

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

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

ROLL CALL

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

City Staff Present: Leah Allison, Kimberly Smith, Chris Setti, Shannon Techie, Madeline Wolf, Phillip Maclin, Stanley Taylor, Scott Reese, Jason Meeks

SWEARING IN OF SPEAKERS

Speakers were sworn in by Staff Member Madeline Wolf.

MINUTES

Motion:

Commissioner Unes moved to approve the minutes of the Planning and Zoning Commission meeting held on August 6, 2015 as amended; seconded by Commissioner Misselhorn.

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

REGULAR BUSINESS

CASE NO. PZ 15-41

Public Hearing on the request of Robert C. Hall for Petersen Companies, LLC and TK1, LLC, to amend an existing Special Use Ordinance No. 15,584, in a Class C-2 (Large Scale Commercial) District for a Shopping Center to reduce the required front yard setback for a parking lot expansion for the properties identified as Parcel Identification Nos. 13-11-200-013 (Address 7618 N. Route 91), 13-11-201-002 (Address 7708 N. Route 91), 13-11-201-003 (Address 7628 N. Route 91), 13-11-201-005 (Address 7716 N. Route 91), 13-11-201-006 (Address N. Route 91), 13-11-202-001 (Address 7810 N. Route 91), 13-11-203-002 (Address N. Route 91), and 13-11-203-003 (Address 7806 N. Route 91), Peoria, IL (Council District 5).

The requirement to post Public Hearing Signs on the subject property for case PZ 15-41 was not completed for this meeting agenda. Therefore, the public hearing for this case cannot be held. New notices will be published, mailed, and posted on the subject property for a public hearing at the October 1, 2015 Planning & Zoning Commission meeting.

CASE NO. PZ 15-38 (Continued from 8/6/2015)

Public Hearing on the request of Michael Cochran of Austin Engineering Co., Inc. for RRCO Rentals, LLC, to obtain a Special Use for a blood plasma donation center and associated building addition, in a Class C-N (Neighborhood Commercial) District, for the property located at 1902-1912 N Sheridan Road (PIN's 14-33-352-009 & -008), Peoria, IL (Council District 2).

Senior Urban Planner, Shannon Techie, Community Development Department, read Case No. PZ 15-38 into the record and presented the request to obtain a Special use in a Class C-N District for a blood plasma donation center. Ms. Techie said the Comprehensive Plan Designation for the property is mixed use. The proposed transitional buffer yards meet the required depth and number of points. A lighting plan was not provided and must be submitted before any permits are issued. Ms. Techie directed the commission to the memo that outlined the changes to the site plan that are required and must be submitted as a revision to be reviewed by the Site Plan Review Board. Ms. Techie read the requested waivers into the record and stated that all requested waivers are

necessary to meet the requirements. Ms. Techie also stated that permits are required. Ms. Techie directed the commission to the memo that outlined the conditions, 1 through 9. Ms. Techie added a tenth condition: Sidewalks, to provide an easement for Nebraska and Sheridan road improvements. Ms. Techie requested to replace condition #2: Curbs, with condition #10: Sidewalks.

Ms. Techie stated that the Site Plan Review Board recommends APPROVAL of the request, including all requested waivers and conditions.

Commissioner Anderson was concerned about the landscaping obstructing drivers' vision. Ms. Techie confirmed that one shade tree will need to be relocated as part of sidewalk improvements and the other landscaping requirements will not be obstructive.

Commissioner Viera questioned if the alley north and south will continue to Nebraska or if the road is going to become a dead end. Ms. Techie replied that the proposal is to vacate the right-of-way; therefore, the road will not continue.

Michael Cochran, petitioner, expressed his concern with the landscaping request. Cochran explained he could foresee trouble conforming to the requested landscaping concerning the hedges being offset from the shade trees along Sheridan Road in order for the hedge row to be continuous, as required. He explained a landscape architect projected that there is not enough room for both if offset. Therefore, he asked that shade trees be integrated into the hedge row.

Ms. Techie addressed the petitioner and said he will have to request a waiver as staff is more supportive to what is shown.

