

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

Council Chambers, Peoria, Illinois, July 7, 2011, a Zoning Commission Meeting was held this date at 1:05 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: Hunziker, Davis, Klise, Shea, Unes - 5; Absent: Misselhorn, Wiesehan - 2.

Staff Present: Gene Lear and Polly Stainback

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

MINUTES

Commissioner Unes moved to approve the minutes of the June 2, 2011, Zoning Commission Meeting (as outlined); seconded by Commissioner Shea.

Motion **APPROVED** by viva voce vote.

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

Nays: None;

Abstention: None.

PETITIONS, REMONSTRANCES, AND COMMUNICATIONS- THE CITY OF PEORIA

(ZC 11-18B) PUBLIC HEARING on the request of Richard Eby of Bickford House, to amend an existing Special Use, Ordinance No. 14,599 as amended, in a Class R-7 (Multi-Family Residential) District for Elderly Housing to replace two freestanding signs with one freestanding sign for the properties located at **1920 & 2000 W. Willow Knolls Road, Peoria, IL.** (Council District 5)

Mr. Lear displayed photographs of the subject properties and reported the zonings of the subject and surrounding properties. He displayed an aerial of the proposed site and pointed out the existing signage, one for the Bickford House and the other for the Bickford Cottage. He explained the proposal is to remove both existing signs and install a new 8-foot tall, approximate 20 square-foot monument sign, in addition to a new directional sign. He indicated that the Zoning Ordinance allows residential Special Use signs up to 20 sq. ft. in area and 5 feet in height. He presented a brief history of the subject property. Also, Mr. Lear reported the following:

REQUESTED WAIVERS:

- 1) To increase the height of a residential Special Use sign from 5 feet to 8 feet.

SITE PLAN REVIEW BOARD RECOMMENDATION:

The Site Plan Review Board recommends APPROVAL of the request to replace the two freestanding signs with one freestanding sign, subject to the following conditions:

- 1) Reduce the height of the sign to five (5) feet as required by the Zoning Ordinance. Limiting the height to five feet is in consideration of the residential neighborhood. Signs taller than five feet may intrude upon the residential character with a commercialized appearance. In addition, the location of the proposed sign is atop a slightly bermed area, which provides increased height and visibility to Willow Knolls Road.
- 2) Construct a six (6) foot tall garbage enclosure for the dumpster located at 2000 W. Willow Knolls Road.
- 3) Replant or provide alternate screening for utility box located on the west side of the building located at 2000 W. Willow Knolls Road.

Richard Eby, Petitioner, representing Bickford House, indicated they were trying to reduce the number of signs. He indicated general agreement with Staff's recommendation, except for the height of the sign. He explained they have to replace the two existing signs built five or six years ago, with a typical monument sign used at all of their locations, which is designed to have a residential appearance, with a roofline, much like a gable on a building, with columns similar to the front of their building.

Mr. Eby expressed concern that reducing the sign height to five feet would make it obscure. He commented on their sign in Champaign which has a residential appearance at eight feet high at its roof peak. He also mentioned at the Peoria site, he noticed a commercial property across the street with at least a 12-foot high sign; and the entrance signs into the villas located behind their building, are approximately 10 feet tall at their peak.

Commissioner Davis questioned if the elevation of the proposed location of the new sign is lower than the road. Mr. Eby said he was not sure. Commissioner Davis said that would affect the sight from the road, especially if coming from University over the hump on Willow Knolls Road before going down the dip where the Bickford House sits back there.

Mr. Eby indicated there were no problems with Staff's conditions as far as the dumpster; it will be relocated in the back of Bickford House, where it should have been located anyway, since there is a six-foot high dumpster enclosure. He said that he directed the maintenance staff to contract with a landscaping firm to do the landscaping around the pedestal. He said their only contention is the eight feet, which is at the peak.

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

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.

First Motion:

Commissioner Davis moved **to approve** Case No. ZC 11-18B for the proposed height of the Petitioner and Staff's recommendation, with conditions regarding the dumpster enclosure and the landscaping around the electrical boxes; seconded by Commissioner Hunziker.

Commissioner Shea commented that most monument signs would have some sort of roof. He said he thought that the fact this sign would be projected upward by two pillars on either side, it could easily be brought down to a five-foot height, without having to remove the roof. He said that due to his work on the Sign Committee regarding one standard monument sign, he could not support the eight-foot height.

