

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

A meeting of the Planning and Zoning Commission was held on Thursday, December 1, 2016, at 1:00p.m., at City Hall, 419 Fulton St., in Room 400.

ROLL CALL

The following Planning and Zoning Commissioners were present: Michele Anderson, Eric Heard, Mark Misselhorn, Richard Unes, Mike Wiesehan- 5. Commissioners absent: Wes Durand, Nick Viera - 2.

City Staff Present: Joshua Naven, Kimberly Smith, Shannon Techie, Madeline Wolf

SWEARING IN OF SPEAKERS

Speakers were sworn in by Staff Member Madeline Wolf.

MINUTES

Commissioner Misselhorn moved to approve the minutes of the amended Planning and Zoning Commission meeting held on November 3, 2016; seconded by Commissioner Unes.

The motion was approved viva voce vote 5 to 0.

REGULAR BUSINESS**CASE NO. PZ 16-41**

Hold a Public Hearing and forward a recommendation to City Council on the request of James Tillman to Rezone Property from a Class R-4 (Single Family) District, to a Class CN (Neighborhood Commercial), for the property located at 908 Howett (Parcel Identification No. 18-08-477-011), 912 Howett (Parcel Identification No. 18-08-477-010), 313 New Street (Parcel Identification No. 18-08-477-023) and 319 New Street (Parcel Identification No. 18-08-477-022), Peoria, Illinois (Council District 1).

Senior Urban Planner, Kimberly Smith, Community Development Department, read Case No. PZ 16-41 into the record and presented the request. Ms. Smith provided the background of the subject properties and the Development Review Board Analysis as outlined in the memo.

The Development Review Board recommended APPROVAL of the request.

James Tillman, petitioner, requested the subject properties be rezoned to CN (Neighborhood Commercial) to allow an ice cream shop, similar to an existing ice cream shop on Adams Street. Mr. Tillman said the request included the parcels of 312 and 319 New Street to provide ingress and egress off of New Street and 908 and 912 Howett would provide space for the commercial building and parking surface.

With no further interest from the public to provide testimony, Chairperson Wiesehan closed the Public Hearing at 1:06p.m.

Motion:

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

The motion was viva voce vote 5 to 0.

CASE NO. PZ 16-42

Public Hearing on the request of Rudy Eichenberger, James Miller, Linda Geiger and Patty Smith for approval of an Annexation Petition and Annexation Agreement and to rezone property from a Class R-3 (Single-Family Residential) District to a Class C-2 (Large Scale Commercial) District for the property located at the southwest corner of Allen Road and Walton Road and addressed as 8603 N Allen Road. The property is also identified as Parcel Identification Nos. 14-06-100-003 & -004, Peoria, IL (Council District 5)

Senior Urban Planner, Joshua Naven, Community Development Department, read Case No. PZ 16-42 into the record and presented the request. Mr. Naven provided the summary of the proposal, background of the subject property, and the Development Review Board Analysis as outlined in the memo.

Mr. Naven presented the following terms of the proposed agreement:

1. Property shall be zoned Class C-2 Large Scale Commercial District;
2. Non-agricultural development of the site will require connection to public water and public sewer and adherence to City of Peoria development regulations;
3. The annexation is not valid or effective until such time as Meijer closes on the purchase of the property, but no later than September 30, 2017.

The Development Review Board recommended APPROVAL of the request.

In response to Commissioner Anderson's request for clarification, Mr. Naven confirmed the annexation would not be valid or effective if Meijer does not close on the purchase of the property by September 30, 2017. Mr. Naven said the subject properties would remain as county property and would not be rezoned.

John Elias, representing the four owners of the subject properties, spoke in support of the Annexation Petition and the Annexation Agreement and to rezone the property. Mr. Elias said his clients agreed to staff conditions.

John Redlingshafer, representing Richwoods Township, said he was present to confirm that if the subject properties were annexed into the city, the subject parcels will remain in Richwoods Township boundaries, which was consistent with past practices.

With no further interest from citizens to provide public testimony, Chairperson Wiesehan closed the Public Hearing.

Motion:

Commissioner Anderson made a motion to approve the annexation and rezoning request as presented; seconded by Commissioner Heard.

Discussion:

In response to Commissioner Anderson's requested clarification, Mr. Naven confirmed the subject parcels would remain in Richwoods Township

Commissioner Misselhorn read the Findings of Fact for Rezoning.

The motion was approved viva voce vote 5 to 0.

CASE NO. PZ 16-43

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, as amended, for Assisted Living, with the construction of a new building, 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 Nos. 14-16-129-014 & 14-16-177-001), Peoria, Illinois (Council District 3).

