A meeting of the Planning & Zoning Commission was held on Thursday, April 2, 2020, at 1:00 p.m., via Remote Video Conference, 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, Robin Grantham, Eric Heard, Branden Martin, Richard Unes, and Mike Wiesehan – 7.


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 March 5, 2020; seconded by Commissioner Heard.

The motion was approved viva voce vote 7 to 0.

REGULAR BUSINESS

PZ 20-5
Hold a Public Hearing and forward a recommendation to City Council on the request of Erin Taylor Nevitt to obtain a Special Use in a Class C-2 (Large Scale Commercial) District for an Assisted Living Facility for the property located at 7615 N Harker Drive (Parcel Identification No. 14-07-227-005), Peoria, IL (Council District 5)

Senior Urban Planner, Leah Allison, Community Development Department, read Case No. PZ 20-5 into the record and presented the request. Ms. Allison provided a summary of the request and offered relevant background context.

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

1. Update handicap parking fine to $350.
2. Provide 64 points of trees for front yard landscaping.
3. Provide continuous landscape hedge, decorative masonry wall or combination thereof for parking lot perimeter landscaping along Harker Dr.
4. Install sidewalk along the frontage of Harker Dr.

Chairperson Wiesehan asked about parcel found in rear of property. Ms. Allison clarified that the parcel is a cellular tower, which is located on the property.

Erin Taylor Nevitt, the Petitioner, provided further information regarding her request. She also asked that the Commission waive conditions (2), (3), and (4) from the Development Review Board. Ms. Nevitt further explained her reason for requesting waivers.

Commissioner Barry asked if the Petitioner is willing to comply with condition (3). The Petitioner confirmed she would be willing to comply with the condition but asked that its implementation be delayed.
Chairperson Wiesehan asked for clarification regarding landscaping requirements. Mr. Wiesehan questioned their applicability to the subject parcel. Ms. Allison explained the requirements come from the Unified Development Code. The Petitioner also questioned the landscaping requirements applicability.

Chairperson Wiesehan opened the public hearing at approximately 1:16pm.

Ms. Allison read the following public comment into the record:

"Dear honored members of the Planning and Zoning Commission, my name is Brian Brown, President of the German American Central Society of Peoria. We are a not-for-profit organization of approximately 400 members based at the Lindenhof, 7601 N Harker Dr, which is two doors down from the proposed Assisted Living facility. Our mission is to preserve and promote German culture in the Peoria, Illinois, area, including singing, sports, and fellowship. We host many public events celebrating German heritage at our Lindenhof facility and at our Hickory Grove Park. We are the co-sponsors of the annual Oktoberfest on the Riverfront in full partnership with Peoria Park District. Our events bring great pleasure to thousands of people in Central Illinois, as well as income to the City of Peoria. We are concerned that the granting of this special use and the ensuing operation of a residential facility only two doors away could interfere with our ability to hold events consistent with our mission and essential to the funding of our organization and clubhouse. It is possible that the noise, traffic, and on-street overflow parking associated with some of our events might be found objectionable to some sensitive residents. We hold public dinners every Friday, from 5 PM to midnight. We hold German heritage celebrations occasionally with outdoor music and activities. We rent the hall for many types of private functions, which may have people congregating outdoors. It would be very distressing and burdensome to the residents, our members, our customers, and law enforcement if we have to deal with complaints. We have already experienced this at our Hickory Grove Park when private residences built up around our pre-existing festival grounds. We are also uncertain how this zoning action might affect our expenses for taxes, permits, licenses, and city fees. Unless we can be assured that the existence of a nearby Assisted Living facility will not in any way be detrimental to our organization, we ask that the special use request be denied."

Chairperson Wiesehan asked if Ms. Allison could verify the concerns of Mr. Brown. Ms. Allison said that she could not, to the best of her knowledge.

Ms. Nevitt addressed the comments and concerns from Mr. Brown, stating that the proximity of the Society should not be a concern with residents of her Assisted Living Facility.

There being no further public testimony, the public hearing was closed at 1:20pm.