Commissioner Heard asked the petitioner if he had any issue with the easement that the City was requesting. Cochran confirmed that there was no issue with that request.

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

Motion:

Commissioner Unes made a motion to approve the petitioner's request including all of the requested waivers and conditions as presented by Staff; seconded by Commissioner Misselhorn.

The motion was approved.

Yeas: Wiesehan, Anderson, Heard, Unes, Misselhorn, Viera – 6;

Nays: 0.

Findings of Fact were read by Commissioner Misselhorn.

Ms. Techie confirmed that this will be on the City Council's Agenda on September 22, 2015.

CASE NO. PZ 15-39 (Continued from 8/6/2015)

Public Hearing on the request of River Trail Drive, L.P. and West Point Builders and Developers, to subdivide property, with waivers, located at the foot of Morton Street (18-03-382-003), Peoria, IL (Council District 1).

Senior Urban Planner, Kimberly Smith, Community Development Department, read Case No. PZ 15-39 into the record and presented the request to subdivide the property, with waivers. Ms. Smith noted in the Land Development Code Section 2.13.7.G., the preliminary plat may be disapproved if the plat: fosters excessive population density; or fosters inefficient use of land area; or the character of design is not compatible with adjacent development, or the design is a substantial departure from the aesthetic standards of the community; or adequate infrastructure both within and supportive to the subject property is not in place or has not been provided for; or the plat does not conform with the requirements of this section or Article 9.0, Subdivision Design Standards.

Ms. Smith confirmed the Site Plan Review Board recommends APPROVAL of the preliminary plat, with the following waivers and conditions:

Waivers:

1. Waiver of Land Development Code Section 9.2.2., minimum local street width, to allow a 22 foot pavement width, instead of the required 34 feet, for the newly dedicated right-of way within lot 2, on the southwest portion of the site, where Water Street extends.

2. Waiver of Land Development Code Section 9.2.2., minimum local street width, to allow a 26 foot pavement width, instead of the required 34 feet, for the newly dedicated right-of way within lot 2, on the northeast portion of the site, where Morton Street connects. Note this will also affect the existing portion of Morton Street, as indicated on the Preliminary Plat.

Conditions:

1. The proposed right-of-way connection to the existing Water Street, near the intersection with Irving, requires clarification and resolution of the dedication status prior to approval of the final plat.

2. The submitted final plat will comply with the approved Preliminary Plat, and all other applicable requirements.

3. The approval of the preliminary plat, and subsequent final plat, is subject to the rezoning of Lot 1 to the R-8 zoning district.

Ms. Smith clarified that because the request requires waivers, the case is presented to the commission; without the requested waivers, this case would be administrative.

Ms. Smith then read Case No. PZ 15-31 into the record as it is directly related to Case No. PZ 15-39.

CASE NO. PZ 15-31 (Continued from 8/6/2015)

Public Hearing on the request of Desmond Curran of River Trail Drive, L.P. and West Point Builders and Developers, to rezone property from R-3 (Single Family Residential) District to R-8 (Multi-Family Residential) District, and for a Multi-Family Plan, with waivers, for the property located at the foot of Morton Street (part of 18-03-382-003), Peoria, IL (Council District 1).

Senior Urban Planner, Kimberly Smith, Community Development Department, read Case No. PZ 15-31 into the record and presented the request to rezone property from R-3 (Single Family Residential) District to R-8 (Multi Family Residential) District and for a Multifamily plan, with waivers.

This case is directly related to case PZ 15-39, which is a request for a subdivision with waivers. The subdivision will create a new parcel on which the proposed multifamily plan will sit, approximately 5.8 acres in size. The remainder of the parcel will continue to be owned by the City, and partially contain right-of-way dedications.

The petitioner requests the new 5.8 acre parcel be rezoned to R-8, multi-family, to allow for the proposed multi-family use.

