

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

A meeting of the Planning & Zoning Commission was held on Thursday, July 6, 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 (Arrived at 1:04p.m.), Ed Barry, Mark Misselhorn, Christopher Triebold, Richard Unes, and Chairperson Mike Wiesehan- 6.
Commissioners absent: Eric Heard-1.

City Staff Present: Leah Allison, Joshua Naven, Kimberly Smith, Shannon Techie, Madeline Wolf

SWEARING IN OF SPEAKERS

Speakers were sworn in by Staff Member Madeline Wolf.

MINUTES

Commissioner Unes moved to approve the minutes of the Planning & Zoning Commission meeting held on June 1, 2017; seconded by Commissioner Triebold.

The motion was approved viva voce vote 5 to 0.

REGULAR BUSINESS

Chairperson Wiesehan requested to rearrange the order of cases to present Case No. PZ 17-20, PZ 17-21, and PZ 17-23 first and then proceed to the order of cases as outlined on the agenda.

Motion:

Commissioner Unes made a motion to rearrange the order of cases as requested by Chairperson Wiesehan; seconded, by Commissioner Triebold.

The motion was approved viva voce vote 5 to 0.

CASE NO. PZ 17-20

Hold a Public Hearing and forward a recommendation to City Council on the request of Mark 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 R-2 (Single-Family Residential) District for the property located east of Koerner Road and addressed as 6022 W Eaglecreek Drive. The property is also identified as Parcel Identification No. 13-10-451-014, Peoria, Illinois (Council District 5).

Senior Urban Planner, Joshua Naven, Community Development Department, read Case No. PZ 17-20 into the record and presented the request. Mr. Naven provided the summary of the proposal and the Development Review Board analysis as outlined in the memo. Mr. Naven noted the property was subdivided and developed with the Chadwick Estates Subdivision but was inadvertently left out of the annexation process.

The Development Review Board recommended APPROVAL of the request.

With no interest from the public to provide public testimony, Chairperson Wiesehan closed the Public Hearing at 1:03p.m.

Motion:

Commissioner Unes made a motion to approve the Annexation Petition, Annexation Agreement, and Rezoning request; seconded, by Commissioner Misselhorn.

The motion was approved viva voce vote 5 to 0.

Yeas: Barry, Misselhorn, Triebold, Unes, Wiesehan - 5.

Nays: None.

Commissioner Misselhorn read the Findings of Fact for Rezoning.

Commissioner Anderson entered Council Chambers at 1:04p.m.

CASE NO. PZ 17-22

Hold a Public Hearing and forward a recommendation to City Council on the request of Venu Garimidi and Sitaratna Madhuri Garimidi for approval of an Annexation Petition and Annexation Agreement and to rezone property from a Class R-3 (Single-Family Residential) District to a R-2 (Single-Family Residential) District for the property located east of Koerner Road and addressed as 6019 W Eaglecreek Drive. The property is also identified as Parcel Identification No. 13-10-452-003, Peoria, Illinois (Council District 5).

Senior Urban Planner, Joshua Naven, Community Development Department, read Case No. PZ 17-22 into the record and presented the request. Mr. Naven requested the previous memo review and case comments be applied to this case.

The Development Review Board recommended APPROVAL of the request.

With no interest from the public to provide public testimony, Chairperson Wiesehan closed the Public Hearing at 1:07pm.

Vice Chairperson Misselhorn read the Findings of Fact for Rezoning.

Motion:

Commissioner Anderson made a motion to approve the Annexation Petition, Annexation Agreement, and the Rezoning request; seconded, by Commissioner Barry.

The motion was approved viva voce vote 6 to 0.

Yeas: Anderson, Barry, Misselhorn, Triebold, Unes, Wiesehan – 6.

Nays: None.