After further discussion, Commissioner Davis withdrew his original motion and made a new motion to include Staff's recommendation, subject to all the conditions.

Second Motion:

Commissioner Davis motioned **to approve** Case No. ZC 11-18B, per Staff's recommendation, subject to the conditions for the dumpster, landscaping, and sign height; seconded by Commissioner Shea.

Motion **APPROVED** by viva voce vote.

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

Nays: None;

Abstention: None.

(ZC 11-19B) PUBLIC HEARING on the request of Patrick Kirchhofer of the Peoria County Farm Bureau, to obtain a Special Use for existing Legal Nonconforming Offices and to add a Church, in a Class R-4 (Single-Family Residential) District for the property located at **1716 N. University Street, Peoria, IL.** (Council District 2)

Mr. Lear displayed photographs of the subject property and reported the zonings of the subject and surrounding properties. He displayed the site plan and pointed out the location of the proposed church within the structure. He presented a brief history of the subject property and reported the following:

REQUESTED WAIVERS:

- 1) Eliminate the requirement to stripe the parking lot for all parking spaces.
- 2) Eliminate the requirement to place the garbage dumpsters into a four-sided, six-foot tall garbage enclosure.

SITE PLAN REVIEW BOARD RECOMMENDATION

The Site Plan Review Board recommends APPROVAL of the request, subject to the following conditions:

- 1) Stripe the parking lot with parking spaces dimensioned at 8.5' x 18.5' as per the proposed site plan.
- 2) Provide four (4) handicap parking spaces striped with dimensions of 11' x 18.5' with a 5' x 18.5' access aisle.
- 3) Place all garbage dumpsters within a six-foot tall, four-sided solid enclosure with a gate for access.

Commissioner Shea questioned the eight-foot height requirement for a garbage enclosure. Mr. Lear read from the Zoning Ordinance regarding refuse disposals being a minimum of six feet and not greater than seven feet. It was determined that the eight feet listed in the Site Plan Review Board Recommendation should have been listed as six feet. *(After the public hearing, it was determined that the subject property is located in the area regulated by the Land Development Code, which states the garbage dumpster enclosure requirement as eight feet in height. Therefore, the information listed in Staff's memo was correct.)*

Petitioner Patrick Kirchhofer of the Peoria County Farm Bureau, commented that they had been at their current location since 1954, before the Interstate went through. He indicated that a church would like to move in downstairs. He said they added new carpet, repainted, and added new vertical blinds and did not move any structures/walls whatsoever. He commented that the large parking lot is on 2.8 acres.

Regarding the waivers, Mr. Kirchhofer said they were requesting waivers for striping and covering the dumpsters because they do not feel these are needed, plus it would be an added expense to the organization.

Commissioner Shea commented on the striping being for handicapped people. Mr. Kirchhofer said they have handicap parking signs on both the upper and lower levels.

Mr. Lear explained that in addition to having the signage, it is also important that the actual space itself be striped and configured in accordance with the Illinois Accessibility Code, which requires a 16-foot wide space, 11 feet for access, and then the 5-foot stripe for unloading. Mr. Kirchhofer agreed that they need to get the accessibility stripes on the parking lot.

Roger Sparks, Peoria citizen, spoke of his concern because he is in a wheelchair. He said the handicapped need access from the parking lot into the building, i.e., a right of path for travel. He stated that they need the striping, blacktop, and access, especially if there is going to be a church, which is supposedly open to all the public, including the handicapped.

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

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 Shea moved **to approve** Case No. ZC 11-19B, subject to Staff's recommendation, with conditions. The motion was seconded by Commissioner Unes.

Motion **APPROVED** by viva voce vote.

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

Nays: None;

Abstention: None.

(ZC 11-20B) PUBLIC HEARING on the request of Leland R. Foecking of Behr Peoria, Inc., to amend an existing Special Use, Ordinance No. 16,524, which amended Special Permit No. 8,436, in a Class I-3 (General Industrial) District for a Recycling and Scrap Metal Facility to relocate and replace a shredder and baler and two equipment buildings for the properties located at **2405, 2411, 2424, and 2510 W. Clark Street, Peoria, IL.** (Council District 1)

Mr. Lear reported the zonings of the subject and surrounding properties. He displayed the site plan, which showed the shredder operation and the baler, and the elevations of the shredder, pump house, and the future baler building. He presented a brief history of the subject property. He said there were no waivers requested. He reported the following:

SITE PLAN REVIEW BOARD RECOMMENDATION

The Site Plan Review Board recommends APPROVAL of the request to relocate and replace recycling equipment and buildings subject to the following condition:

- 1) Continued discussion with the Public Works Department regarding the dedication of the right-of-way along Clark Street.

