

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

A meeting of the Planning & Zoning Commission was held on Thursday, May 4, 2017, at 1:00p.m., at City Hall, 419 Fulton St., in Room 400.

**ROLL CALL**

The following Planning & Zoning Commissioners were present: Michele Anderson, Wes Durand, Mark Misselhorn, and Chairperson Mike Wiesehan- 4. Commissioners absent: Eric Heard, Richard Unes, Nick Viera - 3.

City Staff Present: Leah Allison, Josh Naven, Kimberly Smith, and Shannon Techie.

**MINUTES**

Commissioner Misselhorn moved to approve the minutes of the Planning & Zoning Commission meeting held on April 6, 2017; seconded by Commissioner Anderson.

The motion was approved viva voce vote 4 to 0.

**SWEARING IN OF SPEAKERS**

Speakers were sworn in by Staff Member Tonya Rickmon.

**REGULAR BUSINESS**

Chairperson Wiesehan requested the order of the cases on the agenda be rearranged.

**CASE NO. PZ 17-11** *(Continued from 04/06/2017)*

Hold a Public Hearing and forward a recommendation to City Council on the request of Ahsan Usman to amend an existing Special Use Ordinance Nos. 14,028 and 16,174, as amended, in a Class C-1 (General Commercial) District for a Hotel, to construct a building addition and utilize portions of an existing building for an Assisted Living Facility, for the property identified as Parcel Identification No. 14-30-101-007 with an address of 2726 W Lake Avenue, Peoria Illinois (Council District 4).

The Development Review Board recommended DEFFERAL of the request to allow for revised a site plan to be submitted providing additional information regarding setbacks, handicap parking, building height, and landscaping.

**Motion:**

Commissioner Anderson made a motion to defer the request for 30 days; seconded by Commissioner Durand.

The motion was approved viva voce vote 4 to 0.

**CASE NO. PZ 17-13**

Hold a Public Hearing and forward a recommendation to City Council on the request of John Coker, of Builders Warehouse, to obtain a Special Use in a Class WH (Warehouse Form) District, to allow for Wall Signs and Awnings, with Waivers, for the property located at 812 SW Washington Street (Parcel Identification No. 18-09-376-008), Peoria, Illinois (Council District 1).

Senior Urban Planner, Kimberly Smith, Community Development Department, read Case No. PZ 17-13 into the record and presented the request. Ms. Smith provided the summary of the proposal, background of the property, and the Development Review Board analysis as outlined in the memo.

The Development Review Board recommended DENIAL of the requests for the following waivers:

- a. Section 6.6.8.E.1.a., General, to allow wall signs between the second story floor line and the first floor ceiling, within the horizontal band.
- b. Section 6.6.8.E.1.b., General, to allow wall signs letters that exceed 18 inches in height or width; and non-individually cut reverse channel letters.

John Coker, petitioner, referred to Exhibit 1 distributed to the Commission. Mr. Coker provided a summary of the request and the need for signs to increase economic growth. In response to Commissioner Misselhorn's inquiry, Mr. Coker clarified the North side of the shaft sign will be removed and the South side sign will remain and the new signs will match the existing signs.

Commissioner Misselhorn questioned if the petitioner would consider grouping signs in two stacks as to reduce the height, and consider using blade signs on the face of the building.

Mr. Coker said he was open to consider Commissioner Misselhorn's suggestions.

Chairperson Wiesehan agreed with Commissioner Misselhorn.

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

**Motion:**

Commissioner Misselhorn made a motion to approve the request with the new signage to be stacked in two stacks; seconded, by Commissioner Durand.

**Discussion:**

Commissioner Misselhorn said his goal was to be consistent and fair on a case by case basis without setting precedence. Misselhorn noted there was little opportunity to place signage on the front façade.

Chairperson Wiesehan agreed with Commissioner Misselhorn.

Commissioner Misselhorn recommended staff work with the petitioner on the spacing of the signs.

Commissioner Misselhorn read the Findings of Fact.

The motion was approved viva voce vote 4 to 0.  
Yeas: Anderson, Durand, Misselhorn, Wiesehan – 4.  
Nays: None.

**CASE NO. PZ 17-12**

Hold a Public Hearing and forward a recommendation to City Council on the request of Lori Edwards of MACO Properties, LLC for Meadowview Partnership, LLC, for approval of an Annexation Petition and Annexation Agreement, Preliminary Subdivision Plat, and to obtain a Special Use for Assisted Living (Elderly Housing) for the property addressed as 5363 & 5401 N Big Hollow Road (Parcel Identification Nos. 13-24-227-011 & 13-24-276-002), Peoria, Illinois (Council District 4).