Senior Urban Planner, Shannon Techie, Community Development Department, read Case No. PZ 16-43 into the record and presented the request. Ms. Techie provided a summary of the proposal and the requested waivers, along with background of the subject property, as outlined in the memo.

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

1. A waiver to allow the parking lot within the required 25 foot front yard, at a setback of 12 feet from the front property line.
2. A waiver to allow the neighbors existing dog kennel, which encroaches on this property, within the required TBY, to remain.
3. Parking area and access shall be constructed and maintained in a manner to provide an evenly paved surface, free from potholes, ruts, channels, growth of weeds, and other similar obstructions.
4. Any paving or resurfacing of the parking lot shall be completed by a contractor who is licensed and bonded with the City of Peoria. Parking lot permits are no longer required.
5. Verify with Public Works that no portion of the parking lot is draining across the public right of way.
6. A fee for over parking, in the amount of \$1,000 is required.

7. Accessible parking spaces must be 16' in width and 18.5' in length and be striped with an 11' parking area and a 5' aisle on the right hand side, or alternatively, with an 8' parking area and 8' aisle. Accessible spaces shall be signed with an R7-8 sign and an R7-101 \$350 fine plate.
8. Exterior lighting must adhere to Appendix A, Section 8.5 of the City Code. A photometric lighting plan is required prior to the issuance of a building permit.
9. Any existing or proposed rooftop or ground level mechanical equipment or utilities must be screened per Section 5-301 of the City Code.
10. All existing chain link fence located in the front yard (any portion in front of the building) must be removed as part of this approval.
11. Proposed signs require a separate building permit application. Any proposed signs must meet Unified Development Code requirements.
12. For the monument sign, no signage can be placed on the brick area that extends along one side of the sign face.
13. Architectural Construction Documents sealed and signed by a licensed Illinois Design Professional are required for this project.
14. 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.

Chairperson Wiesehan questioned the location of the existing dog kennel, in regard to condition No. 2.

Ms. Techie said a portion of the dog kennel was on the property of Parcel Identification No. 14-16-177-001.

Chairperson Wiesehan questioned the requirement of a written agreement with both property owners to allow the existing kennel to remain on the subject property.

Ms. Techie said staff did not require a signed agreement as part of the condition.

Commissioner Anderson expressed concern of imposing the \$1,000 fee for four additional parking spaces when the petitioner reduced impervious surface.

Commissioner Unes agreed with Commissioner Anderson and said the \$1,000 fee was excessive for four additional parking spaces.

Chairperson Wiesehan noted the over parking fee was in the Unified Development Code.

Commissioner Anderson recommended amending the code to allow for an over parking fee waiver if the overall impervious surface was reduced for the proposed development.

In response to Chairperson Wiesehan's inquiry of the proposed material for the parking surface, Ms. Techie said the petitioner proposed a cement parking surface.

Commissioner Misselhorn expressed concern for the maximum number of parking spaces allowed under Assisted Living, as that standard would be exceeded with special events, holidays, and employee shift changes. Misselhorn noted his support of the elimination of minimum parking requirements in the code. Misselhorn encouraged staff to review the parking criteria for Assisted Living.

Commissioner Anderson suggested providing a credit for developments that ultimately reduced impervious surface areas.

With no interest from the public to provide public testimony, Chairperson Wiesehan closed the Public Hearing at 1:30p.m.

Commissioner Misselhorn read the Findings of Fact for Special Use.

Motion:

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

Discussion:

Commissioner Anderson questioned if the motion included waiving the over parking fee for the additional four parking spaces.

Commissioner Misselhorn responded the motion did not include removing the over parking fee. Misselhorn said the proposed request was designed under the current Ordinance. Misselhorn encouraged staff to review the allowable number of parking for Assisted Living for future projects.

Chairperson Wiesehan said the petitioner was not present to object to the conditions.

The motion was approved viva voce vote 5 to 0.

CASE NO. PZ 16-44

Hold a Public Hearing and forward a recommendation to City Council on the request of Jeff Lox of Kelley Construction Contractors Inc., for Catholic Diocese of Peoria, to obtain a Special Use in a Class I-2 (Railroad/Warehouse Industrial) District, to allow for a Soup Kitchen, for the property located at 1825 NE Adams Street (Parcel Index Nos. 18-03-276-004 through -011 and 18-03-276-021 through -029), Peoria, Illinois (Council District 1).

Senior Urban Planner, Kimberly Smith, Community Development Department, read Case No. PZ 16-44 into the record and presented the request. Ms. Smith provided the summary of the proposal, background of the subject property, and the Development Review Board Analysis as outlined in the memo.

