



**REGULAR ZONING BOARD OF APPEALS MEETING
WEDNESDAY, NOVEMBER 13, 2024
5:00 PM**

1. Pledge of Allegiance

2. Call to Order

3. Approve Agenda

4. Approval of Minutes

4.1. Meeting Minutes from the October 9, 2024 Regular Meeting

5. City Council Action Report

5.1. City Council Action Report From October 14, 2024

6. New Business

6.1. **Case SU 2024-11** A Special Use request submitted by Core Pekin LLC for the operation of a drive-through pick-up lane at 3440 Court Street.

6.2. **Case SU 2024-12** A Special Use request submitted by Hawk-Attollo LLC on behalf of Tazewell Lutheran School for the installation and operation of a ground mounted community solar garden at 3219 Court Street.

6.3. **Case RZ 2024-05** A Rezoning request submitted by the City of Pekin from I-1 Light Industrial to I-2 General Industrial for the property located at 300 Hanna Drive.

6.4. **Case ZTA 2024-01** City of Pekin, applicant, is requesting the approval of a Zoning Text Amendment to the City of Pekin Zoning Ordinance. Specifically, the request is to Subdivision VII.- I-2 General Industrial District

6.5. **Case ZTA 2024-02** City of Pekin, applicant, is requesting the approval of a Zoning Text Amendment to the City of Pekin Zoning Ordinance. Specifically, the request is to create Subdivision X.– Riverway Business Park Overlay District

7. Any Other Business Before the Board

8. Public Input

9. Adjourn



REQUEST FOR COUNCIL ACTION

Agenda Date: November 13, 2024
To: Members of the Zoning Board of Appeals
From: Nic Maquet, Chief Building Official

AGENDA ITEM: Meeting Minutes from the October 9, 2024 Regular Meeting

DESCRIPTION: Meeting Minutes from the October 9, 2024 Regular Meeting



City of Pekin

**PROCEEDINGS OF THE REGULAR MEETING
OF THE ZONING BOARD OF APPEALS OF THE CITY OF PEKIN, ILLINOIS,
HELD IN THE COUNCIL CHAMBERS OF CITY HALL
111 S. CAPITOL ST
ON WEDNESDAY, OCTOBER 9, 2024 AT 5:00 PM
CHAIRMAN DON HILD PRESIDING**

Pledge of Allegiance

The Pledge of Allegiance was led by chairman Hild.

Call to Order

The regular meeting of the Pekin Zoning Board of Appeals was called to order and all members were physically present. A quorum was declared by Chairman Hild.

Attendee Name	Organization	Title	Status	Arrived
Chris Deverman	Zoning Board of Appeals	Commissioner	Present	5:00 PM
Donald Hild	Zoning Board of Appeals	Chair	Present	5:00 PM
David Huskisson	Zoning Board of Appeals	Commissioner	Present	5:00 PM
Kim Joesting	Zoning Board of Appeals	Commissioner	Present	5:00 PM
Mary Lanane	Zoning Board of Appeals	Commissioner	Present	5:00 PM
Kelly Madden	Zoning Board of Appeals	Commissioner	Present	5:00 PM
Amy Wilson	Zoning Board of Appeals	Commissioner	Present	5:00 PM

Approve Agenda

Motion to amend the agenda to pull 6.1 Case SU 2024-09 made by Commissioner Madden and second by Huskisson.

RESULT:	PASSED (UNANIMOUS)
MOVER:	Commissioner Madden
SECONDER:	Commissioner Huskisson
AYES:	Commissioners Deverman, Hild, Huskisson, Joesting, Lanane, Madden

and Wilson

Motion to approve the agenda was made by Commissioner Madden and second by Huskisson.

Approval of Minutes

4.1. Minutes From The September 11, 2024 Meeting

RESULT:	PASSED (UNANIMOUS)
MOVER:	Commissioner Lanane
SECONDER:	Commissioner Madden
AYES:	Commissioners Deverman, Hild, Huskisson, Joesting, Lanane, Madden and Wilson

A Motion to approve the minutes was made by Lanane and second by Madden.

City Council Action Report

5.1. City Council Action Report Of The September 23, 2024 Meeting

Unfinished Business

6.1. Case SU 2024-09 A Special Use Request Submitted by Shane Kelley For The Operation of a Towing And Automobile Repair Business With Short Term Vehicle Storage at 407 South 3rd Street.

Case pulled from the agenda.

New Business

7.1. Case SU 2024-10 A Special Use Request Submitted By Peter Colvin On Behalf Of Clean & Lube Incorporated For The Operation Of An Automotive Clean and Lube Business At 1610 Broadway Street.

RESULT:	PASSED (UNANIMOUS)
MOVER:	Commissioner Deverman
SECONDER:	Commissioner Huskisson
AYES:	Commissioners Deverman, Hild, Huskisson, Joesting, Lanane, Madden and Wilson

Public Input Open: 5:05pm Public Input Closed: 5:05pm

Via Phone: Peter Colvin, owner, stated he is available for any questions.

Motion to approve made by Commissioner Deverman and second by Huskisson.

Commissioner Huskisson states that he feels the business is fitting for the property. Chairman Hild asked if there was a need for a screen on the southside of the property and Nic stated there is an existing six-foot fence on the backside of the business. Nic states that he would like to inspect the fence

to be sure the panels that were removed were not removed due to an obstruction of view. The attorney (Jeff) asked if the business would be required to follow all state and federal guidelines and Nic stated that they would be required to follow the same rules as part of our plan review. Peter Colvin, owner, stated that he is looking forward to using an existing building rather and that this business seems to be very fitting for an old car wash.

7.2. Case V 2024-17 A Variance Request Submitted By Richard Evans For The Property Located At 1500 South 2nd Street To Reduce The Minimum Rear Building Setback From 30 Feet to 5 Feet.

RESULT:	PASSED (UNANIMOUS)
MOVER:	Commissioner Huskisson
SECONDER:	Commissioner Deverman
AYES:	Commissioners Deverman, Hild, Huskisson, Joesting, Lanane, Madden and Wilson

Public Input Open: 5:10pm Public Input Closed: 5:12pm

Motion made to approve by Commissioner Huskisson and second by Deverman.

Richard Evans said that currently the vehicles sit inside during the winter, and they can be stored outside in the summer. Richard stated they are planning to buy five additional trucks, and they will need a building to keep the trucks out of the elements.

Chairman Hild discussed the proposed detention/retention and Peter said that the drainage currently drains towards Koch St. but they are looking to direct the drainage with a 20-foot strip that is 45-foot deep so they can build a detention area. Commissioner Lanane said the hardship is the angle of the lot and existing building. Commissioner Wilson asked if the setback from Koch Street is met and Nic said that the setback requirement from Koch Street was met.