The petitioner requested the submitted multifamily plan be approved for the new 5.8 acre parcel. The plan includes four apartment buildings with a total of 143 units, each with a balcony. The mix of apartments includes 55 one bedroom units, 72 two bedroom, 16 three bedroom; and one leasing office. Additionally, the grounds will include a paved barbeque area, an overhead trellis, landscaping, and signage. The property will be accessible from two newly constructed dedicated road extensions, one accessible from Water Street; and the other from Morton Street. Additional amenities, such as relocated sand volleyball courts will be on a separate parcel from the multifamily plan request. Ms. Smith said the relocation of the sand volleyball courts is pursuant to the Redevelopment Agreement and is not part of Case No. PZ 15-31 or Case No. PZ 15-39.

Requested Waivers:

1. Number of parking spaces. The 143 apartments require 286 parking spaces and the office requires 4 parking spaces, totaling 290 spaces. A total of 258 parking spaces are proposed: this includes 191 surface lot spaces, 40 garage space; and an additional 27 spaces on the adjacent, City owned site. Therefore a waiver to allow an 11% reduction in the required number of parking spaces is requested.

2. Setbacks. Setbacks from the newly dedicated right-of-ways at each end of the project will not be met; the setbacks will be 0 in limited locations, as shown on the plan.

Ms. Smith explained the property characteristics; the subject site in its entirety is 19.5 acres; and is split zoned: it is zoned CG (General Commercial) on the south, R3 (Single Family Residential) in center, and I2 (Railroad/Industrial) to the northeast. Continued along the river, southwest of the parcel, is CG zoning; with I3 (Heavy Industrial) and I2 zoning to the north and west. In 1989 the property was rezoned from I4 to R1. From 1931 to 1963, the entire area was zoned K (Industrial).

Ms. Smith relayed the Staff Comments as outlined in the memo.

The Site Plan Review Board recommends APPROVAL of the proposed rezoning of the proposed multifamily parcel from R-3 (Single Family Residential) District to R-8 (Multi-Family Residential) District; and the Site Plan Review Board recommends APPROVAL of the proposed Multifamily Plan, with the following WAIVERS and CONDITIONS:

Waivers

1. LDC Section 8.1.6. Parking Schedule, to allow 258 parking spaces instead of the required 290 spaces. Onsite spaces, garage spaces. Not counting street spaces.
2. LDC Section 4.1.4, Building Envelope Standards, to allow a reduction in the minimum required front yard setback from newly dedicated right-of-way, as depicted on the plan.

Conditions for the Multifamily Plan:

1. The multifamily plan becomes invalid if the accompanying rezoning and subdivision requests are not approved.
2. All applicable codes, except where waivers are provided, must be met.
3. All other applicable permits, including building permits, are required.
4. Require identification signage at the Morton entrance.

Ms. Smith said letters submitted prior to the meeting were distributed to the commission. The letters submitted are from: Rick Melby, Michael Buoscio, Joyce Blumenshine, Kassy Killey, David Pittman, Sheldon Schafer, Laura Bertsch, Conrad Stinnett, and Elaine Hopkins.

Commissioner Unes had a question in reference to the cost of the streets; he asked if the streets are city dedicated streets and the associated costs for the owners or city.

Ms. Smith said the answer is subject to the redevelopment agreement and directed the question to Chris Setti, to respond to the logistics of the redevelopment agreement.

Chris Setti, Assistant City Manager, responded to Unes' question that the streets proposed are city streets. The City will contribute \$4.5 million for certain eligible costs which include the improvement of or construction of those streets. Bonds will be repaid by taxes generated by the development.

Commissioner Anderson expressed her preference to see a street as a nice river front drive as part of the developer's plan.

Ms. Smith explained that the original draft provided a street with pavement 34' in width, the length of the parcel but caused concern that the plan took away too much park space.

Commissioner Heard questioned if the extension of Water Street was absolutely necessary to make the project viable or if it served cosmetic purposes.

Ms. Smith explained the extension was necessary for fire purposes and railroad challenges.

Commissioner Viera requested verification if the proposed development would be gated.

Ms. Smith explained the current plan does not show it gated. Future changes to the adopted plan would require additional approvals and have to come back through the commission to amend the multifamily plan.

Bob Hall, representative of the petitioner, Desmond Curran of River Trail L.P. and West Point Builders and Developers, introduced the individuals present to represent the case. Hall explained to the commission that he was prepared to answer any questions presented. Hall said the City has been working for four years with this redevelopment plan. He addressed the points to be discussed as: land use zoning, multi-family approval, and subdivision plat approval.

