Pekin Planning Commission Meeting
Council Chambers
111 South Capitol Street, 2nd level
September 11, 2019
5:30 p.m.

Present:

Bill Craig, Chairman
Tim Bonnette
Daryl Dagit
Don Hild
Chris Deverman

The regular meeting of the Pekin Planning Commission was called to order and a quorum was declared.

Staff present: John Lebegue, Building Inspections/Development Director, and Kate Swise, City Attorney

MOTION by Chris Deverman to approve the September 11, 2019 Agenda, seconded by Daryl Dagit. On roll call vote, all present voted AYE. Motion approved.

MOTION by Chris Deverman to approve the minutes of August 14, 2019, Seconded by Tim Bonnette. On roll call vote, all present voted AYE. Motion approved.

Council Action Reports:

Bill Craig, Chairman, stated that at the August 26, 2019 regular meeting of the Pekin City Council, the members of the City Council did not concur with the recommendation of the Plan Commission regarding the denial of the petition for the rezoning of the property at 904 N. 10th Street and approved the petition for the rezoning of the property at 904 N. 10th Street from R-4, One-Family Residential District to RT, 2 Family Residential District. The City Council also did not concur with the recommendation of the Plan Commission regarding the denial of a petition for the vacation of the a City alley north of Derby Street and approved the petition for the vacation of the east/west City alley located between 1219 S. 12th Street and 1119 Derby Street and 1125 Derby Street. Lastly, the City Council concurred with the recommendation of the Plan Commission and granted Site Plan approval for the construction of a new automatic car wash at 2900 Court Street.

Application #1: Consideration of an amendment for the re-zoning of City-owned property adjacent to Hanna Drive from PUD, (Planned Unit Development) to I-1,(Light Industrial District) to broaden the scope of allowed uses and facilitate sale and development of the City-owned parcels located at certain properties located on Koch Street between 278 Koch Street and 300 Koch Street and at 300 and 310 Hanna Drive.

Open Public Hearing: 5:34 p.m.

Bill Craig, Chairman, opened the discussion and asked if there was anyone here to speak in regard to the issue.

Jesi Sciortino, of 1841 Parkfield Drive, appeared before the members of the Plan Commission and explained that she and her husband owned property directly to the east of the City-owned property and were concerned that a potential development would be constructed in the narrow area at the corner of Hanna Drive and S. 5th Street, as that would be directly across the street from their residential property. The members of the Plan Commission explained to Ms. Sciortino that the narrow area at that location was intended to serve as a buffer zone and would continue to serve in that capacity, as the area is too narrow to be developed. Mrs. Sciortino continued by stating that she had concerns that their property value would be negatively impacted if the property were rezoned to I-1, Light Industrial District. Mrs. Sciortino ended by asking why the City wanted to rezone the property and if a buyer was currently interested in purchasing the property.

Close Public Hearing: 5:37 p.m.

Bill Craig, Chairman, entertained a motion for discussion.

Motion made by Daryl Dagit, seconded by Chris Deverman, to open discussion.

Daryl Dagit asked if buffer areas off of Koch Street and South 5th Street would remain in place. Mr. Dagit continued by stating that when he was on the City Council and the Riverway Business Park was approved, the buffer areas off of Koch Street and South 5th Street were created by design as a transition area between the business park properties and the Pekin Park District and residential properties to the east. Mr. Dagit ended by stating that it was very important to maintain the buffer areas to mitigate the impacts of any development.

Chairman Bill Craig stated that any development that would be proposed for the City-owned properties that are the subject of the rezoning would come before the Plan Commission for Site Plan approval and the issues of landscaping and protection of neighboring properties would be addressed. Chairman Craig continued by stating that neighboring property owners would also receive notification of when a Public Hearing would be conducted for the required Site Plan review.

Tim Bonnette asked if the rezoning of property was common to facilitate and encourage new development.

John Lebegue, Building Inspections/Development Director stated that the rezoning of property to encourage new development is a common practice by municipalities.