7.3. Amending Sign Code Sections 4-3-8-8-1, 4-3-8-8-7, 4-3-8-8-13, 4-3-8-8-15 and Adding Section 4-3-8-8-18, 4-3-8-8-19 and Removing Section 4-3-8-9

RESULT:	PASSED (UNANIMOUS)
MOVER:	Commissioner Madden
SECONDER:	Commissioner Deverman
AYES:	Commissioners Deverman, Hild, Huskisson, Joesting, Lanane, Madden and Wilson

Motion to approve made by commissioner Madden and second by Deverman. Motion approved.

Any Other Business Before the Board

No other Business

Public Input

There was no public input

Adjourn

There being no further business to come to the Committee, a motion was made by Chair Hild seconded by Chris Deverman to adjourn the meeting. Motion carried via voice vote.



REQUEST FOR COUNCIL ACTION

Agenda Date: November 13, 2024
To: Members of the Zoning Board of Appeals
From: Nic Maquet, Chief Building Official

AGENDA ITEM: City Council Action Report From October 14, 2024

DESCRIPTION: City Council Action Report From October 14, 2024

City Council Action Report
Meeting Date
October 14, 2024 5:30 PM

All zoning cases that were recommended for approval during the regularly scheduled Zoning Board of Appeals meeting held on Wednesday October 9, 2024 were approved at the regularly scheduled City Council meeting held on Monday October 14, 2024.

- Case V 2024-17
- Case SU 2024-10
- Ordinance No. 4241-24/25 Amending Chapter 4, Article III, Division 8 of the Pekin City Code to Update the Sign Code



REQUEST FOR COUNCIL ACTION

Agenda Date: November 13, 2024
To: Members of the Zoning Board of Appeals
From: Nic Maquet, Chief Building Official

AGENDA ITEM: **Case SU 2024-11** A Special Use request submitted by Core Pekin LLC for the operation of a drive-through pick-up lane at 3440 Court Street.

DESCRIPTION: A Special Use request was submitted by Core Pekin LLC for the operation of drive-through pick-up lane at 3440 Court Street. Said property is zoned B-3 General Business with a legal description, SEC 7 T24N R4W LOT A & PT LOT B SW 1/4 .99 AC, with the following PIN:11-11-07-307-011 in Tazewell County, Illinois

SUMMARY:

Core Pekin LLC is wishing to add a drive-through/pickup lane at the existing restaurant to enhance customer convenience and meet the growing demand for quick service options, particularly in the current market where many patrons prefer takeout or pick-up services.

Per section 4-3-6-5-3 (2) of the code, restaurants with drive-through require a special use and are subject to the following conditions:

1. A setback of at least 25 feet from the right-of-way line of any existing or proposed street must be maintained. **(this location satisfies this requirement)**
2. Access points shall be located at least 60 feet from the intersection of any two streets. **(this location satisfies this requirement)**
3. All lighting shall be shielded from adjacent residential districts. **(this location satisfies this requirement)**
4. A five-foot-high, completely obscuring wall shall be provided when abutting or adjacent districts are zoned for R, RT, RM or OS-1 Districts. The height of the wall shall be measured from the surface of the ground. Said wall shall further meet the requirements of Division 8 of this Article. **(All adjacent zoning districts are B-3 so this condition does not apply)**

Parking requirements for this use are 1 space for each 100 square feet of usable floor area. The building has a gross area of 3866 square feet, which would mean 39 parking spaces are required. The site plan indicates there will be 58 spaces provided.

The City Engineer and Chief Building Official have reviewed the site plan and recommended approval.

RECOMMENDATION:

Given the proposed use satisfies all the requirements, City Staff recommends approval of the request.

FINANCIAL IMPACT:

N/A

REVIEWED BY:	
Nic Maquet, Chief Building Official	Final Approval - 11/9/2024



Planning and Zoning Department
111 S. Capitol Street, Pekin, Illinois 61554 – (309) 478-5364

Board of Appeals Application for Consideration

<u>Type of Request (check one):</u> ☒ A. Special Use (\$125) ☐ B. Residential Variance (\$125) ☒ C. Non-Residential Variance (\$125) ☐ D. Map Amendment/Rezoning (\$125) ☐ E. Annexation (\$125)	Request Property Address or PIN: 3440 Court St, Pekin, IL 61554 Current Zoning (if known): B-3 Proposed Zoning (if rezoning request): Current Use: Sit down restaurant Proposed Use (if different): Quick service restaurant with pick up lane
---	---

Property Owner Name:	Core Pekin LLC
Mailing Address:	10 Parkway North, Ste 120, Deerfield, IL 60015
Phone:	773-397-7625
Alternative Phone:	224-470-2211
E-Mail Address:	abell@coreacq.com

Applicant Name (if different):	
Mailing Address:	
Phone:	
Alternative Phone:	
E-Mail Address:	



Planning and Zoning Department
111 S. Capitol Street, Pekin, Illinois 61554 – (309) 478-5364

Please summarize your request and explain why it is necessary:

We are requesting a variance to allow for the inclusion of a pick up lane at a restaurant located at 3440 Court St, Pekin, IL 61554. This modification is essential to enhance customer convenience and meet the growing demand for quick service options, particularly in the current market where many patrons prefer takeout or pick-up services. Additionally, the pick up lane will help increase the restaurant's competitiveness, improve traffic flow by reducing parking lot congestion, and contribute to the overall success of the business in this location.

Additionally, this variance has been granted to similar establishments such as Starbucks, Wendy's, Steak n Shake, and others along Court Street in Pekin.

CERTIFICATION BY PROPERTY OWNER

I certify that I am the owner of the property, which is the subject of this request. I certify that all the information contained in this application form or any attachments, documents, or plans submitted herewith are true to the best of my knowledge and belief. If an applicant is signing below, that applicant has received my approval to proceed with this request.

_____

Owner Signature

_____

Date

CERTIFICATION BY THE APPLICANT (if different)

I certify that all the information contained in this application form or any attachments, documents, or plans submitted herewith are true to the best of my knowledge and belief.

