

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

Council Chambers, Peoria, Illinois, September 1, 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: Hunziker, Klise, Misselhorn, Shea, Unes - 5; Absent: Davis, Wiesehan - 2.

Staff Present: Leah Allison & Trina Bonds

MINUTES

Commissioner Unes moved to approve the minutes of the August 4, 2011 Zoning Commission meetings (as outlined); seconded by Commissioner Misselhorn.

Approved by viva voce vote.

Yeas: Hunziker, Klise, Misselhorn, Shea, Unes, - 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 11-23B) CONTINUED PUBLIC HEARING on the request of Doug Dolan for AT&T Mobility to amend an existing Special Use Ordinance No. 14,327 in a Class R-3 (Single Family Residential) District for a Public Safety Building to replace an existing wireless communication tower with a new wireless communication tower and equipment shelter for the property located at **2105 W. Northmoor Road, Peoria, IL** (Council District 5)

Ms. Allison gave the property characteristics and the surrounding zoning of the subject property. She reported that the request was deferred from last month. She explained that Staff requested a deferral because at that time they could not make a recommendation. She stated that enough information has been provided for Staff to make a recommendation and then referred to a handout of updated Staff's comments.

Ms. Allison gave a brief summary of the proposal and reported that previously, the petitioner had requested a 190-foot tower to be located in the back corner of the subject property. She reported that the proposal has been revised to replace an existing 140-foot lattice style communication tower with another 140-foot communication monopole tower and to add a 20'x40' equipment building. She further reported that the site plan was updated to show the most recent revisions.

Ms. Allison reported that following waiver is requested:

- 1) Reduce the required front yard setback from 25 feet to 16.5 feet along Hamilton Road.

Ms. Allison reported that the Site Plan Review Board recommends approval of the request to amend the special use, including the requested waiver, and subject to the following condition:

- 1) Approval of a lease agreement between the City of Peoria and AT&T.

Ms. Allison reported that during this request, Staff has had a good working relationship with AT&T. She went on to say that AT&T was willing to work with the City and the consultant.

In discussion with Commissioner Shea, Ms. Allison confirmed that the request will eliminate the need for the tower at Exposition Gardens.

Doug Dolan, Dolan Realty Advisors, LLC, reported that the tower will be owned, managed and maintained by AT&T.

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

After the Zoning Commission reviewed the request to amend 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 11-23B per Staff's recommendation; seconded by Commissioner Shea.

During deliberations, Ms. Allison explained that the site plan shows both AT&T and the City of Peoria's antennas. She then reported that the tower is designed to accommodate up to two other carriers.

Motion approved by viva voce vote.

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

Nays: None;

Abstention: None.

After the vote, Ms. Allison reported that the case would be forwarded on to the City Council on September 27, 2011.

(ZC 11-25B) PUBLIC HEARING on the request of Rebecca Fredrickson of Pleasure Driveway & Park District of Peoria to amend an existing Special Use Ordinance No. 15,959, in a Class R-3 (Single Family Residential) District, for a Public Park to relocate the Zoo entrance building and parking lot for the property located at **2218 N. Prospect Road, Peoria, IL.** (Council District 3)

Ms. Allison gave the property characteristics and the surrounding zoning of the subject property. She gave a brief history regarding the subject property. She reported that in 2006, a Special Use for a public park to expand the zoo was approved which allowed for growth of the zoo from 7 acres to 21 acres. She stated that this special use also included a new entry building and parking lot containing 288 parking spaces. She reported that the expansion to the zoo was constructed; however the new entry building and parking lot were not built. She reported that the petitioner is requesting the following:

- To relocate the entrance building to the north of the previously approved location. The entry building will be built in two phases with a height of 33 feet and total size of 14,000 sq. ft. at build out. The placement and height of the building is in compliance with the Land Development Code.
- To reduce the previously approved parking lot to 150 spaces, which will be constructed in phases. Phase 1 will include 40 parking spaces with the remaining 110 spaces to be constructed depending upon demand. This parking lot will be integrated into the existing roadway network.

Ms. Allison reported that per the petitioner, 314 existing parking spaces are provided at various locations throughout the park. She stated that these spaces, along with parking on the roadway network, currently provide adequate parking to serve the park and zoo. She then reported that the proposed parking lot is intended to provide parking in proximity to the new entrance building.

Ms. Allison reported that the Site Plan Review Board recommends approval of the submitted request to relocate the zoo entrance building and parking lot subject to the following condition:

- 1) A lighting plan for the new parking lot must be submitted prior to issuance of a building permit, which indicates the type of lighting proposed and ensures that lighting will not exceed 0.5 foot candles as measured at the property line.

In discussion with Commissioner Unes regarding why the changes were not approved administratively, Ms. Allison reported that the reduction of parking was a significant change from what the City Council previously approved and the public expected.

