

Pekin Planning Commission Meeting
Council Chambers
111 South Capitol Street, 2nd level
March 13, 2019
5:30pm

Present:

Bill Craig, Chair
Steve Thompson
Tim Bonnette

Don Hild, Vice Chair
James Ruth

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 Rob McCoy, City Attorney

MOTION by James Ruth to approve the amended March 13, 2019 Agenda, with the removal of items number 2 and 3 at the request of the applicant, seconded by Don Hild. On roll call vote, all present voted AYE. Motion approved.

MOTION by James Ruth to approve the minutes of January 9, 2019, Seconded by Don Hild. On roll call vote, AYE: Don Hild, Steve Thompson, James Ruth and Tim Bonnette; ABSTAIN: Bill Craig. Motion approved.

Council Action Reports:

Chairman Bill Craig reported that at the January 28, 2019 regular meeting of the Pekin City Council, the members of the City Council concurred with the recommendation of the Plan Commission and by a unanimous vote approved the petition for Special Use authorization for a metal fabrication shop use at 716 Court Street. The Pekin City Council also concurred with the recommendation of the Plan Commission and by a unanimous vote approved the petition for the rezoning of the properties at 416 and 422 Catherine from RM-3, Multiple Family Residential to P-1, Vehicular Parking District and by a unanimous vote, approved a petition for Special Use authorization for the establishment of a commercial monument sales use, with the exterior display of burial monuments at a property located at 3302 Court Street.

Lastly, the members of the City Council unanimously voted to refer the matter of a Special Use petition for Special Use authorization to establish a sober living home at 1120 S. Capitol Street, back to the Pekin Plan Commission for further review and recommendation.

Application #1: Consideration of a Special Use petition submitted by Matthew Mackey for the establishment of a tire and repair shop at certain property located at 914 S. 2nd Street with a Legal Description of SEC 3 T24N R5W Triangular tract of land West of IC RR &

East of Second Street including 18'x 351'strip of abandoned RR NE ¼ in Tazewell County, Illinois, with the following P.I.N.#: 04-10-03-213-006.

Open Public Hearing: 5:36 p.m.

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

Applicant, Matthew Mackey came forward and appeared before the members of the Plan Commission and explained that he wanted to establish a tire and auto repair business like the business he previously conducted at 702 S. 2nd Street, but also wanted to perform auto rebuilding at the property at 914 S. 2nd Street.

A neighboring residential property owner appeared before the members of the Plan Commission and explained that she had received a letter that a petition for Special Use was being considered, but wanted to know what is going on at the property, as there is constant noise from the property at 914 S. 2nd Street late into the night. The resident ended by stating that Mr. Mackey is making a mess of the area with the business he is conducting at 914 S. 2nd Street.

Close Public Hearing: 5:39 p.m.

Bill Craig, Chairman, entertained a motion for discussion.

Motion made by Steve Thompson, seconded by Don Hild, to open discussion.

Commissioner Don Hild where the abandoned railroad property was located that was noted in the legal description of the property at 914 S. 2nd Street.

Building Inspections / Development Director, John R. Lebegue stated that the abandoned railroad property was at the east of the property, adjacent to the railroad right-of-way.

Commissioner Don Hild stated that while Mr. Mackey conducted his business at the property at 702 S. 2nd Street that there were several issues with the use that never got fully addressed by Mr. Mackey.

Mr. Mackey stated that they didn't have enough room at the 702 S. 2nd Street location to do the work that they wanted to do and that was why they moved to the property at 914 S. 2nd Street.

Commissioner Don Hild asked the applicant when he realized that he needed a Special Use to conduct his current use and when did they move into the location at 914 S. 2nd Street.

Mr. Mackey stated that realized he needed a Special Use in January 2019 and submitted the Special Use application on January 24, 2019. Mr. Mackey continued by stating that they moved to the location at 914 S. 2nd Street in December 2018.

Commissioner James Ruth then inquired as to the status of the vehicles that exist on the property.

Mr. Mackey stated that most of the cars left by the previous tenant had been removed but 3 to 4 cars remained and that the rest of the vehicles were his vehicles and those of his customers. Mr. Mackey further stated that he would accept a conditional Special Use that limits the amount of exterior storage and hours of operation.

Commissioner James Ruth stated that he appreciates the applicant's interest in operating a business in the City, but that Mr. Mackey already has 2 strikes against him as a result of the violations that previously occurred at 702 S. 2nd Street and the violations that currently exist at the property at 914 S. 2nd Street.

Chairman Bill Craig stated that he is very supportive of businesses in the City, but that he was not supportive of this request given the previous violations that took place at the property at 702 S. 2nd Street. Chairman Bill Craig continued by stating that since Mr. Mackey had obtained a Special Use to conduct his tire and auto repair business at 702 S. 2nd Street, he should have known that he needed a Special Use to conduct the same business at 914 S. 2nd Street.

Mr. Mackey stated that he wanted to keep his business going and did submit the application for Special Use in January. Mr. Mackey continued by stating that he would do whatever he had to do to make things right.

