PLANNING & ZONING COMMISSION
THURSDAY, SEPTEMBER 3, 2020
CITY HALL ROOM 400 – 1:00 P.M.

MEETING AGENDA

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF AUGUST 6, 2020 MINUTES
4. NEW BUSINESS

Deliberations will be held at the end of each case after public comment has been closed. No public comment is allowed during deliberations.

**CASE NO.**
**PZ 20-18**
Hold a Public Hearing and forward a recommendation to City Council on the request of Michael and Lorinda Slaughter to obtain a Special Use in a Class CN (Neighborhood Commercial) District, for an Assisted Living (Sober Living) Facility, with Waiver, for the property located at 2419 N Prospect Road (Parcel Identification Numbers 14-34-327-009), Peoria, IL. (Council District 3)

**CASE NO.**
**PZ 20-19**
Hold a Public Hearing and forward a recommendation to City Council on the request of Laura Tobben of Farnsworth Group Inc., on behalf of Jim Burnham of Westminster Presbyterian Church to amend an existing Special Use Ordinance No. 11,550, as amended, in a Class R-1 (Single Family Residential) District, for a Church to include a Day Care Center for the property located at 1420, 1504, 1508 W Moss Avenue and 425 N Malvern Ln (Parcel Identification Numbers 18-08-133-001, 18-08-176-009, 18-08-176-010, 18-08-176-011, 18-08-176-012, 18-08-176-015, and 18-08-176-016), Peoria, IL. (Council District 2)

**CASE NO.**
**PZ 20-20**
Hold a Public Hearing and forward a recommendation to City Council on the request of Brian Colgan of Colgan Carp Solutions, Inc. to obtain a Special Use in a Class I-1 (Industrial/Business Park) District for Miscellaneous Food Processing/Manufacturing (Carp Fish Processing, Packaging and Distribution), for the property located at 8606 N Pioneer Road (Parcel Identification No. 14-06-276-009), Peoria IL. (Council District 5)

**CASE NO.**
**PZ 20-21**
Hold a Public Hearing and forward a recommendation to City Council on the request of Kenneth Lynch of KTL Holdings, Inc. to approve an Annexation Agreement with a request to rezone (upon annexation) from a Class R-3 (Single Family Residential) District to a Class I-1 (Industrial/Business Park) District for the property located at 9818 N Allen Road (Parcel Identification Nos. 09-31-251-008 and 09-31-251-011), Peoria IL. (Council District 5)

**CASE NO.**
**PZ 20-22**
Hold a Public Hearing and forward a recommendation to City Council on the request of Mark Weston to amend the existing Special Use Ordinance 15.077 for Auto Sales in a Class C-1 (General Commercial) District to remove a condition for access restrictions for the property located at 1205 W Florence Avenue (Parcel Identification No. 14-29-401-007), Peoria, IL (Council District 2)

5. CITIZENS’ OPPORTUNITY TO ADDRESS THE COMMISSION

6. ADJOURNMENT

Governor JB Pritzker’s Executive Order 2020-43, issued on June 26, 2020, continues to limit any gatherings of more than fifty people. Governor JB Pritzker’s Executive Order 2020-44, requires that public bodies take steps to provide video, audio, and/or telephonic access to meetings. The CDC recommends social distancing of at least six feet between persons. City Hall is now open to the public with capacity and social distancing restrictions Monday through Friday from 8 a.m. to 5:00 p.m. To comply with these recommendations and requirements, the City is implementing the following changes and restrictions for the Planning & Zoning Commission Meeting on September 3, 2020 while complying with the spirit of the Open Meetings Act:

- The Planning & Zoning Commission Meeting will be conducted in person with the members of the Commission and Community Development Staff present. Plexiglass has been installed between desks to

**Inquiries:** Community Development Department, (309) 494-8600 or lallison@peoriagov.org
prevent the spread of COVID-19.

- The public can physically attend the meeting, but in order to maintain social distancing guidelines there can only be 15 people from the public inside City Council Chambers at one time. There will be a wait to enter City Council Chambers once the public capacity of 15 people is met. Public comments can be made by those that are inside City Council Chambers.
- Anyone wishing to make a public comment can do so by sending those comments in writing to, Leah Allison, at jallison@peoriagov.org or via fax at 309-494-8674 no later than September 2, 2020. The email or fax should be labeled "Public Comment for September 3, 2020 Planning & Zoning Commission Meeting," and we ask that you include your name and address.
- Media will be allowed to physically attend the meeting; however, due to capacity restrictions only one person from a media outlet will be allowed inside City Council Chambers.
- Temperature screenings are required for access inside City Hall. Face coverings are required to be worn at all times inside City Hall.
- The agenda, minutes and a video for the meeting will be available online at http://www.peoriagov.org/boards-commissions/
A special meeting of the Planning & Zoning Commission was held on Thursday, August 6, 2020, at 1:00 p.m., City Hall, 419 Fulton Street, Room 400 with Chairperson Michael R. Wiesehan presiding and with proper notice having been posted.

ROLL CALL
The following Planning & Zoning Commissioners were present: Ed Barry, George Ghareeb, Branden Martin, Robin Grantham, Richard Unes, and Mike Wiesehan – 6. Absent: Eric Heard – 1.

City Staff Present: Leah Allison, Kerilyn Weick, Trina Bonds, and Cynthia Fulford.

SWEARING IN OF SPEAKERS
Speakers were sworn in by Trina Bonds.

MINUTES
Commissioner Barry moved to approve the minutes of the Planning & Zoning Commission meeting held on July 2, 2020; seconded by Commissioner Ghareeb.

The motion was approved viva voce vote 6 to 0.

REGULAR BUSINESS

PZ 20-F
Hold a Public Hearing and forward a recommendation to City Council on the request of the Maria McCormick-Dinh to amend Appendix A, the Unified Development Code, Relating to Tattoo, Palmist, Psychic or Medium, or Massage Parlors.

Senior Urban Planner, Leah Allison, Community Development Department, read Case No. PZ 20-F into the record and presented the request. Ms. Allison provided a summary of the request and offered relevant background context.

Petitioner, Maria McCormick-Dinh, spoke in support of the proposed text amendment.

Motion:
Commissioner Unes made a motion to approve the Amendment as presented; seconded by Commissioner Martin:

The motion was APPROVED by viva voce vote 6 to 0.

Yea: Barry, Ghareeb, Grantham, Martin, Unes and Wiesehan – 6

Nay: None – 0

PZ 20-17
Hold a Public Hearing and forward a recommendation to City Council on the request of Maria McCormick Dinh to obtain a Special Use in a Class C-1 (General Commercial) District for a Massage Parlor for the property located at 4241 N Boulevard Avenue (Parcel Identification Nos. 14-28-226-017 and 14-28-226-018), Peoria IL. (Council District 3)

Senior Urban Planner, Kerilyn Weick, Community Development Department, read Case No. PZ 20-17 into the record and presented the request. Ms. Weick provided a summary of the request and offered relevant background context.
The Development Review Board recommends denial of the Special Use.