Terri Smith, representative of River Trail L.P. and planner with BSB Design, gave a presentation via power point and addressed the request for approval of the multi-family plan. T. Smith also thanked Staff and expressed his appreciation for comments and concerns from Peoria citizens in regard to this project. T. Smith said throughout the project development, he worked hard to address comments and concerns expressed at previous meetings. He said market studies have indicated there is a definitive need for this type of housing.

David Wright, engineer representative for River Trail L.P., provided details of a traffic study in favor of the petitioner's request. Wright concluded that the study indicated little to no impact on the transportation system in the proposed redevelopment location.

Commissioner Misselhorn addressed Wright and said the information he provided does not verify the critical need for the new road.

David Wright responded to Commissioner Misselhorn that from traffic standpoint, Misselhorn was correct.

Commissioner Misselhorn verified that the Fire Department does prefer to have multiple access points due to the existing railway.

Commissioner Unes questioned the times the study was conducted and if study included Irving Street traffic.

David Wright responded to Commissioner Unes that the traffic study included the weekday and peak hour traffic patterns with the inclusion of Irving Street.

Commissioner Viera referred to the railway and stopped traffic due to trains crossing. Viera said he was unsure how the second access alleviates this challenge.

David Wright responded to Viera's concern and said there is a maximum of five trains a day; therefore, the stopped traffic is minimal.

Commissioner Misselhorn questioned if it was a volumized study. Misselhorn said 90% or more of parking at the River Plex causes members to cross Water Street to access the front door of the complex and he questioned if the traffic study took this information into account.

David Wright addressed Misselhorn's question and verified the traffic study was based on vehicle volume and did not include pedestrian and vehicle interaction.

Bob Hall, explained that one element of the proposed project is integration into the downtown area. He rebutted the commissioners concerns. He stated that in response to public's concerns, the petitioner has revised the development plan and that is the reason for the proposed requests.

Chairperson Wiesehan requested a 5 minute break at 2:30P.M. The commission meeting resumed at 2:39P.M.

Chairman reopened the Public Hearing at 2:39P.M., with the request to begin with the video.

Laura Bertsch, concerned citizen, representing the Peoria Volleyball Community, voiced her concern of the lack of commitment to replace the space currently designated for sand volleyball for the community. Bertsch presented a video created by a group known as Save Riverfront Park. The following link was the video presented:
<https://www.youtube.com/watch?v=iOT5cxAhBA0&feature=youtu.be>.

Commissioner Misselhorn asked Bertsh if the sand volleyball courts remain where they currently exist, would the organization be satisfied.

Laura Bertsch responded, yes.

Phyllis Pryde, a concerned citizen, said she is opposed to selling the park to Chicago (developer) for apartments.

Sheldon Shafer, a concerned citizen, urged the commission to chart a path that will help to mitigate the concerns and negative aspects of the project. He provided alternatives such as eliminating the road extension, reducing the number of apartment buildings from 4 to 3, reducing parking requirements, or to create parking underneath the entire ground floor of the building.

Michael T. Freilinger, representative of Downtown Development Corporation of Peoria (DDC), spoke in favor the proposed development. Freilinger encouraged the commission to follow staff's recommendation. The Board has reviewed the plan and said the plan will enhance other downtown residential projects and help support services and businesses.

Bob Jorgenson, a concerned citizen from East Peoria and member of the River Plex, was opposed to the location of the proposed redevelopment as it raised concerns for citizen's safety, general welfare, and traffic congestion.

Gweneth Schwab, a concerned citizen, extended her appreciation for service from the City and citizens. G. Schwab resides in downtown Peoria and spoke in opposition of the development plan. She was concerned about the loss of green space for the development and suggested the plan supported a bad trade-off.

David Pittman, a concerned citizen, spoke in opposition of the redevelopment plan and rebutted the information presented by the representatives of the petitioner. He proposed a request for 30 day deferment. He referred to the Findings of the Fact and said the project failed to meet the requirements for approval. He was concerned with the negative impact the development will have on the land and the community. He was concerned about the excessive lighting, industrial noise, and industrial traffic as well as toxic runoff created from the development. Pittman spoke in opposition of the location for the proposed development.