**Motion:**

Commissioner Unes made a motion to approve with a waiver for condition (4); seconded by Commissioner Barry:

The motion was REJECTED by roll call vote 5 to 2.

Yeas: Barry, Unes – 2

Nays: Ghareeb, Grantham, Heard, Martin, Wiesehan – 5

Commissioner Ghareeb made a motion to approve the request with a waiver for conditions (2), (3), and (4); seconded by Commissioner Heard:

The motion was APPROVED by roll call vote 4 to3.

Yeas: Ghareeb, Heard, Martin, Wiesehan

Nays: Barry, Grantham, Unes

Commissioner Ghareeb read the Findings of Fact at approximately 1:27 PM.
PZ 20-6
Hold a Public Hearing and forward a recommendation to City Council on the request of the City of Peoria to rezone property from a Class R-4 (Single Family Residential) District to a Class C-G (General Commercial) District for the property located at 1909 and 1913 W Howett St (Parcel Identification Nos. 18-07-482-033 and 18-07-482-032), Peoria, IL (Council District 1)

Senior Urban Planner, Kim Smith, Community Development Department, read Case No. PZ 20-6 into the record. Ms. Smith provided a summary of the proposal and offered relevant background context.

Chairperson Wiesehan asked who owned the property at 507 S Western Ave to the East of the subject. Ms. Smith said that it is owned by the City, and added that the portion of the alley between 507 S Western and the subject parcels would be vacated for the development of a Fire Station. She also stated that although a use is proposed, the request should be evaluated on the merits of the district at this location, as conditional zoning is not allowed. Mr. Wiesehan agreed and said that vacating the alley and the presence of C-G District property adjacent to the proposed site prevents the issue of spot zoning.

Chairperson Wiesehan opened the public hearing at approximately 1:40 PM. There being no public testimony, the public hearing was closed at approximately 1:40 PM.

Commissioner Ghareeb read the Findings of Fact at approximately 1:41 PM.

Chairperson Wiesehan asked if the properties at 1909 and 1913 W Howett St are needed for the development for the Fire Station. Jason Meeks, City of Peoria Facilities Maintenance Manager, said they are needed for the size of the proposed station, adding it would not fit on only the property at 507 S Western Ave.

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

The motion was APPROVED by roll call vote 7 to 0.
Yeas: Barry, Ghareeb, Grantham, Heard, Martin, Unes. and Wiesehan – 7
Nays: None – 0

PZ 20-7
Hold a Public Hearing and forward a recommendation to City Council on the request of Matt Feucht of Apostolic Christian Skyline to amend an existing Special Use Ordinance No. 13,814, as amended, in a Class R-7 (Multi-Family Residential) District for Elderly Housing for a building addition for the property located at 7023 NE Skyline Dr (Parcel Identification No. 14-10-326-007), Peoria, IL (Council District 3)

Commissioner Barry recused himself from the Case due to conflict of interest.

Senior Urban Planner, Leah Allison, Community Development Department, read Case No. PZ 20-7 into the record. Ms. Allison provided a summary of the proposal and offered relevant background context.

The Development Review Board recommends APPROVAL of the request to amend the special use subject to the following conditions:
1. Repair handicap parking sign and update fines to $350.
2. Provide a landscape plan (existing and/or new plantings) for the front yard providing 358 points of landscaping or an alternative landscaping plan.
3. Provide a 3-foot tall continuous landscape hedge, decorative masonry wall or combination thereof for parking lot perimeter landscaping along Skyline Dr.
4. Install sidewalk along the frontage of Skyline Dr either within the public right-of-way or a permanent easement.

Chairperson Wiesehan asked if a sidewalk already exists in front of the property. Ms. Allison said there is, but it does not complete the frontage.

Commissioner Heard asked about the alternative landscape plan. Ms. Allison explained the Petitioner would be given the opportunity to submit an alternative to the Development Review Board’s landscaping requirements.

