

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

Council Chambers, Peoria, Illinois, November 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: Hunziker, Klise, Misselhorn, Shea, Unes, Wiesehan - 6; Absent: Davis - 1.

Staff Present: Leah Allison & Trina Bonds

MINUTES

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

Approved by viva voce vote.

Yeas: Hunziker, Klise, Misselhorn, Shea, Unes, Wiesehan - 6;

Nays: None;

Abstention: None.

Ms. Bonds swore in the public speakers that wished to give testimony today.

PETITIONS, REMONSTRANCES, AND COMMUNICATIONS- THE CITY OF PEORIA

(ZC 11-31) PUBLIC HEARING on the request of Leo Ghantous to amend the Prospect Road Form District Regulating Plan by revising the frontage from a Class R-4 Frontage to a Class Neighborhood Center Frontage for the property located at **3037 N. Prospect Road, Peoria, IL**. (Council District 3)

Ms. Allison gave the property characteristics and the surrounding zoning of the subject property. She gave the following brief background regarding the subject property:

- The property has been commercially zoned since 1931.
- In 2002, a Special Use was granted for Used Auto Sales.
- In 2007, after the adoption of the Land Development Code, the commercial zoning for the property was replaced with the Prospect Road Form District.

Ms. Allison reported that the petitioner is requesting to amend the Prospect Road Form District Regulating Plan's frontage classification. She explained that the Regulating Plan identifies the street frontage (either Neighborhood Center or Neighborhood R-4) by which properties are regulated. She then explained that the Street Frontage identifies the building envelope standards governing building form, building placement and building elements such as doors, windows and balconies, and use standards.

Ms. Allison reported that the current Neighborhood R-4 street frontage classification for the subject property includes the following requirements:

- Maximum height = 3 stories (including attic)
- Required building line = 0 feet to 60 feet from the front property line.
- Parking lot setback = 30 feet from the required building line.
- Minimum 25 percent open space.
- Permitted uses include single family, two family, townhouses, apartment, upper story residential and live-work, elderly housing, family care facilities, and group facilities.

Ms. Allison reported that the proposed Neighborhood Center street frontage classification for the subject property includes the following requirements:

- Maximum height = Minimum 2 stories, maximum 5 stories (including attic)
- Required building line = front property line (0 feet).
- Parking lot setback = 30 feet from the required building line.
- Minimum 10 percent open space.
- Permitted uses include residential living (single family, two family, townhouses, apartment, upper story residential and live-work, elderly housing, family care facilities, and group facilities), civic (neighborhood arts center, museum, daycare center, educational facilities, medical facilities, parks, and places of worship, and commercial (indoor/outdoor recreation, offices, hotel, parking, restaurant, retail sales and service, self-service storage, and vehicle sales and service).

Ms. Allison reported that the Site Plan Review Board does not object to the request to amend the Prospect Road Form District Regulating Plan to Neighborhood Center frontage for the subject property.

Roger Sparks, Peoria Resident, commented that this building has been there for a long time and there haven't been any upgrades to the parking lot. He went on to say that it was his understanding that since the property had come to the Zoning Commission it would have to be brought up to code.

Leo Ghantous, Property Owner, reported that currently there are no specific plans, but this request would open the door for an expansion.

In discussion with Commissioner Klise, Mr. Ghantous reported that his intent is to keep the property as a used car dealership, but also have the opportunity for repairs.

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

After the Zoning Commission reviewed the request to amend the Prospect Form District Regulating Plan, and after considering the standards of the Land Development Code to revise, they found that the request **met** the findings of fact requirements.

Motion:

Commissioner Klise moved **to approve** Case No. ZC 11-31, per the submitted request; seconded by Commission Wiesehan.

Motion **APPROVED** by viva voce vote.

Yeas: Hunziker, Klise, Misselhorn, Shea, Unes, Wiesehan - 6;

Nays: None;

Abstention: None.

After the vote, a suggestion was made by Commissioner Misselhorn for Staff to explore changes to the minimum height requirements for the Prospect Road Form District instead of requiring two-stories.

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

(ZC 11-32B) PUBLIC HEARING on the request of Mike Lotte of University Plaza LLC to amend an existing Special Use Ordinance No.13,450 as amended, in a Class C-2 (Large Scale Commercial) District for a Shopping Center to remove property from the legal description of the shopping center for the property located at **3425 – 3525 N. University Street**, commonly known as University Plaza Shopping Center, Peoria, IL. (Council District 2)

Commissioner Shea reported that he would be abstaining from the vote and discussion on Case No. ZC 11-32B due to a conflict of interest.

Ms. Allison gave the property characteristics and the surrounding zoning of the subject property. She reported the following:

- In 1988, a Use with Approval was granted for a shopping center and office at the subject property.
- In 1992, the Shopping Center was amended to include landscaping, signage and additional buildings.
- In 1995, the Shopping Center was amended again for parking lot configuration, landscaping plan, signage and the replacement of a building.
- In 2010, the Golden Corral restaurant amendment occurred.

Ms. Allison reported that the petitioner is requesting to amend the Shopping Center to remove 1.025 acres from the shopping center area. She stated that the property is located along Dries Lane and utilized as part of the adjacent used auto sales business to the south. She further reported that the petitioner is re-subdividing a portion of the shopping center to create Lot 1, located along University Street, Lot 2, containing the existing building, and Lot 3, which is the property to be removed from the shopping center. She went on to say that the subdivision plat is being reviewed through the administrative approval process with the Planning & Growth Management Department.

Ms. Allison reported that the Site Plan Review Board recommends approval of the request to amend the existing Special Use to remove the subject property with the following condition:

- 1) If the property being removed from the Special Use, which is identified as Lot 3 and part of PIN 14-20-327-022, is to become a separate parcel, it must be a minimum of 50,000 sq. ft. in size as required by the C-2 (Large Scale Commercial) zoning district.

Ms. Allison reported that another option for the owner would be to adjoin the subject parcel to the parcel to the south to meet the minimum of 50,000 sq. ft.

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:

After brief comments, Commissioner Unes moved **to approve** Case No. ZC 11-32B per Staff's recommendation; seconded by Commissioner Wiesehan.

Motion **approved** by viva voce vote.

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

Nays: None;

Abstention: Shea - 1.

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

CITIZENS' OPPORTUNITY TO ADDRESS THE COMMISSION

There were no citizens who wished to address the Commission.

OTHER BUSINESS

Commissioner Wiesehan expressed gratitude for Director Landes' years of service to the City of Peoria.

ADJOURNMENT

The Zoning Commission Meeting adjourned at 1:25 P.M.

Leah Allison, Senior Urban Planner

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