Applicant Signature

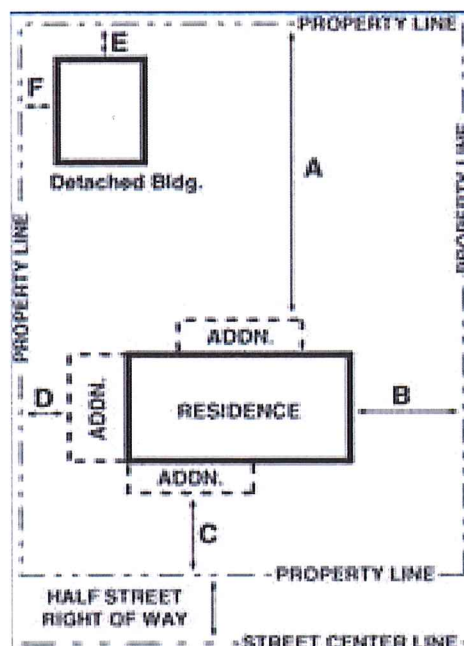
Date



Planning and Zoning Department
111 S. Capitol Street, Pekin, Illinois 61554 – (309) 478-5364

The following attachments are required for consideration of your request:

- I. Site Plan:** An electronic copy (preferred) or two physical copies of a site plan for the proposal showing:
1. A scale of not less than one inch equals fifty feet (1" = 50') if the subject property is less than three (3) acres and one inch equals one hundred feet (1" = 100') if three (3) acres or more. Date, north point and scale.
 2. The dimensions of all lot and property lines, showing the relationship of the subject property to abutting properties. The location of all existing and proposed structures on the subject property and all structures within one hundred feet (100') of the subject property. The location of all existing and proposed drives and parking areas. The location and right-of-way widths of all abutting streets and alleys.
 3. Attachments such as landscape plan, photograph or renderings of existing and proposed site, building layouts or elevations, etc. are commended in order to provide accurate and sufficient information for review by the Development Review Committee and consideration by the Plan Commission.
 4. The names, addresses, and phone numbers of the architect, planner, designer, engineer or person responsible for the preparation of the site plan (commercial projects only).





Planning and Zoning Department
111 S. Capitol Street, Pekin, Illinois 61554 – (309) 478-5364

II. Payment: Payment of the amount indicated on the first page to accompany your application. If making payment via check, please make payment payable to the “City of Pekin”.

III. Variance: If requesting a variance, you must complete and attach this page to your application:

1. Variances are intended to relieve situations involving a hardship in meeting Zoning Code requirements. What is the hardship that this variance request is intended to relieve? Examples of hardships can include the topography of the lot, unique shape of the lot or other physical conditions that prevent the request from meeting the requirements of the Zoning Code.

Under the current zoning code, a pick-up land requires a special use variance which has been provided to other similar establishments along Court Street. We are seeking a variance for a pick-up lane, not a drive-thru

2. Is the variance needed due to special and unique circumstances not caused by the applicant’s or owner’s own actions?

Yes, the variance is needed due to the special circumstances that require pick-up lanes to obtain zoning approval which has been granted to other businesses in the immediate area.

3. Should the request be approved, will the variance negatively impact adjoining properties in any way?

No, the variance will not negatively impact adjoining properties, as the pick-up lane will provide additional ease of access and be in conformance with other neighboring properties that offer drive-thrus

4. Will the variance be consistent with the purpose and intent of the Zoning Code and not alter the essential character of the locality?

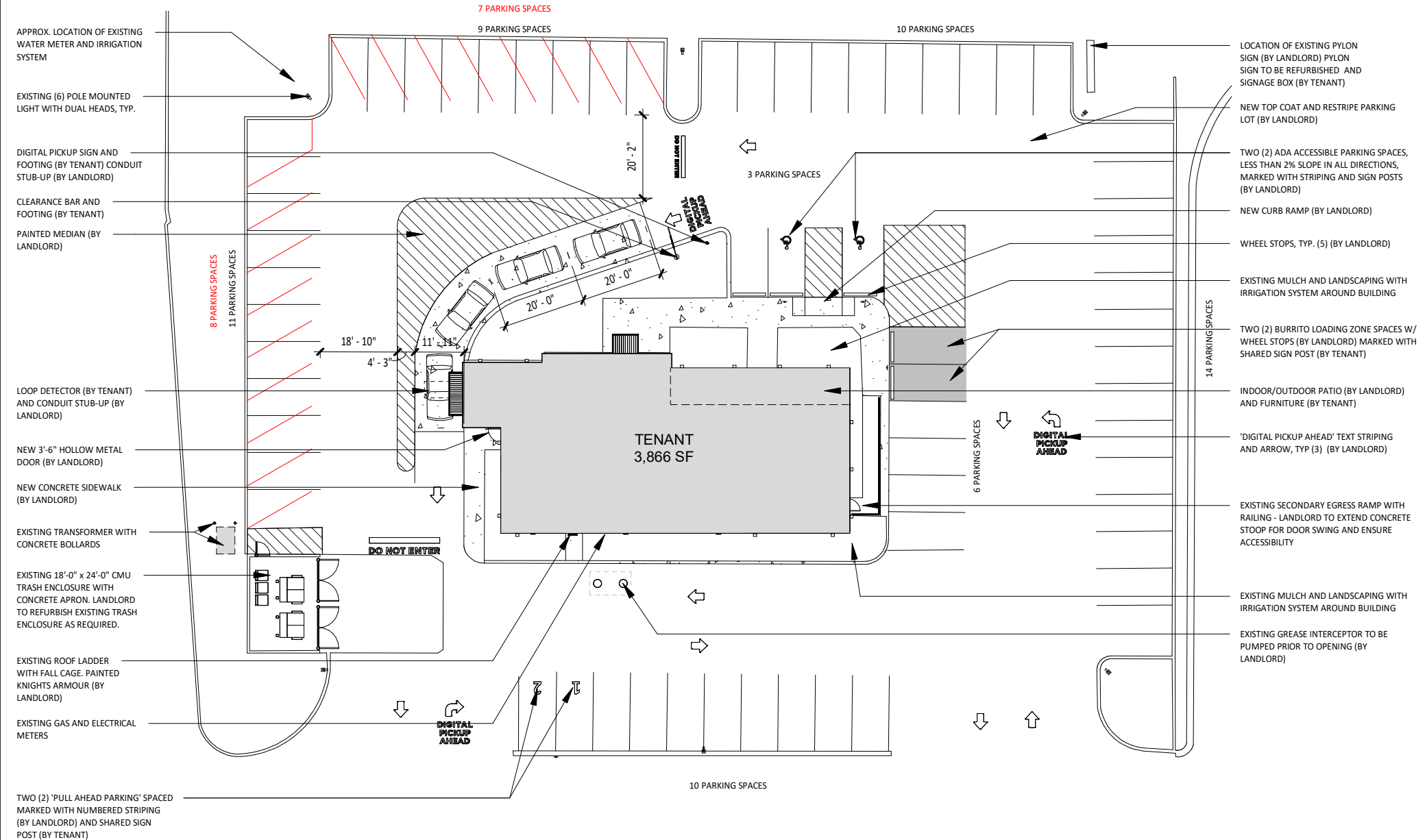
Yes, the variance will be consistent with the purpose and intent of the Zoning Code, which aims to approve drive-thrus that meet city criteria which this pick-up lane request meets.