Chairperson Wiesehan asked where the building addition would be placed and where the sidewalk would be built. Ms. Allison explained the proposed location of the building addition and where the sidewalk would be able to be placed.

Matt Feucht, the Petitioner, provided details about the facility and their desires for the proposal.

Laura Tobben, on behalf of the Petitioner, gave further details of the proposal and requested waivers for conditions (2), (3), and (4).

Chairperson Wiesehan opened the public hearing at approximately 1:58 PM.

Ms. Allison read the following public comment into the record:

“My name is James Stuttle and I live at 6916 N Skyline Dr, Peoria, Illinois. I am the President of the Skyline Drive Property Owners Association and I am writing to you regarding the request for a zoning amendment for the Apostolic Christian Skylines. Several weeks ago, Matt Feucht, the director of Apostolic Christian Skylines, contacted me regarding this requested zoning amendment. Following our discussion, I sent an informational e-mail to the members of my neighborhood association describing the amendment and asking for comments from the membership regarding the proposed change. I attached to the e-mail documentation that Matt had provided to me along with information from the City of Peoria Planning and Zoning Commission that had been filed with the amendment request. I received only a handful of responses from my e-mail. All of the e-mailed responses were accepting of the proposed amendment. I also spoke to several neighbors while out and about in the neighborhood, and all but one were also similarly accepting. That response was from a neighbor who was quite unhappy with the proposed amendment and felt that the development should not be on that side of the building but should be relocated to the north side of the building. The neighbor also expressed other concerns regarding the location and appearance of the dumpster and some storage lockers nearby in that part of the complex. Everyone’s comments and concerns certainly deserve weight, and while there is validity to that neighbor’s concerns, they are outside the scope of what our primary concerns from a zoning standpoint have traditionally been. We have focused on amendments requesting a height variance, noise, and traffic issues or lighting that creates too much light pollution. While this addition will perhaps be more obtrusive and not quite attractive as what is currently there, it should not be a significant change. The only area where I believe the Association would have potential concern is with parking along Skyline Dr. In particular, parking so close to the base of the hill before climbing to our subdivision. As we drove down from the subdivision and turned out of the woods, it can be very difficult to see what is ahead coming out of the turn at the base of the hill. The change from the dark under the trees to the light of a bright, sunny day, or vice versa, can be more challenging than you might think. Occasionally, an employee will park very close to, or even on, the curb going up the hill and that has led to several near misses among neighbors and others trying to negotiate the curve going up while others are coming down. Accordingly, I would request that you consider posting that area as a No Parking Area to reduce the likelihood of a potentially serious accident. A few car lengths along both sides of the road at the base of the hill, perhaps shortly past the area where the road has fully flared out, should suffice to reduce that risk. Thank you. I would like to thank Matt for reaching out to me before the Planning and Zoning Commission meeting to allow me the opportunity to share the information with the Association.
members. Apostolic Christian Skylines has been a good and thoughtful neighbor over the years. Their care and concern for the mission of helping others is clear to all. Sincerely, James Stuttle.

Mr. Feucht addressed the comments and concerns of Mr. Stuttle.

There being no public testimony, the public hearing was closed at approximately 2:04 PM.

Commissioner Ghareeb read the Findings of Fact at approximately 2:05 PM.

Chairperson Wiesehan addressed Mr. Stuttle's comments regarding parking on Skyline Dr, saying he never noticed parking there nor why people would park there. Ms. Allison said she never noticed parking when she went out to the property, but it may not be posted that parking is prohibited and people may be parking at other times. Mr. Wiesehan said that might be addressed by Public Works.

Motion:
Commissioner Heard made a motion to approve the request with a waiver for conditions (3) and (4); seconded by Commissioner Grantham:

Prior to a vote being held, Ms. Allison asked for clarification on the waivers. Mr. Heard provided clarification.

The motion was APPROVED by roll call vote 7 to 0.
Yeas: Barry, Ghareeb, Grantham, Heard, Martin, Unes and Wiesehan – 7
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 Heard at approximately 2:12 PM.

[Signature]
Bahader Singh, Development Technician