Discussion was held around the recommendation for denial of the Special Use. Commissioners Wiesehan, Ghareeb, and Unes expressed disagreement with some of the findings of the Development Review Board. Commissioners Martin and Grantham expressed the operation of the business should be reviewed per the bodyworks establishment business license.

Chairperson Wiesehan opened the public hearing at approximately 1:25 PM.

Maria McCormick Dinh, Petitioner, provided additional information on the operation of the business. She clarified that she was the property owner and the tenant was operating for about a year and a half prior to closing in January 2020 and the face of the freestanding sign was taken down.

Discussion was held regarding landlord and tenant responsibilities.

Chairperson Wiesehan, reiterated that it is the landlord’s responsibility to be sure that the tenant will comply with regulations.

The public hearing was closed at approximately 1:30 PM.

Commissioner Ghareeb read the Findings of Fact at approximately 1:45 PM.

Motion:
Commissioner Ghareeb made a motion to approve the Special Use including waivers.

Ms. Weick summarized the request for waivers from development requirements as identified in the case packet and that the Development Review Board would recommend a conditions to install parking lot perimeter landscaping and to remove the freestanding sign, including posts.

Discussion was held that the recommendation for approval includes the waivers in the case packet as was summarized by Ms. Weick, plus a waiver from parking lot perimeter landscaping. The discussion included adding a condition to remove the rest of the freestanding sign.

Waivers:

1. Waiver from the 20 ft front yard parking setback on Lake Ave. and N Boulevard Ave.
2. Waiver from requirement to install sidewalk along property frontage on E Lake Avenue and N Boulevard Avenue.
3. Waiver to allow existing conditions for the driveway apron on N Boulevard Avenue.
4. Waiver from front yard landscaping requirement.
5. Waiver from parking lot perimeter landscaping requirement

Conditions:

1. Remove the freestanding sign, which is in the sight triangle at the northeast corner of the property. Any replacement sign must comply with standards of the Unified Development Code, Section 8.3 Signs.

Motion:
Commissioner Ghareeb made a motion to approve the Special Use including waivers as discussed and the condition to remove the freestanding sign; seconded by Commissioner Unes:

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

OLD BUSINESS

PZ 20-8  
Hold a Public Hearing and forward a recommendation to City Council on the request of Maria McCormick Dinh to rezone property from the current Class C-1 (General Commercial) District to a Class C-2 (Large Scale Commercial) District for the property located at 4241 N Boulevard Avenue (Parcel Identification No. 14-28-226-017 and 14-28-226-018), Peoria IL. (Council District 3)

Motion:  
Commissioner Martin made a motion to withdraw original request; seconded by Commissioner Barry:

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

CITIZENS’ OPPORTUNITY TO ADDRESS THE COMMISSION  
There were no citizen requests to address the Commission.

ADJOURNMENT  
Commissioner Ghareeb made a motion to adjourn; seconded by Commissioner Martin at approximately 1:50 PM.

Cynthia Fulford, Development Technician
TO: City of Peoria Planning & Zoning Commission
FROM: Development Review Board
DATE: September 3, 2020
CASE NO: PZ 20-18
REQUEST: Hold a Public Hearing and forward a recommendation to the City Council on the request of Michael and Lorinda Slaughter to obtain a Special Use in a Class CN (Neighborhood Commercial) District, for an Assisted Living (Sober Living) Facility, with Waiver, for the property located at 2419 N Prospect Road (Parcel Identification Numbers 14-34-327-009), Peoria, IL (Council District 3).

SUMMARY OF PROPOSAL & REQUESTED WAIVERS
The petitioner is requesting to obtain a Special Use for an Assisted Living Facility (Sober Living) at 2419 N Prospect Road in three story, five bedroom building. The petitioner describes the use of sober living as the next step after successful rehabilitation, where tenants support each other’s sobriety by keeping each other accountable and focused. There would be one house manager who would live on-site. No treatment or social services are provided on site. The applicant proposes 13 residents and 1 house manager, total of 14 people residing at the property.

The proposed use best fits the Unified Development Code definition of Assisted Living, which is defined as a special combination of housing, supportive services, personalized assistance, and/or health care designed to respond to the individual needs of those who need help with activities of daily living because of age or medical condition. This also includes independent living, elderly housing, nursing homes, and hospice. The use does not meet definition of a halfway house or residential treatment facility.

The proposal is further described as follows:

<table>
<thead>
<tr>
<th>Development Item</th>
<th>Applicant Proposal</th>
<th>Applicant Waiver Request &amp; Justification</th>
<th>DRB Comment</th>
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</thead>
<tbody>
<tr>
<td>Units/Density</td>
<td>One unit on each floor. Each floor has a full bathroom and a full kitchen. The ground floor unit would have congregate kitchen/recreational space. Bedrooms/Number of occupants Total: 5 bedrooms/14 occupants Ground floor: 1 bedroom/3 occupants Second floor: 3 bedrooms/7 occupants Third floor: 1 bedroom/4 occupants</td>
<td>Architectural drawings will be required. Use must comply with all building and fire codes adopted by the City of Peoria, which could require fire alarm, sprinkler system, secondary egress, fire extinguishers. Proposed density is inconsistent with the surrounding single family and duplex uses. Recommend limit the occupancy to 6 (5 residents and one staff resident).</td>
<td></td>
</tr>
<tr>
<td>Parking</td>
<td>Two legal parking spaces on site, located in the rear, off the alley. On-street parking on McClure and Prospect is also available. Anticipates 2-3 occupants will have a vehicle.</td>
<td>N/A</td>
<td>No minimum or maximum parking standard for the use category. The number of proposed occupants, with only two off street parking spaces could strain on-street parking resources. Recommend limit occupancy to 6 which would reduce risk for parking conflicts.</td>
</tr>
</tbody>
</table>
### Development Item | Applicant Proposal | Applicant Waiver Request & Justification | DRB Comment
--- | --- | --- | ---
Dumpster & Screening | Propose litter containers only |  | All off-street parking must be on a hard, all weather surface, not gravel.

Landscaping | Existing conditions, includes trees along shared southern property line. Waiver from landscaping requirements. | Front yard landscaping, in the form of one shade tree is required. Parking lot landscaping in form of one shade tree is required.

Buffers & Screening | None proposed. If required, would install solid fence along south property line Waiver from transitional bufferyard requirement. | Transitional bufferyard is required when a nonresidential/multifamily use is adjacent to single family use.

Signs | None proposed | None

Exterior Lighting | No changes proposed | None

Setbacks, Yards, Build To | No changes to existing structure | None

Height | Existing three story | None

Building & Life Safety | N/A | Architectural drawings will be required for this project and must be reviewed and approved before occupancy. Life Safety items will be required before occupancy.

Sanitary District | N/A | Permit is required from Illinois EPA for occupancy of 15 or more. Permit from GPSD is required should lateral connection need to be replaced. Evaluation of the existing lateral for the proposed load is recommended.

