

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

Council Chambers, Peoria, Illinois, March 3, 2011, a Zoning Commission Meeting was held this date at 1:00 P.M., at City Hall, 419 Fulton Street, Chairperson Hunziker presiding.

CALL TO ORDER / ROLL CALL

Roll call showed the following Zoning Commission Members were present: Davis, Hunziker, Klise, Shea, Wiesehan - 5; Absent: Misselhorn, Unes - 2.

Staff Present: Leah Allison, Shannon Techie, & Trina Bonds

MINUTES

Commissioner Wiesehan moved to approve the minutes of the January 6, 2011 Zoning Commission meetings (as outlined); seconded by Commissioner Shea.

Approved by viva voce vote.

Yeas: Davis, Hunziker, Klise, Shea, Wiesehan- 5;

Nays: None;

Abstention: None.

Chairperson Hunziker swore in the public speakers that wished to give testimony today.

PETITIONS, REMONSTRANCES, AND COMMUNICATIONS- THE CITY OF PEORIA

(ZC 11-05B) PUBLIC HEARING on the request of Barb Drake of First Baptist Church to amend an existing Special Use Ordinance No. 14,084 as amended, in a Class R1 (Single Family Residential) District for a Church to add a community activity center and community garden and including existing conditions for the property located at **411 W. Lake Avenue, Peoria, IL.** (Council District 3)

Ms. Allison gave the property characteristics and the surrounding zoning of the subject property. She reported that the petitioner is proposing to construct a community activity center and community garden along the west portion of the property. She submitted photos for the Commission and gave a brief summary of the proposed site plan. She reported that the community center will be a 1,700 sq. ft. single story building and stated that an additional 460 sq. ft. is noted as a future expansion on the north side of the building.

Ms. Allison reported that the following waiver is requested:

1. Eliminate the requirement for public sidewalks along Lake Avenue, Wyss Lane and North Street.

Ms. Allison reported that the Site Plan Review Board recommends approval of the submitted revised site plan to amend the existing Special Use to add a community activity center and community garden and including existing conditions, the requested waiver, and subject to the following conditions:

1. Wall sign as noted on the site plan cannot exceed 20 percent of the façade.
2. All mechanical equipment for the community building must be screened per Section 16.10 of the Zoning Ordinance.
3. No retail activity shall occur at the property with the community garden as stated by the applicant.

Ms. Allison read into the record a letter from Jack Case, a Peoria resident. Mr. Case voiced his concerns regarding the use of the proposed community center. He stated that he did not have any objections as long as the use is "church activity" oriented such as church youth groups, bible study groups or other group activities, which are currently allowed within the church building itself. He stated however, he strongly objected to "community activities" where there is no direct on-site church personnel supervision.

In discussion, Commissioner Shea expressed his concerns regarding the requested waiver for sidewalks. He commented that he feels the church should be required to put in sidewalks or a fee in lieu should be provided to the City. Ms. Allison informed Commissioner Shea that Staff is currently reviewing the sidewalk issue.

Wayne Nowlan, Architect & Church member, reported that they started looking at the project about a year ago. He then gave a brief description of the proposed activity center and reported that the two residences along Wyss Lane were small and not handicapped accessible. He stated that the neighborhood residents seemed to be supportive of the request. He went on to say that they are sensitive to the neighborhood and explained that all activities will be supervised and will also be contracted.

In discussion with Commissioner Klise, Mr. Nowlan reported that the two buildings that are there now will be turned back into single family residential homes.

Roger Sparks, Peoria resident, commented that his main concern is sidewalks. He stated that he did not think the church should be granted a waiver for the sidewalks and went on to say that they should have to provide the fee in lieu.

In response to the sidewalk comments, Mr. Nowlan stated that there would be substantial costs to have that much sidewalk put in. He went on to say that during their discussions with the neighbors, they did not want a sidewalk in this area.

There being no further public testimony, Chairperson Hunziker closed the public hearing.

After the Zoning Commission reviewed the request to amend an existing Special Use, and after considering the standards of the Zoning Ordinance for a Special use, they found that the request met the findings of fact requirements.

Motion:

After brief comments, Commissioner Wiesehan moved to approve Case No. ZC 11-05B, per Staff's recommendations; seconded by Commissioner Davis.