Dave Rumer, representing Behr Peoria, Inc., indicated that they would be moving the shredder to another location about 1,000 feet east of its current location and further out of sight. He said it would be a much more efficient device, which would use a lot less energy and allow them to operate at lesser hours during the day. He commented they would be putting down a great deal of asphalt, which would keep the dust levels down. He also commented that as it was described in their new plan, all buildings and electrical would be 2 feet above the 100-year floodplain.

Mr. Rumer indicated that they are really not adding any new facilities; they are asking to be able to install a baler next to the new shredder in the future.

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

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 Unes moved **to approve** Case No. ZC 11-20B, per Staff's recommendation, with condition. The motion was seconded by Commissioner Hunziker.

Motion **APPROVED** by viva voce vote.

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

Nays: None;

Abstention: None.

(ZC 11-21B) PUBLIC HEARING on the request of Katie Kim of Horan Construction to amend an existing Special Use, Ordinance No. 16,210 as amended, in a Class C-2 (Large Scale Commercial) District for a Shopping Center to add buildings and revise site design for the property located at **7301 N. Radnor Road, Peoria, IL.** (Council District 5)

Mr. Lear displayed photographs of the subject property and reported the zonings of the subject and surrounding properties. Also, he displayed the site plan as proposed, with the drive-thru, parking lot configurations, and possible future buildings on the north. He pointed out the entrance off of Radnor and the entrance off of Willow Knolls.

He presented a brief history of the subject property and reported the following:

REQUESTED WAIVERS:

- 1) Increase the size of a freestanding sign from 70 square feet to 128 square feet.
- 2) Allow for administrative approval of the proposed buildings +/- 5,000 square feet of the submitted site plan design.

Mr. Lear gave Commissioner Davis copies of a handout titled, "Addendum to Zoning Application" to distribute to Commissioners.

SITE PLAN REVIEW BOARD RECOMMENDATION

The Site Plan Review Board recommends APPROVAL of the request to amend the Special Use, excluding the waivers, and subject to the following conditions:

- 1) The two dumpsters proposed to be placed near the existing entrance from Radnor Road and the dumpster proposed to be placed in front on the 20,000 square-foot building should be relocated to the rear of the buildings and out of the primary view of customers.
- 2) Landscaping plan in compliance with the Zoning Ordinance must be submitted prior to issuance of a building permit and will be reviewed through the Site Plan Review Board.
- 3) A photometric lighting plan must be submitted prior to issuance of a building permit to ensure that lighting of the parking lot areas does not exceed three-foot candles when measured at the property lines.

- 4) A fee-in-lieu of construction of sidewalks is required for Radnor Road and the portion of Willow Knolls Road east of the driveway entrance to the intersection with Radnor Road.
- 5) All ground and rooftop mechanical equipment must be fully screened. This includes electrical transformers and generators.
- 6) Garbage enclosures must be constructed of masonry of the same material used for the buildings.
- 7) Final water plan must be approved by the Peoria Fire Department.

Staff does not support the requested waiver for administrative review of future buildings varying in size by +/- 5,000 square feet. Staff is concerned that the range of change could have a significant impact to surrounding neighborhoods regarding traffic patterns and intensity of use of the property. This would be especially significant when a drive-thru facility is proposed. Staff would support up to a 10% change of building size with no drive-thru facilities, to be approved by the Site Plan Review Board.

Staff also does not support the requested waiver for a second freestanding sign of 128 square feet. A multi-tenant shopping center sign was approved with the original Special Use. This sign is to be located at the corner of Willow Knolls Road and Radnor Road and intended to provide signage for the entire shopping center's tenants. Staff supports the intent of the Sign Ordinance, which is to provide against undue concentrations and proliferation of signs.

Commissioner Davis indicated that he thought the fee-in-lieu for sidewalks was required in 2007.

In discussion with Commissioner Davis regarding the requirement for the masonry to be the same material as the building, Mr. Lear explained masonry can be required because it is a Special Use request.

In discussion with Commissioner Shea, regarding the minimum stacking for a drive-thru, Mr. Lear said the stacking is six or eight for the first window. He explained the request is for another drive-thru facility, which Staff could not administratively approve, so they had to come before the Zoning Commission and City Council to amend and approve this Special Use. Upon review of the Ordinance, Mr. Lear later stated that the required stacking is eight.