### BACKGROUND

**Property Characteristics**
The subject property is 0.13 acres and is currently developed with a three story building with attached garage. The property is zoned Class CN (Neighborhood Commercial) and surrounded by Class CN (Neighborhood Commercial) to the north, Class R-4 (Single-Family Residential) to the south and west, and Class R-3 (Single-Family Residential) zoning to the east. Surrounding land use is commercial, recreational (Glen Oak Park), and residential (single family and duplex uses).

**History**
In 1993, the zoning use was verified as a legal non-conforming office and two residential units. The CN (Commercial Neighborhood) zoning district, permits upper-story residential uses by right.

<table>
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<tr>
<th>Date</th>
<th>Zoning</th>
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<tbody>
<tr>
<td>1931 - 1958</td>
<td>E (Commercial)</td>
</tr>
<tr>
<td>1958 - 1963</td>
<td>E (Neighborhood Commercial)</td>
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DEVELOPMENT REVIEW BOARD ANALYSIS

The DRB examines each application against the appropriate standards found in the Code of the City of Peoria and/or in case law.

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<th>Standard</th>
<th>Standard Met per DRB Review</th>
<th>DRB Condition Request &amp; Justification</th>
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</thead>
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<tr>
<td>No detriment to public health, safety, or general welfare</td>
<td>Yes</td>
<td>Limit occupancy to 6 persons. Life Safety items will be required before occupancy.</td>
</tr>
<tr>
<td>No injury to other property nor diminishment to property values</td>
<td>Yes</td>
<td>Limit occupancy to 6 persons.</td>
</tr>
<tr>
<td>No impediment to orderly development</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Provides adequate facilities</td>
<td>Yes</td>
<td>Limit occupancy to 6 persons to reduce risk of conflict with parking facilities.</td>
</tr>
<tr>
<td>Ingress/Egress measures designed to minimize traffic congestion</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>If a public use/service, then a public benefit</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Conforms to all district regulations</td>
<td>No</td>
<td>Waiver required for landscaping and buffering requirements.</td>
</tr>
<tr>
<td>Comprehensive Plan Critical Success Factors</td>
<td>Reinvest in Neighborhoods</td>
<td>Reinvestment in existing structure</td>
</tr>
<tr>
<td>City Council Strategic Plan Goals</td>
<td>Attractive Neighborhoods with Character; Safe and Livable</td>
<td>Reinvestment in existing structure</td>
</tr>
</tbody>
</table>

DEVELOPMENT REVIEW BOARD RECOMMENDATION

The Development Review Board recommends denial of the request with 14 occupants. The Development Review Board recommends APPROVAL for an assisted living facility, with the following conditions and waivers:

1. Occupancy is limited to a total of 6 occupants (which includes five residents, and one staff resident).
2. Use must comply with Building and Fire Safety Codes as adopted by the City of Peoria. Architectural drawings, including life safety plan are required.
3. All off-street parking must be on a hard, all weather surface, not gravel.
4. If a dumpster is needed, it must be screened from view of adjacent residential uses and the public right of way.
5. Waiver from landscaping and transitional bufferyard requirements.

NOTE: If a City Code Requirement is not listed as a waiver, then it is a required component of the development. The applicant is responsible for meetings all applicable code requirements through all phases of the development.

ATTACHMENTS
1. Surrounding Zoning
2. Aerial Photo
3. Site Plan
4. Floor Plans
5. Photos – Existing Conditions
Disclaimer: Data is provided 'as is' without warranty or any representation of accuracy, timeliness or completeness. The burden for determining fitness for, or the appropriateness for use, rests solely on the requester. The requester acknowledges and accepts the limitations of the Data, including the fact that the Data is in a constant state of maintenance. This website is NOT intended to be used for legal litigation or boundary disputes and is informational only. -Peoria County GIS Division
Mission Statement:
His Workmanship’s Haven is the Christian name. We provide a safe home after a reasonable amount of Sobriety through group accountability. The best way to describe the use of a Sober living home is being a Stepping tool to wean a person off of his /her successful rehabilitational treatment that still isn’t out of the woods yet because they Must be Stressed and Stretched with personal responsibility and personal accountability.
Rehab is a closed environment without the temptations of someone who isn’t being under a microscope and heavily watched and treated by professionals.
Halfway houses aren’t geared only for paroles with drug addictions and are on another level with parole officers.
Our sober living house at 2419 N.Prospect are for low level drug offenders that see the light at the end of the tunnel of returning to a normal life without drugs.
I am 7 years clean and sober myself.
I have lived in many sober living homes over the years in my own struggles to this absolute ease of Sobriety.
I know they work and are absolutely necessary.
The rehabilitational system has parts to the system that are all useful parts for a successful rehabilitation of a person based on specific need and our sober living home will be part of that arsenal we all can use for our special needs housing.
Lastly, having more than less roommates is the actual weaning and cushioning tool for the successful transition to handle finally being totally self responsible once moving out to ones own apartment or house without recidivism.

House Rules:
1. Make your bed and keep the house clean inside and outside. No littering.
2. Do your dishes.
3. Turn off the lights and water when leaving an empty room.
4. You must test with breathalyzer or urine test if suspected or for random testing if asked by Mike or Lori.
   A positive test result is grounds for immediate eviction.
5. You must search for employment if you don’t already work or are on disability or SSI.
6. If you can’t work, we encourage going to school or virtual school.
7. You must attend at least 3 meetings a week.
8. You must have or get a sponsor within a week of arrival.
9. Stealing is grounds for immediate eviction. Don’t even borrow or search through someone else’s thing/space without permission.
10. Unless invited, and ok with the whole room’s occupants, stay out of each other’s bedrooms to avoid theft suspicion.
11. Use the kitchen and bathroom on your own floor as well unless ok’d by the house. (this may change with occupants)
12. Fighting is grounds for immediate eviction.
13. If you own a car, Park across the street or in the back.
   Don’t take the neighbors parking spot.
14. If the house needs daily or weekly chore assignments, you must take part.
15. The workout, pooltable, storage areas and computers are for everyone and breaking things on purpose are grounds for eviction and charges may be filed for restitution.
16. Mike and Lori Slaughter has the final say/rights to use Discretion.
17. When you move out, wash the sheets and clean your area to receive your deposit back.

Rent is now $125 a week or $500 month.
$50 Deposit
In regards to the sober living house, Micheal and Lori dedicated their time and money to help others. This establishment is to empower others and lend a helping hand. I lost my father to gun violence in Peoria projects 28 years ago. If areas like that are allowed and made better just for a more comfortable drug and violence ring. Then the sober living house should be allowed to run. Peoria upgrades violent areas all the time. And it doesn't change the drugs or gun usage. This sober living house will be to improve someone's life. There should be nothing wrong with them running their house. Its a beautiful idea they have. Such kind people.
Alcoholism is a serious disease in our society today and it's becoming very common. It can lead to many forms of losses for someone such as homelessness, loss of a job and to loss of family and friends. It is an addiction that sometimes a person denies they have but can cause devastating effects emotionally, mentally and physically. It is important to have outlets for those who have struggled and lost so much but have chosen recovery and want to continue. More safe havens are needed after recovery. It gives recovering alcoholics a new start, encouragement and a place to stay until they can get on their feet and become productive again. Michael Slaughter is living proof that you can turn your life around and succeed. He is extending his hand out to put in place a safe haven for recovering alcoholics. Helping to support their dreams, give them the means necessary to lead a sober life and stay on the right track. A place to stay which will provide support and resources. We all have gone through ups and downs throughout our lives and when there is someone willing to help it can really change the course of someone's life for the better. Everyone may not succeed but giving them a chance is better than nothing. Please support Michael Slaughter's efforts to make a difference in this community.