Loyce Harant, a concerned citizen, suggested the development will have a negative impact on neighbors and nearby area workers. She said the project failed to meet the Findings of Fact. Harant would like to see space for recycling containers in the developer's plan.

Cindy Smith, a concerned citizen, was opposed to the development proposed. C. Smith spoke in opposition of the construction of the new street within the redevelopment plan, regarding health, safety, traffic congestion, and costs.

Elaine Hopkins, a concerned citizen, referred to the letter in opposition of the redevelopment plan that she submitted and Ms. Smith presented to the commission. She reiterated her opposition of the petitioner's request. She voiced concern of spot zoning and an industrial district too close to a residential district.

Commissioner Unes left the Council Chambers at 3:15P.M.

Mary Hayes, a concerned citizen, spoke in opposition of the removal of trees for the execution of the redevelopment plan.

Jim Konsky, attorney with Vonachen, Lawless, Trager & Slevin, representative of the Peoria Park District, spoke in the Board of Trustee's opposition of the Water Street extension as part of the development of the River Trail Apartments. Konsky said the Board was opposed to the road extension and its consequential safety concerns, specifically, children and persons with mobility issues visiting the River Plex. Konsky requested the commission consider more options for accessibility to the apartment complex and to not utilize access from Water Street.

Commissioner Unes re-entered the chambers at 3:27P.M.

Martin J. Helfers, Executive Director and representative of West Central Illinois Building and Construction Trades Council, spoke in support of the redevelopment project in an effort to revitalize the area. Helfers supported the development of more business and activity in the downtown area. He said currently, there are 6,000 union members that live in Peoria County and he said we would appreciate the opportunity to assist with construction of this proposed development.

Loyce Blumenshine, representative of the Heart of Illinois Sierra Club, spoke in opposition of the petitioner's requests. She agreed that approving the rezoning request would consequently create spot zoning and support poor zoning with industrial too close to residential. She referred to the proposed project as an environmental justice

issue. Blumenshine also mentioned Dorothy Sinclair's work to obtain the land for the park. She supported the need for the community to have green space.

Jeff Griffin, President and representative of the Peoria Area Chamber of Commerce, was in support of the petitioner's request. He said he and the Board of Directors supported the investment and priority to populate downtown and to invest in downtown development; he referred to Young Professionals Group Greater Peoria and relayed the group's support of the development. Griffin proposed this was a responsible development.

Michael Rucker, a concerned citizen, was opposed to the location of the redevelopment plan. Rucker was concerned the proposed multifamily plan was surrounded by industrial and both entrances will be blocked by trains throughout the day. Rucker supported the continued development of the Warehouse District. He suggested a 30 day deferral to address the concerns regarding this project.

Patricia Kinney, a concerned citizen, was opposed to the location of the development project. She was also concerned about the chemical plant and railroad track so near to the proposed location. Mentioned Dorothy Sinclair's agreed with the testimony given by David Pittman and Joyce Blumenshine. She continued to speak in opposition of the petitioner's request. Kissel said this was a great loss to the community and residents.

Rebecca Carey, a concerned citizen, was opposed to the rezoning request for the River Trail Apartments. She addressed the following concerns as; zoning, land use, and community aesthetics. Carey said the argument for R-8 is weak as the days for TAFT homes nearby is limited. She voiced concern for storm sewer control and the consequential costs associated with flood control. Carey also said the development was taking away natural landscape.

Pat Sullivan, an interested citizen, supported the new development and the new street connection that was proposed. He supported people living in downtown Peoria. He said the development would consequently double the bedrooms in downtown Peoria. Sullivan said the developer is trying to satisfy everyone and that is why the development is taking so long and why the plan continues to evolve; he said the commission should support to move project forward.

Jo Lakota, a concerned citizen, agreed with the redevelopment plan but not in the proposed location. Lakota said bigger cities are looking to provide more green access for citizens and found it strange to develop this area. Lakota supported the need for apartment buildings but suggested for the development to be in a different location.

