



PLANNING & ZONING COMMISSION

TO: City of Peoria Planning & Zoning Commission
FROM: Development Review Board (Prepared by Leah Allison)
DATE: September 13, 2017
CASE NO: PZ 17-34

REQUEST: 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 Residential) District, to a Class CN (Neighborhood Commercial) District, for the property located at 908 W Howett Street (Parcel Identification No. 18-08-477-011), 912 W Howett Street (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, IL (Council District 1)

SUMMARY OF PROPOSAL

The petitioner is requesting to rezone property from a Class R-4 (Single Family) Residential to a Class CN (Neighborhood Commercial).

BACKGROUND

In December 2016, the petitioner filed a request to rezone the subject property to a Class CN (Neighborhood Commercial). Upon review, the Planning & Zoning Commission forwarded a recommendation to the City Council to approve. The City Council voted to deny the requested rezoning. See the attached minutes.

Section 2.8.9 of the Unified Development Code requires a waiting period of one year to re-file the same rezoning request, except upon consideration of new evidence or proof of change of condition found to be valid by the Zoning Administrator. The petitioner has conducted neighborhood outreach (which was not done previously) to the surrounding property owners and 1st District Councilmember Moore to gain their support.

Property Characteristics

The subject property contains .31 acres of land and is currently undeveloped. The property is zoned Class R-4 Single-Family Residential and surrounded by R-4 (Single-Family Residential) zoning to the north and west, CN (Neighborhood Commercial) zoning to the south and east.

History

Date	Zoning
1931 - 1958	C (Apartment)
1958 - 1963	C (Apartment)
1963 - 1990	R1 (Low-Density Residential)
1990 - Present	R4 (Single-Family Residential)

SITE PLAN REVIEW BOARD ANALYSIS

The Community Development Department examines each rezoning application against the standards that resulted from the case of *LaSalle National Bank of Chicago V. Cook County and Peoria's Comprehensive Plan*.

Standard	Standard Met per Community Development Dept. Review
<u>LaSalle Factor #1</u> : Existing uses of and zoning of nearby property	The subject property is surrounded by residential and commercial zoning, including vacant parcels.
<u>LaSalle Factor #2</u> : Extent to which property values are diminished by the particular zoning	Property values should not be diminished by the rezoning, as the adjacent properties to the south and east are also zoned commercial.
<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.	None
<u>LaSalle Factor #4</u> : Relative gain to the public as compared to the hardship imposed on the individual property owner.	The rezoning will allow for additional commercial uses.
<u>LaSalle Factor #5</u> : Suitability of the property for the zoned purpose.	The subject parcel is suitable for CN (Neighborhood Commercial).
<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.	The property has been vacant for 10+ years.
<u>LaSalle Factor #7</u> : Public need for the proposed use.	None
Comprehensive Plan Future Land Use Designation	The Future Land Use Designation is Medium Density Residential.