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

1. Improve parking lot surface and striping.
2. Replace deteriorated and non-ADA-compliant walks and curbs along property frontage.
3. Comply with UDC Section 8.2.8. Parking lot perimeter landscaping.
4. Screen mechanicals and dumpsters.

Commissioner Misselhorn questioned if the DRB recommendations included replacing the deteriorated sidewalk along Adams Street frontage.

Ms. Smith noted the comment was from Public Works; the sidewalk along the property line that was deteriorated must be repaired. Ms. Smith noted the Public Works 80/20 cost share program offered through Public Works.

Ms. Smith confirmed Commissioner Misselhorn's inquiry that providing the perimeter landscaping would require removing pavement.

Commissioner Misselhorn questioned the number of patrons that would visit the facility as a result of the approval of the Special Use.

Ms. Smith read a letter from Andrew Hagemann into the record that provided additional detail.

Commissioner Unes questioned if the portion of the parking lot of the existing loading dock would be included in the requirement to improve the parking lot surface.

Ms. Smith responded that yes, the portion of the parking lot surface would be required to be repaired. Ms. Smith noted parking lot surface maintenance was a requirement.

Commissioner Anderson expressed concern the handicap parking spaces were further away from the entrance than the other parking spaces.

Ms. Smith said the petitioner proposed a handicap accessible ramp near the proposed handicap parking spaces. Ms. Smith noted it will also be addressed when the petitioner applied for the building permit.

Andrew Hagemann, petitioner, spoke to the concerns raised by the commission regarding the parking lot. Mr. Hagemann said an ADA accessible ramp will be installed to the building entrance. Mr. Hagemann said the loading docks will not be used with the proposed use. Mr. Hagemann agreed the parking lot was in need of repair and he intended to patch and stripe the parking surface to conform to code requirements.

In response to Commissioner Anderson's question if the parking surface would be reduced, Mr. Hagemann said the plan was to add landscaping. Mr. Hagemann noted the parking surface size would not be altered.

In response to Commissioner Misselhorn's inquiry, Mr. Hagemann said he did not object to staff conditions.

Commissioner Misselhorn said the letter provided by the petitioner prior to the meeting was helpful. Misselhorn questioned the additional number of individuals that will visit the facility.

Mr. Hagemann said the programs offered by the facility will alternate; therefore, the number of individuals served and the hours of operation will not increase.

In response to Commissioner Unes' inquiry, Mr. Hagemann said the patrons that visit the soup kitchen will leave once their meal was finished.

Commissioner Anderson inquired if the proposed use was associated with the Sacred Heart food distribution program.

Mr. Hagemann said the proposed use would be to serve those individuals who have limited transit access to existing soup kitchens, i.e. Sophia's Kitchen.

John Truitt, an interested citizen, spoke in favor of the request and spoke to his contribution and history of the building use. Mr. Truitt said the building was donated by Anheuser-Busch to the Peoria Catholic Diocese with the intent to be used for a food share program with the mission to feed the people and help the community of Peoria, Illinois. Mr. Truitt noted the current ownership of the building was Catholic Charities. Mr. Truitt noted the existing traffic on NE Adams and the minimal adjacent residential properties.

William Ordaz, a concerned citizen, spoke in opposition of the Special Use request. Mr. Ordaz said approval of the request would be detrimental to the fragile neighborhood with the adjacent residential district. Mr. Ordaz expressed concern with the increase in traffic and loitering. Mr. Ordaz referred to two photographs distributed to the commission prior to the meeting. Mr. Ordaz is a contributing member of the Homeowner Association and said members of the association expressed similar concerns.

Commissioner Misselhorn referred to the photographs presented to the commission and questioned if Mr. Ordaz was demonstrating that the frequent litter on the subject property was from people using the facility.

Mr. Ordaz said the frequent and increased litter due to the approval of the Special Use was a concern. Mr. Ordaz noted members of the Homeowners Association regularly pick up litter at the subject property.

Chairperson Wiesehan noted the issue may be common in other areas on the North Side, (i.e.) Rock Island.

Mr. Ordaz said the litter permeated the perception that it was a depressed and unsafe area. Mr. Ordaz said the area needed tax payers and revenues and was in support of increasing civility and attractiveness in the area.

With no further interest from citizens to provide public testimony, Chairperson Wiesehan closed the Public Hearing.

Motion:

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

Discussion:

Commissioner Misselhorn read the Findings of Fact for Special Use.