5. Does the benefit(s) of granting the variance outweighs any anticipated negative impacts to the surrounding properties (if any)?

Yes, there are no negative impacts to the surrounding area and the pick-up lane will allow for additional site sales that otherwise would not be captures which is a positive aspect for the community.

*NOTE: DRAWING IS NOT TO SCALE

COURT STREET (ILLINOIS STATE ROUTE 9)



TEST FIT 03 FOR:

"PEKIN, IL"
3440 COURT STREET
PEKIN, IL 61554
STORE NO.: 5659

10/08/24

SITE PLAN

Tazewell County GIS



- Sections
- OwnershipParcels
- Lots
- ROW
- Blocks

Tazewell County GIS parcel and map records contained herein are for property tax purposes only. This information has been compiled from the most accurate source data from the public records of Tazewell County. This information must be accepted and used with the understanding that the data was collected primarily for the use and purpose of creating a Property Tax Roll per Illinois Statute. The information contained herein is for reference purposes only, and should not be relied upon as a substitute for a title search. Any reliance on the information contained herein is at the user's own risk. The Tazewell County GIS assumes no responsibility for any use of the information contained herein or any loss resulting therefrom. Users of Tazewell County GIS site assume all risk and liability when accessing any third-party site linked to this site. All data is subject to change.



1:1,000

0 0.01 0.02 0.04 mi



REQUEST FOR COUNCIL ACTION

Agenda Date: November 13, 2024
To: Members of the Zoning Board of Appeals
From: Nic Maquet, Chief Building Official

AGENDA ITEM: **Case SU 2024-12** A Special Use request submitted by Hawk-Attollo LLC on behalf of Tazewell Lutheran School for the installation and operation of a ground mounted community solar garden at 3219 Court Street.

DESCRIPTION: A Special Use request submitted by Hawk-Attollo LLC on behalf of Tazewell Lutheran School for the installation and operation of a ground mounted community solar garden at 3219 Court Street. Said property is zoned B-3 General Business with a legal description, SEC 7 T24N R4W TRACT 3 & TRACT 3A (EXC ROW) NW 1/4 3.17 AC, with the following PIN:11-11-07-108-015, in Tazewell County, Illinois.

Summary:

The installation of a ground mounted Community Solar Garden requires a special use in all zoning districts. The property is currently zoned B-3 General Business and is surrounded on all sides by property that is similarly zoned as B-3 General Business. The setback requirements on all sides from the property line shall be 10 feet and the maximum lot coverage shall be 75%. The site plan has been reviewed by multiple city departments and appears to be code compliant. The solar garden will not cover 75% of the lot and all setbacks will be met. The fire department has requested a second improved entrance at the rear of the property as well as 20 feet between the solar arrays and the fence for access. The solar array will be enclosed by a 6-foot tall chain link fence with privacy slats installed on the Court Street side to better obscure the solar garden from view. Construction plans will still need to be submitted and reviewed by the city prior to issuing a permit for construction.

Community solar garden means a community solar-electric (photovoltaic) array, of no more than ten acres in size, that provides retail electric power (or financial proxy for retail power) to multiple households or businesses residing in or located off-site from the location of the Solar Energy System.

Ground mount solar energy system means a Solar Energy System that is directly installed into the ground and is not attached or affixed to an existing structure.

Sec. 4-3-11-8(d) Community solar gardens (SES). Development of community solar gardens is permitted by Special Use as a principal use in all zoning districts subject to the following requirements:

- (1) Rooftop gardens permitted. Rooftop gardens are a special use in all zoning districts where buildings are permitted.
- (2) Ground mount gardens. Ground mount community Solar Energy Systems must be less than ten acres in total size, and require a Special Use in all districts. Ground-mount solar developments covering more than ten acres shall be considered a solar farm.
- (3) Interconnection. An interconnection agreement must be completed with the electric utility in

whose service the territory the system is located.

(4) Dimensional standards. All solar garden-related structures in newly platted and existing platted subdivisions shall comply with the applicable setback, height, and coverage limitations for the district in which the system is located.

(5) Other standards.

- a. Ground mount systems shall comply with all required standards for structures in the district in which the system is located.
- b. All solar gardens shall comply with all City Code procedures regarding Special Use permits.
- c. All solar gardens shall also comply with all other State and local requirements.

Staff Notes

- All necessary City departments have reviewed the site plan and have recommended approval

FINANCIAL IMPACT:

N/A

REVIEWED BY:

Nic Maquet, Chief Building Official

Final Approval - 11/9/2024



Planning and Zoning Department
111 S. Capitol Street, Pekin, Illinois 61554 – (309) 478-5364

Board of Appeals Application for Consideration

<u>Type of Request (check one):</u> ☒ A. Special Use (\$125) ☐ B. Residential Variance (\$125) ☐ C. Non-Residential Variance (\$125) ☐ D. Map Amendment/Rezoning (\$125) ☐ E. Annexation (\$125)	Request Property Address or PIN: 11-11-07-108-015 Current Zoning (if known): B3 General Business Proposed Zoning (if rezoning request): Requesting Special Use Current Use: School Property Proposed Use (if different): Community Solar Project
--	--

Property Owner Name:	Tazewell Lutheran School
Mailing Address:	3219 Court St, Pekin, IL 61554
Phone:	309-347-2020
Alternative Phone:	309-613-1977
E-Mail Address:	john@cjneumann.com

Applicant Name (if different):	Hawk-Attollo LLC
Mailing Address:	801 W Main St, Peoria, IL 61606
Phone:	309-231-3900
Alternative Phone:	309-657-3177
E-Mail Address:	jason@hawkenergysolutions.com



Planning and Zoning Department
111 S. Capitol Street, Pekin, Illinois 61554 – (309) 478-5364

Please summarize your request and explain why it is necessary:

The request is being made in order to build a community solar project on the School's under utilized property. The intent is for the generation to benefit those in the community of Pekin, IL. We plan to build a 400 kWAC fixed tilt solar PV project that would utilize a 30 degree tilt. The project stand 9' tall with panel rows that would be approximately 12' wide.

CERTIFICATION BY PROPERTY OWNER

I certify that I am the owner of the property, which is the subject of this request. I certify that all the information contained in this application form or any attachments, documents, or plans submitted herewith are true to the best of my knowledge and belief. If an applicant is signing below, that applicant has received my approval to proceed with this request.

Signed by:

87E1024006684EE...

10/16/2024

Owner Signature

Date

CERTIFICATION BY THE APPLICANT (if different)

I certify that all the information contained in this application form or any attachments, documents, or plans submitted herewith are true to the best of my knowledge and belief.

