

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

A meeting of the Planning and Zoning Commission was held on Thursday, May 5, 2016, at 1:00p.m., at City Hall, 419 Fulton St., in Room 404.

**ROLL CALL**

The following Planning and Zoning Commissioners were present: Durand, Heard, Unes, Viera, Chairperson Wiesehan— 5. Commissioners absent: Anderson, Misselhorn —2.

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

**SWEARING IN OF SPEAKERS**

Speakers were sworn in by Staff Member Madeline Wolf.

**MINUTES****Motion:**

Commissioner Unes moved to approve the minutes of the Planning and Zoning Commission meeting held on April 7, 2016; seconded by Commissioner Durand.

The motion was approved viva voce vote 5 to 0.

**REGULAR BUSINESS****CASE NO. PZ 16-11**

Hold a Public Hearing and forward a recommendation to the City Council on the request of Laura Tobben of Farnsworth Group, Inc., for Yvonne Long of Peoria Housing Authority, to rezone property from a Class I-3 (General Industrial) District to a Class R-8 (Multi-Family Residential) District for the property located at 101 Irving Street (Parcel Identification No. 18-10-106-003), Peoria, Illinois (Council District 1).

Senior Urban Planner, Kimberly Smith, Community Development Department, read Case No. PZ 16-11 into the record and presented the request. Ms. Smith reviewed the proposal, the background of the property, and the analysis as outlined in the memo.

The Site Plan Review Board recommended APPROVAL of the request.

Lauren Tobben, representing Yvonne Long of Peoria Housing Authority, stated her request to rezone the property from a Class I-3 (General Industrial) District to a Class R-8 (Multi-Family Residential) District. The intent of the request was for a redevelopment of a one for one exchange for Taft Homes.

Commissioner Anderson entered Room 404 at 1:08pm.

With no interest from citizens to provide public testimony, Chairperson Wiesehan closed the Public Hearing at 1:08p.m.

**Motion:**

Commissioner Unes made a motion to approve the request; seconded by Commissioner Durand.

The Findings of Fact were read by Commissioner Unes.

The motion was approved viva voce vote 6 to 0.

**CASE NO. PZ 16-12**

Hold a Public Hearing and forward a recommendation to the City Council on a request from Camilla Rabjohns to obtain a Special Use for an Assisted Living (Sober Living) Facility in a Class R-4 (Single-Family Residential) District for the property located at 2116 N Prospect Road (Parcel Identification Nos. 14-34-378-001), Peoria, Illinois (Council District 3).

Senior Urban Planner, Shannon Techie, Community Development Department, read Case No. PZ 16-12 into the record and presented the request. Ms. Techie reviewed the proposal and provided the background of the property as outlined in the memo.

The proposed use best fits the Land Development Code definition of Assisted Living, defined as a special combination of housing, supportive services, personalized assistance, and/or health care designed to respond to the individual needs of those who need help with activities of daily living because of age or medical condition. This included independent living, elderly housing, nursing homes, and hospices.

The proposed use does not meet the Land Development Code definition of a halfway house or a residential treatment facility.

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

1. That the property not be transferred as a duplex and not subdivided into separate units or additional entrances/exits added. If the assisted living using is ever abandoned for a period of 2 years or more, the property would then have to be used as a single-family dwelling (one unit) or a new special use would be required. This would provide some protection of property values of the surrounding residential neighborhood, if the structure would remain as a single-family dwelling in the future.
2. One additional shade tree must be added to the front yard along Prospect.
3. A manual fire alarm system may be required; Fire Department approval is required.
4. Architectural drawings will be required for this project and must be reviewed and approved before the use can be established.
5. The maximum number of occupants may not exceed 10.

John Redlingshafer, attorney representing Camilla Rabjohns, thanked staff for working with the petitioner and for presenting the request. Mr. Redlingshafer spoke in favor of the request.