During deliberations, Commissioner Shea commented that he did not understand why Staff would allow a waiver and mentioned other cases where petitioners were required to provide sidewalks. He went on to say that he liked consistency.

Motion APPROVED by viva voce vote.

Yeas: Davis, Hunziker, Wiesehan - 3;

Nays: Klise, Shea - 2;

Abstention: None.

After the vote, Ms. Allison reported that the case would be forwarded on to the City Council on March 22, 2011.

(ZC 11-06B) PUBLIC HEARING on the request of Ben Porush of 3 Diamond Development to amend an existing Special Use Ordinance No. 13,920 as amended, in a Class R3 (Single Family Residential) for an Elderly Housing Facility for the property located at 3616 N Sheridan Road, Peoria, IL. (Council District 2)

Ms. Allison gave the property characteristics and the surrounding zoning of the subject property. She stated that the petitioner is proposing to demolish the existing building and construct a four-story, 65,000 sq. ft. elderly housing facility. She reported that the building will include 60, one and two bedroom apartments to accommodate 72 residents. She stated that four employees will staff the building to provide management and maintenance services.

Ms. Allison reported that the following waivers are requested:

- 1) Increase the allowable building height to 46' 9", which exceeds the maximum district height limitation 35 feet.
- 2) Increase the density from 7.26 dwelling units per acre (R3 zoning district) to 17.7 dwelling units per acre.
- 3) Allow a circular drive, located near the entrance of the building, to extend into the required 25-foot front yard.
- 4) Eliminate the requirement for public sidewalks along War Memorial Drive.

Ms. Allison reported that the Site Plan Review Board does not object to the proposed elderly housing use at this location. However, she reported that the Site Plan Review Board recommends denial of the proposed elderly housing facility site plan, as currently designed, due to the following issues:

- 1) Building height: The maximum allowable building height in R3 zoning is 35 feet. Building height greater than 35 feet is not compatible with the development pattern of the surrounding residential and non-residential structures.
- 2) Density: The R3 zoning district allows for 7.26 dwelling units per acre, which would permit 24 dwelling units on the 3.39 acre subject property. The proposed development includes 60 dwelling units equating to 17.7 dwelling units per acre. The surrounding neighborhoods are built to a density ranging from 5 to 7 dwelling units per acre. An exception to this is Buehler Home, an elderly and nursing home facility, which has a density of 15.6 dwelling units per acre. This property is, however, zoned R7 Multi-family residential, allowing a density of up to 20 dwelling units per acre.
- 3) Fire prevention and water service: Per the Fire Department, adequate provisions must be made to allow access for fire apparatus and appropriate placement of fire hydrants. In addition, water infrastructure must be in place to provide sufficient water supply.

Chairperson Hunziker reported that the City has received in excess of 50 or more emails/letters commenting about the proposed request. He stated that the Commission had received copies of all correspondence that was received.

Ms. Allison reported for the record that 68 emails/letters had been received from the following neighborhood residents in opposition of the proposed request:

Ralph & Pamela Timm (2)	Jill Wright	Mark Guy	Tracy Herrmann
Greg & Carolyn Dickerson	Norman Green	Tammy Frericks	Rebekah Bourland
Gerald & Donna Brookhart	Jenness Schuller	Rebecca Fay	Marilyn Walker
John & Janice Heartlein	Marilee Tilly	Mary Fortune	Jean Wade
Andrew & Virginia Bott	James Wood	Brian Rowell (2)	John Coker
Mr. & Mrs. William Grant	Michael Fortune	Rebecca Brown	Robin Timm
John & Leenae Todden	Kathy Barnett	Anne Cusack	Richard Janssen
Tom & Anne Kirchgessner	Laura Crowley	Joyce Harmon	Kathleen Murray
Robert & Shirley Hornecker	Esther Delotis	Robert Wilton	William Hardin
Jim & Sandy Carver	Ronald Janssen	Laura Vessell	Dorothy Thornton
Richard & Judith Gentry	Terry & Carol Shirley	Janet Sorrentino	Matthew Clark
Rebecca & Robb Homolka	Danny & Amy Weis	Neville & Joy Martin	David & Becky Folck
Dan & Jennifer Vonachen	Gary Spainhour	Jane Wood	Matt Suellentrop
Nathan & RyAnne Carr	Natalie Scott	Cathy Bowars	John Wagner
Tom & Cheryl Bower	Donna Hoffer	Lori Dyar	Ramona Gibbs
Amy Champion	Keith Soden	Gary Kleber	Gerry Kirchgessner
Michael & Susan Moore	Annie Miller	Joseph West	Randy & Karen Walters