Thank you

Sincerely, 

[Signature]
395 w. Dorchester Rdgle B7
Toria, D 41604
TO: City of Peoria Planning & Zoning Commission  
FROM: Development Review Board  
DATE: September 3, 2020  
CASE NO: PZ 20-19  
REQUEST: Hold a Public Hearing and forward a recommendation to the City Council on the request of Laura Tobben of Farnsworth Group Inc., on behalf of Jim Burnham of Westminster Presbyterian Church to amend an existing Special Use Ordinance No.11,550, as amended, in a Class R-1 (Single Family Residential) District, for a Church to include a Day Care Center for the property located at 1420, 1504, 1508 W Moss Avenue and 425 N Malvern Ln (Parcel Identification Numbers 18-08-133-001, 18-08-176-009, 18-08-176-010, 18-08-176-011, 18-08-176-012, 18-08-176-015, and 18-08-176-016), Peoria, IL (Council District 2).

SUMMARY OF PROPOSAL & REQUESTED WAIVERS
The petitioner is requesting to amend an existing special use for church facilities to include a day care center use. The existing special use permits a church and affiliated accessory uses. The amendment would allow a day care center, independent of church operations and services. According to the petitioner, the Peoria Public Schools District 150 would operate the day care center, referred to as a Latchkey Program. The day care would operate Monday to Friday, 7 AM to 6 PM and use the fellowship hall and kitchen in the existing Parish Hall Building.

The proposal is further described as follows:

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<tbody>
<tr>
<td>Building &amp; Life Safety</td>
<td>N/A</td>
<td></td>
<td>Architectural drawings will be required for this use and must be reviewed and approved before occupancy.</td>
</tr>
<tr>
<td>Parking</td>
<td>113 standard parking spaces</td>
<td>6 accessible parking spaces</td>
<td>Accessible parking spaces must be identified with the proper signage. At least 5 accessible parking spaces are needed.</td>
</tr>
<tr>
<td>Access and Circulation</td>
<td>No change to existing conditions. Drop-off and Pick-up is primarily via bus. Existing drive aisles and parking lots are sufficient such that vehicle trips will not interfere with traffic pattern on Moss Avenue.</td>
<td></td>
<td>Bus and passenger vehicle trips and parking can be accommodated with existing conditions. Some parking spaces are undersized. Accessible parking spaces adjacent to the church building require accessible route. Replace deteriorated and non-ADA-compliant sidewalk and curb along property frontage.</td>
</tr>
<tr>
<td>Landscaping</td>
<td>No change to existing conditions which includes shade trees, shrubs, hedging throughout property</td>
<td></td>
<td>None</td>
</tr>
<tr>
<td>Signs</td>
<td>No sign is proposed for the day care center</td>
<td></td>
<td>None</td>
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<tr>
<td>Exterior Lighting</td>
<td>No change to existing conditions</td>
<td></td>
<td>None</td>
</tr>
<tr>
<td>Screening</td>
<td>Existing dumpster enclosure to rear of property. No changes to mechanical equipment.</td>
<td></td>
<td>None</td>
</tr>
</tbody>
</table>

**BACKGROUND**

**Property Characteristics**
The subject property contains 4.33 acres and is currently developed as the Westminster Presbyterian Church facility. The property is zoned Class R-1 (Single-Family Residential) District. Surrounding zoning is Class R-1 (Single-Family Residential) and Class R-4 (Single-Family Residential) District. The Moss-High local historic district surrounds the property.

**History**
In 2001, Ordinance No 15,202 granted a special use in the R-1 (Single Family Residential) District to permit existing conditions for church facilities which includes the church, parish hall, and garage.

<table>
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<tr>
<th>Date</th>
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<tbody>
<tr>
<td>1931 - 1958</td>
<td>A (One Family Dwelling)</td>
</tr>
<tr>
<td>1958 - 1963</td>
<td>A (One Family Dwelling)</td>
</tr>
<tr>
<td>1963 - 1990</td>
<td>R1 (Low-Density Residential)</td>
</tr>
<tr>
<td>1990 - Present</td>
<td>R1 (Single-Family Residential)</td>
</tr>
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**DEVELOPMENT REVIEW BOARD ANALYSIS**
The DRB examines each application against the appropriate standards found in the Code of the City of Peoria and/or in case law.

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<td>Yes</td>
<td>None</td>
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<td>No injury to other property nor diminishment to property values</td>
<td>Yes</td>
<td>None</td>
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<td>No impediment to orderly development</td>
<td>Yes</td>
<td>None</td>
</tr>
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<td>Provides adequate facilities</td>
<td>Yes</td>
<td>Site improvements to parking and access routes are required.</td>
</tr>
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<td>Ingress/Egress measures designed to minimize traffic congestion</td>
<td>Yes</td>
<td>None</td>
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<td>If a public use/service, then a public benefit</td>
<td>NA</td>
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<td>Conforms to all district regulations</td>
<td>Yes</td>
<td>None</td>
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<td>City Council Strategic Plan Goals</td>
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</table>
DEVELOPMENT REVIEW BOARD RECOMMENDATION

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

1. Replace the non-ADA-compliant sidewalk and curb along Moss Avenue frontage.
2. Accessible parking spaces shall have an accessible route to the building entrance. Accessible parking spaces shall have markings and signs clearly visible pursuant to City of Peoria Code Appendix A, Section 8.1.5.E Handicapped Accessible Parking.

NOTE: If a City Code Requirement is not listed as a waiver, then it is a required component of the development. The applicant is responsible for meeting all applicable code requirements through all phases of the development.