CASE NO. PZ 17-23

Hold a Public Hearing and forward a recommendation to City Council on the request of Marie Smith, to rezone property from a Class C-1 (General Commercial) District to a Class R-4 (Single-Family Residential) District, for the property located at 1814 W Forrest Hill Avenue (Parcel Identification No. 14-32-101-003), Peoria, Illinois (Council District 2).

Senior Urban Planner, Shannon Techie, Community Development Department, read Case No. PZ 17-23 into the record and presented the request.

Ms. Techie provided the summary of proposal, the background of the property, the Community Development Department Analysis and Recommendation as outlined in the memo. Ms. Techie noted the request was in response to the letter that was sent to the property owners of 1818 and 1814 W Forrest Hill requesting the rezoning to R-4 to bring the residential properties into conformity.

The Community Development Department recommended APPROVAL of the request.

In response to Chairperson Wiesehan's inquiry, Ms. Techie said she has not received a response from the property owner of 1818 W Forrest Hill.

With no interest from the public to provide public testimony, Chairperson Wiesehan closed the Public Hearing at 1:11p.m.

Vice Chairperson read the Findings of Fact for Rezoning.

Motion:

Commissioner Misselhorn made a motion to approve the Rezoning request, seconded by Commissioner Unes.

The motion was approved viva voce vote 6 to 0.

Yeas: Anderson, Barry, Misselhorn, Triebold, Unes, Wiesehan – 6.

Nays: None.

CASE NO. PZ 17-18

Hold a Public Hearing and forward a recommendation to City Council on the request of Harold Jenkin of TRI-JEN of Central Illinois, LLC to amend an existing Special Use Ordinance No. 15,862, in a Class C-2 (Large Scale Commercial) District for a Shopping Center, to add a restaurant with a drive-through for the properties identified as Parcel Identification Nos. 13-12-352-003 (6820 N Peartree Lane), 13-12-352-004 (6828 N Peartree Lane), 13-12-352-007 (4115 W Partridge Way), 13-12-352-008 (4123 W Partridge Way), and 13-12-352-009 (W Partridge Way), Peoria, Illinois (Council District 4).

Senior Urban Planner, Leah Allison, Community Development Department, read Case No. PZ 17-18 into the record and presented the request. Ms. Allison provided the Summary of Proposal, Requested Waiver, Background of the subject property, and the Development Review Board Analysis and Recommendation as outlined in the memo.

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

Waiver:

1. Waiver to reduce the required building setback along Big Hollow Road from 100 feet to 76 feet as measured from the centerline of the street and eliminate the requirement for a Setback Encroachment Agreement.

Conditions:

1. The number of parking spaces exceeds the maximum of 30 allowed by-right. Therefore an impact fee of \$4,000 (\$250 per space x 16) must be paid prior to issuance of a building permit.
2. A sidewalk is required along the property frontage on Big Hollow Rd.
3. Ensure that an accessible route is present between the accessible parking spaces and the building entrance.
4. Add a 10.5 ft x 5.75 ft concrete pad for a sheltered bus stop adjacent to sidewalk cut on Big Hollow Rd. CityLink will provide and install bus shelter.

Ms. Allison noted the petitioner's response to Condition No. 1 was to provide permeable pavers for the entire parking surface. In response to Commissioner Misselhorn's inquiry, Ms. Allison said the concrete pad and shelter for the bus stop will be paid for and installed by CityLink as it was in the public right-of-way.

Commissioner Unes inquired available city assistance for the installation of the sidewalk along Big Hollow Road.

Chairperson Wiesehan questioned if eliminating the sixteen (16) parking spaces would allow the building to meet the setback requirements.

Bob Hall, representing the petitioner, spoke in support of the request and said he appreciated staff's recommendation for approval. Mr. Hall noted the petitioner would be in compliance with Condition No. 3 and should not be included as a condition as it was a requirement. Mr. Hall noted the waiver was critical in order to make property work as a Taco Bell facility operation.

Chairperson Wiesehan inquired more detail for the waiver request of the additional 20 foot setback.