Don Hild stated that when the Riverway Business Park was set up and the PUD, Planned Unit Development zoning was established, I-1, Light Industrial District uses were already present in that area.

The members of the Plan Commission found the amendment to the zoning classification appropriate and consistent with the goals and objectives of the Comprehensive Plan and compatible with uses and zoning districts in the area.

Bill Craig, Chairman called the question on amendment **for** the re-zoning of City-owned property adjacent to Hanna Drive from PUD, (Planned Unit Development) to I-1,(Light Industrial District) located at certain properties on Koch Street between 278 Koch Street and 300 Koch Street and at 300 and 310 Hanna Drive. On a roll call vote, the members of Plan Commission voted unanimously to approve an amendment changing the zoning classification of City-owned property within the Riverway Business Park from PUD, Planned Unit Development to I-1, Light Industrial District. Request for rezoning approved.

Application #2: Consideration of an amendment to Title 9, Chapter 10, Article B, Section 1-1, subsection B of the Zoning Code of the City of Pekin, to allow the parking of watercraft and watercraft trailers in residential districts.

Open Public Hearing: 5:48 p.m.

Bill Craig, Chairman, opened the discussion and asked if there was anyone here to speak in regard to the issue.

No one appeared before the members of the Plan Commission to speak in regard to the proposed amendment.

Close Public Hearing: 5:49 p.m.

Bill Craig, Chairman, entertained a motion for discussion.

Motion made by Daryl Dagit, seconded by Chris Deverman, to open discussion.

Daryl Dagit explained that this matter had been brought up in the past and he had concerns that the parking of boats on driveways in the front yard would block views and create a safety hazard for the City.

City Attorney, Kate Swise explained the nature of the proposed ordinance and stated that the proposed language addressed concerns relative to the obstruction of views and the obstruction of City right-of-way. Ms. Swise further stated that the ordinance does not apply to anything but boats and watercraft and the trailers use to transport them.

Chairman Bill Craig questioned how many residents in Pekin had boats and other watercraft and had concerns that the majority of residents would have to deal with the problems created by the owners of boats and other watercraft. Chairman Craig continued by stating that he felt that the parking of boats and trailers on driveways would create parking issues, as more cars would now be parked on and congesting City streets. Chairman Craig ended by stating that he saw no advantage to amending the Zoning Code to allow the parking of boats, watercraft and trailers.

Don Hild stated that if the City allowed the parking of boats, watercraft and trailers in the front yard on the driveway that the parking of motorhomes and other RVs would be next, as it would be difficult to say no once the City allows the parking of boats and trailers.

Chairman Bill Craig pointed out that, based on research he had performed, the narrowest pontoon boat available for sale is 8 feet wide and is at least 20 feet long, which would take up the majority of a residential driveway. Chairman Craig further stated that the proposed ordinance does not limit the size of boats and boat trailers.

City Attorney, Kate Swise advised the members of the Plan Commission that they could recommend revisions to the draft ordinance that she had prepared to address their concerns, such as limiting the size of boats and requiring that they be trailered and that the trailers have updated plates and tags.

Chris Deverman asked what would happen if a resident placed a boat or watercraft on a driveway without it being placed on a trailer.

City Attorney Kate Swise stated that it was her understanding that boats and watercraft must be on a trailer.

Tim Bonnette stated that pop-up trailers and other small RVs are owned by City residents and does not understand how they can be denied the ability to park those on the driveway in the front yard if the City allows the parking of boats and boat trailers.

Chairman Bill Craig, called the question on the amendment to Title 9, Chapter 10, Article B, Section 1-1, subsection B of the Zoning Code of the City of Pekin, to allow the parking of watercraft and watercraft trailers in residential districts. On a roll call vote, by a unanimous vote, the members of the Plan Commission recommended denial of the amendment of the text of Zoning Code of the City of Pekin to allow the parking of boats, watercraft and watercraft trailers in all yards in all residential districts.