Mike Buoscio, a concerned citizen, spoke in opposition of the River Trail Apartments and stated it was an inefficient use of land area. He questioned why other sites have not been considered for this development. He supported the continued development of the Warehouse District.

Mary Gercke, a concerned citizen, spoke in opposition of the petitioner's request due to potential safety issues arising from the development. Gercke also suggested the Warehouse District was appropriate for this type of development. She voiced her concern that the development took away green space, which consequently took away community, which the park provided. She also agreed more cities are working to build more outdoor spaces and suggested to move in a more positive direction.

Chairperson Wiesehan requested a 5 minute break at 4:00P.M. The commission meeting resumed at 4:05P.M.

Tracy Fox, was opposed to the petitioner's rezoning request. She suggested an obligation to consider the health, safety and welfare effects of the development. Fox suggested for the commission to consider the Peoria Park District's objection. Fox suggested to deny the request for rezoning and to deny other downtown projects until there is a comprehensive plan for downtown.

Pat Wagner, a concerned citizen, spoke against the proposed River Trail Apartment complex and supported the need for a better location for the redevelopment project. She was concerned about the increase in traffic, noise, and light pollution and water drainage. She said the existing green space was a gift to citizens of the community.

Ann Winget, a concerned citizen, spoke in opposition of the petitioner's request. She suggested to look at community need; young professionals want a walkable area with restaurants downtown, volleyball courts, etc.,

rather than an apartment adjacent to factories. She suggested to build the Warehouse District and then to look for more housing space.

Kiersten Sheets, representative of Save Riverfront Park, directed the commission to the packet she distributed, a tree survey by i-Tree. She discussed tree modeling and the consequential financial impact for the City of Peoria. She said trees address public welfare and suitability of the property. She reported that to date, the trees have saved the City \$35,666 primarily through storm water runoff.

Don Day, citizen of East Peoria and former Peoria resident, spoke in opposition of the location for the redevelopment plan. He said as a taxpayer he made an investment in this land for 20 years. He suggested to look for a different location for the development.

Robin Garlish, a concerned Central Illinois resident, expressed her concern of the redevelopment of the land and diminishing the park space.

Henry B. Sinclair, a concerned citizen, spoke on behalf of his late wife, Dorothy Sinclair. He said Dorothy Sinclair and Bonnie Noble were the women responsible for acquiring the land and dedicating the land to park space. He spoke in opposition of the City of Peoria selling the land for the River Trail Apartments, as the development is not comparable to the green space. He said he was concerned with the citizens of Peoria paying for the bond. He related the proposed development plan to the Cub Foods on Knoxville; which is now vacant.

Chairperson Wiesehan stated his appreciation for all that his wife, Dorothy Sinclair, did for the City.

Walter Felder, a concerned citizen, referred to his letter that was published in the Peoria Journal Star on 9/03/15 questioning the financial impact for taxpayers from pursuing the redevelopment plan. He requested the commission consider the public's opposition to the development of the River Trail Apartments.

Karrie Alms, a concerned citizen, spoke in opposition of the petitioner's request and the redevelopment project plan. Alms referred to the Findings of Fact and said the development would have a negative impact. Alms referred to the need for the Illinois Department of Natural Resources (IDNR) approval for land conversion. Alms encouraged the commission to consider the overwhelming support of the community to keep the property as green, open space as originally dedicated.

Bob Hall provided a summary of the petitioner's request and addressed the concerns that the citizens presented. Hall reiterated the developer worked with the City and community to address concerns and considerations to the redevelopment plan and update the plan accordingly. Hall restated the request to subdivide and rezone the property.

Chairperson Wiesehan closed the Public Hearing at 4:51P.M.

Discussion:

Commissioner Viera provided an overview of the history of the land proposed for redevelopment and previous downtown area developments. He encouraged development downtown but questioned if the proposed plan would be a long-term asset or a liability. Viera was skeptical of the plan due to unanswered questions pertaining to the development plan. Viera does not support losing a public amenity for the development of this project.

