Multi-Family Residential) District to a Class C-N (Neighborhood Commercial) District, for the property located at 3029 N Prospect Road (Parcel Identification No. 14-34-128-032), Peoria, IL. (Council District 3)

Senior Urban Planner, Shannon Techie, Community Development Department, read Case No. PZ 16-06 into the record and presented the request. Ms. Techie provided the property characteristics and zoning history as outlined in the memo. Ms. Techie provided the Community Development Department Analysis as outlined in the memo.

The Community Development Department recommended APPROVAL of the request.

Commissioner Misselhorn referred to the zoning history and questioned the petitioner's interest for the rezoning request.

John Durfee, petitioner, explained the previous uses for the property. Mr. Durfee said the request was intended to offer more businesses opportunities to use the property. He thanked the commission for their time and consideration of his request.

With no further interest from citizens to provide public testimony, Chairperson Wiesehan closed the Public Hearing at 1:56p.m.

**Motion:**

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

**Discussion:**

Commissioner Misselhorn said the explanation from staff and the petitioner for the request was reasonable.

Chairperson Wiesehan supported the request.

The motion was approved viva voce vote 5 to 0.

 **CASE NO. PZ 16-07**

Public Hearing on the request of Kathleen Groark of Insite Inc. to amend an existing Special Use Ordinance No. 13,932, as amended, in a Class C-2 (Large Scale Commercial) District to add a Wireless Communication Tower Facility for the property commonly known as the Shoppes at Grand Prairie and located at 5201 W War Memorial Drive. The proposed Wireless Communication Tower is located on the property identified as Parcel Identification No. 13-11-126-013 which is situated immediately north of the property located at 5121 W American Prairie Drive, Peoria, Illinois (Council District 5).

Senior Urban Planner, Leah Allison, Community Development Department, read Case No. PZ 16-07 into the record and presented the request. Ms. Allison provided a summary of the proposal and requested waivers as outlined in the memo.

The Site Plan Review Board recommended APPROVAL of the request with the following conditions:

1. Revise the design of the tower to incorporate stealth application.
2. Provide signage in compliance with the zoning ordinance.
3. Equipment cabinetry must be screened by fence and landscaping.
4. Transformer located outside of fenced area must be screened.
5. Add second row of staggered landscaping trees to provide required screening.
6. Remove gravel from the parking surface and replace with hard surface or permeable pavers (this condition has been met).
7. Revise fence to include wrought iron with wider slats for required screening (this condition has been met).
8. Land located outside of the 70 ft. x 70 ft. lease area must be landscaped and sodded or seeded with grass.
9. Waiver to allow aluminum fence instead of wrought iron.

In response to Commissioner Misselhorn's concern in regard to Condition No. 1, Ms. Allison said the regulations for wireless communication towers were revised in 2013 to include stealth provisions when appropriate.

Commissioner Unes expressed concern for the enforcement of maintaining the landscaping that was required under Condition No. 5 for screening purposes.

Ms. Allison said landscaping must be maintained at all times and a violation would be addressed through enforcement.

Kathleen Groark, petitioner representing Verizon and Central States Tower Insite, respectfully requested approval for the request. She referred to her presentation for Case No. PZ 16-04. Ms. Groark said there were no other locations for collocation; but it was her expectation other carriers would collocate on the proposed tower in the future. Ms. Groark said there was an increased demand for cell phone coverage in this area.

Ms. Groark requested to eliminate Condition No. 1. Ms. Groark said incorporating stealth application would reduce coverage and the opportunity for carriers to collocate.

Commissioner Unes questioned the coverage limitations with the stealth application.

Ms. Groark said the monopole proposed had 9 antennas; the stealth application would limit the number of antennas to 3.

Chairperson Wiesehan opened the Public Hearing at 2:24p.m.

Rodger Sparks, an interested citizen, requested sidewalk connectivity in the Grand Prairie area.

Janaki Nair, representing Buffalo Wild Wings of Peoria, LLC and TwoPutt, Inc., requested either a 30 day deferral of the case or denial of the Special Use request. Ms. Nair said her client was under the impression the case would be withdrawn. Ms. Nair expressed concern for the petitioner's objection to staff recommendations. Ms. Nair was concerned of diminishing property value in the area.

Commissioner Durand questioned Ms. Nair's concern for the perceived danger of the request.

Ms. Nair said the aesthetic was the main concern. Ms. Nair said the required signs that read, "Danger," will negatively impact surrounding businesses. Ms. Nair requested the exploration of other areas for the structure.

Brett Nelson, Operations Manager at Buffalo Wild Wings in Peoria, expressed concern regarding the demised aesthetic from the construction of the 180' wireless communication tower. Mr. Nelson suggested exploring other areas for the proposed tower. Mr. Nelson expressed safety concerns regarding the tower.

Sean Garrett, representing Cullinan Properties, was present to support the improvement of wireless service in the area through the approval of the request. Mr. Garrett said he supported the stealth application. He said he was unable to speak to the miscommunications Ms. Nair referred to in her testimony. He said he received support from the following adjacent entities: Methodist College, Shoppes at Grand Prairie, and Chadwick Estates Home Ownership Association Board.

Commissioner Durand questioned if Mr. Garrett recommended other areas suitable for this request.

Mr. Garrett said the proposed location was the preferred site. The location would not hinder undeveloped lots in the area.

Ms. Allison read a letter of support into the record by Dr. Kimberly Johnston, President of Methodist College and the Chadwick Home Owner Association Board.

With no further interest from citizens to provide public testimony, Chairperson Wiesehan closed the Public Hearing at 2:43p.m.

**Motion:**

Commissioner Unes made a motion to approve the request with the exclusion of Condition Nos. 1 and 6; seconded, by Commissioner Durand.

**Discussion:**

Commissioner Misselhorn said the usefulness and need for the request was demonstrated but he was not in support of the request. Misselhorn said he understood the adjacent property owner's concerns. Misselhorn said incorporating stealth application would still have a significant visual impact with the proposed height of the tower. Misselhorn said the request for deferral was not justified as proper notification of the Public Hearing was given.

Commissioner Heard agreed with Misselhorn. Heard said he did not have a problem with the construction of the wireless communication tower adjacent to commercial but agreed with the concerns raised by the adjacent business owners. Heard said the proposed tower would have a long-term visual impact to the area. Heard supported the exploration of different locations of the proposed tower.

Chairperson Wiesehan said he understood Commissioners Misselhorn and Heard's concerns. Wiesehan said he supported the improvement of wireless service in the area through the approval of the request.

The motion was approved viva voce vote 3 to 2.

Yeas: Durand, Unes, Wiesehan – 3.

Nays: Heard, Misselhorn – 2.

Chairperson Wiesehan adjourned for a five minute break. The meeting resumed at 2:52p.m.

**CASE NO. PZ 16-08**

Public Hearing on the request of Brian Mooty, for Fraternalite Notre Dame Inc., to obtain a Special Use in a Class R-3 (Single Family Residential) District for a Monastery Convent and Religious Chapel for the property identified as Parcel Identification No. 13-25-176-005 and with an address of 3737 N Marybelle Drive, Peoria, Illinois (Council District 4).

Senior Urban Planner, Leah Allison, Community Development Department, read Case No. PZ 16-08 into the record and presented the request. Ms. Allison provided the summary of the proposal and requested waivers as outlined in the memo. Ms. Allison provided the property characteristics and history of the zoning for the property as outlined in the memo.

The Site Plan Review Board recommended APPROVAL of the request with the following condition and waiver:

1. Provide three handicap accessible parking spaces.
2. Waiver to allow the existing steeple to exceed the maximum district height of 35 feet.