

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

A regularly scheduled Planning Commission Meeting was held on February 16, 2011, at approximately 1:35 p.m., City Hall, Council Chambers, Room 400, 419 Fulton Street, Peoria, Illinois, with Chairperson Lees presiding.

ROLL CALL

The following Planning Commissioners were present: Chairperson Lees; and Commissioners Anderson; Davis; Lawless; Lawrence; Lemons; Miller; and Richey – 8;
Absent: None.

City Staff Present: Joshua Naven and Polly Stainback

MINUTES**Motion:**

Commissioner Lawrence motioned for approval of the minutes of the Regular Planning Commission Meeting held on December 15, 2010, as printed; seconded by Commissioner Anderson.

Approved unanimously by viva voce vote 8 to 0.

MEETING PROCEDURES AND SWEARING IN

Chairperson Lees explained the meeting procedures. Ms. Stainback administered the swearing in for testimonies.

REGULAR BUSINESS**CPC 11-A**

PUBLIC REVIEW on the request of Bob Brady for Oakbrook Park Villas, LLC, for approval of an amendment to an existing multi-family plan for property generally located at the northeast corner of Knoxville Avenue and Deerbrook Drive along the western side of Oakwood Drive and also known as Oakbrook Park Villas.

Chairperson Lees read Case No. CPC 11-A into the record.

Joshua Naven, Senior Urban Planner, City of Peoria, Planning and Growth Management Department, displayed the general location map, aerial, 2003 site plan, and the current site plan. He explained the proposal is to reduce the total amount of dwelling uses from 71 to 67 dwelling units.

Referring to the site plan approved in 2003, Mr. Naven pointed out the two traffic circles, one to reduce the density and one to change the traffic circulation. He indicated that the current proposal involved removing what was removed administratively before, i.e., the clubhouse and patio/pool area, which would be a common ground area.

In summary, Mr. Naven indicated there were only a few changes, i.e., reduction in the development's density, changes to transportation to the interior, and removal of some of the common buildings on the site. He explained that because this was approved by public procedure in 2003, Staff wanted to make sure they had a public process for approval for the current proposed changes, so there were no questions as to how the final build-out was obtained. Also, he reported the following:

CONDITIONS OF APPROVAL:

- 1) If they provide refuse areas on the site, they must comply with Section 16.9 of the Zoning Ordinance which requires screening on four sides (including a gate for access) by a solid, commercial-grade wood fence, wall, or equivalent material with a minimum height of six feet and not greater than seven feet.
- 2) All roof top and ground level mechanical equipment and utilities shall be fully screened from view of any street or residential zoning district as seen from six feet above ground level.
- 3) A landscaping plan must be submitted for review to determine compliance with Section 16 (Landscaping) of the Zoning Ordinance.

Mr. Naven clarified that currently toters were being used. The first condition above was listed in case this ever changes.

Responding to Commissioners, Mr. Naven clarified the differences in their current and proposed changes:

- Reduction of the number of dwelling units, changing the type of structures that were on the site, i.e., some of them had more units in a specific full structure.
- The middle traffic circle was removed to be a straight traffic lane with traffic isles to enter the garages on the units.
- Parking changed.
- The common area was previously a clubhouse and pool.
- Staff wanted to make sure there were not any issues regarding this final solution for the site. Since it originally went through a public process, it should again go through the public process.

Pat Lewis, a Peoria resident, indicated he is a resident of Deerbrook Estates and also on the Board of Deerbrook Homeowners Association. He indicated that he was on the Board when Mr. Brady first proposed the condo complex. He stated that the homeowners and developers worked as a team, and it turned out to be a good project.

Mr. Lewis indicated that they always had a concern about the area between the street and the finished area. The area right next to the street, which he believes is the City's responsibility, has never been finished. He said he thought the reason was because Deerbrook Drive itself is more like Deerbrook Subdivision, with no sidewalks and no gutters, with natural swales; whereas, Oakbrook has sidewalks, curbs, and gutters.

Continuing his discussion, Mr. Lewis clarified that the strip which had never been finished is located along Deerbrook, just below Knoxville. He said he understood that Mr. Brady would be talking to the Mayor after this meeting. He said the complaint was made by

Ms. Restrepo, who called him about it. He said that Council Member Irving had been trying to find a remedy also. He indicated that he was present to support Mr. Brady and his neighbor.

During discussion regarding the strip along Deerbrook, Mr. Naven commented as follows:

- Route 40 is IDOT controlled, so it is access controlled and probably Deerbrook Drive was there prior to the existing subdivision developments. It was more of a township type of road prior to this development. Since it is IDOT controlled, there may be a long permitting process to make sure those construction plans go through IDOT, i.e., certification prior to being installed.
- Typically when putting in public improvements, there is a construction plan approval process. If the township road was there prior to that and it did not get covered during that approval process, and they felt it met the current regulations, then it may not have been handled at that point in time.
- It would typically be the private owners that abut that right-of-way who would be responsible for maintaining it if not paved or sidewalk, curb, and gutter type of issue.
- Basically, the issue here is getting approval so that the developer can finish the area. There may be some additional items, e.g., if talking about curbs and gutters, it would include stormwater issues, so that may change a lot of things and protract that permitting process.
- The proper process to rectify those issues would be to continue contact with Council Member Irving and probably have some extra contact with the Public Works Department to rectify those issues.