Gary Zumwalt, engineer for the proposed development and representing the petitioner, referred to the prepared site plans and auto turn studies provided to the commission. Mr. Zumwalt said the waiver was requested as the 100' thoroughfare designation setback requirement did not allow for a 65' delivery semi-truck to turn without encroaching into the parking spaces.

In response to Commissioner Anderson's inquiry, Mr. Zumwalt referred to Exhibit A, Semi-Truck Auto Turns Studies.

Bud Jenkins, representing the petitioner, requested approval of the waiver. Mr. Jenkins noted deliveries occurred throughout the day and evening.

Bob Hall continued his presentation. Mr. Hall noted the lack of sidewalks throughout the existing shopping center and requested the removal of Condition No. 2. Mr. Hall said the petitioner will commit to the installation of sidewalks if and when sidewalks are installed throughout the shopping center. Mr. Hall noted the use of permeable pavers for the parking surface in lieu of the installation of sidewalks and the over parking fee. Mr. Hall expressed traffic safety concerns for the bus stop location on Big Hollow Road.

Chairperson Wiesehan noted the commission had no jurisdiction in regard to the bus shelter; therefore, Condition No. 4 was removed. Chairperson Wiesehan encouraged staff to discuss the traffic safety concerns expressed by the petitioner in regard to the bus stop location with CityLink. Chairperson Wiesehan noted the location for the bus shelter was not determined at this time.

In response to Commissioner Anderson's inquiry, Ms. Allison noted the existing bus stop on the East and West sides of Big Hollow Road and noted the installation of the shelter would not impact the subject property.

Commissioner Anderson suggested the petitioner install a sidewalk from the bus shelter to the sidewalk along Partridge Way. Commissioner Anderson did not disagree with the traffic safety concerns raised by the petitioner; however, Anderson supported a condition to require connectivity from the bus shelter to the sidewalk along Partridge Way.

Bud Jenkins expressed concern for the lack of sidewalks in the area and did not agree to Condition No. 2.

Chairperson Wiesehan supported the installation of sidewalks to increase accessibility.

Commissioner Misselhorn said he appreciated the petitioner financing the sidewalk along the frontage of Big Hollow Road once a system of sidewalks are installed. Commissioner Misselhorn inquired how the petitioner will assure the commission of that statement.

Rodger Sparks, an interested citizen and a disabled rights activist, referred to the Federal Trans Administration which required a bus stop to be ADA accessible or the bus stop will no longer exist. Mr. Sparks referred to the Illinois Accessibility code, page 33. Mr. Sparks recommended the developer work with CityLink.

Bob Hall said he had no further comment.

Bud Jenkins noted he has continued to invest in the city without asking for financial assistance.

Chairperson Wiesehan agreed with Mr. Jenkins. Chairperson Wiesehan supported the use of pavers in lieu of the over parking fee, connectivity from the bus shelter to the sidewalk along Partridge Way, Condition No. 3, and a guarantee from the petitioner that when sidewalks are installed throughout the shopping center, the petitioner will commit to the installation of a sidewalk along the frontage of Big Hollow Road.

In summary, Ms. Allison said staff recommended approval. Staff was willing to remove Condition No. 1 as long as the parking lot was constructed with permeable pavers, a fee or payment in lieu of the construction of a sidewalk as part of Condition No. 2, include Condition No. 3, and Condition No. 4 may be removed. Staff was in support of the requested waiver and to eliminate the requirement for a Setback Encroachment Agreement.

Motion:

Commissioner Misselhorn made a motion to approve with the following conditions: No. 1, the \$4,000 over-parking fee must be paid or if permeable pavers are used as the parking surface, the fee may be waived; No. 2, a fee at current dollars must be collected in lieu of the installation of sidewalks until a system of sidewalks are installed within the shopping center; remove Condition Nos. 3 and 4; and to approve the requested waiver. The motion was seconded, by Commissioner Anderson.

Commissioner Unes supported the motion if the fee for the sidewalk was escrowed and collected at current dollars.

