A meeting of the Planning & Zoning Commission was held on Thursday, March 7, 2019, at 1:03 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: Ed Barry, George Ghareeb, Eric Heard, Mark Misselhorn, Richard Unes, and Mike Wiesehan – 6. Commissioners absent: None.

City Staff Present: Leah Allison

SWEARING IN OF SPEAKERS
Speakers were sworn in by Megan Nguyen.

MINUTES
Commissioner Barry moved to approve the minutes of the Planning & Zoning Commission meeting held on February 7, 2019; seconded by Commissioner Misselhorn. A correction was noted for Case No. PZ 19-04 to include the discussion of existing sidewalks and the lack of sidewalks in the subject area. A correction was noted for Case No. PZ 18-D that Commission Heard was not present at the meeting and the voting record should reflect Commissioner Wiesehan instead.

The motion was approved viva voce vote 6 to 0.

REGULAR BUSINESS

CASE NO. PZ 19-07
Hold a Public Hearing and forward a recommendation to City Council on the request of Billie Jo Stambaugh of BCJ Services, Inc to obtain a Special Use in a Class C-N (Neighborhood Commercial) District for Auto Sales, Repair, & Service for the properties located at 314-318 S Olive Street (Parcel Identification Nos. 18-17-209-004 and 18-17-209-015), Peoria IL. (Council District 1).

Senior Urban Planner, Leah Allison, Community Development Department, read Case No. PZ 19-07 into the record and presented the request. Ms. Allison provided a summary and the Development Review Board analysis and Recommendation as outlined in the memo.

The Development Review Board recommended APPROVAL of the request subject to the following condition and waivers:

1) Remove all obstructions (vehicles, fencing and gate, etc) in the public alley located between Olive Street and Jefferson Ave.
2) Remove vehicles located in the public right-of-way of Jefferson Ave or obtain a Revocable Right-of-Way Permit from the Public Works Dept.
3) Replace all deteriorated sidewalks.
4) Install new sidewalk on Olive Street.
5) Reduce the height of the front yard fence on Olive Street to 3 feet or remove from the front yard.
6) There shall be no dismantling of vehicles for salvage.
7) The storage of impounded vehicles shall not be permitted.
8) All repair and service of motor vehicles shall be conducted within a fully-enclosed building.
9) All vehicles located in the vehicle display area must be marked for sale, independently maneuverable, and operable.
10) Waiver to allow existing landscaping, building setback, street façade, and windows/doors to remain as currently constructed, included no required screening of service doors.

The Petitioner was not present to provide comments.

Chairperson Wiesehan opened the Public Hearing at 1:25 p.m.
An interested citizen expressed concern for the lack of screening and landscaping. It was suggested that an approval should be delayed until certain conditions are met.

There being no further public testimony, the public hearing was closed at 1:32 p.m.

Discussion on the Findings of Fact was held. Concern was expressed for the condition and use of the property which brought a zoning complaint.

**Motion:**
Commissioner Unes made a motion to deny the request for a Special Use; seconded by Commissioner Misselhorn:

The motion was APPROVED viva voce vote 5 to 1.
Yeas: Barry, Ghareeb, Misselhorn, Unes, and Wiesehan – 5
Nays: Heard – 1

**CASE NO. PZ 19-08**

Hold a Public Hearing and forward a recommendation to City Council on the request of Haresh Patel to rezone property from a Class R-4 (Single Family Residential) District and Class P-1 (Parking) District to a Class C-1 (General Commercial) District for the properties located at 3728, 3802, and 3804 N Prospect Road, (Parcel Identification Nos. 14-27-255-004, 14-27-255-003, and 14-27-255-002), Peoria IL. (Council District 3)

Senior Urban Planner, Leah Allison, Community Development Department, read Case No. PZ 19-08 into the record and presented the request. Ms. Allison provided the Summary of Proposal and the Development Review Board Analysis and Recommendation as outlined in the memo.

The Development Review Board recommended APPROVAL of the request.

Peter Paraskis, representing the petitioner, described the proposed development should the rezoning be approved.

Chairperson Wiesehan opened the Public Hearing at 1:45 p.m. There being no public testimony, the public hearing was closed at 1:45 p.m.

Discussion on the Findings of Fact was held.

**Motion:**
Commissioner Heard made a motion to approve the request to rezone, seconded by Commissioner Barry.

The motion was APPROVED viva voce vote 6 to 0.
Yeas: Barry, Heard, Ghareeb, Misselhorn, Unes, and Wiesehan – 6
Nays: None

Commissioner Barry left the meeting at 1:50 pm.

**CASE NO. PZ 19-09**

Hold a Public Hearing and forward a recommendation to City Council on the request of Robert Barry of Tres Rojas Winery, LLC to rezone property from a Class R-3 (Single Family Residential) District to a Class I-1 (Industrial/Business Park) District and approve a preliminary plat with a waiver, for the property located at N Galena Road (Part of Parcel Identification No. 14-15-200-014), Peoria, IL. (Council District 3)

Senior Urban Planner, Leah Allison, Community Development Department, read Case No. PZ 19-09 into the record and presented the request. Ms. Allison provided the Summary of Proposal and the Development Review Board Analysis and Recommendation as outlined in the memo.

The Development Review Board recommended APPROVAL of the request subject to the following condition and waivers:
1) Revise the preliminary plat to include the limits of the stream buffer area and compliance with the requirements of the stream buffer regulations.
2) Revise the preliminary plat to include the required certificates.
3) Connection to a public sanitary sewer system.

Staff does not support the request to waive the connection to the public sanitary sewer. The property is within approximately 525 feet of a gravity sewer line and a force main both located on the west side of Galena Road. Connection to the public sanitary sewer allows for future changes to density and zoning uses, and is the appropriate means of handling wastewater/sewage in an urban and developing area.

