

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

A meeting of the Planning & Zoning Commission was held on Thursday, November 7, 2019, at 1:00 p.m., at City Hall, 419 Fulton St., in Room 400 with Chairperson Mike Wiesehan presiding and with proper notice having been posted.

ROLL CALL

The following Planning & Zoning Commissioners were present: George Ghareeb, Robin Grantham, Eric Heard, Branden Martin, and Mike Wiesehan – 5. Commissioners absent: Ed Barry and Richard Unes - 2.

City Staff Present: Josh Naven, Kim Smith, Kerilyn Weick, and Leah Allison

SWEARING IN OF SPEAKERS

Speakers were sworn in by Megan Nguyen.

MINUTES

Commissioner Ghareeb moved to approve the minutes of the Planning & Zoning Commission meeting held on October 3, 2019; seconded by Commissioner Heard.

The motion was approved viva voce vote 5 to 0.

REGULAR BUSINESS**CASE NO. PZ 19-28**

Hold a Public Hearing and forward a recommendation to City Council on the request of Gene Lear, on behalf of St. Paul Baptist Church, to amend an existing Special Use Ordinance No. 14,289 as amended, in a Class R-4 (Single Family Residential) District and Class R-2 (Single Family Residential) District to add a wall sign and light standard signs for the property located at 114 W. Forrest Hill Ave. (Parcel Identification No. 14-33-132-018), Peoria IL (Council District 2)

Senior Urban Planner, Kerilyn Weick, Community Development Department, read Case No. PZ 19-28 into the record and provided a summary of the proposed special use amendment.

The Development Review Board recommends APPROVAL of the request with the following conditions of approval:

1. Update signs and painted access aisle for the accessible parking spaces at the east entrance to the building. At least 8 accessible parking spaces must be provided in accordance with the Unified Development Code Section 8.1.5.E.
2. Remove painted handicap symbol from three parking spaces at the west entrance which do not meet accessible design standards.
3. Add at least one accessible parking space near the southern entrance to the building.

Gene Lear, representing the Petitioner, concurred with the recommendation from Staff.

Chairperson Wiesehan opened the Public Hearing at 1:13 p.m.

James Wilhelm, a concerned citizen, requested to see the proposed wall sign and expressed concern for light directed toward his house.

Gene Lear explained that the sign will face west, not north. It will be lit, but will not flash.

There being no further public testimony, the public hearing was closed at 1:15 p.m.

Discussion on the Findings of Fact was held.

Motion:

Commissioner Heard made a motion to approve the request as presented; seconded by Commissioner Ghareeb:

The motion was APPROVED viva voce vote 5 to 0.

Yeas: Ghareeb, Grantham, Heard, Martin, and Wiesehan – 5

Nays: None

CASE NO. PZ 19-29

Hold a Public Hearing and forward a recommendation to City Council on the request of Jeff Stein of Hy-Vee, Inc. to amend an existing Special Use Ordinance No. 13,115 as amended, in a Class C-2 (Large Scale Commercial) District for Local Sign Regulations for the properties located at 4123 N. Sheridan Rd, 4125 N. Sheridan Rd, and 900 W. Lake Ave (Parcel Identification Nos. 14-29-227-013, 14-29-227-012, and 14-29-226-017), Peoria, IL (Council District 3)

Senior Urban Planner, Kerilyn Weick, Community Development Department, read Case No. PZ 19-29 into the record and provided a summary of the proposed special use amendment. Ms. Weick noted that a revised site plan has been distributed to the Commissioners removing one freestanding sign (No. 7 on the original site plan) and clarifying that sign no. 8 is not located within the traffic aisle.

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

1. Amend local sign plan to allow two digital style signs as shown in the sign package as Sign #4 and Sign #5. One is a wall sign, one is a canopy sign. Size of sign area may not exceed standards in the Unified Development Code.
2. Amend local sign plan to add one freestanding sign, as shown in sign package as Sign #8. Said sign must match design and dimensions of existing multi-tenant freestanding sign along Sheridan Road.
3. If any of the signs will have any part on the ROW (including footings) or overhang the ROW, a Revocable ROW permit will be required.
4. Waiver of size of sign area for Sign #8 such that Sign #8 matches the dimensions of the existing 25 ft tall, 155 sq. ft. multi-tenant sign along Sheridan Road.
5. Waiver from the setback encroachment agreement for one freestanding sign, Sign #8. Location of Sign #8 may not interfere with existing internal vehicle circulation pattern of the shopping center.

Discussion was held regarding determination if a sign encroaches into the public right-of-way.

Diana Bubenik of Prairie Signs, representing the Petitioner, confirmed that the new signs would not encroach into the public right-of-way. She explained the reason for additional signs.

Chairperson Wiesehan opened the Public Hearing at 1:38 p.m. There being no public testimony, the public hearing was closed at 1:38 p.m.

Discussion on the Findings of Fact was held.

Motion:

Commissioner Heard made a motion to approve, excluding sign no. 7; seconded by Commissioner Grantham.

The motion was APPROVED viva voce vote 5 to 0.