Ms. Allison reported that the following 19 points were stated in the correspondence that was received in opposition of the request:

1. Traffic congestion
 - a. Increased cut-through traffic on Florence Ave

- b. Access to the site - difficulty in turning left from Sheridan into the site
 - c. Higher traffic flow throughout the neighborhood
 - d. Traffic safety
 - e. Pedestrian safety – school children
 - f. Create need for widening of Sheridan Road
2. Lower property values
3. Negative aesthetic impact on the neighborhood
4. Not consistent with existing neighborhood
5. Diminish the adequate supply of light and air to adjacent properties
6. Lack of local ownership
7. Inexperienced developer – only one other completed project
8. Building is too large and too tall
9. Longevity of the project
 - a. No longer senior housing
 - b. Inadequate funding to maintain the facility
 - c. Long term maintenance
10. Reduce neighborhood stability
11. Too dense –too many dwelling units
12. Concerns for insufficient security, fire and police access to the building,
13. Reduced privacy due to the height of the building
14. Inadequate staffing and management of the facility
 - a. Screening of residents
 - b. Unqualified family members residing with the tenants
15. Inadequate parking
16. Will cause neighbors to move out of the neighborhood/Peoria
17. Site is more suitable for office use
18. Potential increase in crime
19. Reduced security of the neighborhoods

Ms. Allison reported that one letter in favor of the request was received from neighborhood resident, Allison Goodyear. She reported that Ms. Goodyear's email made the following comments:

1. Similar to Buehler Home
2. Better than an empty deteriorating building

In discussion with Commissioner Shea regarding the number of parking spaces, Ms. Allison explained that the parking ratio for elderly housing is different from standard residential.

Brian Mooty, Attorney, Kavanagh, Scully, Sudow, White & Frederick, P.C. Law Firm, displayed photos and handed out the following exhibits for the record:

- Exhibit A- Site Plan Review Board Response Letter, Letter Response to 8 Standards, Hermann Trip Generation Letter Sheridan Road, Neighborhood GIS,

Documents/Statistics on need for Elderly Housing, Architect's Qualifications, Interior Design Features

- Exhibit B- Site Plans & Elevations
- Exhibit C- Annualized Foreclosure Rate Graph
- Exhibit D- Study: The Question of Property Values
- Exhibit E- Study: Low Income Housing Tax Credit Housing Developments & Property Values

Ben Porush, Director of Operations, 3 Diamond Development, Skokie, IL, reported that 3 Diamond Development (3DD) is a privately owned company created in 2008. He stated that 3DD and its parent company Platinum Health Care have extensive experience in developing and managing nursing homes and supportive living facilities in Illinois, Indiana, Ohio, Wisconsin, and Missouri. He reported that 3DD is the owner of one IHDA Tax Credit Project in Dubuque, Iowa and gave a brief history. He stated that Peoria Senior Apartments will be a newly constructed high-quality 60-unit development for lower-income seniors age 55 and over. He further stated that the average age would be in the high 60's to low 70's. He explained that for this project, the household incomes will generally be up to \$32,000 annually. He reported that the rents would range from \$230 to \$770 a month and tenants will be responsible for their own utilities.

Jane Genzel, Director, Peoria Opportunities Foundation, Peoria, IL, reported their purpose is to develop affordable housing. She stated that 3DD approached Peoria Opportunities regarding the project and they felt it was a good fit. She then stated that they are the local owner that some of the neighbors are concerned about. She explained that there is a need for elderly housing in the Peoria area. She reported that the occupancy rate is very high and stated there is a demand for 136 units right now. She went on to say that no new senior housing has been built in Peoria in the last ten years.

Ms. Genzel reported that the majority of the tenants will be age 65 or older. She explained that they will screen applicants to make sure they abide by the terms of the lease and will also conduct credit, criminal and rental background checks. She went on to say that tenants with any felony convictions will be denied. She then stated that applicants who have been convicted of crimes involving drugs, theft, sex offenses, burglary or fraud will also be denied residency.