Camilla Rabjohns, petitioner, said the request was to satisfy a need for the Peoria community; Peoria does not have a Sober Living Facility. Ms. Rabjohns opened a home in Fulton County called Invictus Woods where (only) men live after substance and alcohol abuse treatment. The request to obtain a Special Use for an Assisted Living (Sober Living) Facility would provide a safe, sober, and secure place to live after Invictus Woods, prior to entering into a stimulated environment too soon after treatment. Ms. Rabjohns said the location was chosen for the large size of the home and the nearby bus route access.

Commissioner Unes questioned the funding resource for the project.

Ms. Rabjohns said Invictus Woods Inc., hosts an (annual) golf outing to raise funds to provide scholarships for occupants and or occupants have jobs to supplement the costs.

Commissioner Unes questioned visiting hours and Ms. Rabjohns said visiting would be off premise.

Mr. Redlingshafer referred to the rules for the tenants.

Fred Trine, a concerned citizen and resident of 2119 N East Street spoke against the request. He expressed concern of a negative impact on the neighborhood.

Ronald Crowell, an interested citizen and resident of 1630 NE Glen Oak Avenue, listed questions of concern for the petitioner. He expressed concern of the impact the Sober Living Facility would have with the current stress of neighborhood and requested assurance the project would add to neighborhood stability. Mr. Crowell questioned if the facility was a profit or non-for-profit operation.

James Whitfield, current resident of Invictus Woods spoke in favor of the request. Mr. Whitfield explained the value of the request for a Sober Living Facility.

Commissioner Durand directed a question to Mr. Whitfield and requested Mr. Whitfield to provide additional information to minimize the concerns discussed by neighbors.

In response to Commissioner Durand, Mr. Whitfield commented on the structure of the program.

Lisa Fisher, a concerned citizen and resident of 1329 E Hillcrest Place, questioned the regular oversight and licenses of the facility. Ms. Fisher met with Ms. Rabjohns and City Staff prior to the commission meeting, but still had concerns. Ms. Fisher was concerned the location was too close in proximity to Glen Oak Park.

Steve McMahill Sr., a supportive citizen, supported the proposed Sober Living Facility. Mr. McMahill shared his experience and encouraged the commission to support the request. He said the occupants of the Sober Living Facility wanted to give back to the community.

Vickie Louis, a supportive citizen, shared her experience as a counselor for addiction. She explained the process of addiction recovery, supported the request and Mr. McMahill's testimony.

Keith Kinney, a supportive citizen and resident of Invictus Woods, spoke in favor of the request. He had obtained a scholarship to be an occupant of Invictus Woods.

Pamela Hall Geiss, a concerned citizen, supported the concept of a Sober Living Facility but did not support the proposed location.

Stephanie Greanias, a supportive citizen, supported the request and agreed with Mr. McMahill's testimony.

Joel Miller, a supportive citizen, spoke in favor of the request. Mr. Miller shared his positive experience with Sober Living Facilities.

Justin Allen, a supportive citizen and occupant of Invictus Woods, spoke in favor of the request. Mr. Allen said the program was structured. He said the property would be maintained.

Nick Rabjohns, a supportive citizen, spoke in favor of the request and said the program was structured.

Chairperson Wiesehan referred to Code Enforcement in regard to maintenance concerns raised by citizens.

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

**Motion:**

Commissioner Anderson made a motion to approve the request as presented with Conditions 1-5; seconded, by Commissioner Unes.

**Discussion:**

Commissioner Viera directed his question to Ms. Techie and asked if the request came before the commission due to the number of residents residing in the home. Viera asked if there were sober living facilities in Peoria

Ms. Techie addressed Viera and said yes, the maximum number of tenants allowed was 3; the requested special use also required commission approval. Ms. Techie said she was not aware of existing sober living facilities in the area.

Commissioner Viera said the concerns raised by citizens were valid. Viera referred to Code Enforcement if violations occur on the property.

Commissioner Unes said he was in favor of the project. Unes said the request was positive for the neighborhood.