ATTACHMENTS

1. Surrounding Zoning
2. Aerial Photo
3. Site Plan
4. Photos-Existing Conditions
Disclaimer: Data is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. The burden for determining fitness for, or the appropriateness for use, rests solely on the requestor. The requestor acknowledges and accepts the limitations of the Data, including the fact that the Data is in a constant state of maintenance. This website is NOT intended to be used for legal litigation or boundary disputes and is informational only. -Peoria County GIS Division.
Disclaimer: Data is provided 'as is' without warranty or any representation of accuracy, timeliness or completeness. The burden for determining fitness for, or the appropriateness for use, rests solely on the requester. The requester acknowledges and accepts the limitations of the Data, including the fact that the Data is in a constant state of maintenance. This website is NOT intended to be used for legal litigation or boundary disputes and is informational only. -Peoria County GIS Division
LEGAL DESCRIPTION
NOTE: LEGAL DESCRIPTION WAS COPIED FROM PREVIOUS ORDINANCE 15,202. IT WAS ALL THAT PARTS OF LOTS NUMBERED 3 AND 4 IN EASTMAN'S SUBDIVISION OF A PART OF THE NW 1/4, SECTION 8.T.8N ,R.8E. OF THE 4TH/ P.M., MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS, TO WIT: COMMENCING AT THE MOST WESTERLY CORNER OF ANGLES SOUTHWESTWARDLY, PARALLEL TO MOSS AVENUE, 150', MORE OR LESS, TO THE RIGHT ANGLES TO MOSS AVENUE, 120' TO THE PLACE OF BEGINNING; SITUATED IN THE CITY OF PEORIA, COUNTY OF PEORIA, AND STATE OF ILLINOIS.
TO: City of Peoria Planning & Zoning Commission
FROM: Development Review Board (Prepared by Leah Allison)
DATE: September 3, 2020
CASE NO: PZ 20-20
REQUEST: Hold a Public Hearing and forward a recommendation to City Council of the request of Brian Colgan of Colgan Carp Solutions, Inc. to obtain a Special Use in a Class I-1 (Industrial/Business Park) District for Miscellaneous Food Processing/Manufacturing (Carp Fish Processing, Packaging and Distribution), for the property located at 8606 N Pioneer Road (Parcel Identification No. 14-06-276-009), Peoria IL. (Council District 5)

SUMMARY OF PROPOSAL & REQUESTED WAIVERS
The petitioner is requesting a Special Use for a Carp Fish Processing, Packaging and Distribution facility located in an existing 4,000 sq. ft. building as described below:

<table>
<thead>
<tr>
<th>Development Item</th>
<th>Applicant Proposal</th>
<th>Applicant Waiver Request &amp; Justification</th>
<th>DRB Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parking</td>
<td>Four parking spaces plus one handicap accessible space</td>
<td>None</td>
<td>Number of parking spaces including handicap are in compliance. One bicycle parking space must be provided.</td>
</tr>
<tr>
<td>Mechanical &amp; Utility Screening</td>
<td>Mechanical equipment is screened by existing 10-foot tall concrete wall.</td>
<td>None</td>
<td>In Compliance</td>
</tr>
<tr>
<td>Landscaping</td>
<td>Will comply with landscaping requirements.</td>
<td>None</td>
<td>Landscaping point requirements are: FY Pioneer = 65 (4 trees) FY Industrial = 165 (9 trees) Parking = 5 (1 shade tree) and continuous hedge.</td>
</tr>
<tr>
<td>Signs</td>
<td>None proposed at this time.</td>
<td>None</td>
<td>A separate sign permit is required for any proposed building or freestanding signs.</td>
</tr>
<tr>
<td>Exterior Lighting</td>
<td>No changes to existing building lighting.</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>Height</td>
<td>Approximately 20 feet</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>Access &amp; Circulation</td>
<td>Existing drive approaches from Pioneer Rd and Industrial Rd. No sidewalks installed with original development.</td>
<td>Eliminate requirement to install sidewalks.</td>
<td>Install sidewalks along the frontages of Pioneer and Industrial Rds.</td>
</tr>
<tr>
<td>Freezer Containers</td>
<td>Three 8 ft x 40 ft freezer containers placed in front of and attached to the building.</td>
<td>None</td>
<td>None</td>
</tr>
</tbody>
</table>

BACKGROUND

Property Characteristics
The subject property contains 1.83 acres of land and is developed with a 4,000 sq. ft., two-story building. The property is zoned Class I-1 (Industrial/Business Park) and surrounded by Class I-1 (Industrial/Business Park) to the north, south, east, and west.
History
The property was developed in 2006 as a contractor’s office and storage yard.

<table>
<thead>
<tr>
<th>Date</th>
<th>Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>1931 - 1958</td>
<td>Not in the City Limits</td>
</tr>
<tr>
<td>1958 - 1963</td>
<td>Not in the City Limits</td>
</tr>
<tr>
<td>1963 - 1990</td>
<td>I1 (Light-Industrial)</td>
</tr>
<tr>
<td>1990 - Present</td>
<td>I1 (Industrial/Business Park)</td>
</tr>
</tbody>
</table>

DEVELOPMENT REVIEW BOARD ANALYSIS
The DRB examines each application against the appropriate standards found in the Code of the City of Peoria and/or in case law.

<table>
<thead>
<tr>
<th>Standard for Special Use</th>
<th>Standard Met per DRB Review</th>
<th>DRB Condition Request &amp; Justification</th>
</tr>
</thead>
<tbody>
<tr>
<td>No detriment to public health, safety, or general welfare</td>
<td>Yes</td>
<td>None</td>
</tr>
<tr>
<td>No injury to other property or diminish property values</td>
<td>Yes</td>
<td>None</td>
</tr>
<tr>
<td>No impediment to orderly development</td>
<td>Yes</td>
<td>None</td>
</tr>
<tr>
<td>Provides adequate facilities</td>
<td>Yes</td>
<td>None</td>
</tr>
<tr>
<td>Ingress/Egress measures designed to minimize traffic congestion</td>
<td>Yes</td>
<td>None</td>
</tr>
<tr>
<td>Not contrary to the objectives of adopted plans</td>
<td>Yes</td>
<td>None</td>
</tr>
<tr>
<td>If a public use/service, then a public benefit</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Conforms to all district regulations</td>
<td>No</td>
<td>Stripe parking lot, handicap signage, front yards &amp; parking lot landscaping, install sidewalks.</td>
</tr>
<tr>
<td>Comprehensive Plan Critical Success Factors</td>
<td>Grow Employers and Jobs</td>
<td>N/A</td>
</tr>
<tr>
<td>City Council Strategic Plan Goals</td>
<td>Smart Population Growth</td>
<td>N/A</td>
</tr>
</tbody>
</table>

DEVELOPMENT REVIEW BOARD RECOMMENDATION
The Development Review Board recommends approval of the request with the following conditions:
1) Provide one bicycle parking space.
2) Provide a landscape plan meeting required points or an alternative plan for the front yards of Pioneer Rd, Industrial Rd, and the parking lot, prior to issuance of a building permit.
3) Install a sidewalk along Pioneer Rd and Industrial Rd including a pedestrian accessible route to the building.

NOTE: If a City Code Requirement is not listed as a waiver, then it is a required component of the development. The applicant is responsible for meetings all applicable code requirements through all phases of the development.