Commissioner Misselhorn noted his appreciation for the applicant's continued investment in the city.

Commissioner Triebold expressed concern that the petitioner would not use permeable pavers if required to pay a fee in lieu of the sidewalks as the petitioner had stated the pavers were offered in lieu of the sidewalk

installation. Commissioner Triebold suggested including permeable pavers as part of the condition as the \$4,000 fee was much less than the cost of permeable pavers. Commissioner Triebold was not in support of the motion.

Commissioner Misselhorn read the Findings of Fact for Special Use.

The motion was approved viva voce vote 6 to 0.

Yeas: Anderson, Barry, Misselhorn, Triebold, Unes, Wiesehan – 6.

Nays: None.

Commissioner Barry announced his abstention from Case No. PZ 17-21 due to a conflict of interest.

CASE NO. PZ 17-21

Hold a Public Hearing and forward a recommendation to City Council on the request of Will Kenny of Peoria Civic Center Authority, to amend an existing Special Use Ordinance No. 16,932, in a Class B-1 (Downtown Commercial) District for the Peoria Civic Center Facilities, to add activities at the corner of Fulton Street and Jefferson Avenue, and other grounds improvements, for the property located at 201 SW Jefferson Avenue, 702 and 720 Fulton Street; and 109, 125, 129 and 135 SW Monroe Street (Parcel Identification Nos. 18-09-251-009, 18-09-133-013, and 18-09-202-001 - 005), Peoria, Illinois (Council District 1).

Senior Urban Planner, Kimberly Smith, Community Development Department, read Case No. PZ 17-21 into the record and presented the request. Ms. Smith provided the Summary of Proposal and Requested Waivers, Background, and the Development Review Board Analysis and Recommendation as outlined in the memo.

The Development Review Board recommended APPROVAL of the request, with the following waivers and conditions:

Waivers:

1. Waiver of UDC Section 5.4.7, Fences and walls, to allow a front yard fence greater than three feet in height (along Kumpf), that is six feet in height and solid.
2. Waiver of UDC Section 5.4.7, Fences and walls, to allow a front yard fence greater than three feet in height (along Fulton and Jefferson), that is four feet in height with an open design.
3. Waiver of UDC Section 8.3.10, Temporary Signs requested, to allow administrative approval of temporary signs that exceed the limitations set forth in the Unified Development Code.
4. Waiver of UDC 5.5.2.A. "Permitted Temporary Uses," to allow categories of carnivals, tents, and civic uses of public property without length of time and frequency restriction.
5. Waiver of UDC 5.5.2.A. "Permitted Temporary Uses" to allow permanency of the sand bed. Temporary implies the site will be returned to its original state after each use.
6. Waiver of UDC 5.5.2.A. "Permitted Temporary Uses" to allow temporary structures less than 200 feet without time limitations.
7. Waiver of UDC Section 8.4.4.B., Limited Outdoor Storage, as related to setback and time frequency.

Conditions:

1. All items from previous approvals not affected by this amendment, remain in force.
2. Any future fencing on Kumpf Boulevard shall not encroach on the required sight triangles for either the PCC entrance or Monroe Street.
3. New fencing along Kumpf must match existing screening around the nearby dumpster, as indicated in the application.
4. Replacement deteriorated and non-ADA-compliant sidewalks and curbs along property frontage.
5. A pedestrian accessible route (PAR) shall be provided between the accessible parking spaces in the Fulton Street parking lot and the PCC. This entails upgrade of the depressed curb on the part of the Civic Center, and installation by Public Works of a continental cross walk across Monroe from the Fulton Street Lot, to the Civic Center side of the street.
6. To allow signage as requested, with administrative approval, it must be noted that any such signs which are denied by Staff will require a Variance from the Zoning Board of Appeals prior to placement. If the Civic Center desires permission to place signs that exceed limitations set forth in the Unified Development Code without need for prior zoning approval, the Civic Center must submit proposed size, height, location, number and frequency limits prior to and for inclusion with City Council review of this request; and the "pre-approval" would not be final unless City Council votes to approve. In both cases, applicable building permits are required.