Commissioner Shea asked about the egress/ingress off Willow Knolls Road. Mr. Lear explained any type of access from either Willow Knolls or Radnor would be within the jurisdiction of the County Highway Department.

Petitioner Katie Kim of Horan Construction addressed Commissioners' previous questions as follows:

- The entrance off of Willow Knolls Road: There is currently a construction permit from Peoria County, with plans for completion by August of this year, within 30 to 45 days.

- The fee-in-lieu for sidewalks was paid.

Regarding Staff's conditions, Ms. Kim spoke in agreement regarding the using of masonry for the garbage enclosures; adjustments made to drive-thru facilities, based on comments from meeting with Staff; lighting plan, landscaping, and screening; water plan; and sanitary extension.

Ms. Kim explained why the waivers were requested, as follows:

- Increase the size of a freestanding sign from 70 square feet to 128 square feet.
The proposed pylon sign is at the corner of Willow Knolls and Radnor Road. That is at the tenants' demand. The request for a pole sign is for the restaurant going further down. As the road goes down 150, it goes up a little, and they are afraid they will be sitting back too far and the pylon at the corner will not suffice, so they are requesting just a pole sign with a 6' by 28' lit sign at the top, 10 feet back from the property line in front of their building.
- Allow for administrative approval of the proposed buildings +/- 5,000 square feet of the submitted site plan design.
Referring to the "Addendum to Zoning Application," Ms. Kim made the following comments: Not knowing what the future will hold for the development, they would like the ability to have some flexibility in the building adjustments with the size, as long as they meet the current Code, parking and sign requirements. They are requesting administrative approval, so they can keep projects moving; otherwise, they would lose opportunities.

Commissioner Shea indicated that it sounded like they were in agreement with Staff's conditions, other than the sign and the building adjustment size. He said that with the recent extensive review of the Sign Ordinance, he saw the sign as an issue; but he had no issue with the building adjustment as long as it is a slight adjustment.

In discussion with Commissioner Klise, regarding signage, Ms. Kim said they were already approved for a pylon sign at the corner of Willow Knolls and Radnor Road and were requesting a second sign because the franchise is demanding it.

Commissioner Klise commented that the accesses going out to the parking lots seemed like a difficult traffic configuration. Ms. Kim explained that there are a lot of options coming out on Willow Knolls or Radnor Road behind the larger building.

In discussion with Commissioner Unes, regarding Staff's support up to a 10% change of building size, Ms. Kim indicated that she did not agree with Staff's recommendation. She said they needed more flexibility for it to be beneficial.

Commissioner Unes questioned if those two buildings on Radnor Road were included in the development, Ms. Kim responded, "Yes." He also asked if she was looking for a

second access on Radnor; she indicated the access was proposed in 2007 and 2008, and was granted.

Sue Arnholt explained that she and her husband are owners of the subject property. She stated, "Needs change; different people want different things." She said that currently the two drive-thru lanes have eight stacking each, and she did not believe with the change, there would be anyone sitting in the parking lot lines. She said they would like to see an option for a total of four drive-thru lanes.

Ms. Arnholt said there is a special use for one customer who needs a great deal of parking. If that does not go through, there may have room for another drive-thru establishment, which seems to be very popular right now.

Regarding the sign for the sub shop, Ms. Arnholt explained that they want a sign on top so it will be visible when coming over the railroad bridge. She indicated that at this time, they have no plans to build a pylon sign at the corner. Right now, everything is laid out well; and everyone has a street frontage; and from Willow Knolls, they can be seen. She said if that continues, she did not see that they would use the pylon sign.

In discussion with Commissioner Shea, Mr. Lear said regulations apply, not only for a Special Use; the Ordinance states regulations for a freestanding sign are that they cannot exceed 70 square feet in area, nor 25 feet in height, separated by 150 lineal feet.

Commissioner Shea indicated that he thought the Commission's objective in these shopping center type areas was to eliminate multiple signs and try to put them all on one sign. He said the best place would be on the sign they already have. He stated further that having so many lineal feet of frontage, a 70-foot sign could be placed every 150 feet in a Special Use; but that could be condensed into one larger sign, which has usually been supported by Staff.

Ms. Arnholt commented that the pylon sign for that user is mandatory because of the visibility obstruction created by the rise in Willow Knolls Road. She said if they need to lessen the square footage of the pylon sign to stay within the City guidelines, she did not see that as a big problem.