Nicolette Vander Meer, Lighten-Gale Group, Chicago, IL, also gave an overview of the project. She reported that 3DD, the Peoria Opportunities Foundation will own the project along with a private investor. She stated that the project will be restricted as affordable housing for 50 years and went on to say that they are required to own it for a minimum of 15 years. She reported that there is no project-based rental assistance; therefore, seniors are expected to pay the rent from their own resources. After more comments, she reported that the project will not carry a large debt service payment, which allows the revenue generated from the rents to be sufficient to operate an extremely well run building. She explained in detail how the tax credits are generated. She also mentioned research that was submitted to the Commission stating that

affordable housing has zero or no detrimental effect on property values. She went on to say that in fact, there are studies that show with compliance of the requirements these properties should increase property values.

Donna Nilson, Ludwig & Co, Gurnee, IL, reported that the 55 year old age was set because in some cases one spouse may be younger than the other. She commented that they have found with seniors, 95% of them live alone. She explained that the only people who are allowed to live in the unit are the people who are on the lease. She described the screening process and reported there will be a full-time Property Manager and also a full-time Maintenance Technician who will oversee day to day activities. She further reported that security cameras will be on site and employees will be trained in procedures of locking all doors, and securing all areas upon closing for the evening. She commented that they will assess the need for professional security to monitor the property if necessary. She stated that in regards to the parking, requirements are less for a senior building than multi-family. She explained that was because most seniors don't drive and only 50% of them have cars.

Richard Mann, Architect, NORR Architects & Planners, Chicago, IL, referred to the photos that were displayed and gave a description of the site for the Commission. He reported that currently there is a sea of parking next to the single family dwellings. He further reported that their proposed building would be located as far north as possible to provide green space along the property line that abuts the single family homes. He pointed out that the building will be located 100 feet north of single family residences. After more comments, he reported that building height measurement from grade will be 46 feet 3 inches at one point, and 50 feet 7 inches to one peak only. He explained the reason they created parapets up on the wall were for aesthetic reasons and stated that it also shields the mechanical equipment. He reported that the building will be 100% face brick and cement board siding. In closing, he stated that this building will provide all of the code requirements of the City of Peoria for building and life safety. He went on to say that they will be well designed apartments and would not be a detriment to the community.

In discussion, Commissioner Davis asked Mr. Mann if they had looked at the possibility of lowering the building height.

Mr. Mann responded that the effect of lowering the height is somewhat counterproductive, but could be done. He stated the issue is that they are trying to achieve a park like atmosphere and something that is an asset to the community and not a detriment. He went on to say that by keeping it four-stories, it is the proper scale for this building on a busy intersection. He then commented if the building is lowered, the footprint would change and encroach upon the space.

In more discussion, Ms. Allison reported that the Buehler Home is approximately 37 feet high and has three-stories.

Jeff Hermann, Civil Engineer, Hermann & Associates, LLC, Peoria, IL, commented that he would be speaking in regards to engineering related issues such as traffic, access

and drainage and storm water. He gave an overview of a trip generation analysis and stated the proposed project would significantly decrease traffic because of the different demographics. He explained that it would not be younger families with kids but more of people who don't have as much structured trips throughout the day. He then commented that single-family residences would generally triple the amount of traffic.

Mr. Hermann talked about the access to the existing building and explained that currently there are two access points. He reported that the proposed project would only have one access point which would be located approximately 300 feet south of War Memorial Drive. He explained that this would leave a fairly significant storage lane to allow cars to back up during peak hours.

In regards to storm water, Mr. Hermann stated that currently he doesn't believe that the location has a storm water measure in place. He reported that by reducing the amount of parking by 60%, they will be improving the storm water runoff situation. He then mentioned that they will also have an adequate supply of utilities and plan to meet the necessary requirements.

In discussion with Commissioner Davis regarding the storm water runoff, Mr. Hermann stated that they intend to make sure that it all goes away from the single family residential area to the south.