7. Drainage across the sidewalk on Monroe must be corrected and fixed prior to implementing any waivers approved with this Special Use amendment request.
8. The sand bed must be secured or transformed into useable, safe, public space when not used for the ice rink.
9. Time limitations for temporary structures less than 200 square feet may match the timing for the approved use. All required Fire Department permits must be obtained for all tents; also all required building permits for structures exceeding 200 square must be obtained. For the record, Ms. Smith noted she was removing the first sentence of this condition.
10. Provided screening as required by UDC Section 8.4.4.B.1. for Limited Outdoor Storage in the north of the parking lot nearest Kumpf and Main. An updated site plan delineating the specific area is required prior to final approval.
11. Kumpf Boulevard is under the jurisdiction of the State; all work within the State right-of-way requires a permit from Illinois Department of Transportation.
12. Obtain required, applicable permits and licenses, including the request to be open and produce noise until 2 am must be approved in accordance with state and local liquor law and licensing. For this reason, this waiver request is not recommended with this request.
13. Nothing in this memo is intended to override liquor law requirements. All requirements related to the Civic Center's liquor license must be adhered to.

Chairperson Wiesehan asked about overlay district for the Peoria Civic Center (PCC). Ms. Smith explained the difference between an overlay district and Special Use.

Vice Chairperson Misselhorn presumed the position of Chairperson. Chairperson Wiesehan left Council Chambers at 2:30p.m.

In response to Vice Chairperson Misselhorn's inquiry, Ms. Smith discussed the timeframe and phasing of the conditions, and iterated the condition that drainage across the sidewalk be corrected prior to implementation of the requested waivers. Ms. Smith noted if work required a building permit, it must be implemented within two years the permit was issued.

Commissioner Anderson referred to Condition No. 10 and inquired if the condition was a response to complaints.

Anne Clayton, General Manager of the Peoria Civic Center (PCC), thanked the commission and staff. Ms. Clayton said approval would contribute to the downtown economic vitality and allow the PCC to continue to host unique events.

Laura Tobben, said the goal for the request was to make additions to the Special Use to allow new outside events and to streamline the signage process. Ms. Tobben referred to the three (3) site plans provided and requested the removal of Nos. 2 and 3. Ms. Tobben requested Waiver No. 6 read, "To allow temporary structures without time limitations and frequency restriction to allow use." Ms. Tobben requested Waiver No. 7 read, "Limited Temporary Outdoor Storage, as related to setback, time frequency, and screening." Ms. Tobben noted the petitioner was looking for temporary storage for the bleachers, not permanent storage; therefore, the petitioner requested the removal of the screening requirement for the bleachers as there have not been complaints regarding the matter.

Ms. Tobben referred to Condition No. 5 and noted the petitioner will work with Public Works to upgrade the intersection and cross-walk. Ms. Tobben referred to Condition No. 7, and noted the drainage was an issue that was potentially caused by the Peoria Marriott Pere Marquette hotel and the petitioner was currently working with the hotel to rectify the issue. Ms. Tobben referred to Condition No. 9 and requested the first sentence be removed as to eliminate the restriction on time. Ms. Tobben requested to remove Condition No. 10.

With no interest from the public to provide public testimony, Vice Chairperson Misselhorn closed the Public Hearing at 2:57p.m.

Motion:

Commissioner Anderson made a motion to approve the request subject to DRB waivers and conditions with following changes: Waiver No. 6 read, "to allow temporary structures without time limitations and frequency restriction to allow use;" Waiver No. 7 read, "Limited Temporary Outdoor Storage, as related to setback, time

frequency, and screening;" Condition Nos. 5 modify to require to find a solution, Condition No. 7 modify to include to continue to work with the Peoria Marriott Pere Marquette to correct drainage issue, and to remove Condition No. 10; seconded, by Commissioner Triebold.