Commissioner Misselhorn supported the motion. Misselhorn said the proposed use complimented the current uses of the facility and said the social service was needed. Misselhorn said both the facility entrance facing Adams Street and the large building setback would act as a shield to adjacent residential properties. Misselhorn said he had sympathy for Mr. Ordaz and the Homeowner Associations and recommended Catholic Charities work to minimize the litter and maintain a clean property.

In addition to Commissioner Misselhorn's recommendation, Commissioner Unes recommended they police the facility at closing time for cleanup. Unes thanked the petitioner for their service and noted the use was a great opportunity and a worthwhile cause.

Commissioner Anderson commented on the substantial travel distance between the existing and proposed soup kitchens. Anderson supported the request.

Commissioner Heard said he understood Mr. Ordaz's concern to ensure social services are not being duplicated. Heard supported the motion.

Chairperson Wiesehan said he agreed with the discussion. Wiesehan said the work of Mr. Odaz and the associations was commendable. Wiesehan recommended strong communication between Catholic Charities and the petitioner and associations. Wiesehan said the use was needed and suited for the subject neighborhood and people.

The motion was approved viva voce vote 5 to 0.

CASE NO. PZ 16-45

Hold a Public Hearing and forward a recommendation to City Council on the request of Laura Tobben of Farnsworth Group, Inc. to amend an Official Development Plan for Unity Point Health Proctor Hospital, Ordinance No. 13,154, as amended, to add a building on the parcel addressed as 5431 N Knoxville Avenue (Parcel Identification No. 14-21-131-001) and to add the property located at 314 W Belcrest Drive (Parcel Identification No. 14-21-126-014) to the boundary of the Official Development Plan, in a Class N-1 (Institutional) District, for the property located at 5404 and 5410 N Sheridan Road and 5215, 5405, 5409, and 5431 N Knoxville Avenue, 314 W Belcrest Drive, and 500, 503, and 600 W Hidden Lane (Parcel Identification Nos. 14-21-101-002, 14-21-101-003, 14-21-101-004, 14-21-101-019, 14-21-101-023, 14-21-101-024, 14-21-101-026, 14-21-101-027, 14-21-103-014, 14-21-126-014, 14-21-129-002, 14-21-129-003, 14-21-130-001, 14-21-130-002, 14-21-130-003, 14-21-130-004, 14-21-130-005, 14-21-130-006, 14-21-130-007, 14-21-130-008, and 14-21-131-001), Peoria, Illinois (Council District 3).

Senior Urban Planner, Shannon Techie, Community Development Department, read Case No. PZ 16-45 into the record and presented the request. Ms. Techie provided the summary of the proposal and requested waivers as outlined in the memo.

The Development Review Board recommended approval of the request with the following waivers and conditions:

1. A waiver is requested from Appendix A, Section 8.5.2.A, to allow LED up lighting on the building, as opposed to the requirement for lighting to be directed downward.
2. A waiver is requested to eliminate the required TBY on the north side of the property and reduce the 25 foot perimeter yard requirement in the N-1 District, on the north side of the property, per the submitted site plan.
3. If the number of parking spaces provided exceed 150 total spaces, an additional disabled parking space will be required.
4. Regular parking spaces must be striped a minimum of 8.5 feet in width by 18.5 feet in length.
5. Parking area and access shall be constructed and maintained in a manner to provide an evenly paved surface, free from potholes, ruts, channels, growth of weeds, and other similar obstructions
6. Accessible parking spaces must 16' in width and 18.5' in length and be striped with an 11' parking area and a 5' aisle on the right hand side, or alternatively, with an 8' parking area and 8' aisle. Accessible spaces shall be signed with an R7-8 sign and an R7-101 \$350 fine plate.
7. Any existing or proposed rooftop or ground level mechanical equipment, utilities, or refuse areas must be screened per Section 5-301 and 13-40(b) of the City Code.
8. Landscaping must meet Unified Development Code requirements and a landscape plan is required with the application for a building permit.
9. Apart from any waivers, exterior lighting must adhere to Appendix A, Section 8.5 of the City Code. In addition, lighting must not shine directly onto adjacent residential properties and light sources shall be shielded from adjacent properties and shall be directed towards the ground. Lighting may not exceed ½ footcandle as measured at the property line.
10. Petitioner must work with the Park District to provide landscaping between the Unity Point property and the Park District property to the north, which meets the screening intent of a transitional buffer.

