

: OFFICIAL PROCEEDINGS :

: OF THE CITY OF PEORIA, ILLINOIS :

A meeting of the Planning and Zoning Commission was held on Thursday, December 3, 2015, at 1:00P.M., at City Hall, 419 Fulton St., in Room 400.

ROLL CALL

The following Planning and Zoning Commissioners were present: Anderson, Durand, Heard, Misselhorn, Unes, Wiesehan – 6. Commissioners absent: Viera —1.

City Staff Present: Leah Allison, Madeline Wolf

SWEARING IN OF SPEAKERS

Speakers were sworn in by Staff Member Madeline Wolf.

MINUTES

Motion:

Commissioner Durand moved to approve the minutes of the Planning and Zoning Commission meeting held on November 5, 2015; seconded by Commissioner Anderson.

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

REGULAR BUSINESS



CASE NO. PZ 15-48

Public Hearing on the request of Elza Ghantous of Elza Ghantous Realty, for Hatem and Ghassan Kattom, to obtain a Special Use for auto sales and repair in a Class C-1 (General Commercial) District for the property located at 2010 W. Forrest Hill Avenue (Parcel Identification Number 14-31-226-014.), Peoria, Illinois. (Council District 2).

Senior Urban Planner, Leah Allison, Community Development Department, read Case No. PZ 15-48 into the record and presented the request. The petitioner requested to obtain a Special Use for auto sales and repair, as the use requires a Special Use in the C-1 (General Commercial) District. Ms. Allison provided the property characteristics and a summary of the proposal as outlined in the staff report.

The Site Plan Review Board recommended DENIAL of this request due to the incompatibility of the proposed uses with the residential character of the surrounding neighborhood; however, Staff requested the following conditions be included if granted:

Condition	Detail	Staff Recommendation
1. Screening	All rooftop and ground level mechanical equipment, utilities, and refuse area must be screened per Zoning Ordinance requirements.	Support
2. Auto Repair	All auto repair must take place within an enclosed building; no auto repair must occur on the exterior of the building.	Support
3. Signs	If the existing freestanding sign is going to remain on the site, a revised site plan is required showing that the sign meets Zoning Ordinance requirements for setback, area, and height. Any non-conforming signs	Support

	must be removed as part of this approval and any new signs require a separate application.	
4. Lighting	Lighting may not exceed 3 foot candles as measured at the property line.	Support
5. Parking	Parking lot must be maintained as an evenly paved surface per Zoning Ordinance requirements and all parking spaces must be striped per Zoning Ordinance requirements.	Support
6. Disabled Parking	Disabled parking spaces must 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.	Support

Elza Ghantous, petitioner, thanked the commission for the opportunity to speak to her request. She said she was speaking on behalf of Hatem (Tim) Kattom, owner of the subject property. Ms. Ghantous addressed the concerns regarding noise and traffic. Ms. Ghantous agreed to staff's conditions. Ms. Ghantous said the property owner was familiar with operating an auto sales and repair business and welcomed neighborhood input. Hatem (Tim) Kattom, acquired the property in October 2014. Mr. Kattom confirmed 30-40 use vehicles will be on the site at a time. In response to Commissioner Misselhorn's inquiry, Ms. Ghantous said some changes would be made to the building.

Discussion ensued regarding the length of time the subject property was vacant.

Discussion ensued regarding the uses permitted in C-1 (General Commercial) Districts.

Commissioner Durand expressed concern for neighborhood outreach.

Ms. Ghantous said she did not have the opportunity for neighborhood outreach but welcomed neighborhood input.

With no interest in public testimony, Chairperson Wiesehan closed the Public Hearing at 1:24p.m.

Motion:

Commissioner Durand moved to support the decision of staff to recommend to deny the request; seconded, by Commissioner Misselhorn.

Commissioner Anderson was not in favor to deny the request. Anderson said traffic and noise would not be an issue for the proposed use. She said the proposed use would benefit the neighborhood and she preferred to see the subject property be used rather than continue to be vacant.

Commissioner Misselhorn said a used car lot was not visually attractive.

Commissioner Unes agreed traffic was not an issue. Unes suggested to include a condition to limit the hours of repair operations to reduce noise for surrounding residents.

Commissioner Durand expressed concern for the lack of communication with surrounding neighbors in regard to the proposed request. Durand said he received voiced concerns for the request from the Home Owners Association. Durand agreed with staff, the request was not a proper use for subject property. In response to Unes's inquiry, Durand said the main concern from the HOA was the perception of the Special Use and the long term impact of the Special Use.

Commissioner Wiesehan said he received (15) calls that addressed the same concerns. Wiesehan supported the motion as presented.

Commissioner Heard said he did not receive calls but trusted the commission. Heard’s priority was neighborhood associations and without their support, he did not support the request.

Commissioner Misselhorn agreed the issue was not traffic; the issue was visual impact to area. Misselhorn agreed the proposed request was not an appropriate use for the subject property.

Commissioner Wiesehan agreed with commissioners statements.

Vice Chairperson Misselhorn read the Findings of Fact.

The motion was approved to deny the request viva voce vote 5 to 1.
 Yeas: Durand, Heard, Misselhorn, Unes, Wiesehan – 5.
 Nays: Anderson – 1.

CASE NO. PZ 15-52

Public Hearing on the request of Chris Ober of Jimmy John’s Gourmet Sandwiches, to obtain a Special Use for waivers from the Form District requirements related to signs, for the property commonly known as Jimmy John’s and located at 1113 and 1121 W Main Street (Parcel Identification Numbers 18-05-406-012 & -013), Peoria, Illinois. (Council District 2).

Senior Urban Planner, Leah Allison, Community Development Department, read Case No. PZ 15-52 into the record and presented the request. Ms. Allison provided the property characteristics and a summary of the proposal as outlined in the staff report. Ms. Allison provided the requested waivers and conditions of approval as follows:

REQUESTED WAIVERS (from existing conditions)

Code Requirement	Requested Waiver	Staff Recommendation
1. Appendix C, Section Article 6.6.8.E.2.e.: Lettering on awnings is limited to six inches tall on vertically hanging fabric at curb side of awning	<u>Waiver from Form District Temporary Sign Regulations Related to Awning Signs:</u> A waiver is requested to allow a larger sign on the awning than permitted.	Approve
2. Appendix C, Article 6.6.8.E.1.b & c: Letters for wall signs shall not exceed 18 inches in height or width and three inches in relief. Letters may be constructed with two inch standoff studs to allow for reverse-lit/halo-lit illumination. Letters shall be individually cut reverse channel letters and opaque. Additionally, company logos or names may be placed within this horizontal band or placed or painted within ground floor or second story office windows. Company logos or names shall not be larger than a rectangle of eight square feet.	<u>Waiver from Form District Temporary Sign Regulations Related to Wall Signs:</u> A waiver is requested to allow the individually cut reverse channel letters to be up to 30 inches in height and to allow them to be placed on a metal plate attached to the awning.	Approve
3. Appendix C, Section 6.6.8.D.1.G: Freestanding signs are prohibited in the West Main Street Form District.	<u>Waiver from Form District Temporary Sign Regulations Related to Freestanding Signs:</u> A Waiver to allow the existing freestanding sign to remain on the site, until such time that other improvements, per	Approve