Commissioner Misselhorn supported the motion and the petitioner's intent to accommodate the multiple uses of the PCC.

Commissioner Anderson supported the PCC's use of signage.

Commissioner Anderson read the Findings of Fact for Special Use.

The motion was approved viva voce vote 4 to 0.
Yeas: Anderson, Misselhorn, Triebold, Unes – 4.
Nays: None.
Abstention: Barry – 1.

The Planning & Zoning Commission recessed at 3:02p.m. and resumed at 3:09p.m.

CASE NO. PZ 17-25

Hold a Public Hearing and forward a recommendation to City Council on the request of Dallas Koerner, to rezone property from a Class CN (Neighborhood Commercial) to a Class I-2 (Railroad/Industrial) District for the property identified as Parcel Identification No. 14-35-327-004 with an address of 3100 NE Adams Street, Peoria, Illinois (Council District 1).

Senior Urban Planner, Kimberly Smith, Community Development Department, read Case No. PZ 17-25 into the record and presented the request. Ms. Smith provided the Summary of Proposal, Background, the Community Development Department Analysis and Recommendation as outlined in the memo.

The Community Development Department recommended APPROVAL of the request.

In response to Vice Chairperson Misselhorn's inquiry, Ms. Smith provided more detail of the zoning history of the property and explained the request would allow the petitioner's intended uses.

Vice Chairperson Misselhorn opened the Public Hearing at 3:16p.m.

Dallas Koerner, petitioner, said he has owned the property since 1982. The request was to bring the property into compliance with the Zoning Ordinance and to allow for auto repair and used auto sales, which was how the property has been used during years under his ownership.

With no further interest from the public to provide public testimony, Vice Chairperson Misselhorn closed the Public Hearing at 3:17p.m.

Motion:

Commissioner Unes made a motion to approve the request as presented; seconded, by Commissioner Anderson.

Vice Chairperson Misselhorn supported the motion.

Commissioner Anderson read the Findings of Fact for Rezoning.

The motion was approved viva voce vote 5 to 0.
Yeas: Anderson, Barry, Misselhorn, Triebold, and Unes – 5.
Nays: None.

CASE NO. PZ 17-26

Hold a Public Hearing and forward a recommendation to the City Council on the request of ALDI, Inc., to rezone property from a Class C-1 (General Commercial) District to a Class C-N (Neighborhood Commercial) District, for the property located at 3420 N University Street (Parcel Identification No. 14-29-404-020), Peoria, Illinois (Council District 2).

Senior Urban Planner, Shannon Techie, Community Development Department, read Case No. PZ 17-26 into the record and presented the request. Ms. Techie provided the Summary of Proposal, Background, Community Development Department Analysis and Recommendation as outlined in the memo.

The Community Development Department recommended APPROVAL of the request.

Kyle Wood, representing the petitioner, said the request would allow a building addition. The rezoning request provided the best option to maintain the existing parking and allow for the future growth of Aldi.

With no interest from the public to provide public testimony, Vice Chairperson Misselhorn closed the Public Hearing at 3:23p.m.

Motion:

Commissioner Anderson made a motion to approve the request as presented; seconded, by Commissioner Unes.

Commissioner Anderson read the Findings of Fact for Rezoning.

Vice Chairperson Misselhorn commented the request was a great example of what CN was intended with residential nearby and encouraged more opportunities to use the CN classification appropriately.

The motion was approved viva voce vote 5 to 0.

Yeas: Anderson, Barry, Misselhorn, Triebold, Unes – 5.

Nays: None.

CASE NO. PZ 17-27

Hold a Public Hearing and forward a recommendation to City Council on the request of Ted Clark for approval of an Annexation Petition and Annexation Agreement, a Preliminary Subdivision Plat, to rezone property from a Class R-3 (Single-Family Residential) District to a C-1 (General Commercial) District, and to obtain a Special Use for Outdoor Recreation for the property located on the eastern side of Orange Prairie Road and addressed as W Grange Hall Road, Peoria, Illinois. The property is also identified as Parcel Identification No. 08-35-100-033 (Council District 5).