ATTACHMENTS
1. Surrounding Zoning
2. Aerial Photo
3. Site Plan
4. Photos
Disclaimer: Data is provided 'as is' without warranty or any representation of accuracy, timeliness or completeness. The burden for determining fitness for, or the appropriateness for use, rests solely on the requester. The requester acknowledges and accepts the limitations of the Data, including the fact that the Data is in a constant state of maintenance. This website is NOT intended to be used for legal litigation or boundary disputes and is informational only. -Peoria County GIS Division

Map Scale
1 inch = 400 feet
8/26/2020
Disclaimer: Data is provided 'as is' without warranty or any representation of accuracy, timeliness or completeness. The burden for determining fitness for, or the appropriateness for use, rests solely on the requester. The requester acknowledges and accepts the limitations of the Data, including the fact that the Data is in a constant state of maintenance. This website is NOT intended to be used for legal litigation or boundary disputes and is informational only. -Peoria County GIS Division

Map Scale
1 inch = 83 feet
8/26/2020
Three 8 by 40 ft freezer containers

50 ft (two 3 ft access aisles on both sides of handicapped spot. Five 8.75 by 18.5 parking spots)

Dumpster zone. 1-2 dumpsters near rear entrance to property

Commercial Fishermen and Reefer Trucks will follow the arrowed path through the property. Fish Drop off and truck loading will take place at the three garages (on concrete slab)
From the River: After catching fish, commercial fishermen will pull their trailer/boat with fish to CCS’ Peoria Headquarters. CCS requires fish on ice to ensure no fish have spoiled and no odor is emitted. As fishermen enter the property, they will unload into totes. The totes will then be weighed. Depending on weather, ice will either be added or the fish will go right into the cold room or freezer.
**Cutting Frozen Fish:** Once fish are frozen in the freezer container, they will be cut in the cold room. Our automated cutting machine ensures employee safety, product size consistency, and quality control. Additionally, frozen processing significantly reduces any possibility of odor.
Cold Room: In this temperature controlled room, we will prepare fish for processing. From iced totes, fish will be racked for freezer containers (-20 degree). Once frozen, fish will return in the cold room for cutting, boxing, and shipment prep. Once palletized, we will weigh, and load onto reefer truck or freezer container.
TO: City of Peoria Planning & Zoning Commission  
FROM: Development Review Board (Prepared by Leah Allison)  
DATE: September 3, 2020  
CASE NO: PZ 20-21  
REQUEST: Hold a Public Hearing and forward a recommendation to City Council on the request of Kenneth Lynch of KTL Holdings, Inc. to approve an Annexation Agreement with a request to rezone (upon annexation) from a Class R-3 (Single Family Residential) District to a Class I-1 (Industrial/Business Park) District for the property located at 9818 N Allen Road (Parcel Identification Nos. 09-31-251-008 and 09-31-251-011), Peoria IL. (Council District 5)

SUMMARY OF PROPOSAL

The petitioner is requesting to:
1) Annex PINS 09-31-251-008 and 09-31-251-011 totaling 13 acres.  
2) Rezone property to Class I-1 (Industrial/Business Park)

Proposed terms of the Annexation Agreement include:
1) Property shall be zoned Class I-1 Industrial/Business Park  
2) Connection to public sanitary sewer and water required upon non-agricultural development of the property.  
3) Annexation to occur upon expansion of existing building, new or additional commercial/industrial development/uses, or failure of existing septic system.

The petitioner has also submitted a preliminary subdivision plat to divide the property into two lots. This is included for informational purposes but will be reviewed administratively following the outcome of the proposed annexation.

BACKGROUND

Property Characteristics
The subject property contains 13 acres of land and is currently developed with an approximately 5,000 sq.ft., two-story building. The property also includes a wireless communication tower facility. The property is surrounded by R-7 (Multi-Family Residential) zoning to the north and east, and C-2 (Large Scale Commercial) to the west and south.

Access to the property is available from Allen Road and Van Winkle Way.

Storm sewer and sanitary sewer easements are noted on the proposed subdivision plat.

DEVELOPMENT REVIEW BOARD ANALYSIS
The DRB examines each application against the appropriate standards found in the Code of the City of Peoria and/or in case law.

<table>
<thead>
<tr>
<th>Standard</th>
<th>Standard Met per DRB Review</th>
<th>DRB Condition Request &amp; Justification</th>
</tr>
</thead>
<tbody>
<tr>
<td>No detriment to public health, safety, or general welfare</td>
<td>Yes</td>
<td>None</td>
</tr>
<tr>
<td>No injury to other property or diminish property values</td>
<td>Yes</td>
<td>None</td>
</tr>
<tr>
<td>No impediment to orderly development</td>
<td>Yes</td>
<td>None</td>
</tr>
<tr>
<td>Provides adequate facilities</td>
<td>Yes</td>
<td>None</td>
</tr>
<tr>
<td>Standard</td>
<td>Standard Met per DRB Review</td>
<td>DRB Condition Request &amp; Justification</td>
</tr>
<tr>
<td>----------------------------------------------</td>
<td>----------------------------</td>
<td>--------------------------------------</td>
</tr>
<tr>
<td>Ingress/Egress measures designed to minimize traffic congestion</td>
<td>Yes</td>
<td>None</td>
</tr>
<tr>
<td>If a public use/service, then a public benefit</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Conforms to all district regulations</td>
<td>Yes</td>
<td>None</td>
</tr>
<tr>
<td>Comprehensive Plan Critical Success Factors</td>
<td>Grow Employers and Jobs</td>
<td>N/A</td>
</tr>
<tr>
<td>City Council Strategic Plan Goals</td>
<td>Smart Population Growth</td>
<td>N/A</td>
</tr>
<tr>
<td>Comprehensive Plan Future Land Use Designation</td>
<td>The Future Land Use Designation is Commercial.</td>
<td></td>
</tr>
</tbody>
</table>

**DEVELOPMENT REVIEW BOARD RECOMMENDATION**

The Development Review Board recommends approval of the request with the following amendments to the annexation agreement:

1. Rezone property to C-2 (Large Scale Commercial) instead of I-1 (Industrial/Business Park)

**NOTE:** If a City Code Requirement is not listed as a waiver, then it is a required component of the development. The applicant is responsible for meetings all applicable code requirements through all phases of the development.

**ATTACHMENTS**

1. Surrounding Zoning
2. Aerial Photo
3. Proposed Annexation Agreement by Applicant
4. Proposed Revisions by City
5. Preliminary Subdivision Plat
Disclaimer: Data is provided 'as is' without warranty or any representation of accuracy, timeliness or completeness. The burden for determining fitness for, or the appropriateness for use, rests solely on the requester. The requester acknowledges and accepts the limitations of the Data, including the fact that the Data is in a constant state of maintenance. This website is NOT intended to be used for legal litigation or boundary disputes and is informational only. -Peoria County GIS Division

Map Scale
1 inch = 667 feet
8/26/2020
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Map Scale
1 inch = 167 feet
8/26/2020
ANNEXATION AGREEMENT

THIS AGREEMENT (hereinafter referred to as the "Annexation Agreement") is made this _ day of _____________, 20__, by and between THE CITY OF PEORIA, ILLINOIS, an Illinois municipal corporation, located in Peoria County, Illinois (hereinafter referred to as the "City") and KTL Holdings, LLC (hereinafter referred to as the “Owner”).