Chairman Bill Craig asked what conditions are generally applied to auto repair shops.

Building Inspections / Development Director, John R. Lebegue stated that the conditions placed on auto repair shops are:

1. Access to such use shall be directly to a major or collector street or shall be to a minor street which has direct access to an abutting major or collector street.
2. Access to and from such use shall not be cause for traffic to utilize residential streets.
3. Outdoor storage of parts or materials shall be prohibited.
4. Vehicles awaiting repair shall not be allowed to be stored outside the building for more than forty eight (48) hours for each such vehicle awaiting repair.
5. Areas for off-street parking required for customer use shall not be utilized for the storage of vehicles awaiting repairs.
6. All vehicle servicing or repair shall be conducted within a building.
7. Suitable containers shall be provided and utilized for the disposal of used parts, and such containers shall be screened from public view.
8. A four foot six inch (4'6") obscuring wall shall be provided and maintained on those property lines adjacent to or abutting a residential district.
9. A site plan shall be submitted to the Planning Commission for its review and approval; prior to issuance of a building permit.

Commissioner Tim Bonnette asked if the tire display at the front of the property at 914 S. 2nd Street is legal.

Building Inspections / Development Director, John R. Lebegue stated that the tire display is legal and constitutes advertisement for the tire shop use.

Commissioner James Ruth asked what Industrial District would be most appropriate for the auto salvage and junking use that the applicant wishes to operate.

Building Inspections / Development Director, John R. Lebegue stated that an auto salvage and junking use can only be legally conducted in the I-2, General Industrial District.

Mr. Mackey stated that he would have to eliminate the auto salvage aspect of his business at the current location.

Commissioner James Ruth asked the applicant what the main focus of his business was.

Mr. Mackey stated that the business was 50% auto and tire shop and 50% auto salvage.

Chairman Bill Craig then asked the applicant how many cars currently being stored outside are junk vehicles.

Mr. Mackey stated that 10 of the cars at the exterior of the building are junk vehicles.

Commissioner Steve Thompson stated that the applicant has 10 junk vehicles on the property when he is not allowed to have any junk vehicles on the property, which is a problem that must be addressed by the applicant.

Chairman Bill Craig asked the applicant how long it would take him to get rid of all junk vehicles on the property.

Mr. Mackey stated that it would take him 30 to 60 days to get rid of all the junk vehicles.

Chairman Bill Craig stated that only auto repair work can be conducted on the property and that the property must be cleaned up and asked the City Attorney if the matter could be tabled until May to allow the applicant to prove that he can operate his business legally and clean up the property.

Attorney Rob McCoy stated that the Plan Commission could recommend a conditional Special Use or could table consideration of the Special Use petition for 60 days.

Commissioner Steve Thompson stated that the Plan Commission is giving Mr. Mackey a second chance and if he does not get the property cleaned up and legally operate his auto and tire repair business that his Special Use application will be recommended for denial.

Chairman Bill Craig then called the question on tabling consideration of the petition for a Special Use to establish a tire and auto repair shop use at 914 S. 2nd Street for 60 days. On roll call vote, all present voted AYE. Motion approved.

Application #4: Consideration of a petition submitted by Eric Hill, representing owner, SNH Investment Inc. for the Re-Zoning of property currently zoned OS-1 (Office Service District) to B-3, (General Business District) for the purpose of conducting commercial business uses at certain property located at 131 N. Parkway Drive, with a Legal Description of SEC 36 T25N R5W Parkway Manor Ext. 5 Lots 69 and 70 SW 1/4 in Tazewell County, Illinois, with the following P.I.N.# 04-04-36-326-023.

Open Public Hearing: 6:03 p.m.

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

Eric Hill, representing SNH Investment Inc., appeared before the members of the Plan Commission and explained that SNH Investment Inc. had purchased the property at 131 N. Parkway Drive 4 years ago and are seeking the rezoning of the property from OS-1, Office Service Use to B-3, General Business District to expand the number of uses for the property. Mr. Hill continued by stating that they have some potential commercial tenants interested in locating in the property at 131 N. Parkway Drive should the property be rezoned.

Close Public Hearing: 6:05 p.m.

Chairman Bill Craig, entertained a motion for discussion.

Motion made by Steve Thompson, seconded by James Ruth, to open discussion.

Commissioner Don Hild stated that the Plan Commission had previously rezoned property in that area from OS-1, Office Service District to B-3, General Business District, so there existed a precedent and basis to approve the current rezoning request.

Chairman Bill Craig then called the question on the request of SNH Investment Inc. for the re-zoning of property currently zoned OS-1, Office Service District to B-3, General Business District for the property located at 131 N. Parkway Drive, and by a unanimous vote, the members of the Pekin Plan Commission recommended approval of the re-zoning request.

No public input.

Motion made by Don Hild, seconded by James Ruth to adjourn. On roll call vote, all present voted Aye. Motion approved. Meeting adjourned at 6:18 p.m.

Respectfully submitted:

John R. Lebegue, Building Inspections / Development Director