

**: OF THE CITY OF PEORIA, ILLINOIS :**  
**CONSTRUCTION COMMISSION**  
**Special Meeting**

**CALL TO ORDER**

The special meeting was held by the Construction Commission in Room 404 at City Hall, 419 Fulton Street, Peoria, Illinois, on September 11 at 2:00 p.m. Chairperson Shoemaker called the meeting to order at 2:00 p.m.

**ROLL CALL**

Roll call showed the following Commissioners were present: Chairman Shoemaker, Commissioner Cicciarelli, Commissioner Scott, Commissioner Goad, Commissioner Hall, and Commissioner Dejarld.

Staff present: Ross Black, Megan Nguyen, Rich Storm, Matt Ziller, Roberto Medina, and Emily Ambroso, a Civil Engineer with the Public Works Department.

**APPROVAL OF AUGUST 21<sup>st</sup> MEETING MINUTES**

First order of business was introduced by Chairman Shoemaker to approve the minutes of the August 21<sup>st</sup> meeting.

**MOTION:**

Commissioner Cicciarelli moved to approve the minutes of August 21, 2019. The motion was seconded by Commissioner Goad. Approved unanimously by a viva voce vote 6-0.

**FORWARD A RECOMMENDATION TO CITY COUNCIL TO AMEND CHAPTER 5 RELATING TO AIR RIGHTS**

Chairman Shoemaker moved to the next order of business, addressing the revised language intended to amend Chapter 5 of the City Code relating to Air Rights.

Commissioner Hall expressed his appreciation to Director Black for the new revisions in the amended text.

**MOTION:**

Commissioner Cicciarelli moved to forward the amended recommendation of Chapter 5 relating to Air Rights to the City Council. The motion was seconded by Commissioner Goad. Approved unanimously by a viva voce vote 6-0.

## **FORWARD A RECOMMENDATION TO CITY COUNCIL TO REQUEST A VARIANCE FROM THE FLOOD PLAIN REQUIREMENT PER CHAPTER 12 OF THE CITY CODE**

Chairman Shoemaker introduced the variance request, by the property at 101 Liberty Street, for the flood plain requirement per Chapter 12 of the City Code.

Civil Engineer Emily Ambroso presented the variance request by noting her original memo and supporting documents. Ambroso stated that because the property is categorized as a historic structure, it is not required to be held to the same requirements of the current flood plain ordinance, however a variance must still be granted.

Chairman Shoemaker questioned the Public Works Department's original objection for electrical services to remain in the basement. Ambroso provided that when a building is subject to substantial improvements, it is typically required to come to compliance with FEMA's current regulations. Per FEMA's current regulations, all utilities and/or electrical services must be brought above the base flood elevation (BFE).

Chairman Shoemaker questioned whether the Committee has the option to send a different recommendation to City Council than that of Public Works'. Director Black answered yes.

Chairman Shoemaker offered the chance for the petitioners to address the Committee with any comments or concerns. Petitioners Geoffrey Smith and Larry Nailon mentioned the lower level's existing sump-pump pit and the building's most recent collection of water in the basement in 1978. Nailon described the structure of the basement and the location of the sump-pump pit and also mentioned the previous uses of the basement without issues.

Ambroso noted the potential increase of depths and seepage into the basement, based on the 100-year flood event projections from CORE and DNR.

Chairman Shoemaker asked for Public Works' opinion on the possibility of the building's gas meter succumbing to water in the event of a flood. Ambroso mentioned that gas meters are typically permitted to go under water.

Commissioner Goad asked the petitioners if there was heating equipment of any kind present in the basement, to which petitioners Smith and Nailon answered no.

Chairman Shoemaker asked both the petitioners whether this issue has been submitted for plan review to the City. The petitioners answered yes and also provided that the comments have been reviewed. Additionally, Nailon stated that the plans have been revised and reviewed with the appropriate City inspectors.

Chairman Shoemaker asked the petitioners for the estimated overall budget of the project, to which they replied with an estimate of two to three hundred thousand dollars. The petitioners proceeded to review the anticipated phases of development with the Committee.

Commissioner Hall expressed his concern of the burden of raising the service, and questioned what it would take to flood-proof just the room itself instead. The Committee discussed whether or not electrical service is still currently being delivered from under the sidewalk.

Chairman Shoemaker asked the petitioners if a sprinkler system would be included in future plans. Petitioner Smith provided that the portion of the building currently under renovation is being sprinkled. He added that there is a plan to sprinkle the remainder of the building.

Chairman Shoemaker proceeded to review *Sec. 12-9 Variances* with the Committee.

The Committee evaluated (1) a., c., d., e., f., and g. The Committee tabled item (1) b. for further discussion.

Upon approval of all the items, with the exception of (1) b., the Committee examined the definition of 'hardship' detailed in (1) b's provision.

Director Black clarified to the Committee that without the variance request granted, the 'hardship' is that the building becomes undevelopable. Director Black proceeded to explain that, due to the extent of the development, the flood plain requirement currently deems the building unable to be further developed and expanded. He addressed the electrical service as a separate condition to the variance that has the ability to be further specified and/or limited by the Committee.

Chairman Shoemaker questioned the origination of "flow-through" in the ordinance. Civil Engineer Ambroso answered that the recent FEMA requirement differentiates from the dated ordinance that the City currently has reflected in the code.

The Committee continued to discuss the purpose of the variance request and reviewed the use of the space.

Chairman Shoemaker clarified the requirements for the use of the basement, declaring that the room cannot be occupied, used for storage, or supply mechanical or water heaters. The only permitted 'storage' allowed in the space are to be the existing electrical services.

The Committee reverted back to reviewing *Sec. 12-9 Variances* and approved item (1) b.

Chairman Shoemaker introduced the motion to accept the variance request, with the condition that no additions be made to the basement.

#### **MOTION:**

Commissioner Hall moved to approve 101 Liberty Street's variance request for the flood plain requirement per Chapter 12 of the City Code, with the condition that the basement space remain unoccupied and not used for new equipment, with the exception of the existing electrical and gas service. The motion was seconded by Commissioner Goad. Approved unanimously by viva voce vote 6-0.

#### **OLD BUSINESS**

No old business.

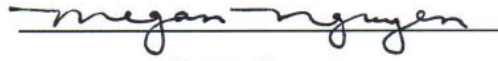
#### **ADJOURNMENT**

#### **MOTION:**

Chairperson Ciccirelli moved to adjourn the Special Commission Meeting, seconded by Commissioner Goad. Approved unanimously by viva voce vote 6-0.

The Special Meeting of the Construction Commission was adjourned at 2:40 P.M.

Meeting Minutes prepared by:

A handwritten signature in black ink that reads "megan nguyen". The signature is written in a cursive style and is positioned above a solid horizontal line.

Megan Nguyen