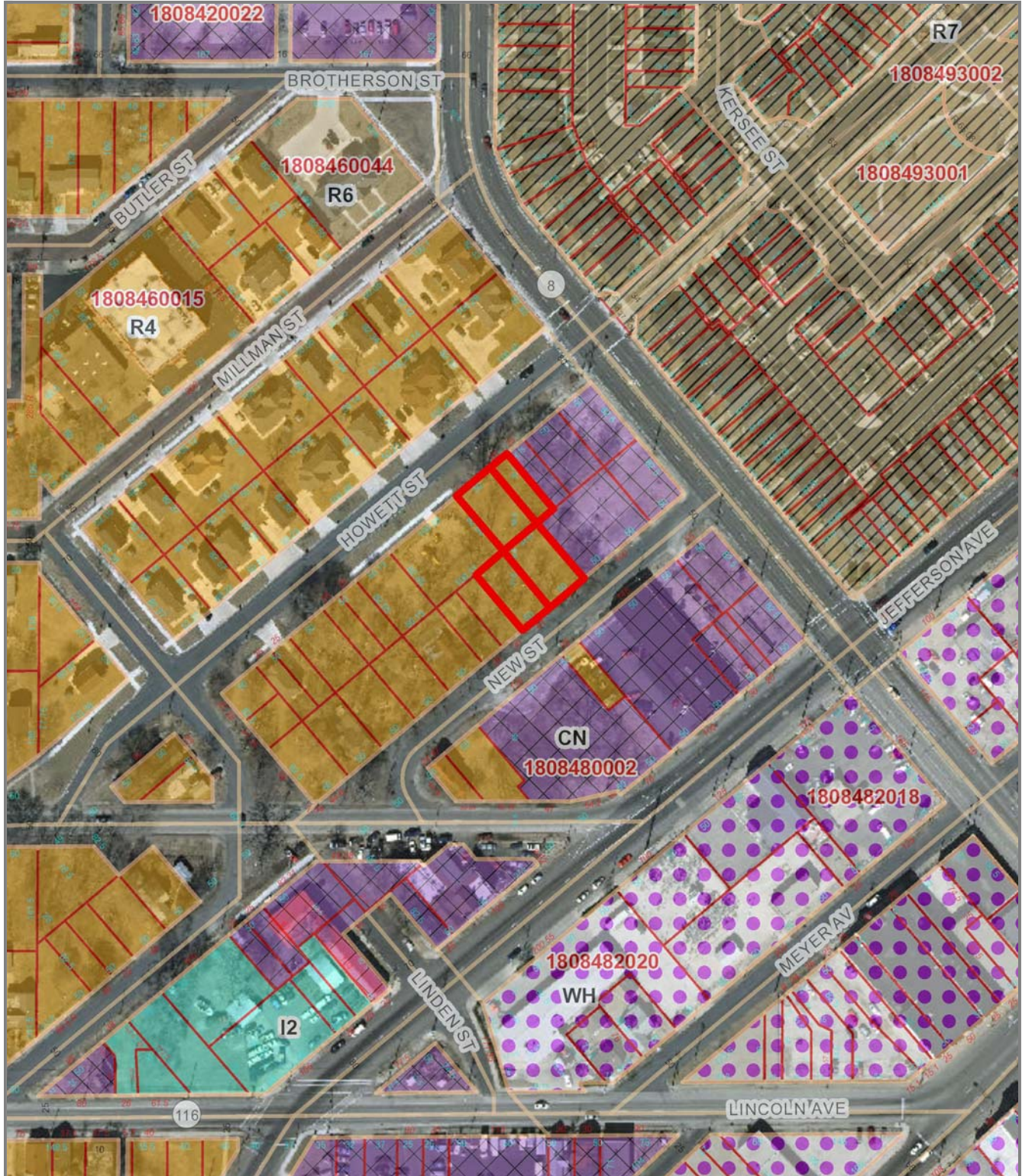
DEVELOPMENT REVIEW BOARD RECOMMENDATION

The Development Review Board recommends APPROVAL of the request to rezone the subject property to a Class CN Neighborhood Commercial.

ATTACHMENTS

1. Surrounding Zoning
2. Aerial Photo
3. December 1, 2016 Planning & Zoning Commission meeting minutes
4. December 13, 2016 City Council meeting minutes