Commissioner Durand said the project was needed. Durand encouraged the petitioner to work with the neighbors to address concerns.

Commissioner Heard said the project was positive. Heard supported the project.

Chairperson Wiesehan agreed with Durand.

Commissioner Anderson read the Findings of Fact.

The motion was approved viva voce vote 6 to 0.

**CASE NO. PZ 16-13**

Hold a Public Hearing and forward a recommendation to the City Council on a request from Kathleen Groark of Insite Inc., Verizon Wireless, and Central States Tower III, LLC, to obtain a Special Use, to add a Wireless Communication Tower Facility in a Class W-M (West Main Street Form) District, for the property commonly known as Peoria Next Innovation Center and located at 801 W Main Street, and 1013- 1017 N Douglas Street (Parcel Identification Nos. 18-05-430-011, -001, -007, & -008), Peoria, Illinois (Council District 2).

Staff respectfully requested the case be deferred to the June Planning and Zoning Commission meeting, as revised documents were requested on April 12th. Revised plans were provided to the City on April 27th, but not all requested items were addressed.

**Motion:**

Commissioner Unes made a motion to approve the request; seconded, by Commissioner Anderson.

The motion was approved viva voce vote 6 to 0.

**CASE NO. PZ 16-14**

Hold a Public Hearing and forward a recommendation to the City Council on a request from Chuck Hollis of New Junction Ventures, LLC to amend an existing Special Use, Ordinance Number 14,063, as amended, for a Shopping Center in a Class C-2 (Large Scale Commercial) District, to add property to the boundary of the Special Use and rezone it from C-1 (General Commercial) District to C-2 (Large Scale Commercial) District (Parcel Identification No. 14-16-452-009), and add a new building to the Shopping Center (Parcel Identification No. 14-16-452-043), for the property commonly known as Junction City Shopping Center and located at 5901 N Prospect Road (Parcel Identification Nos. 14-16-452-008, -009, -034, -038, -039, -040, -042, & -043), Peoria, Illinois (Council District 3).

Senior Urban Planner, Shannon Techie, Community Development Department, read Case No. PZ 16-14 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 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 waiver and conditions:

1. A waiver to allow light standard signs on every light standard.
2. All conditions of previous amendments which were established will apply to this amendment.
3. All existing and new rooftop and ground level mechanical equipment, utilities and refuse areas for existing and proposed buildings must be screened per Zoning Ordinance requirements. A revised site plan is required showing the location and screening of refuse areas, mechanical equipment, and utilities.
4. Signs require a separate building permit application and must meet all code requirements.
5. Lighting may not exceed 3 foot-candles as measured at the property line.
6. The site plan shows one-way driving lanes where it is currently two-way. This will need to be clearly delineated on site.
7. A subdivision plat is required to subdivide the lot for the proposed building location.
8. New building should be compatible with existing buildings in material and design; with some flexibility to adjust floor plans, doors, building outlines, etc. to meet the needs of tenants, subject to final approval by the Site Plan Review Board.

Commissioner Unes asked if the existing entrance on Knoxville Avenue would remain.

Steve Kerr, representing New Junction Ventures, responded to Unes and said the development obtained a permit from IDOT to alter the existing entrance to a right in/right out entrance as indicated on the revised site plan. In reference to the project, Mr. Kerr said the general use and aesthetics would be similar to the existing shopping center. Mr. Kerr said he was present to answer questions.

Chairperson Wiesehan expressed concern for the delineation of the proposed drive lane. Wiesehan expressed concern the dumpsters and mechanical units were not in compliance with the screening requirements.

Chairperson Wiesehan opened the Public Hearing at 2:14p.m.

Roger Sparks, an interested citizen, shared Wiesehan's concern for the in-compliant dumpsters and mechanical units. Mr. Sparks's main concern was pedestrian and handicap accessibility within the Junction City shopping center.

Mr. Kerr said handicap accessibility was added at the new Knoxville Avenue entrance. Kerr recognized the need for handicap and pedestrian accessibility to the different buildings within Junction City.