Commissioner Misselhorn said downtown development was very important. He addressed the suggestions from citizens to support development in Warehouse District. Misselhorn's primary opposition is the south roadway that was proposed. He respected the Peoria Park District's safety concerns and agreed there are safety concerns to consider. Misselhorn supports attracting and retaining millennials to the downtown area and considered the proposed project will be successful.

Commissioner Unes agreed with Commissioner Misselhorn that he cannot support the proposed roadway. Unes was also not in favor of issuing bonds for the roadway.

Commissioner Anderson supported the development including the South Street connection to Water Street.

Commissioner Heard also did not support the proposed roadway. Heard supported the need for apartments downtown but is concerned with the longevity of the proposed development plan. Heard said he would prefer to see a different site for the River Trail Apartments and he does not agree with the waivers.

Commissioner Wiesehan said he supported the project and believed the plan was in favor of the City's best interest. Wiesehan said the City needed this development.

Commissioner Misselhorn addressed the citizens' concern with the amount of time and revisions of creating the proposed development project. He said the developer listened to concerns and adjusted the plans accordingly.

Commissioner Viera questioned the amount of time, resources, and the importance of this development.

Commissioner Unes reminded the commission of the citizen's suggestion for the commission to consider a deferral.

Bob Hall said he was not asking for a deferral. Hall reiterated that in order to pursue the proposed development, the developer cannot remove the South roadway from the plan.

Vice Chairperson Misselhorn read the Findings of Fact for Preliminary Plat.

Motion:

Commissioner Anderson made a motion to approve the petitioner's request including waivers and staff's conditions; seconded by Commissioner Misselhorn.

The motion failed by viva voce vote.
Yeas: Wiesehan, Anderson - 2.
Nays: Misselhorn, Heard, Unes, Viera - 4.

Motion:

Commissioner Anderson made a motion to approve the property subdivision request with approval of Waiver #2, Condition #2, and Condition #3, with the additional condition to remove the south roadway connection to Water Street; seconded by Commissioner Misselhorn.

Commissioner Anderson said many of the issues and concerns will go away if the developer does not include the roadway connection in his plan.

Commissioner Unes said, according to the representative of the petitioner, if the southern connection is removed from the plan, the developer will not be able to pursue the project.

The motion was approved by viva voce vote.
Yeas: Wiesehan, Anderson, Misselhorn, Unes - 4.
Nays: Heard, Viera - 2.

Vice Chairperson Misselhorn read the Findings of Fact for Rezoning.

Motion:

Commissioner Anderson made a motion for approval of the rezoning request as recommended by Staff; seconded by Commissioner Misselhorn.

Commissioner Misselhorn said as the Findings of Fact were read, most can agree many of points are not clear cut but does not report as negative. Misselhorn suggested for the commission look at the request in context of the trade off property.

The motion was tied by viva voce vote.
Yeas: Anderson, Misselhorn, Wiesehan – 3.
Nays: Unes, Heard, Viera – 3.

Motion:

Commissioner Anderson made a motion to approve the multi-family plan request as recommended by Staff, including waivers and conditions; seconded by Commissioner Unes.

The motion was approved by viva voce vote.
Yeas: Wiesehan, Unes, Anderson, Misselhorn –4.
Nays: Heard, Viera – 2.

It was confirmed that Case No. PZ 15-31 and PZ 15-39 will be on the City Council’s Agenda on September 22, 2015.

CITIZENS' OPPORTUNITY TO ADDRESS THE COMMISSION

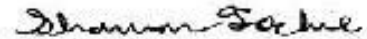
Kerry Alms, a Peoria citizen, thanked Commissioner Viera for his comments presented during the discussion of Case No. PZ 15-31 and PZ 15-39.

ADJOURNMENT

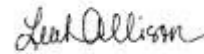
Commissioner Heard moved to adjourn the regularly scheduled Planning & Zoning Commission Meeting; seconded by Commissioner Anderson.

Approved unanimously by viva voce vote 6 to 0.

The Planning & Zoning Commission Meeting was adjourned at approximately 5:50 P.M.



Shannon Techie, Senior Urban Planner



Leah Allison, Senior Urban Planner

Kimberly Smith

Kimberly Smith, Senior Urban Planner

/MW