In discussion among the Commission regarding the reduction in parking spaces, Ms. Allison reported that Park Officials would determine when the remaining 110 parking spaces would be constructed. Commissioner Shea expressed his concerns regarding

the proximity of the parking spaces to the proposed entry building and if whether the proposed 40 spaces would be enough.

Steve Kerr, Mohr & Kerr Engineering, reported that he was representing the Zoo. He reported that originally 288 parking spaces were previously approved. He stated that they were not sure where that number came from and explained that the entry building was not built at that time. He stated that there are over 300 parking spaces all over the property. He explained after seeing how the zoo would operate, an additional 288 parking spaces were not needed. He stated at this time they decided to proceed with the construction of the entry building. He explained that the intent is to provide enough parking in the proximity of the entry building to make it convenient for everyone.

In response to Commissioner Shea's concerns, Mr. Kerr commented that the project is privately funded and 40 spaces would be better than no spaces at all. He went on to say right now, that is as far as their funding will go.

In discussion with Commissioner Klise, Mr. Kerr reported that approximately 5 trees will be removed in this area. He explained that the parking lot probably won't cause them to remove many trees, but the building itself may cause 5 trees to have to be removed.

Roger Sparks, Peoria Resident, stated that his concern is that they should be required to include enough handicapped parking spaces. He then commented that he hopes that there will be some connectivity to the new building and public transportation on Prospect.

Mary Clark, Neighborhood Resident, commented that she is concerned about the way the parking is currently in the park. She further commented that because of the zoo, she can understand that they need more parking. She stated that she would not like to see the green grass be removed for parking. She commented that there use to be a lot more ball playing in the baseball fields, but over the last few years it has been deteriorating. She went on to say that this is more than just a zoo, but their neighborhood park.

Sara Partridge, Neighborhood Resident, gave the history of Glen Oak Park. She stated that the park was put at this location to honor the men and boys who fought in the Civil War. During more comments, she commented about the different negative activities that go on in the park and also spoke in opposition of the zoo. She then submitted a disc containing information regarding the history of Glen Oak Park for the record.

Jean Donahue, Neighborhood Resident, asked for clarification regarding the entrance to the zoo.

Ms. Allison clarified that the street entrance to the zoo will not be changing. She explained that the request is construct an entrance building to the zoo. She reported that there is currently an entrance building now, but they would like to relocate it.

Chris Reynolds, Neighborhood Resident, commented that she personally feels that the proposed 288 spaces changing to 150 spaces may be a good thing because it is going to save green space.

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

After the Zoning Commission reviewed the request to amend 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 11-25B, per Staff's recommendation; seconded by Commissioner Missehorn.

During deliberations, discussion took place regarding the use of the ball park. Ms. Allison reported that there are two existing ball parks there, one appeared to be maintained for use and the other did not appear to be used.

During more discussion and comments, Commissioner Klise mentioned the green space currently outside of the zoo and expressed her concerns for the loss of green space due to the proposed parking lot.

Chairperson Hunziker called for the vote.

Motion **APPROVED** by viva voce vote.

Yeas: Hunziker, Misselhorn, Unes- 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 September 27, 2011.

(ZC 11-26B) PUBLIC HEARING on the request of Ali Ganjaei of Hinduja Global Solutions, Inc. to amend an existing Special Use Ordinance No. 14,789, in a Class C-2 (Large Scale Commercial) District for a Shopping Center to add property to be used as a parking lot for the property commonly known as Pine Tree Plaza and located at **2311-2411 W. Pioneer Parkway, Peoria, IL.** The property to be added to the Shopping Center is located at **2211 W. Pioneer Parkway.** (Council District 5)

Ms. Allison gave the property characteristics and the surrounding zoning of the subject property. She gave the history of the property and reported that the petitioner is requesting to add the northern 3.4 acres of the adjacent parcel (2211 W. Pioneer Parkway) to the Special Use of the shopping center. She stated that this area is to be used as parking lot. She reported that the parcel to be added has two existing driveways from Altorfer Drive, which will provide access to the proposed parking lot.

She went on to say that a cross access drive between the shopping center and the adjacent parcel will also be created. She then reported that the remaining southern portion of the adjacent parcel (2211 W. Pioneer Parkway), which contains 9.6 acres, will remain as currently developed. She also reported that the petitioner provided a revised site plan to add one shrub planting for the front yard of Altorfer Drive to meet the minimum planting requirements.

Ms. Allison reported that the existing shopping center includes two freestanding signs along Pioneer Parkway for Associated Bank and the Verizon Store. She stated that the petitioner is requesting to place three additional freestanding signs at the following locations:

- 1) On Pioneer Parkway at the entrance to the shopping center
- 2) On Allen Road at the entrance to the shopping center
- 3) On the frontage of Altorfer Drive

Ms. Allison reported that sign renderings have not been submitted; therefore, all proposed signs must meet the requirements for the Zoning Ordinance for size and height.