With no further interest from citizens to provide public testimony, Chairperson Wiesehan closed the Public Hearing at 2:17p.m.

**Motion:**

Commissioner Heard made a motion to approve the request; seconded, by Commissioner Anderson.

**Discussion:**

Commissioner Viera was in support of the project. Viera also expressed concern for pedestrian connectivity in the shopping center.

Commissioner Anderson read the Findings of Fact.

The motion was approved viva voce vote 6 to 0.

Commissioner Anderson announced her abstention from Case No. PZ 16-15 due to potential business conflict.

**CASE NO. PZ 16-15**

Hold a Public Hearing and forward a recommendation to City Council on the request of Christopher Oswald of Miller, Hall, & Triggs, LLC to rezone property from a Class C-1 (General Commercial) District to a Class C-2 (Large Scale Commercial) District for the property identified as Parcel Identification Nos. 14-19-177-016 and 14-19-177-017 with an address of 5040 N Big Hollow Road, and to amend existing Special Use Ordinance Nos. 13,045 as amended and 13,455 as amended in a Class C-2 (Large Scale Commercial) District for a Shopping Center to add property and new commercial buildings for the property commonly known as Glen Hollow Shopping Center with an address of 5001 Big Hollow Road, Peoria, Illinois. The Shopping Center Special Use currently includes Parcel Identification Nos. 14-19-151-067, 14-19-151-068, 14-19-151-070, 14-19-152-033, 14-19-152-038, 14-19-176-019, 14-19-176-029, 14-19-176-034, 14-19-176-035, 14-19-177-019, 14-19-177-020 (N War Memorial Drive), with the following property to be added: 14-19-177-016 and 14-19-177-017 (5040 N Big Hollow Road) (Council District 4).

Senior Urban Planner, Leah Allison, Community Development Department, read Case No. PZ 16-15 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 zoning history of the property.

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

1. Payment of the parking impact fee for the net increase of 35 parking spaces.
2. Revise the site plans for parcels 2, 3, and 4 to provide the required 20-foot front yard setback along War Memorial Dr, Big Hollow Road, and Glen Avenue.
3. Revise the site plan for parcels 2, 3, and 4 to add a pedestrian accessible route (PAR) between the public ROW and the building.

4. Relocate the freestanding sign on parcel 3 to meet the required setback of 10 feet from the property line.
5. Revise the landscape plan for parcels 2, 3, and 4 in compliance with the Zoning Ordinance, which provides trees plantings for new landscaping material in the front yards and parking lot.
6. Install a sidewalk along the frontage of Big Hollow Road of parcels 2 and 3, and Glen Avenue of parcel 4.
7. Revise the size and placement of proposed freestanding signs, in compliance with the Zoning Ordinance, to 70 sq. ft. in size and 25 feet in height with a minimum of 150 feet of lineal separation for signs located on the same lot.
8. Special event and/or sales located in the parking lot or private building sidewalk may occur provided that any tents or other temporary covered structures and any temporary signage shall comply with all Codes of the City of Peoria.
9. Waiver to allow banners on all light standards in the parking lot. Size of banners must comply with current zoning regulations.

Commissioner Unes expressed concern for Condition No. 6 due to the lack of sidewalk connectivity along Big Hollow Road. Unes said he preferred to have Steak 'N Shake provide sidewalk for complete connectivity on Big Hollow Road.

Chairperson Wiesehan said he preferred sidewalks on Big Hollow Road. Wiesehan supported approval with staff conditions. Wiesehan encouraged the utilization of the buildings as a shopping center. Wiesehan said the development needed pedestrian accessibility to reduce safety concerns.

Commissioner Viera supported Condition No. 6. Viera said the sidewalk provided an entrance for neighbors.

Commissioner Durand expressed concern the additional parking will increase the volume of water flowing south and impact the neighborhoods south of the property. Durand supported Condition No. 1.

