

**: 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 the summary of the proposal and the requested waivers, the 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.