Ms. Stainback swore in Ms. Restrepo who was not previously sworn in.

Celeste Restrepo, indicated that she was one of the closest neighbors to Mr. Brady's property and could attest that he had been a good neighbor. She asked Commissioners for their help for her neighborhood because it is not that it just does not look nice, but it is a safety concern, especially with people who walk and jog, as well as children who walk and ride their bikes. She stated that she is a good steward in maintaining two City-owned properties, and government officials needed to step up and do what is expected of them.

Responding to Commissioners, Mr. Naven clarified the following:

- There would be the same number of buildings, but a lower amount of units, i.e., 67 units being requested today.
- The proposed changes are located at the middle of the development which are not yet constructed.
- They removed the clubhouse and the pool from the original submittal, which was done administratively, since it was not constructed. Now, this is a more formal request going through this process.

- The owners were notified early on that the pool and clubhouse were being eliminated.
- Every condominium parcel was notified of this request, and he only received inquiries over the phone, with no formal objections or public comments.
- The comments today would provide enough direction to move the process regarding the complaint presented today.

Mr. Lewis stated that they would like to continue to be guaranteed they would always be able to turn left out of Deerbrook, as they are very pleased with the left-hand turn.

Bob Brady, Petitioner, stated they wanted to downsize from 72 to 67 units, the reason being the market conditions. In further discussion, he pointed out the following main points:

- These were originally two- and three-story units. They decided to downsize and spread the footprint, so they kept 18 buildings and went down to 67 units, without changing the first phase to the north with 30 units.
- The second phase, which is broken up into several phases, had 42 units, which is the one they downsized to 37; and by doing this, they increased the parking by .1%.
- They had been building under this preliminary plan. At some point, a mistake was made; and they had been marketing these materials and plat since 2007. They took out the clubhouse and pool, so all the marketing materials since 2007 had been under the new submitted plat.
- In addition, this past November, they handed over the association to the homeowners in the subdivision. He received one call regarding this case and told them it is exactly the same plat they had been working under for three or four years, so there should not be any surprises from their side.
- Regarding the curb, he assumed that is when the curb and gutter was put in when Oakbrook was developed; and there were never any requirements on the curb coming to the east from Knoxville. They maintain as far as they can, but it dips; and there is no curb holding the earth back, particularly where the stop sign is on the southeast corner, which is the biggest problem.

Responding to Commissioner Anderson, Mr. Brady said they really have no say in the matter because if they did something, it would impact the topography and the grade of the road, etc., so it is really an IDOT or township issue, and dealing with the City.

Mr. Naven stated it would be finding out who is the responsibility party, i.e., IDOT's maintenance requirements, or the City of Peoria's. He explained there are all types of maintenance agreements regarding different roads in the City of Peoria, some of which are actually owned by the township; but the City maintains it. So it depends on that specific road and what is required of that road. He said he thought that this will trigger some additional conversations that need to happen at the administrative level for that road, especially that intersection.

Responding to Commissioner Anderson regarding if something should be included in the motion, Mr. Naven stated, "No," since the specifics of this issue are more internal than external to the site. He suggested forwarding the minutes to the proper entities, and

perhaps holding additional meetings with neighborhood associations, the condominium association, property owners, etc.

Motion:

Commissioner Anderson made a motion to approve the amendment to the multi-family plan of Oakbrook Park Villas, subject to Staff recommendations; seconded by Commissioner Miller.

The motion was approved unanimously by viva voce vote 8 to 0.

CPC 10-U

REMANDED FROM CITY COUNCIL ON JANUARY 25, 2011

PUBLIC HEARING on the request of the City of Peoria to amend Appendix A, the Subdivision Ordinance, related to Fees.

Chairperson Lees read Case No. CPC 10-U into the record.

Joshua Naven, Senior Urban Planner, City of Peoria, Planning and Growth Management Department, reported this was pursuant to Agenda Item 11-029 on the City Council Agenda of January 25, 2011, that Staff remand the Ordinance to the Planning Commission in order to provide additional public comment. Mr. Naven explained it was the intent to try to cover the costs involved for processing applications. He pointed out that multiple Staff in multiple departments are involved, which is another reason behind the fee increases.

After a brief discussion, the following motion was made:

Motion:

Commissioner Anderson moved to approve the fees as presented. The motion was seconded by Commissioner Lawrence.

The motion was approved unanimously by viva voce vote 8 to 0.

REVIEW AND APPROVAL OF THE 2011 COMMISSION WORK PLAN

Josh Naven, Senior Urban Planner, City of Peoria, Planning and Growth Management Department, gave an overview of the 2011 Commission Work Plan.

After a brief discussion, the following motion was made:

Motion:

Commissioner Richey motioned for approval of the submitted 2011 Commission Work Plan. The motion was seconded by Commissioner Lawless.

The motion was approved unanimously by viva voce vote 8 to 0.

CITIZENS' OPPORTUNITY TO ADDRESS THE COMMISSION

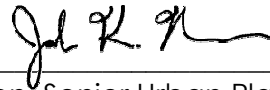
There were no citizens to address the Planning Commission.

ADJOURNMENT

Commissioner Anderson motioned to adjourn; seconded by Commissioner Richey.

The motion was approved unanimously by viva voce vote 8 to 0.

The Planning Commission Meeting adjourned at approximately 2:24 p.m.



Joshua Naven, Senior Urban Planner
Planning and Growth Management Department

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