Bob Hall, representing the petitioner, said he was present to answer questions and address concerns of the commission. Mr. Hall did not agree with Condition Nos. 1, 2, 4, 5, and 7. Mr. Hall said the revised plans complied with Condition No. 6. Mr. Hall said the proposed signage on Parcel No. 4 was equivalent to the existing signage on the parcel. Mr. Hall said 70 square feet requirement was inadequate for the proposed development's signage.

Chairperson Wiesehan supported Staff's Condition No. 7. Wiesehan did not support the petitioner's request for additional signage. Wiesehan expressed concern with the petitioner's disagreement to comply with Condition No. 5. Wiesehan encouraged an aesthetically pleasing development.

Mr. Hall said the existing sign was not a part of the shopping center and was protected by contract and covenants. Mr. Hall said it would be difficult to change.

Commissioner Viera expressed concern that the shopping center expansion would not allow the new tenants to use the existing sign.

Commissioner Durand expressed concern for the petitioner's disagreement to Condition No. 1. Durand expressed concern with the erosion issues within the city. Durand supported Condition No. 1.

Mr. Hall referred to the additional real estate tax and tax revenues generated from the proposed development; he disagreed with Condition No. 1.

Chairperson Wiesehan opened the Public Hearing at 3:17p.m.

Roger Sparks, an interested citizen, expressed concern for water retention from the proposed development. Mr. Sparks expressed concern for pedestrian and handicap accessibility throughout the shopping center and for the lack of bus stops accessibility at the shopping center.

Bill Joseph, representing D. Joseph Construction, requested to approve the project without conditioning the proposed signage. Mr. Joseph said they were unable to control the existing multi-tenant sign without ownership of the buildings and properties.

In response to the Mr. Hall, Ms. Allison further explained the intent of staff conditions in reference to the points of discussion.

With no further interest from the public to provide public testimony, Chairperson Wiesehan closed the Public Hearing at 3:26p.m.

**Motion:**

Commissioner Viera moved to approve the request with Condition Nos. 1, 3, 5, 6, 7, 8, 9, including Condition No. 7 to allow the proposed signage on Parcel No. 4 as requested; seconded, by Commissioner Durand.

**Discussion:**

Chairperson Wiesehan supported the inclusion of Condition No. 5 due to the environmental impact and beautification for the area.

Commissioner Unes did not support the inclusion of Conditions Nos. 1 and 3. Unes was not in support of the motion.

Commissioner Heard agreed with the inclusion of Condition No. 1.

Commissioner Durand agreed with Commissioner Heard.

Commissioner Viera strongly recommended following staff recommendations on the items included in the motion. Viera supported the proposed development plan. Viera supported the landscaping requirement; which would increase storm water control, ground water cleanliness, clean air, and pollination.

Commissioner Durand supported the current code requirements. Durand expressed concern of granting exceptions with current and future requests.

Commissioner Anderson read the Findings of Fact.

The motion was approved viva voce vote 3 to 2.

Yeas: Durand, Heard, Viera – 3.

Nays: Wiesehan, Unes – 2.

Chairperson Wiesehan adjourned for a break at 3:38p.m. The meeting resumed at 3:44p.m.

**CASE NO. PZ 16-16**

Hold a Public Hearing and forward a recommendation to City Council on the request of Troy Hattermann of Illinois Central College to amend Ordinance No. 15,450 in a Class N-1 (Institutional) District for an Official Development Plan which includes Special Uses for Childcare Center serving the community as well as college personnel and students, Offices other than those serving the institution's personnel and students, Research, scientific, educational other than that conducted by the students, faculty of the institution designated in the Official Development Plan, and a Student Center, with a request to approve building renovations, a building addition, and parking lot expansion for the property identified as Parcel Identification No. 14-20-101-002 with an address of 5407 N University Street, Peoria, Illinois (Council District 4).

Senior Urban Planner, Leah Allison, Community Development Department, read Case No. PZ 16-16 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 zoning history of the property.