Docusigned by:

A800763CC33C411...

10/15/2024

Applicant Signature

Date

1. Ground Cover will remain grass and low growth pollinator plants
2. Minimum 10' setback to fence on both front yard property lines
3. Array will be 20' back from the fence
4. Gate is 10' wide - two 5' swinging gates

10' wide hard surface entry with
10' wide gate

Minimum 10' set back

189'

101'

306'

Gate

255'

242'

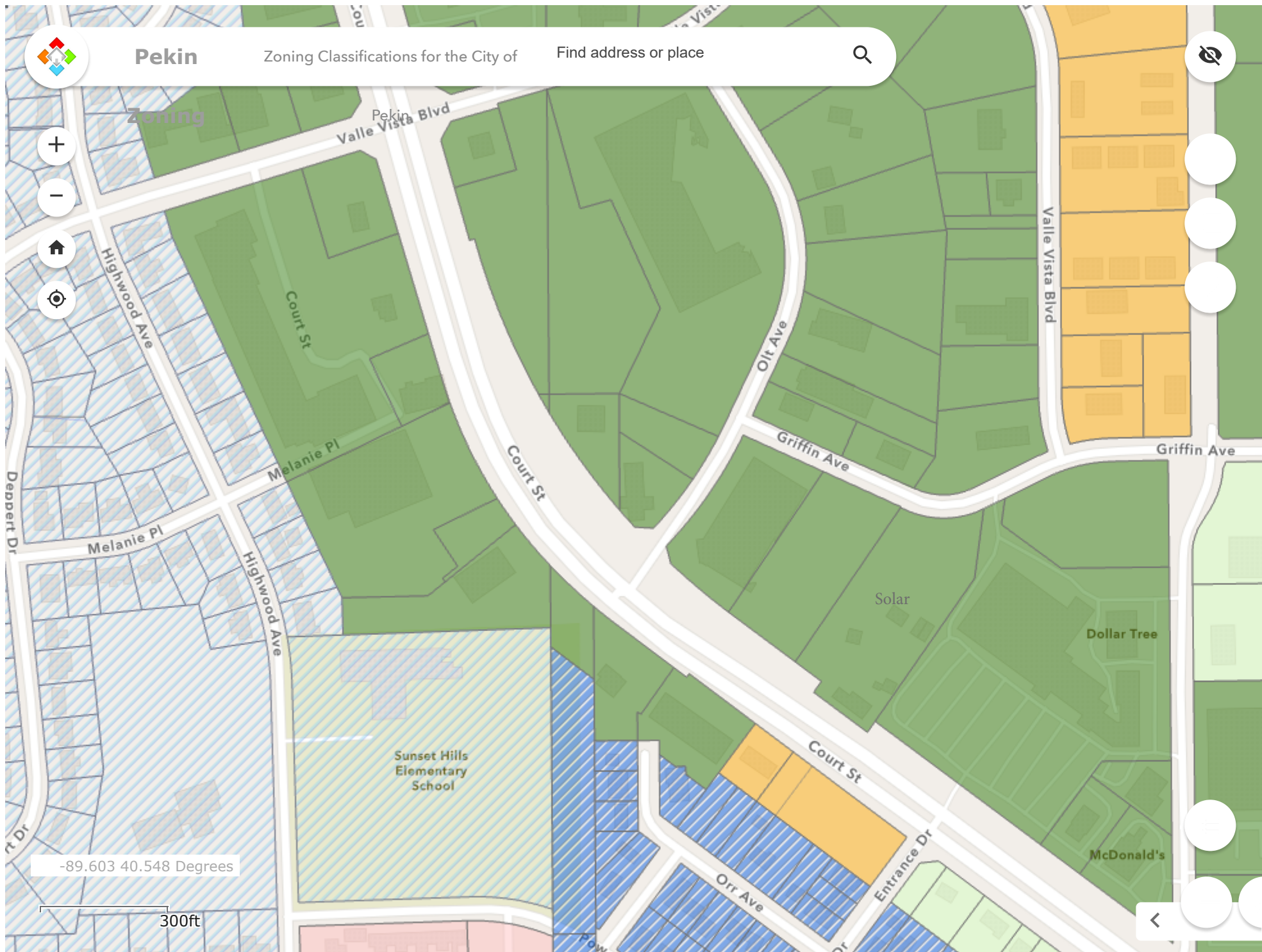
Southern fence to
be slatted for reduced
visibility along Court
Street

6' High Chain Link Fence Perimeter





0 0.04 0.08 0.16 mi



**REQUEST FOR COUNCIL ACTION**

Agenda Date: November 13, 2024
To: Members of the Zoning Board of Appeals
From: Nic Maquet, Chief Building Official

AGENDA ITEM: **Case RZ 2024-05** A Rezoning request submitted by the City of Pekin from I-1 Light Industrial to I-2 General Industrial for the property located at 300 Hanna Drive.

DESCRIPTION: A Rezoning request submitted by City of Pekin from I-1 Light Industrial to I-2 General Industrial for the properties located at 300 Hanna Drive. Said property is currently zoned I-1 Light Industrial with a legal description, SEC 10 T24N R5W RIVERWAY BUSINESS PARK 3RD ADD FINAL PLAT LOT 2 SE 1/4 57.65 AC, with the following PIN: 10-10-10-400-009 in Tazewell County, Illinois

SUMMARY

The City's economic and community development departments would like the ZBA and City Council to consider rezoning this 57 acre tract to the I-2 district as a proactive strategy to attract development. The City has received several inquiries in the last 6 months for heavier industrial uses, many of which would require I-2 zoning. By proactively rezoning this parcel, the City will be able to market the site better and more easily attract a business/developer since their time to market will be cut by 2-3 months. City staff believes this is the only parcel in the Riverway Business Park broadly suitable for I-2 zoning. It is surrounded by industrial uses, farm land zoned industrial, or the federal prison, and it is over 1,500 feet from any residential districts and from the Park District property on Koch Street.