RECITALS

WHEREAS, the owner is the sole owner of record of the following described property attached hereto as “Exhibit A” (hereinafter referred to as the "Property"): 

WHEREAS, the Property is located within the County of Peoria, Illinois ("County") and is contiguous with the corporate boundaries of the City; and

WHEREAS, there are no electors residing within the Property; and

WHEREAS, this Annexation agreement was submitted to the corporate authorities for public hearing as required by law; and

WHEREAS, due notice as required by law has been sent to and received by all entities entitled to such notice as required by law; and

WHEREAS, all conditions precedent to entering into this Annexation Agreement have been
undertaken and satisfied as required by law; and

WHEREAS, the corporation authorities of the City after due deliberation have, by resolution or ordinance, duly adopted and approved this Annexation Agreement as required by law.

NOW, THEREFORE, in consideration of the promises and the mutual covenants and agreements provided for herein, it is hereby agreed as follows:

1. **Annexation.** The City shall adopt such resolutions or ordinances as are required to annex the Property as provided for under the laws of the State of Illinois. No other request or petition for annexation shall be required as to this Property to complete the annexation.

2. **Zoning.** Upon the annexation of the Property to the City, the Property shall be classified in the following described zoning classification as set forth in the Zoning Ordinance of the City according to the terms of the Zoning Ordinance that exists on the date hereof.

   A. The Property shall be classified as I1, Industrial/Business Park

3. **General Provisions.**
   
   A. The provisions of this Annexation Agreement shall control over the provisions of any Ordinances, Codes or Regulations which are in conflict herewith.
   
   B. This Annexation Agreement shall be binding upon the successor owners of record of the Property, electors residing within the Property, and upon successor municipal and governmental authorities.
   
   C. Lot 1 of Allen Trails will annex if the existing building is expanded, the property is developed into a commercial/industrial use or if the existing septic fails and the lot requires connection to public sewer. Lot 2 of Allen Trails will annex if the property is developed and requires any building permit.
   
   D. Non-agricultural development of the site will require connection to public water and public sewer, adherence to County and/or City erosion control regulations, and other regulations affecting property within the City, i.e. building codes and subdivision requirements.
   
   E. This Annexation Agreement and the rights of the parties hereto shall be interpreted,
construed and enforced in accordance with the laws of the State of Illinois. Any litigation concerning this Annexation Agreement shall be commenced in Peoria County, Illinois.

F. In the event that either party or their successor should find it necessary to retain an attorney for the enforcement of any provisions hereunder occasioned by the default of the other party, the party not in default shall be entitled to recover reasonable attorney’s fees and court costs incurred whether the attorneys’ fees are incurred for the purpose of negotiations, trial, appellate or other services.

G. This Annexation Agreement may be enforced as provided by law and the parties may by civil action, mandamus, injunction or other proceedings, enforce and compel performance of this Annexation Agreement.

H. The parties shall execute and deliver such additional documentation as may be necessary to implement this Agreement.

I. This Agreement shall inure to the benefit of and be binding upon the parties hereto and their respective heirs, executors, administrators, successors, grantees and assigns.

J. This agreement may be amended by mutual consent of the parties.

K. This annexation agreement shall be in effect for a period of twenty (20) years from the date hereof.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date set forth above.

THE CITY OF PEORIA, a Municipal Corporation

By: ______________________________
   Mayor

Attest:

By: ______________________________
   City Clerk

Examined and approved by:

__________________________________________

Corporation Counsel
STATE OF ILLINOIS  

COUNTY OF PEORIA  

I, the undersigned, a Notary Public, in and for said County, in the State aforesaid, DO HEREBY CERTIFY that ________________________, personally known to me to be the Mayor of the City of Peoria, and ________________________, personally known to me to be the City Clerk of the City of Peoria, whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such Mayor and City Clerk, they signed and delivered the said instrument as Mayor and as City Clerk of said Municipal Corporation, and caused the seal of said Municipal Corporation to be affixed thereto, pursuant to authority given by the corporate authorities of the City of Peoria for the uses and purposes therein set forth.

Given under my hand and notarial seal, this ___ day of __________________, 20__.

________________________________________
Notary Public

Owner of Record:

STATE OF ILLINOIS  

COUNTY OF PEORIA  

I, the undersigned, a Notary Public, in and for said County, in the State aforesaid, DO HEREBY CERTIFY that ________________________, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that she signed, sealed and delivered the said instrument as her free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and notarial seal, this ___ day of __________________, 20__.

________________________________________
Notary Public
WHEREAS, the corporation authorities of the City after due deliberation have, by resolution or ordinance, duly adopted and approved this Annexation Agreement as required by law.

NOW, THEREFORE, in consideration of the promises and the mutual covenants and agreements provided for herein, it is hereby agreed as follows:

1. **Annexation.** The City shall adopt such resolutions or ordinances as are required to annex the Property as provided for under the laws of the State of Illinois. No other request or petition for annexation shall be required as to this Property to complete the annexation.

2. **Zoning.** Upon the annexation of the Property to the City, the Property shall be classified C-2 Large Scale Commercial. The Owner hereby incorporates its request for rezoning to C-2 Large Scale Commercial as a part hereof and the City has no objection to the property being zoned C-2 Large Scale Commercial. The City agrees to process and issue the rezoning request per established process and protocol.

3. **General Provisions.**
   A. The provisions of this Annexation Agreement shall control over the provisions of any Ordinances, Codes or Regulations which are in conflict herewith.
   B. This Annexation Agreement shall be binding upon the successor owners of record of the Property, electors residing within the Property, and upon successor municipal and governmental authorities.
   C. **Lot 1 of Allen Trails Subdivision will annex when the existing building is expanded, the property is further developed for the current use, or a new use is established, or if the existing septic system fails**
   D. **Lot 2 of Allen Trails Subdivision will annex when a new use is established on the property.**
   E. **Non-agricultural development of the site will require connection to public water and public sewer, adherence to City erosion control regulations, and other regulations affecting property within the City, i.e. building codes and subdivision requirements.**
   F. This Annexation Agreement and the rights of the parties hereto shall be interpreted,
TO: City of Peoria Planning & Zoning Commission
FROM: Development Review Board
DATE: September 3, 2020
CASE NO: PZ 20-22
REQUEST: Hold a Public Hearing and forward a recommendation to City Council on the request of Mark Weston to amend the existing Special Use Ordinance 15,077 for Auto Sales in a Class C-1 (General Commercial) District to remove a condition for access restrictions for the property located at 1205 W Florence Avenue (Parcel Identification No. 14-29-401-007), Peoria, IL (Council District 2)

SUMMARY OF REQUEST
On January 9th, 2001, the City Council approved Ordinance 15,077, rezoning the subject property from R-3 (Single Family Residential) to C-1 (General Commercial), for a Special Use for Auto Sales. The Ordinance included several conditions, one which stated "if the use of the dealership property ceased or changed, then the dealership would (at its expense) 'close' any curb cut installed along Florence Avenue and restore the Florence Avenue frontage of the property." That Ordinance is attached, for reference.