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

- 1) Prior to constructing the future parking lot, a landscape plan, in compliance with the Zoning Ordinance, must be submitted for review and approval.
- 2) Landscaping to mitigate storm water run-off.

Commissioner Heard entered Room 404 at 3:45p.m.

Troy Hattermann, petitioner and representing Illinois Central College (ICC), explained the purpose of the request was in response to the City's request to provide an updated development plan. Mr. Hattermann was present to answer questions.

Bruce Budde, representing ICC, provided a general overview of the request. Mr. Budde said he had good discussions with neighbors and addressed their concerns. Mr. Budde said the request was a sustainable and responsible development. In reference to the access road that was withdrawn from the request, Mr. Budde said further research needed to be conducted. The purpose for an additional access road would be an emergency exit point.

Commissioner Anderson questioned an access road on Austin Drive.

Mr. Budde said the continued development plan promised residents on Austin Drive an access road would not be constructed on Austin Drive.

Chairperson Wiesehan opened the Public Hearing at 3:59p.m.

Patricia L. Murphy, an interested citizen and concerned neighbor, said ICC was a great institution. Ms. Murphy expressed concern for the following items: landscaping buffers, water drainage, lighting in the parking lot and building, and continued communication with the institution.

Chairperson Wiesehan recognized the concerns raised by Ms. Murphy. Wiesehan referred to the Zoning Officer role to ensure the proposed plans are followed through.

Commissioner Unes said ICC provided a sustainable process to control water drainage.

Mr. Budde said the college was responsive to neighbor's concerns. In response to Ms. Murphy's concerns, Mr. Budde said the institution was committed to listening to and reducing concerns.

Commissioner Anderson said ICC had a great campus and it was a wonderful reuse of property.

With no interest from citizens to provide public testimony, Chairperson Wiesehan closed the Public Hearing at 4:12p.m.

**Motion:**

Commissioner Unes made a motion to approve the request as presented with Condition Nos. 1 and 2, including landscaping on south property line to provide light buffering and help mitigate water run off; seconded by Commissioner Durand.

**Discussion:**

Commissioner Unes commented the proposal was a great project.

Commissioner Anderson read the Findings of Fact.

The motion was approved viva voce vote 6 to 0.

**CASE NO. PZ 16-C**

Hold a Public Hearing and forward a recommendation to the City Council on the request of the City of Peoria to amend Appendix B, the Zoning Ordinance and Appendix C, the Land Development Code, relating to Community Gardens and Urban Farms.

Senior Urban Planner, Kimberly Smith, Community Development, read Case No. PZ 16-C into the record and provided the summary of the proposal as outlined in the memo. Staff recommended the formation of ad hoc committee to review and bring back a recommendation related to Urban Farming; and requested that two



members of the Planning and Zoning Commission be included. Other organizations would also be invited to be part of the committee. Ms. Smith requested two members of the Planning and Zoning Commission to volunteer for the committee.

Commissioners Durand and Viera volunteered for the committee.

**Motion:**

Commissioner Wiesehan made a motion to approve the recommendation of staff and provide two commissioners (Durand and Viera) to volunteer; seconded by Commissioner Durand.

The motion was approved unanimously viva voce vote 6 to 0.

**CITIZENS' OPPORTUNITY TO ADDRESS THE COMMISSION**

It was determined there was no interest from citizens to address the Planning and Zoning Commission at 4:18p.m.

**ADJOURNMENT**

Commissioner Anderson moved to adjourn the regularly scheduled Planning and Zoning Commission Meeting; seconded by Commissioner Unes.

Approved unanimously viva voce vote 6 to 0.

The Planning and Zoning Commission Meeting was adjourned at approximately 4:18p.m.

*Leah Allison*

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Leah Allison, Senior Urban Planner

*Kimberly Smith*

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Kimberly Smith, Senior Urban Planner

*Shannon Techie*

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Shannon Techie, Senior Urban Planner

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