After the presentation by the Developers Group, Attorney Brian Mooty provided Findings of Fact and made the following summary of points:

1. Peoria Senior apartments will provide needed affordable housing for seniors.
2. The Peoria Senior development will not injure the use or enjoyment of the surrounding property. There are adequate setbacks and landscaping for the site and the site will serve as a transition from War Memorial Drive and the residential uses to the south of the subject property. The building and site will replace a distressed and deteriorating property.
3. The special use will meet the possible highest and best use for the subject property.
4. The special use has access to adequate roads and facilities. The area is fully developed and the special use will not require any new public infrastructure or additional city services.
5. The engineer's traffic study indicates that the trip generation for the site is minimal and that no additional modifications to Sheridan Road are necessary.
6. The proposed Comprehensive Plan indicates the site is included for medium-density residential use which references a density of 15 dwelling units per acre, or

approximately 52 units. As a consequence the requested density is close to the stated medium-density residential use.

7. Peoria Senior apartments meet a demonstrable public need for additional affordable senior housing and the development will be a public benefit to the City.
8. Peoria Senior apartments will meet and conform with the applicable regulations and requirements of the City including fire and life safety protection.

Attorney Brian Mooty also made the following points regarding the building height and density:

- The current structure has a similar height and mass to the proposed building. The proposed building has been positioned closer to War Memorial to increase the green space at the rear of the property.
- The main purpose of the Comprehensive Plan is that they want to have the sustainability factor for future development. The proposed project is a sustainable development and they are not that far off from what the Comprehensive Plan proposes for this site.

In closing, Attorney Brian Mooty commented about Staff's recommendation of denial due to fire or safety issues. He stated that they will do whatever is necessary to satisfy the Fire Department and all standards will be met. He reported that they will put a sidewalk along Sheridan Road and went on to say that they are willing to look into the Code to see what would be required along War Memorial Drive. He further reported that there are no sidewalks along that section of War Memorial Drive.

At approximately 2:55 p.m., Chairperson Hunziker called for a brief recess.

The Zoning Commission reconvened at approximately 3:05 p.m.

After the break, Commissioner Davis clarified that in Staff's comments they did not recommend denial because of the fire protection services. He explained that Staff stated that adequate provisions must be made.

Chairperson Hunziker swore in additional people who had not been sworn in earlier. He then opened up the hearing for public testimony.

Edward Murphy, President, North Florence Neighborhood Association, gave the boundaries of their Neighborhood Association. He reported that he found out about the proposed project when he was contacted by Jane Genzel. He stated over 300 people showed up at an informational meeting at First Federated Church. He further stated that the response to the presentation and discussion resulted in a resounding no to the project. He commented that it is his understanding that the Zoning Commission

addresses only zoning issues, but stated that a lot of the testimony from the Developer did not have a lot to do with zoning.

Mr. Murphy commented that there is a need for elderly housing, but there is a matter of where it is put. He then mentioned the neighborhoods concerns regarding security, traffic, density, financial feasibility, building height, and other issues. After more comments, he stated that their group is in support Staff's recommendation of denial of the request.

Brian Rowell, Neighborhood Resident, spoke in opposition of the request. He commented that he hoped that the Commission listens to the voices and taxpayers of this area. He stated the bottom line is that their neighborhood just does not want the project there. He stated that a four-story building is an eyesore and asked the Commission to deny the request.

Joseph Kelly, Neighborhood Resident, also spoke in opposition of the request. He commented that the request is for Government housing and stated that he feels it would be wiser to consider an area where there is other Government housing. He reported that Buehler Home and Great Central were both built before this area was zoned residential. He then stated that the property owners of this area also accepted the fact that there are three churches in the immediate area. He commented that part of their obligation should be to keep the population in the City. He mentioned people moving to other areas such as Dunlap and Washington because of the issues before them.

Pamela Timm, Neighborhood Resident, reported that she has written two emails to the City. She commented that she is worried about the height, density and the aesthetics of the project 10 years from now.

Carol Shirley, Neighborhood Resident, reported that she has lived in this area for 51 years and stated her biggest concern is traffic. She commented about the intersection and explained that there have been numerous accidents and it is very dangerous. She asked the Commission for their help to preserve their neighborhood as it is and to deny the request.

Mark Wyman, Neighborhood Resident, also commented about the issue of traffic. He commented that he could not see the potential upside to approving the deviation that would be required for the proposed project. He went on to say that he sees many risks and many downsides to their neighborhood.