There is no longer a dealership at this location, and the petitioner is now requesting that the condition be removed in order to help market the property to potential new owners. Zoning and permit approvals will be required before any new use can be established.

DEVELOPMENT REVIEW BOARD RECOMMENDATION
The Development Review Board recommends approval of the request.

NOTE: If a City Code Requirement is not listed as a waiver, then it is a required component of the development. The applicant is responsible for meetings all applicable code requirements through all phases of the development.

ATTACHMENTS
1. Surrounding Zoning
2. Aerial Photo
3. Ordinance No. 15,077, Special Use for Auto Sales
Disclaimer: Data is provided ‘as is’ without warranty or any representation of accuracy, timeliness or completeness. The burden for determining fitness for, or the appropriateness for use, rests solely on the requester. The requester acknowledges and accepts the limitations of the Data, including the fact that the Data is in a constant state of maintenance. This website is NOT intended to be used for legal litigation or boundary disputes and is informational only. -Peoria County GIS Division

1 inch = 200 feet

Peoria County, IL, HERE, USGS
ORDINANCE NO. 15.077

AN ORDINANCE AMENDING THE PERMANENT ZONING ORDINANCE OF THE CITY OF PEORIA BY CHANGING THE ZONING OF CERTAIN PROPERTY FROM THE PRESENT CLASS R-3 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO A CLASS C-1 (GENERAL COMMERCIAL) DISTRICT AND GRANTING A SPECIAL USE FOR AUTO SALES FOR THE PROPERTY LOCATED AT 1205 W FLORENCE AVENUE, PEORIA, ILLINOIS

WHEREAS, the property herein described is now zoned Class R-3 (Single Family Residential) District; and

WHEREAS, said petition was directed to the Zoning Commission as directed by Section 2.14 of said Permanent Zoning Ordinance, which Commission held a public hearing pursuant to a notice of the time and place thereof in a newspaper of general circulation in the City of Peoria, not less than fifteen (15) days nor more than thirty (30) days prior to said hearing as required by law; and no written protest was made by the owners of twenty percent (20%) of the frontage immediately adjoining or across from the frontage proposed to be altered; and

WHEREAS, said Zoning Commission has been petitioned to grant a Special Use under the provisions of Section 2.15 of the Permanent Zoning Ordinance of the City of Peoria for auto sales; and

WHEREAS, said Zoning Commission has submitted its report of said hearing and the City Council finds that to permit such use will not adversely affect the character of the neighborhood, and will not unduly burden the public utility facilities in the neighborhood;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEORIA, ILLINOIS, AS FOLLOWS:

Section 1. That the Permanent Zoning Ordinance of the City of Peoria and the District Map made a part of said Ordinance are hereby amended by changing the classification of the following described property to Class C-1 (General Commercial) District instead of Class R-3 (Single Family Residential) District and that a Special Use is hereby granted for auto sales:
ORDINANCE NO. 15,077

Part of Lot Seven (7) in COMMISSIONER'S SUBDIVISION of the North Half of the Southeast Quarter of Section Twenty-nine (29), Township Nine (9) North, Range Eight (8) East of the Fourth Principal Meridian, more particularly bounded and described as follows, to-wit: Commencing at the Northwest corner of said Quarter Section; running thence East Three Hundred Ninety-Eight and Eleven One-hundredths (398.11) feet; thence South Four Hundred Twenty-Seven and Sixty-Six One-hundredths (427.66) feet to the Place of Beginning of the tract to be described; thence West Fifty-Three and Thirty-Eight One-hundredths (53.38) feet; thence South Two Hundred (200) feet, more or less, to the North line of Florence Avenue; thence East along the North line of Florence Avenue, Fifty-Three and Thirty-Eight One-hundredths (53.38) feet; thence North Two Hundred (200) feet, more or less, to the Place of Beginning; situate, lying and being in the County of Peoria and State of Illinois.

Pursuant to the following conditions:
1. Per the attached site plan (Attachment A).
2. The property may not be used for sales or repair activities. The parcel would only be used for employee parking and access to and from Florence Avenue for the Jim McComb dealership for automobiles and light-duty trucks and vans.
3. Vehicular access across the property will be barred at the Florence Avenue end of the subject property by the dealership (by a barrier [e.g., chain and posts] reasonably acceptable to the City) during hours for which the dealership is not open;
4. Access to and from Florence would be limited to right out/left in only, pursuant to an access design approved by the city.
5. Because this property, for which the special use is granted, has common ownership with the property bounding on the north (having its own public access to University Avenue), this property:
   i. Would become a part of that property to the north for purposes of providing legal access; and
   ii. Would not be entitled to its own separate access except as approved by the City by access permit.
6. The access permit by the Department of Public Works of the City for the access for the dealership (to and from Florence) would be limited only for the use of the present dealership and no other use of the dealership property; and, if the use of the dealership property ceased or changed, then the dealership would (at its expense) "close" any curb cut installed along Florence Avenue and restore the Florence Avenue frontage of the property to substantially that which presently exists. (However, the limitation and obligation set forth in the foregoing shall no longer apply if all of the properties fronting Florence Avenue [on its south] become usable or used for Commercial use[s] at any time in the future under the then-existing zoning ordinances of the City of Peoria.) With respect to any required curb cut closure, the dealership would complete such closure within 30 days after the dealership ceased or changed, subject to delays due to weather. In the event that the dealership fails to timely complete such closure, the City may proceed to do so and obtain prompt reimbursement of the cost thereof from the dealership. A failure to pay such costs to the City shall entitle the City to a lien (from that date after which notice thereof is filed with the Peoria County Recorder) which may be foreclosed as a mortgage lien pursuant to Illinois law. In connection with the foregoing, a change of name of the dealership shall not be construed as a change of the dealership or a change in the use of the dealership property, nor shall a change of ownership
structure and ownership interests in the dealership be so construed as long as the present owners of the dealership (or their respective heirs or beneficiaries in the event of their deaths) continue to maintain voting control of the dealership and continue to own a majority of the ownership interest therein.

7. The landscaping and yards for the property shall be as established and set forth on the attached site plan (Attachment A).

8. At the request of the City a memorandum of these conditions shall be recorded against the property with the Peoria County Recorder.

9. Only directional signage permitted, no major lighting except for traditional parking-lot lighting.

Section 2. All provisions of the Permanent Zoning Ordinance of the City of Peoria and the District Map made a part of said Ordinance shall extend to said above-described premises as herein reclassified and rezoned.

Section 3. All provisions of the Permanent Zoning Ordinance of the City of Peoria with respect to Class C-1 (General Commercial) District shall remain applicable to the above-described premises, with exception to the Special Use herein permitted.

Section 4. This Ordinance shall be in full force and effect from and after its passage and approval according to law.


APPROVED:

[Signature]
Mayor

ATTEST:

[Signature]
City Clerk

EXAMINED AND APPROVED:

[Signature]
Corporation Counsel