Ms. Allison reported that the following waiver is requested due to existing conditions:

- 1) Reduce the required front yard setback from 20 feet to 15 feet at the northeast corner along Altorfer Drive.

Ms. Allison reported that the Site Plan Review Board recommends approval of the submitted request to add property to be used as a parking lot, with no objection to the requested waiver and with the following conditions:

- 1) A separate sign application shall be required for approval of proposed freestanding signs.
- 2) A parking lot lighting plan must be submitted prior to issuance of a building permit to ensure that lighting does not exceed 3.0 foot candles as measured at the property line.

In discussion regarding the signs, Commissioner Shea commented about the 150 feet distance requirements and asked how these signs would affect three remaining out lots. Ms. Allison explained that the distance between the signs is appropriate and one sign is allowed per lot.

Mike Seghetti, Attorney, reported that he is representing the petitioner. He reported that the signs will possibly be placed on the portion of property that they own or pursuant to a current subdivision covenant.

Ms. Allison read into the record an email that was submitted by Russ Waldschmidt of Wald/Land Corporation. The email spoke in favor of the request, but strongly

suggested certain road improvements be made to accommodate the traffic on Allen Road, including having the access drive at the intersection to be signalized. The email stated that without improvements, left turns out of this development will be extremely difficult and dangerous. Ms. Allison reported that the Public Works Department has reviewed traffic generation data and found that the existing public street system is adequate.

Chairperson Hunziker reported that he would be abstaining from the vote on Case No. ZC 11-26B.

After the Zoning Commission reviewed the request to amend 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 more comments, Commissioner Unes moved to approve Case No. ZC 11-26, per Staff's recommendations; seconded by Commissioner Misselhorn.

During deliberations, Ms. Allison clarified the requirements for on-premise signage for the Commission.

Motion **APPROVED** by viva voce vote.
Yeas: Klise, Misselhorn, Shea, Unes - 4;
Nays: None;
Abstention: Hunziker -1.

After the vote, Ms. Allison reported that the text amendments would be forwarded on to the City Council on September 27, 2011.

(ZC 11-I) CONTINUED 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.

Ms. Allison reported that Staff respectfully requests to defer this item until the regularly scheduled Zoning Commission meeting on October 6, 2011 to allow Staff additional time for review.

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

Motion:

Commissioner Shea moved to defer the proposed text amendments, per the submitted request; seconded by Chairperson Hunziker.

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

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

Nays: None;

Abstention: None.

(ZC 11-K) PUBLIC HEARING on the request of the City of Peoria to amend Appendix C, the Land Development Code, related to Outdoor Storage and Display in residential districts.

Ms. Allison reported that the proposed text amendment is to correct an unintentional duplication of a regulation regarding real estate offices in residential districts.

Ms. Allison reported that the following text is found in Article 8, General Development Standards, subsection 4, Temporary Outdoor Storage in Residential Districts:

Article 8.4.4.B.4.a.

- 2) Temporary real estate tract offices, for the sole purpose of conducting the sale of lots of the tracts upon which such tract office is located, for a period not to exceed the duration of such sales.

Ms. Allison reported that this permits temporary real estate offices, such as those established for the sale of homes in new subdivisions within residential districts. She stated similar language resulting in the same regulation is found in Article 5, Permitted Land Uses, subsection 5, Temporary Uses, Real Estate Office, Including Model Units:

Article 5.5.3.F Real Estate Offices, Including Model Units

In any district when such use is accessory to a new development. No such use shall contain any sleeping or cooking accommodations unless located in a model dwelling unit. Such use shall be limited to the period of the active selling or leasing of units or spaces in such development and to activities to the related to the development in which such office is located. No such office shall be used as the general office or headquarters of any firm. A zoning certificate shall be required prior to establishment of the use.

Ms. Allison reported that the language within Article 8 will be removed to provide clarity and eliminate duplication and any conflicts that may occur.

Ms. Allison reported that Staff recommends approval of requested text amendments.

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

Motion:

Commissioner Shea moved **to approve** the proposed text amendments, per the submitted request; seconded by Commissioner Misselhorn.

Motion **APPROVED** by viva voce vote.

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

Nays: None;

Abstention: None.

After the vote, Ms. Allison reported that the text amendments would be forwarded on to the City Council on September 27, 2011.

ELECTION OF ZONING COMMISSION OFFICERS

Ms. Allison reported that the election of officers should be done on an annual basis.

After a brief discussion, Commissioner Shea moved to re-elect Greg Hunziker as chairperson for the Zoning Commission; seconded by Commissioner Unes.

Commissioner Shea moved to elect Mike Wiesehan as vice-chairperson for the Zoning Commission; seconded by Commissioner Misselhorn.

Motions **APPROVED** by viva voce vote.

Yeas: Klise, Misselhorn, Shea, Unes - 4;

Nays: None;

Abstention: Hunziker -1.

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 2:30 P.M.

Leah Allison, Senior Urban Planner

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