Senior Urban Planner, Josh Naven, Community Development Department, read Case No. PZ 17-27 into the record and presented the request. Mr. Naven provided the Summary of Proposal, Background, the Development Review Board Analysis and Recommendation as outlined in the memo.

The Development Review Board recommended APPROVAL of the request with the following conditions for the Special Use for Outdoor Recreation:

Community Development:

1. A compliant final landscaping plan (per Section 8.2.4.) must be submitted and approved prior to the issuance of building permits.
2. All rooftop and ground level mechanical equipment must be screened from street view and residentially zoned districts.
3. All proposed refuse disposal areas must be screened on all four sides by a solid fence or wall with a minimum height of six feet, not to exceed seven feet.
4. The site must adhere to all requirements of Section 8.5. Site Lighting, except for the noted light pole height contained within the Annexation Agreement.
5. Final site plans, elevations, and building materials shall be submitted to the Zoning Administrator for review and approval through an administrative review process prior to building permit issuance. The applicant may appeal the Zoning Administrator's decision to the City Council if they disagree with the determination.

Fire Department:

1. FD needs fire-flow calculations from IL-AWC to determine the number and distribution of fire hydrants. Building construction Type (s) are also needed.
2. Fire apparatus access roads shall meet requirements of International Fire Code 2012 Appendix D.

Public Works:

1. Orange Prairie is a controlled access roadway. Access must be coordinated with the City of Peoria traffic engineer in order to determine an acceptable driveway location. This coordination will also determine whether the site requires median cuts on Orange Prairie, turn lanes, shared access with adjacent properties, etc.

Ted Clark, petitioner, said he has been working with the subject property owner on the request; the proposed development would complement the Big Shots project that was approved to the south of the subject property. In response to Vice Chairperson Misselhorn's inquiry, Mr. Clark said he has not received comments from surrounding property owners.

In response to Vice Chairperson Misselhorn's inquiry, Mr. Naven said the C-1 District does not have noise requirements but the owner must adhere to the current city code noise ordinance.

Vice Chairperson Misselhorn opened the Public Hearing.

Todd Parmenter, a concerned citizen and resident of 9631 N State Route 91, was opposed to the request due to the high level of noise, lack of lighting plan, and the existing pre-annexation agreement.

In response to Mr. Parmenter's inquiries, Mr. Naven referred to the lighting requirements in Section 8.5 of the Unified Development Code and the noise ordinance in the City Code which restricted noisy hours of operation to cease by 10:00p.m.

John Zimmerman, a concerned citizen and resident of 9623 N State Route 91, was opposed to the request due to the high level of noise, lack of a proposed buffer and lighting plan, and the increase in traffic.

Daniel Hellige, a concerned citizen and resident of 9621 N State Route 91, was opposed to the request due to the high level of noise. Mr. Hellige expressed concern the request did not align with the Comprehensive Growth Plan.

Ted Clark said he understood the neighbors' concerns and noted the go-carts were 5 horsepower with a maximum speed of 18mph and would not be louder than a lawn mower. Mr. Clark noted the hours of operation would be 10:00a.m. to 10:00p.m.

In response to Commissioner Unes' inquiry, Mr. Naven measured the separation from the proposed development to the adjacent residential properties using GIS. The closest resident was approximately 650 feet to the north and approximately 875 feet to the south.

Vice Chairperson Misselhorn expressed concern with the potential number of noise complaints caused by the development that would be handled by the Peoria Police Department.

With no further interest from the public to provide public testimony, Vice Chairperson Misselhorn closed the Public Hearing at 3:52p.m.

In response to Vice Chairperson Misselhorn, Mr. Naven said the C-1 District has a front yard setback requirement of 20 feet and does not have any buffer requirements.