Bernie Hobin, Neighborhood Resident, commented that their Homeowner Association tries very hard to maintain their area. He mentioned the tax base on their properties and stated these families have chosen to live and invest in this area instead of moving. He stated that the proposed project does not have the continuity of their neighborhood.

Frank Rezac, Neighborhood Resident, also spoke in opposition of the request. He stated that he has lived in the neighborhood for several years. He questioned why the Commission would approve a building that doesn't meet the zoning rules.

Margaret Tomlin, Neighborhood Resident, commented that she has the same concerns as the other residents of their community. She stated that her greatest concern about the project is maintenance and who would take ownership of this property from years 16 to 50.

Roger Sparks, Peoria Resident, commented about the stacking of cars from War Memorial Drive. He commented that he wants the petitioner to be required to put in sidewalks. He then stated that it was nice to know that they want to put in a buffer between War Memorial and their building to block the sound of traffic for the residents.

Connie Higgins, Neighborhood Resident, talked about the traffic on War Memorial and Sheridan. She commented that that she does not want her front yard to become a part of the road. She stated that they don't need another Knoxville. She then stated that she did not want to see another excuse for the City to take part of her property to widen the road.

Robert Jacobsen, Neighborhood Resident, commented that he has lived at his address for 38 years. He stated that his neighborhood has not changed at all in those years and all of sudden they are going to drop a four-story building in this neighborhood. He commented that he has received calls and emails in opposition of this request. He further commented if the request goes through, others won't have trouble finding homes in their neighborhood.

There being no more public testimony, Chairperson Hunziker closed the public hearing at approximately 3:40 p.m.

In summation, Attorney Brian Mooty respectfully requested that the application be granted by the Commission.

After the Zoning Commission reviewed the request to obtain a Special Use, and after considering the standards of the Zoning Ordinance for a Special use, they found that the request **met** the findings of fact requirements.

Motion:

Commissioner Davis moved **to approve** Case No. ZC 11-06B, with approval of a three-story building instead of a four-story building including the proposed density as requested; and all other Staff comments.

After a brief discussion with Commissioner Shea regarding the transitional buffer yard, Commissioner Davis decided to amend the motion.

Final Motion:

Commissioner Davis moved **to approve** Case No. ZC 11-06B, including waivers 2 & 3 and with the following stipulations:

1. Reduce the building height to a maximum of 35 feet.
2. Provide a 25-foot in width landscaped transitional buffer yard along the south and east property lines.

The motion was seconded by Commissioner Shea.

During deliberations, Commissioner Klise commented that she feels senior housing would be perfect this area, but stated that this project just does not work at this location because of the size, the number of residents and too few staff.

Motion **APPROVED** by viva voce vote.

Yeas: Davis, Hunziker, Shea - 3;

Nays: Klise, Wiesehan - 2;

Abstention: None.

After the vote, Ms. Allison reported that the case would be forwarded on to the City Council on March 22nd, 2011.

(ZC 11-A) PUBLIC HEARING on the request of the City of Peoria to amend Appendix B, the Zoning Ordinance, and Appendix C, the Land Development Code related to Fees.

Ms. Allison reported that the proposed text change is in response to the fee increases directed by City Council on November 9, 2010. She then referred to a table that illustrates the current cost and proposed cost.

In discussion regarding the proposed fee increases, the following suggestions were made:

- Reducing the proposed fence application fee from \$200 to \$125
- Increasing the proposed Site Plan Review fee from \$200 to \$300
- Increasing the proposed zoning violation fees from \$200 - \$600 to \$300 - \$750
- Increasing the proposed wireless communication facility fee from \$625 to \$1250

During discussion, Mr. Roger Sparks commented that there are plenty of people who don't come in to get permits for different things that they should.

There being no more public testimony, Chairperson Hunziker closed the public hearing.

Motion:

After a lengthy discussion, Commissioner Davis moved **to approve** Case No. ZC 11-A, as stated by the Commission; seconded by Commissioner Wiesehan.

Motion **APPROVED** by viva voce vote.

Yeas: Davis, Hunziker, Klise, Shea, Wiesehan - 5;

Nays: None;

Abstention: None.

(ZC 11-D) Request of the City of Peoria to discuss and approve the **2010 Zoning Commission Annual Report**.