908 & 912 Howett St, 313 & 319 New St

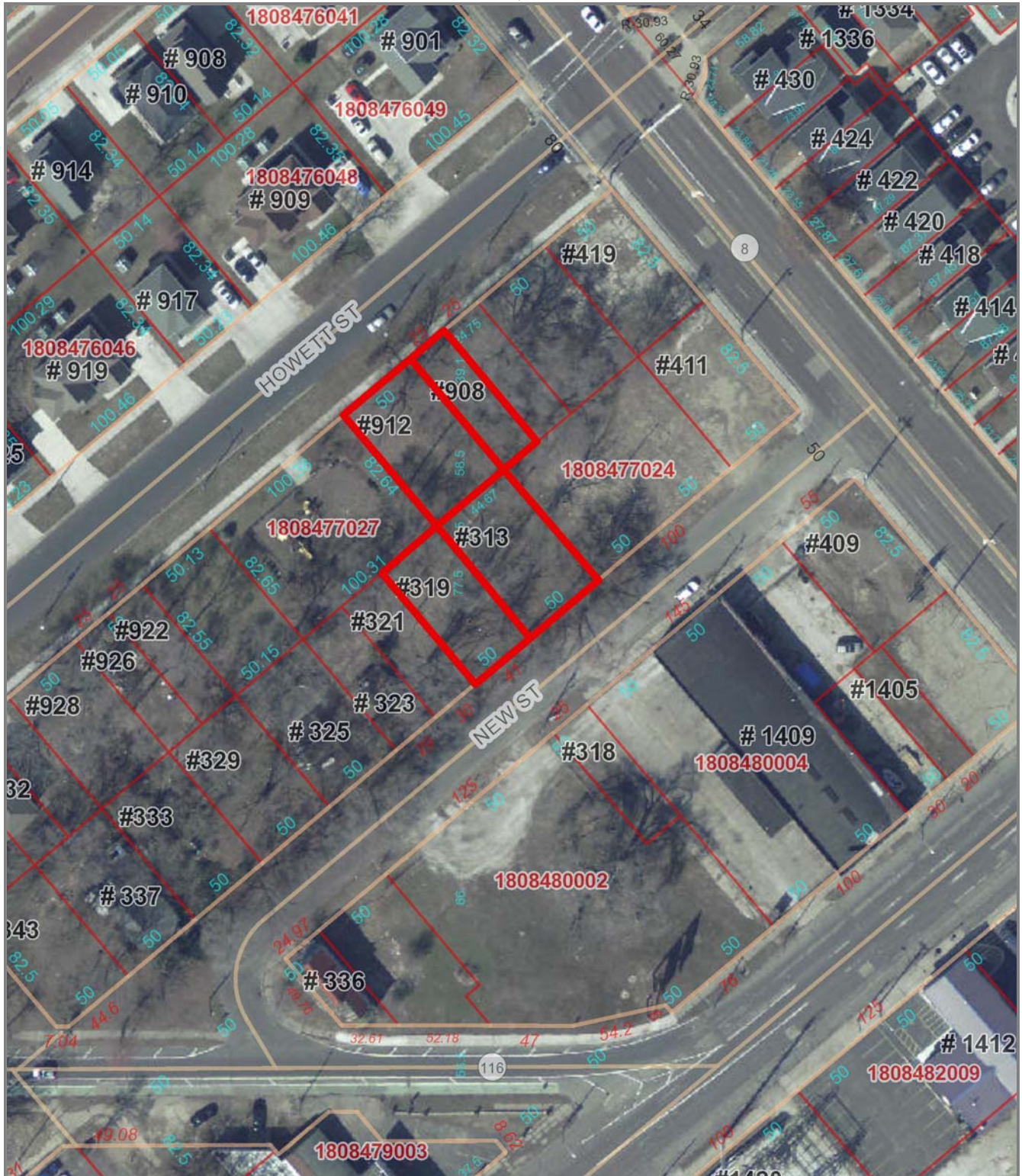


Disclaimer: Data is provided 'as is' without warranty or any representation of accuracy, timeliness or completeness. The burden for determining fitness for, or the appropriateness for use, rests solely on the requester. The requester acknowledges and accepts the limitations of the Data, including the fact that the Data is in a constant state of maintenance. This website is NOT intended to be used for legal litigation or boundary disputes and is informational only. -Peoria County GIS Division

Map Scale
1 inch = 167 feet
8/30/2017



908 & 912 Howett St, 313 & 319 New St



Disclaimer: Data is provided 'as is' without warranty or any representation of accuracy, timeliness or completeness. The burden for determining fitness for, or the appropriateness for use, rests solely on the requester. The requester acknowledges and accepts the limitations of the Data, including the fact that the Data is in a constant state of maintenance. This website is NOT intended to be used for legal litigation or boundary disputes and is informational only. -Peoria County GIS Division

Map Scale
1 inch = 83 feet
 8/30/2017



: 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.

- (16-389)**
* **Communication from the City Manager and the Community Development Director with a Request to Concur with a Recommendation from the Planning & Zoning Commission and Staff to ADOPT an ORDINANCE Amending Special Use Ordinance No. 14,967 in a Class O-2 (Exclusive Office Park) District for a Financial Institution with a Drive-up Facility to Add a 70 Square Foot Freestanding Sign for the Property Identified as N. KNOXVILLE AVE. (Parcel Identification Nos 14-08-277-011 and 012), 7555 N. KNOXVILLE AVE. (Parcel identification No. 14-08-277-013), and 7535 N. KNOXVILLE AVE. (Parcel Identification No. 14-08-277-014), Peoria, Illinois. (Council District 5)**

A citizen handout was distributed to the Council.

Council Member Riggerbach moved to adopt an Ordinance amending Special Use Ordinance No. 14,967 in a Class O-2 (Exclusive Office Park) District for a financial institution with a drive-up facility to add a 70 square foot freestanding sign for the property identified as 7555 & 7535 N. Knoxville, Peoria, Illinois; seconded by Council Member Grayeb.

ORDINANCE NO. 17,428 was adopted by roll call vote.

Yeas: Grayeb, Jensen, Montelongo, Moore, Riggerbach, Ruckriegel, Mayor Ardis – 7;
Nays: None.

- (16-394)**
** **Communication from the City Manager and the Community Development Director with a Request to Concur with the Recommendation from the Planning & Zoning Commission and Staff to ADOPT an ORDINANCE Amending the OFFICIAL ZONING MAP of the City of Peoria to Rezone Property from a Class R-4 (Single Family) District to a Class CN (Neighborhood Commercial) for the Properties 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)**

Following a brief comment regarding her concerns for the proximity of three residential properties to the proposed project, Council Member Moore moved to DENY the Ordinance amending the Official Zoning Map of the City of Peoria to rezone property from a Class R-4 (Single Family) District to a Class CN (Neighborhood Commercial) for the properties 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, seconded by Council Member Riggerbach.

Motion to DENY Ordinance amending the Official Zoning Map of the City of Peoria to Rezone Property from a Class R-4 (Single Family) District to a Class CN (Neighborhood Commercial) for the properties 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 was approved by roll call vote.
Yeas: Grayeb, Jensen, Montelongo, Moore, Riggerbach, Ruckriegel, Mayor Ardis – 7;
Nays: None.