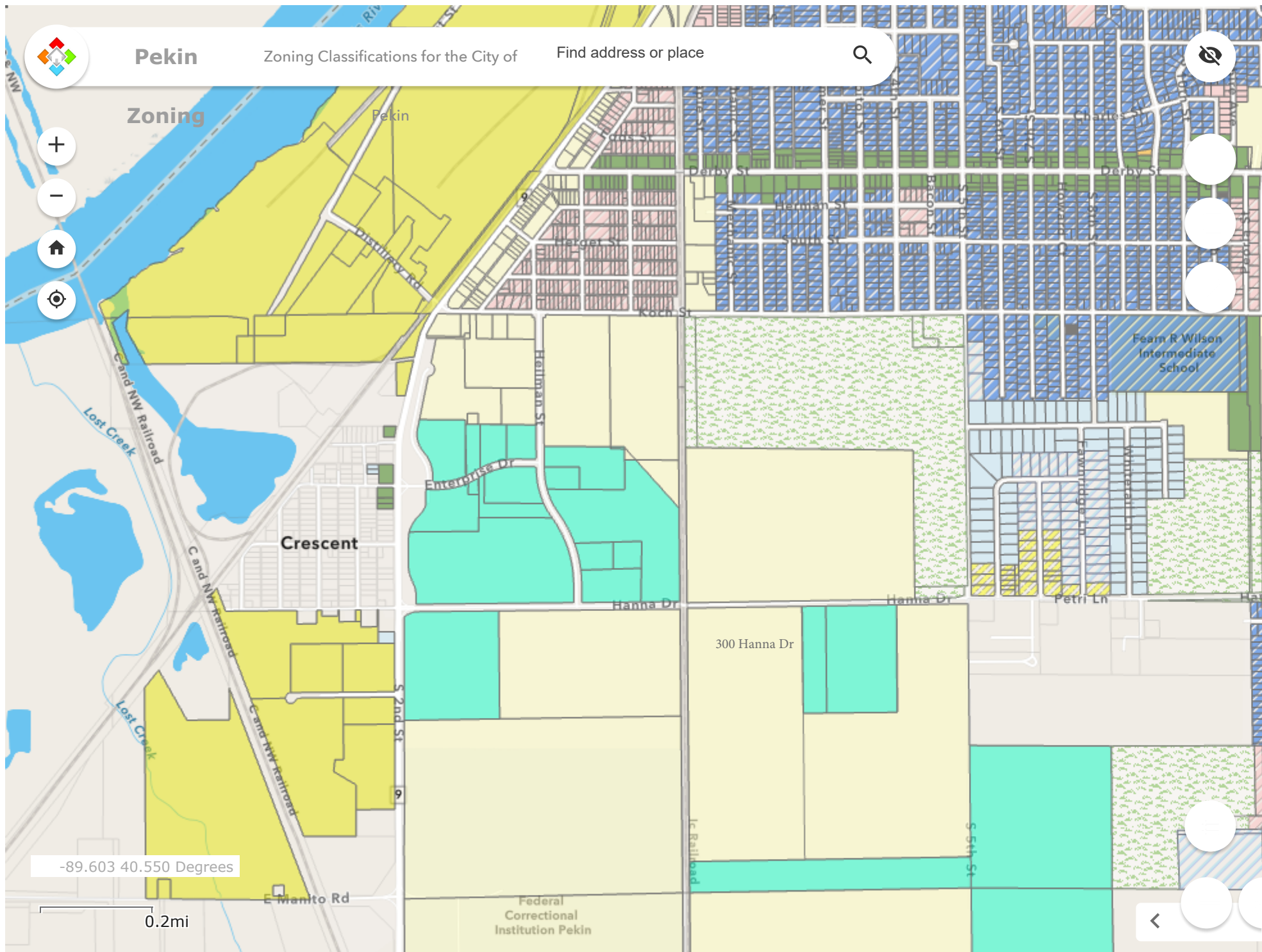
STAFF NOTES

- The Community Development Department and Economic Development Department fully support rezoning this property to I-2 General Industrial.

