

Christopher Oswald, petitioner representing Kroger Limited Partnership I, introduced the development team present to answer questions. Mr. Oswald noted the property owners were using the existing site and requested to eliminate Condition No. 2. Mr. Oswald requested to maintain the existing parking ratio given the shallow lot size. Mr. Oswald requested to approve the landscaping plan as presented.

Mr. Oswald said the request to remove 0.68 acres of property, currently owned by RLI, from its special use boundary and add to the adjacent special use boundary for Kroger (Parcel Identification No. 09-32-451-014) provided functional and aesthetic needs for the project.

Mr. Oswald verified Condition No. 4 included the Kroger property only.

Commissioner Misselhorn suggested additional parking lot islands along the east property line.

Ross Beyer, representing The Kroger Co., referred to the Evergreen Square project. Mr. Beyer supported working with staff. Mr. Beyer noted the building expansion required additional employees and on-site employee parking. Mr. Beyer said the parking lot was shallow and the developer was trying to work with the existing conditions. Mr. Beyer said he and his team were excited to start on the project.

Chairperson Wiesehan opened the Public Hearing at 3:44p.m.

Ralph Hodges, an interested citizen and owner of buildings north of the proposed project, supported the project. Mr. Hodges expressed concern the additional parking spaces would encroach onto the common property line. Mr. Hodges was concerned of the additional drainage overflow onto his property.

Gary Zumwalt, of Zumwalt and Associates, Inc., addressed Mr. Hodges' concerns and noted it would be addressed with zoning.

With no further interest from the public to provide public testimony, Chairperson Wiesehan closed the Public Hearing at 3:47p.m.

**Motion:**

Commissioner Misselhorn moved to approve the request as presented with the exception of Condition No 2, and to add the requirement to work with staff to revise the site plan to maximize the number of peninsulas along the East property line for landscaping; seconded, by Commissioner Durand.

**Discussion:**

Commissioner Heard said the east parking was important for the development. Heard agreed with Misselhorn's motion.

Commissioner Misselhorn said he appreciated the investment in the existing property.

The motion was approved viva voce vote 5 to 0.

→ **CASE NO. PZ 16-10**

Public Hearing on the request of Ralph Hodges of CLS for Mark Peterson of Peterson Healthcare, to amend an existing Special Use, Ordinance Number 17,081, for Assisted Living (formerly called Elderly Housing) in a Class R-3 (Single-Family Residential) District and a Class R-1 (Single-Family Residential) District for the property located at 6414 N Mount Hawley Road (Parcel Identification Numbers 14-16-129-014 & 14-16-177-001), Peoria, IL. (Council District 3)

Senior Urban Planner, Shannon Techie, Community Development Department, read Case No. PZ 16-10 into the record and presented the request. Ms. Techie provided the summary of the proposal and requested waivers as outlined in the memo. Ms. Techie provided the zoning history of the property.

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

1. Waiver to allow the existing parking area to remain within the required front yard setback.

2. Waiver to increase the height of the retaining wall from 3 feet to 7.3 feet.
3. If a waiver is granted to allow 6 additional parking spaces in the front yard, a fee for over parking, in the amount of \$1,750, is required and must be paid before any permits are issued.
4. All rooftop and ground level mechanical equipment and utilities must be screened per Zoning Ordinance requirements.
5. One additional shade tree must be added to the site plan to meet the parking lot landscape requirement; a revised landscape plan is required.
6. For any project disturbing more than 5000 square feet and increasing impervious area by less than 0.5 acres (and even if project decreases impervious area), storm water detention is required using the City's simplified rational method. Storm detention requirements may be met utilizing sustainable Best Management Practices (BMP) including, but not limited to, native grasses, bioswales, rain barrels, raingardens, dry wells, permeable pavement, etc.
7. A revised landscape plan should be provided before permits are issued showing additional landscaping in the TBY along the north property line, within the first 70 linear feet, to create a substantially solid visual barrier.
8. All TBY's must achieve a substantially solid visual barrier within two (2) years from the date of the issuance of a Certificate of Occupancy by the City of Peoria.
9. A revised site plan must be provided reflecting the required setback of 12.5 feet for the proposed monument sign and a building permit is required for the proposed sign.
10. Exterior lighting shall not exceed 3 footcandles when measured at the property line.
11. A pedestrian accessible route (PAR) shall be provided between the public ROW and the building.
12. Sidewalk cross slope through drive approaches shall continue in a constant plane, with 1.5% cross slope (2% maximum); sidewalk joint pattern should continue through drive approaches as well.
13. All portions of the existing chain link fence in the front yard must be removed or replaced with wrought iron.

Ms. Techie said Conditions Nos. 5, 7, and 9 have been met and may be removed.

Commissioner Misselhorn requested clarification for Condition #13.

Ms. Techie confirmed Commissioner Misselhorn's inquiry and stated the petitioner had the option to replace the fence with wrought iron but chose to remove the fence.

Ralph Hodges, petitioner representing Peterson Healthcare, spoke in favor of the request. Mr. Hodges said the project included the redevelopment of Keller School into an Assisted Living Facility through the utilization of existing conditions and meeting code requirements. Mr. Hodges said he was in agreement with all SPRB Conditions with the exception of Condition No. 6. Mr. Hodges said the development preferred to have parking close to the front entrance. Mr. Hodges was willing to pay to over parking fee.

With no interest from citizens to provide public testimony, Chairperson Wiesehan closed the Public Hearing at 4:05p.m.

**Motion:**

Commissioner Misselhorn made a motion to approve the request as presented, with the exclusion of Condition Nos. 3, 5, 7, and 9 and with the inclusion to work with staff to balance the new (6) parking spaces by removing existing parking spaces on the far north portion of the property. The motion was seconded by Commissioner Unes.

**Discussion:**

Commissioner Unes commented the proposal was a great project.

The motion was approved viva voce vote 5 to 0.

**CASE NO. PZ 15-H**