Commissioner Anderson suggested a 30 day deferral.

Vice Chairperson Misselhorn commented on the lack of detail from the submitted site plan. Vice Chairperson Misselhorn supported a deferral to allow the petitioner to speak with neighbors and to develop a more detailed site plan.

Commissioner Barry did not oppose a deferral. Commissioner Barry inquired staff's recommendation, given the neighbors' concerns, as the surrounding properties north, east, and west that are zoned Agriculture and the property on the south side was zoned Commercial.

Mr. Naven noted the approval of Big Shots caused additional and trending development requests to come forward.

Commissioner Anderson noted the noise generation from Big Shots was much different than the proposed use.

Commissioner Unes said he could not support the project as presented due to the noise and hours of daily operation. Commissioner Unes supported a deferral.

Commissioner Triebold did not oppose a deferral. Commissioner Triebold noted the recent closing of a go-cart attraction in Peoria and supported the concept of the project. Commissioner Triebold preferred the location of the development to be in a low populated area.

Motion:

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

Commissioner Barry encouraged the petitioner to work with staff and the 5th District Council person and noted he did not want to discourage development. Commissioner Barry agreed with Commissioner Unes and citizens' concerns.

The motion to defer the request was approved viva voce vote 5 to 0.
Yeas: Anderson, Barry, Misselhorn, Triebold, and Unes – 5.
Nays: None.

CASE NO. PZ 17-28

Hold a Public Hearing and forward a recommendation to City Council on the request of Pamela Howe, President, of Rebuilding Together, to rezone property from a Class R-4 (Single Family) District to a Class P-1 (Parking) District, and for a Waiver from UDC Subdivision Requirements Section 2.13.13.b.6. regarding access to street frontage, for the property located at 1322 and 1400 NE Jefferson Avenue (Parcel Identification Nos. 18-03-401-003 and part of 18-03-401-002), Peoria, Illinois (Council District 1).

Senior Urban Planner, Kimberly Smith, Community Development Department, read Case No. PZ 17-28 into the record and presented the request.

The Development Review Board recommended APPROVAL of the request for the rezoning, and APPROVAL of the requested Waiver, with the following conditions:

1. A Preliminary/Final Subdivision application and plat will be submitted for approval.
2. Screening will be provided as shown on the site plan.

Cheryl Yates, an interested citizen, provided a letter in support prior to the meeting and it was read into the record by Kimberly Smith.

Pamela Howe, board member of Rebuilding Together, noted the subdivision would allow the parking surface to enter/exit on the alley side and the rest of the lot would belong to the neighbor to expand his land. Ms. Howe noted the parking surface would be used for events and monthly meetings (January – April).

With no further interest from the public to provide public testimony, Vice Chairperson Misselhorn closed the Public Hearing at 4:08pm.

Motion:

Commissioner Unes made a motion to approve as requested; seconded, by Commissioner Anderson.

Vice Chairperson Misselhorn said he appreciated the neighbors support.

The motion was approved viva voce vote 5 to 0.
Yeas: Anderson, Barry, Misselhorn, Triebold, and Unes – 5.
Nays: None.

CITIZENS' OPPORTUNITY TO ADDRESS THE COMMISSION

It was determined there was no interest from citizens to address the Planning & Zoning Commission at 4:08p.m.


ADJOURNMENT

Commissioner Unes moved to adjourn the regularly scheduled Planning & Zoning Commission Meeting;

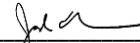
seconded by Commissioner Triebold.

The motion to adjourn was approved viva voce vote 5 to 0.

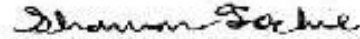
The Planning & Zoning Commission Meeting was adjourned at approximately 4:09p.m.



Leah Allison, Senior Urban Planner



Joshua Naver, Senior Urban Planner



Shannon Techie, Senior Urban Planner

Madeline Wolf, Development Technician