Ms. Kim indicated they would like this additional request for that fourth drive-thru on the back building in case something changes with the user. She said the building is about 28,000 square feet, right now as proposed. She said if that single-use tenant does not go there, it could turn into something else, which might require a drive-thru. She said this would give them more flexibility to get a smaller business in there.

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

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:

After further discussion, Commissioner Unes moved **to approve** Case No. ZC 11-21B, with Site Plan Review for the adjustment in buildings +/- 5,000 square feet; no second sign; drive-thru lanes are okay; approval of all proposed future buildings and drive-thru facilities, as long as they meet the stacking requirements as per Code; and the fee-in-lieu of sidewalks which was already paid; and per all of Staff's conditions.

The motion was seconded by Commissioner Shea.

Motion **APPROVED** by viva voce vote.

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

Nays: None;

Abstention: None.

(ZC 11-22B) PUBLIC HEARING on the request of Andy Chiou to amend Ordinance No. 16,376, in a Class R-3 (Single-Family Residential) District for a Planned Unit Development Preliminary Plan to revise building types and location of previously approved multi-family buildings for the properties located at **5200-5300 Block of W. Woodsage Road and 8900-9000 Block of N. Scrimshaw Drive, Peoria, IL.** (Council District 5)

Commissioner Shea announced that he would be abstaining due to his being an investor for the current Planned Unit Development. Chairperson Hunziker also stated he would be abstaining and turned the meeting over to Commissioner Unes.

Mr. Lear displayed the front side of the elevation of one of the apartment buildings at the Villas at Grand Prairie. He reported the zonings of the subject and surrounding properties. He presented the site plan layout of the proposal. He presented a brief history and explained the Petitioner is requesting to replace the four-unit buildings with 12-unit buildings and garages and revise the placement of the apartment buildings. The proposed site plan increases the total dwelling units from 268 on the previous site plan to 278 on the proposed site plan.

REQUESTED WAIVERS:

- 1) Increase the size of two freestanding signs from 5 feet in height and 20 square feet in area to 7 feet in height and to 32 square feet in area.

SITE PLAN REVIEW BOARD RECOMMENDATION

The Site Plan Review Board recommends APPROVAL of the request, excluding the requested waiver, and subject to the following conditions:

- 1) Removal of the gravel mulch placed adjacent to the first 14-unit building located on the south side of Woodsage Road.
- 2) Install required signage for all proposed and existing handicap parking spaces, including the fine plate per the Zoning Ordinance.

- 3) All ground and rooftop mechanical equipment must be fully screened (fencing or landscaping as appropriate). This includes electrical transformers and generators.
- 4) Landscape plan for front yards and parking lots must be submitted for review and approval prior to issuance of a building permit.
- 5) Final water plan must be approved by the Peoria Fire Department prior to construction of any additional buildings.
- 6) More than one access point into the parking lots must be available to any future building.
- 7) Subdivision plat to vacate and dedicate the right-of-way as necessary.

Staff does not support the requested waiver for two, 32 square-foot freestanding signs, which is in addition to an existing 32 square-foot freestanding sign. Staff recommends one freestanding sign 20 square feet in area and 5 feet in height, as provided by the Zoning Ordinance for residential neighborhood identification signs. Staff supports the intent of the Sign Ordinance, which is to provide against undue concentrations and proliferation of signs, as well as maintain the character of residential neighborhoods.

Referencing Staff's comments and expressing concern of a possible affect on the development's timeline, Commissioner Unes, questioned the City's requiring an additional ROW to construct the public improvements for the Orange Prairie Road; and Commissioner Davis questioned the secondary water source requested by the Fire Department.

Mr. Lear explained that Staff comments are comments from the various City departments; and then Staff has its specific recommendation. He said the Commission can address the items in terms of the recommendation. He further pointed out that Staff provides comments regarding what has been seen and identified as plans that have been submitted.

Laura Tobben of Farnsworth Group, representing Petitioner Andy Chiou, indicated that the site plan approved in 2008 was for quadplexes up and down Scrimshaw and apartments along Woodsage and to the west of the pond. Today they are asking for approval of the 12-unit apartment buildings that were previously approved on Scrimshaw as quadplexes. She said since the apartments have been more successful than the quadplexes and the infrastructure on Scrimshaw is already constructed, building apartments there is the next easiest step to keep this development going.