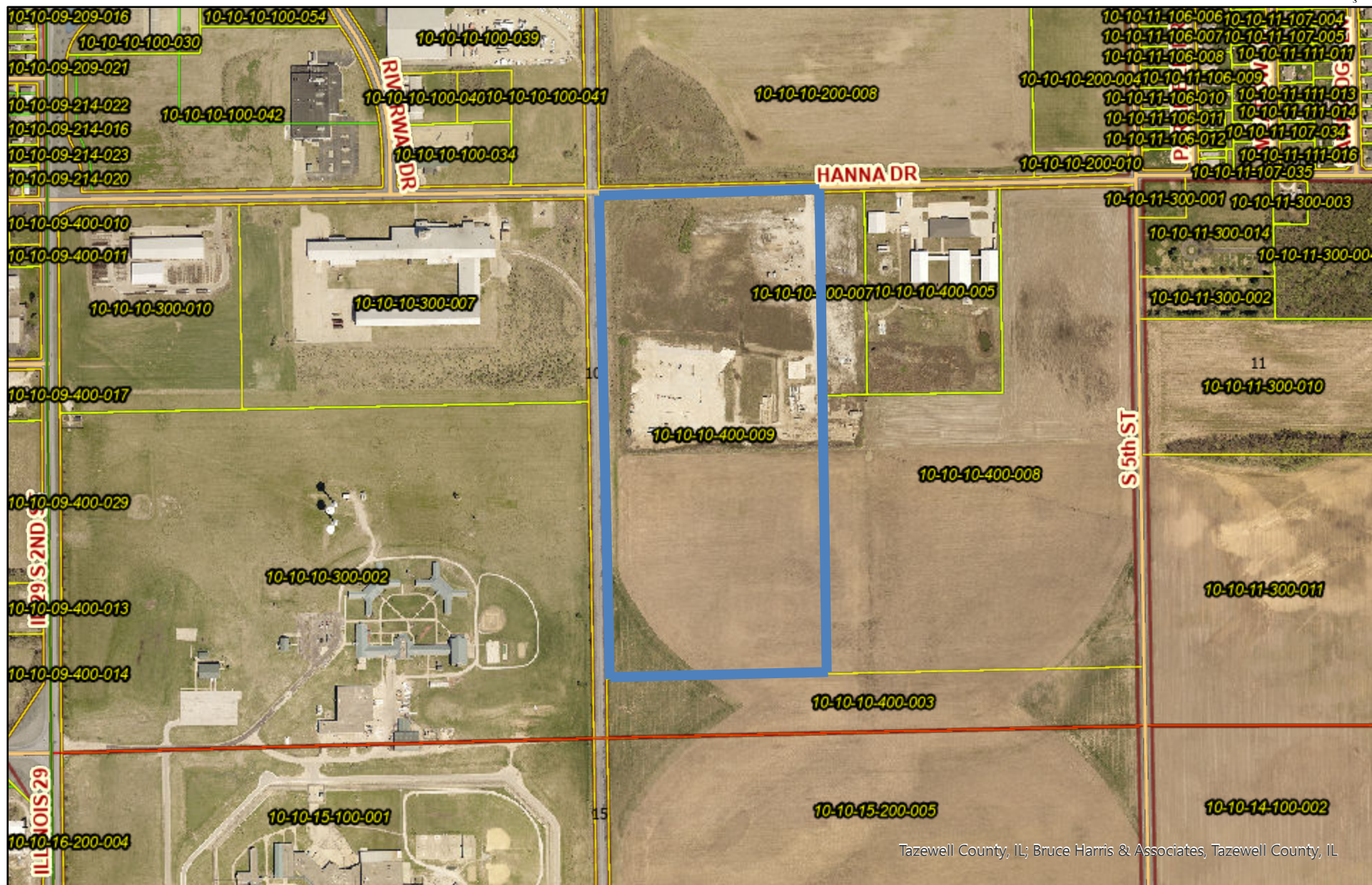
FINANCIAL IMPACT:**REVIEWED BY:**

Nic Maquet, Chief Building Official

Final Approval - 11/9/2024



Tazewell County GIS



Tazewell County, IL; Bruce Harris & Associates, Tazewell County, IL

- Streets
- Lots
- Sections
- ROW
- OwnershipParcels
- Blocks

Tazewell County GIS parcel and map records contained herein are for property tax purposes only. This information has been compiled from the most accurate source data from the public records of Tazewell County. This information must be accepted and used with the understanding that the data was collected primarily for the use and purpose of creating a Property Tax Roll per Illinois Statute. The information contained herein is for reference purposes only, and should not be relied upon as a substitute for a title search. Any reliance on the information contained herein is at the user's own risk. The Tazewell County GIS assumes no responsibility for any use of the information contained herein or any loss resulting therefrom. Users of Tazewell County GIS site assume all risk and liability when accessing any third-party site linked to this site. All data is subject to change.



1:8,000

0 0.07 0.15 0.3 mi

**REQUEST FOR COUNCIL ACTION**

Agenda Date: November 13, 2024
To: Members of the Zoning Board of Appeals
From: Nic Maquet, Chief Building Official

AGENDA ITEM: **Case ZTA 2024-01** City of Pekin, applicant, is requesting the approval of a Zoning Text Amendment to the City of Pekin Zoning Ordinance. Specifically, the request is to Subdivision VII.- I-2 General Industrial District

DESCRIPTION: City of Pekin, the applicant, is requesting the approval of a Zoning Text Amendment to the City of Pekin Zoning Ordinance. Specifically, the request is to Subdivision VII.- I-2 General Industrial District.

SUMMARY

The Economic Development Department and Community Development Department have been working closely together to sort through the code and identify issues and bring forward practical and fair changes to the code. The Text Amendment would remove some of the current principal uses, and it would put them under the special use requirements for the I-2 district. It would also address the area and bulk requirements. Attached is what staff believe to be a fair and well written update to this code section.

STAFF NOTES

- The Community Development Department and Economic Development Department fully support this Text Amendment

FINANCIAL IMPACT:
N/A

REVIEWED BY:

Nic Maquet, Chief Building Official

Final Approval - 11/9/2024

**PETITION
FOR ZONING TEXT AMENDMENT**

TO: Zoning Board of Appeals
City of Pekin, Illinois

Please consider this request for amendment of the existing City Zoning Regulations, Pekin City Code, as amended, as follows (underline indicates addition and ~~striketrough~~ indicates deletion):

Subdivision VII. - I-2 General Industrial District

Sec. 4-3-6-7-1. - Intent.

The I-2 General Industrial Districts are designed primarily for manufacturing, assembling and fabrication activities including large scale or specialized industrial operations whose external physical effects may ~~will~~ be felt to some degree by surrounding districts. The I-2 District is so structured as to permit the manufacturing, processing and compounding of semi-finished products from raw materials as well as from previously prepared material.

Sec. 4-3-6-7-2. - Principal uses permitted.

In an I-2 General Industrial District, no building or land shall be used and no building shall be erected, except for one or more of the following specified uses unless otherwise provided in this Article:

- (1) Any principal or special use first permitted in an I-1 District unless otherwise described in this Subdivision VII.; ~~provided, however, that cannabis business establishments shall be a special use, not a permitted use, in an I-2 District.~~
- ~~(2) Any of the following production or manufacturing uses (not including storage or finished products), provided that they are located not less than 800 feet distant from any residential district and not less than 300 feet distant from any other district:~~
- ~~(3)(2) Blast furnace, steel furnace, blooming or rolling mill.;~~
- ~~(4) Incineration of garbage or refuse when conducted within an approved and enclosed incinerator plant.~~
- ~~(5) Junk yards, provided that such are entirely enclosed within a building or within an eight-foot obscuring wall, and provided further, that one property line abuts a railroad right-of-way.~~
- ~~(6)(3) Manufacture of corrosive acid or alkali, cement, lime, gypsum or plaster of Paris.;~~
- ~~(7)(4) Petroleum or other inflammable liquids, production, refining or storage.~~
- ~~(8)(5) Smelting of copper, iron or zinc or ore.~~
- ~~(9)(6) Accessory buildings and uses customarily incident to any of the permitted uses provided for in this Section.~~

Sec. 4-3-6-7-3. – Special uses.

The following uses may be permitted, subject to the review and approval of the site plan and the use by the City Council after a hearing and recommendation is received from the Zoning Board of Appeals for each use, and subject, further, to such conditions imposed by the City Council and the conditions herein after imposed for each use:

- (1) Cannabis business establishments, subject to the conditions and procedures set forth in Division 10 of this Article.
- (2) Incineration of garbage or refuse when conducted within an approved and enclosed incinerator plant.
- (3) Junk yards, provided that such are entirely enclosed within a building or within an eight-foot obscuring wall, and provided further, that one property line abuts a railroad right-of-way.
- (4) Any other use which shall be determined by the City Council, after recommendation from the Zoning Board of Appeals, to be of the same general character as the permitted uses provided for in this Section. The City Council may impose any required setback and/or performance standards so as to ensure public health, safety and general welfare.

Sec. 4-3-6-7-~~34~~. - Area and bulk requirements.

See Section 4-3-7-1 limiting the height and bulk of buildings, providing the minimum size of lot permitted by land use and providing minimum yard setback requirements-; provided, however, the following setbacks shall be required in any I-2 General Industrial District:

- (1) Buildings and activities, including storage of materials but not including parking, may not be located within 800 feet of any residential zoning district, any OS-1 zoning district, or any B-1 zoning district,
- (2) Buildings and activities, including storage of materials but not including parking, may not be located within 300 feet of any B-2 zoning district, any B-3 zoning district, or any property line of a public park, nursery school, elementary school, or secondary school.
- (3) The setbacks provided for in this Section shall also apply to I-2 General Industrial Districts near a Planned Unit Development (PUD)-Business Park District based on the uses existing in the PUD-Business Park District as determined by the Zoning Administrator.