Yeas: Ghareeb, Grantham, Heard, Martin, and Wiesehan – 5

Nays: None

CASE NO. PZ 19-30

Hold a Public Hearing and forward a recommendation to City Council on the request of Daniel and Tina White to rezone property from a Class C-1 (General Commercial) District and Class P-1 (Parking) District to a Class C-2 (Large Scale Commercial) District and to obtain a Special Use in a Class C-2 (Large Scale Commercial) District, for Contractor Storage (Indoor/Outdoor), for the property located at 7327 Galena Road (Part of Parcel Identification No. 14-10-176-020), Peoria, IL (Council District 3)

Commissioner Heard abstained from this case due to professional conflict of interest.

Senior Urban Planner, Kerilyn Weick, Community Development Department, read Case No. PZ 19-30 into the record and provided a summary of the proposed rezoning and special use.

The Development Review Board recommends APPROVAL of the request to rezone. The Development Review Board recommends APPROVAL of the request for a special use subject to the following conditions and waivers:

1. Outdoor storage must be screened with 100% opaque screen from view of the public right-of-way. Fence on site plan must include an extension perpendicular to the right of way. Said fence must be installed prior to having outdoor storage.
2. Outdoor storage shall be at least 15 feet from the public right of way, 20 feet from side property lines, and 20 feet from the rear boundary of the class C-2 zoning district.
3. All front yard landscaping must be maintained or replaced.
4. Allow administrative review for the construction of one 6,000 sq. ft. addition or accessory storage structure. Construction must begin within five years of the date of approval of the special use. Said structure must be generally in the location shown on the site plan and must comply with all setbacks, yards, build-to requirements of the UDC.
5. Re-stripe all parking spaces, prior to occupancy. Provide at a minimum one accessible parking space per 25 parking spaces.
6. Repair or replace existing dumpster enclosure, prior to occupancy.
7. All three obsolete signs shall be removed or made compliant with UDC Section 8.3 Signs, prior to occupancy.
8. Submit photometric plan for all exterior lighting, prior to occupancy.
9. Ensure all necessary permits including trades permits are obtained prior to work commencing. Any Mechanical, Electrical and Plumbing work must be completed by a licensed & registered contractor.
10. Waiver to permit 6 ft tall fence in the front yard in a commercial district. Fence provides required screening of the outdoor storage area.
11. Waiver to permit existing landscaping to meet front yard, parking lot interior, and perimeter parking lot landscaping requirements. Alternative compliance for TBY is met based on hillside and established growth.

Discussion was held regarding the outdoor storage of materials prior to installing the fence screening. Commissioner Ghareeb asked if State Route 29 prohibited the construction of a fence screen. Ms. Weick stated the fence would not be an obstacle. Commissioner Grantham clarified the screening if one of the building additions should be built.

The petitioner was not present.

Chairperson Wiesehan opened the Public Hearing at 2:04 p.m.

Willie Heinz, a concerned citizen, expressed concern for lack of screening.

There being no further public testimony, the public hearing was closed at 2:07 p.m.

Discussion on the Findings of Fact was held.

Motion:

Commissioner Ghareeb mad a motion to approve the rezoning, seconded by Commissioner Grantham.

The motion was APPROVED viva voce vote 4 to 0.
Yeas: Ghareeb, Grantham, Martin, and Wiesehan – 4
Nays: None
Abstention: Heard - 1

Commissioner Grantham made a motion to approve the special use as requested by the petitioner; motion failed due to no second provided.

Commissioner Ghareeb made a motion to approve the special use with the addition of a fence screen along the south side of the property, seconded by Commissioner Grantham.

The motion was APPROVED viva voce vote 4 to 0.
Yeas: Ghareeb, Grantham, Martin, and Wiesehan – 4
Nays: None
Abstention: Heard - 1

CASE NO. PZ 19-31

Hold a Public Hearing and forward a recommendation to City Council on the request of Mr. Jim Hollenback of PCM+Design Architects, to amend an existing Special Use Ordinance No. 15,862, as amended, in a Class C-2 (Large Scale Commercial) District for a Shopping Center to increase the size of the freestanding and menu board signs, and reduce landscaping requirements, for the properties located at 6820 N Pear Tree Lane, 6828 N Pear Tree Lane, 4115 W Partridge Way, 4123 W Partridge Way, and W Partridge Way, (Parcel Identification Nos. 13-12-352-003, 13-12-352-004, 13-12-352-007, 13-12-352-008, and 13-12-352-009), Peoria, IL (Council District 4)

Senior Urban Planner, Kim Smith, Community Development Department, read Case No. PZ 19-31 into the record and provided a summary of the proposed special use amendment.

The Development Review Board recommends DENIAL of the request for landscaping waivers and APPROVAL of the request for the larger freestanding and menu board signs.

Discussion was held regarding that the signs are already installed. Commissioner Ghareeb questioned the need for fewer landscaping points.

Bud Jenkins, Petitioner, provided a summary of the development history to explain why the signs were installed without approval and the need to reduce landscaping.

Chairperson Wiesehan opened the Public Hearing at 2:50 p.m. There being no public testimony, the public hearing was closed at 2:50 p.m.