Ms. Tobben indicated they were not taking an exception to any of the Site Plan Review Board comments; but they respectfully request that the waiver be granted for the signage to allow for two additional signs to show the ownership of the apartments and who to call for information on those apartments.

Ms. Tobben stated they were not concerned about the ROW tying up the project. She indicated that so far the parts they are working on are platted correctly, and other plats needed later for Orange Prairie Road and Pioneer Parkway would have to be

worked out. Right now, their goal is the apartments; and they will deal with other requirements as they come in.

Regarding Commissioner Davis' question about the Fire Department's concern about the water main not being adequate, Ms. Tobben said they knew that Illinois American is planning improvements along Orange Prairie Road that will connect this; and it would be worked out with the Fire Department.

Commissioner Klise said she could not support two signs. Ms. Tobben explained the request is for three signs, i.e., two additional signs.

Commissioner Shea stated they have a sign on Woodsage and need signage on Scrimshaw.

Commissioner Davis referred to its being a half mile up the road. Commissioner Klise said she thought someone could find their way around easily.

Regarding the water supply, Commissioner Shea indicated that they had to put pressure reducing valves in the current two buildings they built because the pressure was 97 pounds, and the City required them to put those in, so there is plenty of water pressure out there.

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

In discussion with Commissioner Davis, Commissioner Unes said he did not have a problem with the signs.

Chairperson Hunziker said there is a half mile to go back there, and there is going to be more buildings in the future. He questioned how someone would know which building to go to.

Commissioner Unes mentioned the possibility of a directional sign back to those buildings or a sign listing apartment unit numbers. Commissioner Klise said directions or apartment unit numbers could be put on a street sign.

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 Unes motioned to approve Case No. ZC 11-22B, subject to Staff's recommendation, with conditions, with the exception that the signs are approved. The motion was seconded by Commissioner Davis.

Motion **APPROVED** by viva voce vote.

Yeas: Davis, Unes;

Nays: Klise.

Abstention: Hunziker, Shea.

- (ZC 11-I)** PUBLIC HEARING on the request of the City of Peoria to amend Appendix B, the Zoning Ordinance, related to Planning Commission review of Enterprise Zones.

Mr. Lear reported that Staff requests deferral of this item until the regularly scheduled Zoning Commission Meeting on September 1, 2011, to allow Staff additional time for review.

Motion:

Commissioner Unes moved **to defer** Case No. ZC 11-J until the September meeting (on Thursday, September 1, 2011, at City Hall, 419 Fulton Street). The motion was seconded by Commissioner Davis.

Motion **APPROVED** by viva voce vote.

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

Nays: None;

Abstention: None.

- (ZC 11-J)** 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 Zoning Certificates.

Mr. Lear reported that this proposed text amendment is to provide clarity regarding the length of time for which a Zoning Certificate is valid. Currently, it is not clear in the City Code how long an approved Zoning Certificate remains legal. The proposed text amendment adds language to the City Code stating that a Zoning Certificate must be acted upon within one year of issuance or it becomes invalid. This length of time is consistent with building permits, which also expire one year after issuance if no work has begun.

SITE PLAN REVIEW BOARD RECOMMENDATION

Staff recommends APPROVAL of the Ordinance amending Appendix B, Zoning Ordinance, and C, the Land Development Code, relating to Zoning Certificates.

Responding to Chairperson Hunziker's reference to zoning, Mr. Lear explained that this proposed change is not relating to the zoning of a property; but rather this Ordinance would provide language stating that the Zoning Certificate is valid one year for work on a particular project. He reiterated that the reason for this change is so that the Zoning Certificate has the same language as used for building permits.

First Motion:

Commissioner Davis motioned **to approve** Case No. ZC 11-J.

The motion **failed** due to the lack of a second.

Commissioner Shea stated the need for a clearer understanding and suggested deferral for further discussion.

Second Motion:

Commissioner Shea moved **to defer** Case No. ZC 11-J until the next regularly scheduled meeting (Thursday, August 4, 2011, at City Hall in the Council Chambers). The motion is seconded by Commissioner Unes.

Motion **APPROVED** by viva voce vote.

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

Nays: None;

Abstention: None.

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

Commissioner Unes motioned to adjourn the Regular Zoning Commission Meeting; seconded by Commissioner Shea.

Motion **APPROVED** by viva voce vote.

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

Nays: None;

Abstention: None.

The meeting adjourned at approximately 2:54 P.M.

Gene Lear, Senior Urban Planner

/ps