Senior Urban Planner, Josh Naven, Community Development Department, read Case No. PZ 17-12 into the record and presented the request. Mr. Naven provided the summary of the proposal, background of the property, and the Development Review Board analysis as outlined in the memo.

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

- 1) Removal of any platting language and substitution with the special use procedures.
- 2) Removal of the reversion clause listed on Page A-6. Illinois Compiled Statutes has a process for de-annexation which is similar to annexation.
- 3) Removal of the last sentence of the Water Supply paragraph on Page A-7. IL American Water is not a party to this agreement and the City of Peoria cannot enter into a contract for them.
- 4) Removal of mention of the Greater Peoria Sanitary District from the Sanitary and Storm Sewers paragraph on Page A-7. The Greater Peoria Sanitary District is not a party to this agreement and the City of Peoria cannot enter into a contract for them. The City of Peoria has no "Tap-On Fees" for Storm Sewers.

5) Removal of the last sentence of the Detention Areas paragraph on Page A-7 and incorporation of item comments from Public Works. The property owner will be responsible for maintenance of detention areas and structures as all other properties within the City of Peoria.

Chairperson Wiesehan questioned the waiver for parking.

In response to Commissioner Anderson's concern of erosion, Mr. Naven responded the development must comply with regulations.

Commissioner Misselhorn requested clarification the only requested waiver was for parking. Commissioner Misselhorn noted the development complied with bulk requirements. Commissioner Misselhorn questioned if staff was concerned of the placement of the buildings.

Mr. Naven responded the buildings must comply with building code and fire safety code. Mr. Naven referred to the comments from the Fire Department in the memo.

Chairperson Wiesehan noted the proposal was considered a Special Use due to the Assisted Living request. Chairperson Wiesehan questioned if a Special Use would be required if the proposed development were townhomes and/or duplexes.

Mr. Naven confirmed the zoning requirements.

Commissioner Misselhorn questioned why the request was considered a Special Use when the FAQ sheet provided by the applicant stated the development was not an assisted living facility.

Mr. Naven provided the definition of Assisted Living which included elderly housing.

Commissioner Anderson questioned access to the Shopping Center and suggested a walking path.

Mr. Naven noted there was an existing steep ravine and suggested the petitioner speak to Commissioner Anderson's recommendation.

Lorie Edwards, petitioner and Project Manager of MACO Properties, LLC (MACO), said they were the owners and operators of their developments. MACO partnered with the Peoria Housing Authority (PHA). All units are income eligible, 22 of the 66 units will be rental assisted with 15 of the 22 units reserved for veterans. The development included a fulltime lease manager and maintenance staff. The tenant policy would be followed by MACO, not PHA, which included a criminal background check, verification of +55 years and older, and allowed visitation for children (up to two weeks per year). Social activities included community garden plots and outdoor amenities. Ms. Edwards noted the development would not decrease property values.

Chris Lavoie, engineer for the project, said the development was designed to minimize the impact to surrounding neighbors. Mr. Lavoie noted the design reduced the need for significant grade changes and tree removal; the intent of the project was to keep the area as natural as possible. The development would prevent erosion. Mr. Lavoie agreed with staff's recommended changes to the annexation agreement and Special Use. The traffic report notes a 10% increase upon full occupancy. Mr. Lavoie said the development was not Section 8 or a PHA development. Mr. Lavoie added the subject property met much of the criteria for the tax credit program.

Commissioner Anderson confirmed the ratio of units that will have rental assistance.

Commissioner Durand questioned the other communities of MACO developments and the neighbor reaction the developments.

Lorie Edwards responded that MACO builds in small to medium markets. Ms. Edwards noted the social stigmas associated with the assisted living facilities; however, Ms. Edwards supported the theory that the value of the project relied on property management.

Chairperson Wiesehan opened the Public Hearing at 2:00p.m.

Roger Sparks, a concerned citizen, noted the project will have a lot of transportation needs due to increase in traffic, fire, and medical services. Mr. Sparks opposed the proposed development due to lack of sidewalks and did not find it a good fit for the neighborhood. Mr. Sparks objected to private roads with the concern the City would eventually have to maintain the road.

Christopher Sokol, a concerned neighbor, expressed concern the proposed development would change the neighborhood demographic to 40% low income.