11. All proposed signage must meet Unified Development Code requirements and requires a separate application for a building permit.
12. The existing freestanding multiple message sign must conform to all Unified Development Code requirements for display (Sign content/messages contain no video, and do not move, blink, animate, flash, or behave in any other way which constitutes or implies motion).
13. A utility plan, with the number and placement of fire hydrants must be provided to the Fire Department and Illinois American Water for approval. A fire flow test is required by the Fire Department.
14. Sidewalk is required along the property frontage on Knoxville Avenue. Sidewalk is strongly recommended along the property frontage on Belcrest Drive.
15. A pedestrian accessible route shall be provided between the proposed building and the public right-of-way.
16. For any project disturbing more than 5,000 square feet and increasing impervious area by less than 0.5 acres (and even if project decreases impervious area), storm water detention is required.
17. Architectural Construction Documents sealed and signed by a licensed Illinois Design Professional are required for this project.
18. All conditions of previous amendments to the ODP apply to this amendment.

Chairperson Wiesehan inquired about the location of a bus stop in the proposed facility.

Discussion ensued regarding the location of an existing bus stop in and adjacent to the subject property.

In response to Commissioner Misselhorn's request for more detail regarding the requirement of Condition #12 with the amendment to the ODP, Ms. Techie said motion on the multiple message sign was a violation of the Unified Development Code and can be addressed through the enforcement process; however, the ODP amendment request also provided an opportunity to bring the sign display into compliance.

Commissioner Anderson referred to Condition #14 and questioned why the sidewalk along the property frontage on Belcrest Drive was not required.

Ms. Techie noted the condition was provided by Public Works; Belcrest Drive is a private drive and the code does not require sidewalks on a private drive.

Laura Tobben, petitioner and representing Farnsworth Group, expressed her appreciation for the recommendation to approve the request. Ms. Tobben was working with the Peoria Park District to provide a functional transitional buffer yard that would meet the intent of the code. Ms. Tobben was not in support of constructing the sidewalk on the frontage of Knoxville Avenue as there were no adjoining sidewalks. Ms. Tobben requested the commission consider a waiver to not require condition #14. Ms. Tobben noted the sidewalks provided around the building and the accessible path provided to Belcrest Drive.

Commissioner Anderson was in support of sidewalks to provide a future connection between Junction City, the proposed elderly housing and the medical building at Unity Point Health Proctor Hospital. Anderson questioned if the petitioner would consider a bond in lieu of a sidewalk for future connectivity.

Ms. Tobben stated that she did not think there would be objection to a fee in lieu, but also noted the internal connectivity and the current collaboration with the Peoria Park District and Unity Point Health Proctor Hospital to provide additional connectivity between the two properties.

Commissioner Anderson supported the current collaboration to increase connectivity in the subject area.

Chairperson Wiesehan expressed concern with pedestrian accessibility to the facility.

Commissioner Unes questioned existing and proposed sidewalks from east and west in front of the hospital. Unes supported the walkway in the parking lot as the facility generates high traffic.

Ms. Tobben said the ODP provided a pathway in the parking lot and met landscaping requirements as Austin Engineering's intent was to provide that connection and to connect all of the buildings. The west portion of the parking lot would be the existing parking lot of Proctor.

Commissioner Misselhorn supported addressing Public Work's intent of the recommendation without hindering the viability of installing the Knoxville sidewalk due to the existing grade.

Ms. Tobben said she was amenable to Commissioner Misselhorn's recommendation.

Commissioner Anderson referred to Google Maps and said the site indicated the bus stop was located at the proposed driveway, within the Proctor development.

Commissioner Misselhorn encouraged the petitioner to work with City Link to provide public transit into the facility grounds. Misselhorn supported the development.

Commissioner Misselhorn read the Findings of Fact for the Official Development Plan.

Motion:

Commissioner Misselhorn made a motion to approve the request, with staff recommendations and waivers, with removal of the requirement for a sidewalk along the property frontage on Knoxville Avenue and the addition of the requirement to provide a sidewalk along the property frontage on Belcrest Drive. The motion was seconded by Commissioner Unes.

The motion was approved viva voce vote 5 to 0.

CITIZENS' OPPORTUNITY TO ADDRESS THE COMMISSION

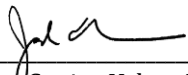
It was determined there was no interest from citizens to address the Planning and Zoning Commission at 2:44:p.m.

ADJOURNMENT

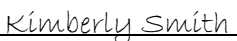
Commissioner Anderson moved to adjourn the regularly scheduled Planning and Zoning Commission Meeting; seconded by Commissioner Heard.

The motion to adjourn was approved viva voce vote to 5 to 0.

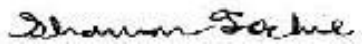
The Planning and Zoning Commission Meeting was adjourned at approximately 2:44p.m.



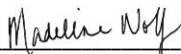
Joshua Naven, Senior Urban Planner



Kimberly Smith, Senior Urban Planner



Shannon Techie, Senior Urban Planner



Madeline Wolf, Development Technician