Application #3: Consideration of an amendment to the Zoning Code of the City of Pekin to make the Zoning Board of Appeals an Advisory Body.

Open Public Hearing: 5:58 p.m.

Bill Craig, Chairman, opened the discussion and asked if there was anyone here to speak in regard to the issue.

Charity Gullett, a member of the Pekin Zoning Board of Appeals, appeared before the members of the Plan Commission and explained that she had concerns in regard to the proposed amendment to make the Zoning Board of Appeals an advisory body. Ms. Gullett stated that her first concern was that making the ZBA an advisory body could delegitimize the decisions of the ZBA and create delays in rendering a decision if all decisions had to be approved by the City Council. Ms. Gullett ended by stating that her second concern was that zoning decisions could be politicized and influenced by voters if the final approval was to be made by the City Council.

Mary Lanane, a member of the Pekin Zoning Board of Appeals, appeared before the members of the Plan Commission and explained that she had been on the ZBA for 20 years and stated that every variance or request that came before the ZBA was different and decisions were made on a case-by-case base, taking into account particular hardships or situations that existed for each case. Ms. Lanane continued by stating that she did not know why this amendment was being brought up, as the zoning board decisions of Tazewell County and East Peoria are final and did not understand why the City of Pekin should be different.

Kim Joesting, a member of the Pekin Zoning Board of Appeals, appeared before the members of the Plan Commission and explained that he had a concern that City Council members would not have time to fully research and visit each property subject to a variance before voting on the approval of a variance case and that the City Council would be overloaded with minor cases.

Close Public Hearing: 6:06 p.m.

Chairman Bill Craig, entertained a motion for discussion.

Motion made by Don Hild, seconded by Tim Bonnette, to open discussion.

Don Hild asked what brought on the amendment to make the Zoning Board of Appeals an advisory body.

John Lebegue, Building Inspections/Development Director, explained that the members of the City Council have expressed an interest in amending the text of the Zoning Code to make the Zoning Board of Appeals an advisory and recommending body, like the Plan Commission, where the members of the Zoning Board of Appeals will conduct Public Hearings on petitions brought before them and provide a recommendation in regard to the petition, with final review and approval of the petition decided by the members of the City Council. The members of the City Council feel that it is important that all matters considered by an appointed body should be brought before the City Council for final review and approval.

Chris Deverman stated that he believes that the City Council used to make the final approval of the decisions of the Zoning Board of Appeals, but that it was changed many years ago so that decisions of the Zoning Board of Appeals were final. Mr. Deverman further stated that the proposed amendment would result in an increase in the workload of the City Council.

Don Hild stated that he did not see the necessity to make the ZBA an advisory body, as the decisions rendered by the ZBA are not major issues.

Daryl Dagit stated that ultimately the City Council will have the say on changing the ordinance, but had concerns that City Council members would have the time to research the zoning cases before voting on the cases.

Tim Bonnette stated that no public input, other than from current members of the ZBA, and no City Council members were present to speak in regard to the proposed amendment, made him

question the importance of the proposed amendment. Mr. Bonnette further stated that the nature of the cases decided by the ZBA did not warrant the review and approval of the City Council.

Chairman Bill Craig stated that he agreed with the statement of Tim Bonnette that the decisions of the ZBA do not warrant the review and approval of the City Council.

Tim Bonnette stated that by leaving the decision final at the ZBA takes politics out of the decisions and reduces the workload of the City Council.

Bill Craig, Chairman called the question on the amendment to make the Zoning Board of Appeals an advisory body. On a roll call vote, by a unanimous vote, the members of the Plan Commission recommended denial of the amendment of the text of Zoning Code of the City of Pekin to make the Zoning Board of Appeals an advisory body.

No public input.

Motion made by Daryl Dagit, seconded by Chris Deverman to adjourn. On roll call vote, all present voted Aye. Motion approved. Meeting adjourned at 6:15 p.m.

Respectfully submitted:
John R. Lebegue, Building Inspections / Development Director