Ms. Allison reported that the report is prepared annually for review by the Zoning Commission and City Council. She stated that the report reviews issues and trends and concludes with recommendations for 2011.

There being no public testimony, Chairperson Hunziker closed the public hearing.

Motion:

After discussion, Commissioner Davis moved **to approve** Case No. ZC 11-D, the 2010 Zoning Commission Annual Report; seconded by Commissioner Hunziker.

Motion **APPROVED** by viva voce vote.

Yeas: Davis, Hunziker, Klise, Shea, Wiesehan - 5;

Nays: None;

Abstention: None.

(ZC 11-E) PUBLIC HEARING on the request of the City of Peoria to amend Appendix B, the Zoning Ordinance, related to Inflatable Signs for business grand openings and Temporary Signs.

Ms. Techie reported that the proposed text amendment would define Inflatable Signs. She stated that Inflatable signs currently require a Special Permit in all districts. She reported that the proposed ordinance was drafted in an effort to be business friendly and allow new businesses to display inflatable signs for grand opening events, which would not currently be permitted without a special permit. She stated the proposed Ordinance proposes allowing the display of one inflatable sign within the first thirty (30) days of operation of a new business as part of a Grand Opening, at the location of the newly opened retail or service operation, per the following conditions:

1. A Zoning Certificate must be obtained prior to the placement of an inflatable sign.
2. Such signs are permitted in non-residential zoning districts only

3. Signs cannot exceed (25) twenty five feet in height and thirty (30) feet in width or diameter, and must be set back a minimum of twenty (20) feet from the property line and a minimum of ten (10) feet from the building.
4. Signs may be displayed for a period of no more than fourteen (14) calendar days.
5. Rooftop signs are prohibited.
6. Lighted signs are prohibited.
7. Signs which move or give the appearance of moving are prohibited.
8. Placement of signs on the City right-of-way is prohibited.
9. Signs shall not obstruct visibility for safe traffic maneuvering or pedestrian safety and signs, anchors, and attachments shall not be placed in such a way to create a traffic hazard.
10. Signs may not occupy required parking spaces.
11. Signs cannot interfere with utility lines, antennas, or towers.
12. If an outlet is necessary, signs must be installed to a grounded outlet.
13. Signs must be installed by a commercial installer and must be securely anchored.

After discussion regarding inflatable signs, the Commission decided to amend the thirty (30) day display window to a sixty (60) day window.

There being no public testimony, Chairperson Hunziker closed the public hearing.

Motion:

Commissioner Wiesehan moved **to approve** Case No. ZC 11-E, per Staff conditions with a revision that inflatable signs may be displayed within a (60) day window, (30 days prior to 30 days after), as part of a Grand Opening event, at the location of the newly opened retail or service operation for a period of no more than 30 calendar days; seconded by Commissioner Klise.

Motion **APPROVED** by viva voce vote.

Yeas: Davis, Hunziker, Klise, Shea, Wiesehan - 5;

Nays: None;

Abstention: None.

(ZC 11-F) PUBLIC HEARING on the request of the City of Peoria to amend Appendix B, the Zoning Ordinance, and Appendix C, the Land Development Code, related to Mechanical Equipment Screens.

Ms. Allison reported that Staff is requesting a deferral of Case No. ZC 11-F to allow additional time for research.

There being no public testimony, Chairperson Hunziker closed the public hearing.

Motion:

Commissioner Shea moved **to defer** Case No. ZC 11-F for 30-days, per the submitted request; seconded by Commissioner Wiesehan.

Motion to defer **APPROVED** by viva voce vote.

Yeas: Davis, Hunziker, Klise, Shea, Wiesehan - 5;

Nays: None;

Abstention: None.

DISCUSSION ON THE 2011 WORK PLAN

In a brief discussion regarding the proposed 2011 Work Plan, the Commission recommended that Staff work on Zoning Enforcement in 2011.

CITIZENS' OPPORTUNITY TO ADDRESS THE COMMISSION

There were no citizens who wished to address the Commission.

OTHER BUSINESS

No other business was presented for discussion.

ADJOURNMENT

The Zoning Commission Meeting adjourned at 4:35 P.M.

Leah Allison, Senior Urban Planner

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