Jesse Schroeder, spoke on behalf of the Joanne Manor Neighborhood Association, submitted Exhibit A to the Commission. Mr. Schroeder questioned the traffic count and property management. Mr. Schroeder expressed concern for extended family members moving into the homes. Mr. Schroeder stated 85% of the Joanne Manor neighborhood was owner occupied; the proposed development would change the nature of the neighborhood with a reduction to 60% owner occupied residences. Mr. Schroeder noted the development was not a good fit for the neighborhood and expressed concern for the property values. Mr. Schroeder requested the Commission recommend denial.

Amir Al-Khafaji, a concerned citizen, said the proposed development would destroy the neighborhood and submitted Exhibit B to the Commission.

Kerrie Shattler, a technical expert of Germantown Hills, Illinois, provided a traffic report. Ms. Shattler noted the additional infrastructure needed for the elderly population such as sidewalks and turn lanes.

Bob Fussle, a technical expert of Washington, Illinois, noted that the sewer and drinking water were problems, the density proposed was deceiving, and the development was not sustainable.

Ryan Coffman, tenant of 5401 N Big Hollow Road, expressed concern the subject property was not an appropriate location for the development. Ms. Coffman said the property would be better used for urban farming. Ms. Coffman submitted Exhibit C.

Jim Montelongo, Peoria City Councilman representing Council District 4, said the proposed development should have access to amenities, such as grocery stores. Mr. Montelongo expressed concern for lack of sidewalks and pedestrian safety. Mr. Montelongo expressed concern for access to the property with only one entrance one exit. Mr. Montelongo said the proposed development may be more suitable in a different location.

With no further interest from the public to provide public testimony, Chairperson Wiesehan closed the Public Hearing at 2:43p.m.

**Motion:**

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

Commissioner Anderson questioned who would incur the cost for the construction and maintenance of the private road.

Mr. Naven said the owner must construct and maintain the road pursuant to the standards of the Public Works Private Road agreement. In response to Commissioner Anderson's inquiry, Mr. Naven said the development must meet all requirements of the Greater Peoria Sanitary District pursuant to the annexation agreement.

Mr. Naven read the county uses of Section 5.5 of the County Zoning Code in response to Chairperson Wiesehan's inquiry regarding the county zoning regulations for single-family and duplex uses.

Commissioner Misselhorn was opposed to the annexation request. Misselhorn found the current county zoning was appropriate to the nature of the neighborhood.

Chairperson Wiesehan agreed with Commissioner Misselhorn. Wiesehan did not support annexing more land into the city of Peoria due to increase in maintenance.

Commissioner Durand said the only advantage of the annexation would be to generate city taxes.

Commissioner Anderson said the proposed request would rezone the subject property which she did not find fit the area.

The motion was denied viva voce vote 4 to 0.  
Yeas: None.  
Nays: Anderson, Durand, Misselhorn, Wiesehan – 4.

**Motion:**

Commissioner Anderson made a motion to withdraw the preliminary plat; seconded, by Commissioner Misselhorn.

The motion was approved viva voce vote 4 to 0.  
Yeas: Anderson, Durand, Misselhorn, Wiesehan – 4.  
Nays: None

**Motion:**

Commissioner Misselhorn made a motion to deny the Special Use request; seconded, by Commissioner Anderson.

Chairperson Wiesehan expressed concern Big Hollow Road would not sustain the increase in traffic with the proposed development.

Commissioner Misselhorn agreed with Chairperson Wiesehan. Commissioner Misselhorn expressed concern for the location of the proposed development due to the minimal connectivity with public transportation, lack of sidewalks, and lack of amenities.

The motion to deny the request was approved viva voce vote 4 to 0.  
Yeas: Anderson, Durand, Misselhorn, Wiesehan – 4.  
Nays: None.

**CITIZENS' OPPORTUNITY TO ADDRESS THE COMMISSION**


It was determined there were no citizens who wished to address the Planning & Zoning Commission at 3:05p.m.

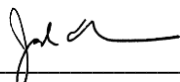
**ADJOURNMENT**

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

The motion to adjourn was approved viva voce vote 4 to 0.

The Planning & Zoning Commission Meeting was adjourned at approximately 3:05p.m.

  
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Leah Allison, Senior Urban Planner

  
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Josh Naven, Senior Urban Planner

Kimberly Smith  
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Kimberly Smith, Senior Urban Planner

  
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Madeline Wolf, Development Technician