Staff does not support the request to waive stream buffer requirements. The buffer is intended to preserve the stream area in its natural state, stabilize stream banks, reduce erosion, filter storm water runoff, enhance wildlife habitat, provide shade, screen noise, serve as recreational areas, and enhance aesthetics. Without a protective buffer, the land may be cleared of trees and natural vegetation leading to erosion, flooding, and compromised water quality.

The Development Review Board recommends approval of the request to rezone to I-1 (Industrial/Business Park).

Robert Barry, Petitioner, provided a summary of the preliminary plat and explanation of the requested waivers.

Chairperson Wiesehan opened the Public Hearing at 2:21 p.m.

An interested citizen, expressed concern for the negative impacts of a proposed winery and the gravel access road.

An interested citizen, expressed concern for the negative impact a proposed winery may have on San Koty Drive, safety of the residents and children, and disruption of the quiet neighborhood.

An interested citizen, expressed concern for the access from San Koty Drive to the proposed winery development.

An interested citizen, expressed concern for excessive noise, traffic, and lighting from the proposed winery development.

An representative for Lutheran Hillside Village, expressed concern for excessive noise and lighting from the proposed winery development.

An interested citizen, expressed concern for the proposed use and did not support the requested waivers.

A representative for Apolostic Christian Skyline, expressed concern for excessive noise and lighting from the proposed winery development.

Senior Urban Planner Allison read a letter from an interested citizen expressing concern for excessive traffic and noise from the winery development, and disruption due to construction of a sanitary sewer line.

Petitioner Barry provided a summary to address the access road, noise, and lighting concerns.

Chairperson Wiesehan closed the Public Hearing at 2:55 p.m.

Discussion on the Findings of Fact for a preliminary plat was held. Concerns were expressed for the lack of compatibility with adjacent development.

Motion:
Commissioner Misselhorn made a motion to deny the proposed preliminary plat, seconded by Commissioner Unes.

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

Discussion on the Findings of Fact for a rezoning was held.
Motion:
Commissioner Misselhorn made a motion to deny the proposed rezoning, seconded by Commissioner Heard.

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

A recess was held at 3:10 pm. The Commission reconvened at 3:15 pm.

CASE NO. PZ 19-11
Hold a Public Hearing and forward a recommendation to City Council on the request of Ryan Vande Bosche of Washington Prime Group, Inc to amend an existing Special Use Ordinance No. 13,221 as amended, in a Class C-2 (Large Scale Commercial) District for a Shopping Center to add a Freestanding Sign for the properties commonly known as Northwoods Malls and located at 2200 W War Memorial Drive, 2316 W War Memorial Dr, 4512 N Sterling Ave, and 4518 N Sterling Ave, (Parcel Identification Nos. 14-19-451-003, 14-19-451-007, 14-19-451-011, 14-19-451-012, 14-19-451-013, 14-19-451-014, and 14-30-201-022), Peoria, IL. (Council District 4)

Senior Urban Planner, Leah Allison, Community Development Department, read Case No. PZ 19-11 into the record and presented the request. Ms. Allison provided the Summary of Proposal and the Development Review Board Analysis and Recommendation as outlined in the memo.

The Development Review Board recommended APPROVAL of the request subject to the following condition and waivers:
1) No more than three freestanding signs may exceed 35 feet in height and 640 sq. ft. in size.
2) Verification that the proposed sign meets clearance requirements for existing overhead utility lines

Ryan Vande Bosche, petitioner, described the proposed signs.

Chairperson Wiesehan opened the Public Hearing at 3:24 p.m. There being no public testimony, the public hearing was closed at 3:24 p.m.

Discussion on the Findings of Fact was held.

Motion:
Commissioner Heard made a motion to approve the proposed Special Use, seconded by Commissioner Unes.

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

CASE NO. PZ 19-12
Hold a Public Hearing and forward a recommendation to City Council on the request of Mark Bell of EPIC Peoria, LLC to obtain a Special Use in a Class WH (Warehouse Form) District for Waivers from the Form District requirements relating to Signage for the property located at 927 SW Washington Street (Parcel Identification No. 18-09-330-048), Peoria IL. (Council District 1).

Senior Urban Planner, Leah Allison, Community Development Department, read Case No. PZ 19-12 into the record and presented the request. Ms. Allison provided the Summary of Proposal and the Development Review Board Analysis and Recommendation as outlined in the memo.

The Development Review Board recommended APPROVAL of the request.

Chairperson Wiesehan opened the Public Hearing at 3:30 p.m. There being no public testimony, the public hearing was closed at 3:30 p.m.

Motion:
Commissioner Heard made a motion to approve the proposed Special Use, seconded by Commissioner Ghareeb.
The motion was APPROVED viva voce vote 5 to 0.
Yeas: Heard, Ghareeb, Misselhorn, Unes, and Wiesehan – 5.
Nays: None.

CASE NO. PZ 19-B
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 Handicap Accessible Parking.

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

The Development Review Board recommended APPROVAL of the request.

Chairperson Wiesehan opened the Public Hearing at 3:35 p.m. There being no public testimony, the public hearing was closed at 3:35 p.m.

Motion:
Commissioner Heard made a motion to approve the proposed text amendment, seconded by Commissioner Ghareeb.

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

CITIZENS’ OPPORTUNITY TO ADDRESS THE COMMISSION

There were no citizen requests to address the Commission.

ADJOURNMENT

Commissioner Misselhorn made a motion to adjourn, seconded by Commissioner Unes at approximately 3:35 p.m.

Leah Allison, Senior Urban Planner