Dated: October 21, 20224

Respectfully submitted,

Nic Maquet
Director of Building & Development

Josh Wray
Director of Economic Development

**REQUEST FOR COUNCIL ACTION**

Agenda Date: November 13, 2024
To: Members of the Zoning Board of Appeals
From: Nic Maquet, Chief Building Official

AGENDA ITEM: **Case ZTA 2024-02** City of Pekin, applicant, is requesting the approval of a Zoning Text Amendment to the City of Pekin Zoning Ordinance. Specifically, the request is to create Subdivision X.– Riverway Business Park Overlay District

DESCRIPTION: City of Pekin, applicant, is requesting the approval of a Zoning Text Amendment to the City of Pekin Zoning Ordinance. Specifically, the request is to create Subdivision X.– Riverway Business Park Overlay District

SUMMARY

The Riverway Business Park Covenants were recently dissolved and the Community Development Department and Economic Development Department have since been closely working together to create the Riverway Business Park Overlay District that would replace the previously existing land covenants that existed for the Riverway Business Park. Attached is a fair and well written text amendment that would properly address the properties within the Riverway Business Park. This text amendment will preserve the character and uses allowed within the business park.

STAFF NOTES

The Community Development Department and the Economic Development Department fully support this Text Amendment

FINANCIAL IMPACT:

N/A

REVIEWED BY:

Nic Maquet, Chief Building Official

Final Approval - 11/9/2024

**PETITION
FOR ZONING TEXT AMENDMENT**

TO: Zoning Board of Appeals
City of Pekin, Illinois

Please consider this request for amendment of the existing City Zoning Regulations, Pekin City Code, as amended, as follows (underline indicates addition and ~~striketrough~~ indicates deletion):

Subdivision X. – Riverway Business Park Overlay District

Sec. 4-3-6-10-1. – Intent and purpose.

The Riverway Business Park Overlay District (RWBP District) is created to replace the previously existing protective land covenants for the Riverway Business Park. The area included in this district shall be defined on the City of Pekin Zoning Map. Unless otherwise provided for in this Subdivision, the regulations of the underlying zoning district shall govern.

Sec. 4-3-6-10-2. - Principal permitted uses.

In the RWBP District, no building or land shall be used and no building shall be erected except for one or more of the following uses, unless otherwise provided in this Article:

- (1) Uses related to manufacturing, wholesaling, distribution, administrative, professional, corporate, or back office, and similar activities.
- (2) Retail and service uses that serve the needs of other businesses in the RWBP District.

Sec. 4-3-6-10-3. – Special uses.

In a RWBP District, any permitted or special use provided for by the underlying zoning district not otherwise allowed as a permitted use in this Subdivision and not prohibited by this Subdivision may be permitted, subject to the review and approval of the site plan and the use by the City Council after a hearing and recommendation is received from the Zoning Board of Appeals for each use, and subject, further, to such conditions imposed by the City Council and the conditions herein after imposed for each use.

Sec. 4-3-6-10-4. – Prohibited uses.

In the RWBP District, no building or land shall be used and no building shall be erected for the following prohibited uses:

- (1) Any use that would create a nuisance, as described by Chapter 5, Article VI, of this Code, or other hazard beyond its property line or would violate any federal EPA or State of Illinois EPA standards.
- (2) Cemeteries.

- (3) Churches.
- (4) Commercial petroleum storage yards, but this shall not prohibit petroleum manufacturing facilities or uses incidental thereto.
- (5) Distillation of bones.
- (6) Dumping, disposal, incineration, or reduction of garbage, sewage, offal, dead animals, or other refuse, but this shall not prohibit facilities which use recycled materials to produce a finished product.
- (7) Excavation sites and mines.
- (8) Fat rendering.
- (9) Jail or honor farms.
- (10) Junkyards, salvage yards, storage of inoperable vehicles, or automotive recycling facilities.
- (11) Labor or migrant worker camps.
- (12) Mini-warehouses and self-storage.
- (13) Residential uses of any type, except for motels/hotels.
- (14) Slaughterhouses.
- (15) Social, civic, or private clubhouses or grounds
- (16) Stand-alone utility storage yards.
- (17) Stockyards.
- (18) Trailer courts or campgrounds.
- (19) Uses that engage in the sale of alcohol unless such facility is at least 400 feet from the property line of any Pekin Park District property.

Dated: October 21, 20224

Respectfully submitted,

Nic Maquet
Director of Building & Development

Josh Wray
Director of Economic Development

Exhibit A

Properties to be Zoned in the Riverway Business Park Overlay District

PIN	Address	Owner	Area (acres)
10-10-10-100-045		City of Pekin	8.35
10-10-10-100-046	1650 FRONTAGE RD	City of Pekin	0.23
10-10-10-100-044		Illinois American Water	2.5
10-10-10-100-032	205 ENTERPRISE DR	DCX-CHOL Enterprise Inc	5
10-10-10-100-036		DCX-CHOL Enterprise Inc	1.39
10-10-10-100-027	225 ENTERPRISE DR	DCX-CHOL Enterprise Inc	2
10-10-10-100-026	225 ENTERPRISE DR	DCX-CHOL Enterprise Inc	2
10-10-10-100-030	200 ENTERPRISE DR	AJR MD Consulting, LLC	4.89
10-10-10-100-018		Gallatin River Communications	0.3
10-10-10-100-054	1815 RIVERWAY DR	Riverway Property Management LLC	2.32
10-10-10-100-053	1805 RIVERWAY DR	RP Building Management LLC	3.68
10-10-10-100-042	1821 RIVERWAY DR	Winpak Heat Seal Corp	24.8
10-10-10-300-010	200 HANNA DR	USA Rail Inc	20.52
10-10-10-300-007	220 HANNA DR	Hanna Steel Corp	38.5
10-10-10-100-052	1800 RIVERWAY DR	Excalibur Seasoning Company LTD	5.19
10-10-10-100-039	1810 RIVERWAY DR	Marshview Properties LLC	19.32
10-10-10-100-040	1818 RIVERWAY DR	Johnson Land Investments LLC	1.87
10-10-10-100-041		Johnson Land Investments LLC	1.51
10-10-10-100-034	225 HANNA DR	Illinois Central College	4
10-10-10-200-004		Pekin Park District	79
10-10-10-200-006		Pekin Park District	2.06
10-10-10-200-007		Pekin Park District	0.94
10-10-10-200-009		Pekin Park District	2.8
10-10-10-200-010		Pekin Park District	1.15
10-10-10-200-008		City of Pekin	66.75
10-10-10-400-008		City of Pekin	62.13
10-10-10-400-009		City of Pekin	57.65
10-10-10-400-005	400 Hanna Dr	Enviro-Safe Refrigerants	15
10-10-10-400-007	401 Hanna Dr	Enviro-Safe Refrigerants	5
			440.85