Discussion on the Findings of Fact was held.

Motion:

Commissioner Heard made a motion to approve as requested by the Petitioner (revised site plan) with the following waivers:

1. UDC Section 8.2.6: Front yard along Big Hollow: reduce point requirement from 108 to 100.
2. UDC Section 8.2.6: Front yard along Partridge Way: reduce point requirement from 123 to 60.
3. UDC Section 8.2.7: Reduce requirement for parking lot perimeter landscaping to allow omission near proposed detention pond.
4. UDC Section 8.3.10: Waiver requested to increase allowable signage from 70 to 82 square feet.
5. UDC Section 8.3.10: Waiver requested to change allowable menu boards from two 30 square foot signs to one 46.8 square foot sign.

And Staff conditions:

1. No additional signage on the Partridge Way frontage for Taco Bell and 2.
2. No additional menu boards for Taco Bell;

Seconded by Commissioner Martin.

The motion was APPROVED viva voce vote 5 to 0.
Yeas: Ghareeb, Grantham, Heard, Martin, and Wiesehan – 5
Nays: None

A recess was granted at 2:57 pm. The meeting reconvened at 3:03 pm.

CASE NO. PZ 19-32

Hold a Public Hearing and forward a recommendation to City Council on the request of the City of Peoria to amend the City of Peoria Comprehensive Plan by incorporating the Thoroughfare Plan. (All Council Districts)

Senior Urban Planner, Josh Naven, Community Development Department, read Case No. PZ 19-32 into the record and provided a summary of the proposed Thoroughfare Plan. He concluded with a request to defer until the December meeting.

Cindy Loos, Hanson Professional Services, provided a summary of the Thoroughfare Plan.

Discussion was held regarding the classification of streets to obtain federal funding. Concern was expressed for on-going maintenance of infrastructure.

Chairperson Wiesehan opened the Public Hearing at 3: 26 p.m.

William Ordaz, a concerned citizen, expressed compliments on the plan. He requested that minor collector be eliminated from Glendale Ave and Perry Ave. These should be considered neighborhood streets.

Motion:

Commissioner Ghareeb made a motion to continue the public hearing until the December meeting; seconded by Commissioner Martin.

The motion was APPROVED viva voce vote 5 to 0.
Yeas: Ghareeb, Grantham, Heard, Martin, and Wiesehan – 5
Nays: None

CASE NO. PZ 19-L

Hold a Public Hearing and forward a recommendation to City Council on the request of the City of Peoria to amend Appendix A, the Unified Development Code, relating to Short Term Rentals.

Senior Urban Planner, Kerilyn Weick, Community Development Department, read Case No. PZ 19-L into the record and provided a summary of the proposed text amendment.

The Development Review Board recommends APPROVAL of the request.

Discussion was held on how other cities regulate short term rentals. Inspections will be part of the application process. Neighborhood associations may adopt more restrictive rules. Enforcement will involve various city departments.

Chairperson Wiesehan opened the Public Hearing at 3:52 p.m.

Vikki Hubbard, a concerned citizen expressed support for the short term rental use but did not support certain performance standards of the proposed ordinance.

Linda Fairbanks, a concerned citizen expressed support for the short term rental use but did not support the proposed special use.

William Ordaz, a concerned citizen expressed support for the short term rental use but requested more research. Short term rentals should be allowed in all zoning districts.

Steve Sanchez, representing the Peoria Landlord Association, expressed the need for cooperation with the City. He complained about the lack of information or notice to the Landlord Association regarding this issue. He requested denial or allow time to work with the city.

There being no further public testimony, the public hearing was closed at 4:14 p.m.

Motion:

Commissioner Ghareeb made a motion to defer; seconded by Commissioner Heard.

The motion was APPROVED viva voce vote 5 to 0.
Yeas: Ghareeb, Grantham, Heard, Martin, and Wiesehan – 5
Nays: None

CASE NO. PZ 19-M

Hold a Public Hearing and forward a recommendation to City Council on the request of the City of Peoria to amend Appendix A, the Unified Development Code, relating to Light Industrial Uses in the Class C-2 (Large Scale Commercial) District

Senior Urban Planner, Kerilyn Weick, Community Development Department, read Case No. PZ 19-M into the record and provided a summary of the proposed text amendment.

The Development Review Board recommends APPROVAL of the request.

Chairperson Wiesehan opened the Public Hearing at 4.22 p.m. There being no public testimony, the public hearing was closed at 4.22 p.m.

Motion:

Commissioner Ghareeb made a motion to approve; seconded by Commissioner Martin.

The motion was APPROVED viva voce vote 5 to 0.

Yeas: Ghareeb, Grantham, Heard, Martin, and Wiesehan – 5

Nays: None

CITIZENS' OPPORTUNITY TO ADDRESS THE COMMISSION

There were no citizen requests to address the Commission.

ADJOURNMENT

Commissioner Grantham made a motion to adjourn, seconded by Commissioner Martin at approximately 4:23.p.m.



Leah Allison, Senior Urban Planner