



# PLANNING & ZONING COMMISSION

**TO:** City of Peoria Planning & Zoning Commission

**FROM:** Development Review Board (prepared by Kerilyn Weick)

**DATE:** December 5, 2019

**CASE NO:** PZ 19-35

**REQUEST:** Hold a Public Hearing and forward a recommendation to City Council on the request of the City of Peoria to rezone property from former Public Right-of-Way to Class C-2 (Large Scale Commercial) District for part of the property located at 7327 N. Galena Rd (Part of Parcel Identification No. 14-10-176-020), Peoria IL (Council District 3).

## **SUMMARY OF PROPOSAL & REQUESTED WAIVERS**

The petitioner is requesting to rezone a portion of the subject property which was previously public right-of-way. Currently this property is without any zoning class.

## **BACKGROUND**

In 2006, the Illinois Department of Transportation (IDOT) transferred ownership of portions of the Galena Road right-of-way to the adjacent 3.292 acre parcel which, at the time, was owned by Dragonfly Enterprises Inc. The total area of the transferred right-of-way is 0.218 acres. This ownership change, and subsequent change in the parcel size, requires action to assign a zoning class.

In November 2019, the Planning & Zoning Commission forwarded a recommendation to the December 10, 2019 City Council to approve a request to rezone 1.7 acres of 7327 N. Galena Road from Class C-1 (General Commercial) and Class P-1 (Parking) to a Class C-2 (Large Scale Commercial) district. The subject request, on the former right-of-way property, will be consistent with the November rezoning request.

## **DEVELOPMENT REVIEW BOARD ANALYSIS**

The DRB examines each application against the appropriate standards found in the Code of the City of Peoria and/or in case law.

<b>Standard for Rezoning</b>	<b>Standard Met per Community Development Dept. Review</b>
<u>LaSalle Factor #1:</u> Existing uses of and zoning of nearby property	The subject property fronts Galena Road, a state highway. Other portions of the subject property received recommendation to approve rezoning to C-2 (Large Scale Commercial).
<u>LaSalle Factor #2:</u> Extent to which property values are diminished by the particular zoning restriction.	Zoning assignment is needed in order to establish a use and development standards.
<u>LaSalle Factor #3:</u> Extent to which the destruction of property values of the complaining party benefits the health, safety, or general welfare of the public.	Not applicable.
<u>LaSalle Factor #4:</u> Relative gain to the public as compared to the hardship imposed on the individual property owner.	The proposed zoning will be consistent with zoning on the subject property.
<u>LaSalle Factor #5:</u> Suitability of the property for the zoned purpose.	The proposed zoning is consistent with the zoning on the subject parcel.
<u>LaSalle Factor #6:</u> Length of time the property has been vacant as zoned, compared to the development in the vicinity of the property.	Not applicable.
<u>LaSalle Factor #7:</u> Public need for the proposed use.	None. No adverse effect on adjacent properties.

**DEVELOPMENT REVIEW BOARD RECOMMENDATION**

The Development Review Board recommends approval of the zoning assignment

**ATTACHMENTS**

1. Surrounding Zoning
2. Aerial Photo
3. Land Survey