



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, JANUARY 8, 2025 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	Absent	--:-- 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

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

Motion to approve the agenda was made by Commissioner Madden and seconded by

Commissioner Huskisson.

Approval of Minutes

4.1. Minutes from the November 13, 2024, Meeting

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

Motion made to approve the minutes from November 13, 2024 was made by Commissioner Lanane and seconded by Commissioner Madden.

City Council Action Report

5.1. City Council Action Report November 25, 2024

The cases presented to City Council were approved, except the Good Shephard Community Solar

New Business

6.1. Case V 2025-01 A Variance request submitted by Mauer-Stutz, Inc on behalf of Illinois American Water for the property located at 328 Broadway Street to reduce the minimum rear building setback from 10 feet to 2 feet.

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

Public Input Open: 5:03PM Public Input Closed: 5:05PM

Trip Barton, Engineering Manager with Illinois American Water and Jason with Mauer-Stutz were both available for questions. Trip stated that they are looking to replace the existing building with a new building with the same setbacks.

Motion to approve was made by Commissioner Huskisson and seconded by Commissioner Deverman.

Nic Maquet states that this would be a great improvement from what is currently on the property. Nic also noted that the setback would be 2.4 feet rather than 2 feet. Commissioner Wilson noted that this is a unique situation due to the limited space.

6.2. Case V 2025-02 A Variance request submitted by Michael S. Guengerich

for the property located at 1211 S. 9th Street to reduce the minimum building setback for a detached accessory structure from 10 foot to 1 foot.

RESULT:	6 TO 0 (DENIED)
MOVER:	Commissioner Lanane
SECONDER:	Commissioner Madden
AYES:	None
NAYS:	Commissioners Craig, Deverman, Hild, Huskisson, Lanane, Madden and Wilson
ABSENT:	Commissioner Joesting

Public Input Open: 5:08PM Public Input Closed: 5:10PM

Mr. Guengerich explained that he would like to place a detached structure with a setback of one (1) foot due to the expense of pouring concrete as this is a financial hardship for him. Commissioner Hild asked if there were any other options and Mr. Guengerich said that the other options require much more concrete which he can not afford at this time.

Motion to discuss made by commissioner Lanane and seconded by Madden. Nic Maquet said staff does not recommend nor do they see a true hardship as there is room to the south of the house which would allow room for the owner to build and stay in compliance (for a detached structure) or the owner could consider an attached structure.

All members present voted no the variance.

6.3. Case V 2025-03 A Variance request submitted by Force Properties for the property located at 211 Veterans Drive to defer the requirement of providing an improved parking lot surface on the property.

RESULT:	4 TO 2 (DENIED)
MOVER:	Commissioner Huskisson
SECONDER:	Commissioner Madden
AYES:	Commissioners Huskisson and Madden,
NAYS:	Commissioner Deverman, Hild, Lanane and Wilson
ABSENT:	Commissioner Joesting

Public Input Open: 5:16PM Public Input Closed: 5:20PM

Jacob Force explained the history of his storage units that began in 2022, with a set of plans that included five (5) storage buildings and a warehouse (office) with one 100-foot long apron. Jacob has cooperated with the city and installed a second 100-foot apron. Jacob has two storage buildings erected and he would like build the three (3) additional storage units and wait to concrete until 3 years after the last building is built. Jacob states that if he were to pour the concrete around the the two buildings and connect the two aprons, it would cost him approximately \$400,00.00 which he feels from a financial standpoint is not smart at this time.

Motion to approve made by Huskisson and seconded by Madden.

Commissioner Huskisson asked if the committee were to approve the cement to be poured (3 years after the last building was erected), is there a hard

"date" that this must be done by? Commissioner Huskisson asked Force how long he thought it would take to complete all five buildings and Force said it depends on how full the units are. Huskisson also noted that allowing the concrete to wait could cause an issue without any type of "end date" however Force stated that he can not agree to a date because he needs the units to be filled and cashflow to be coming in. Chairman Hild asked Jacob if he had an estimated date as to when his office would be moved to Pekin and Mr. Force does not have a date. Commissioner Wilson offered up a suggestion that Force use one apron for his customers and one apron for the construction traffic (with protection of the cement) but Jacob is concerned about the concrete around the buildings not the concrete on the aprons. Wilson also noted that when this project was purposed in 2022, Force was aware of the costs and should have factored those cost in (to meet the required code). Force wanted to note that he feels the city hasn't been as transparent as they should have been (with the requirements). Chairman Hild said that force was here (ZBA) three (3) years ago and the office has not been moved to Pekin and the allowance of white rock should now be cement, which it is not. Nic Maquet explained that the Fire Department and the water company are working together for a short term solution to the hydrants being installed on Force's property. Commissioner Madden asked if Mr. Force has been compliant (other than the rock/cement) and Nic said that Force has been compliant. Commissioner Huskisson stated again that he would like to see a timeline but Force said he is not willing to put a time stamp on something that could change down the road. Force said he is looking to have the units complete by 2026 but he again said that he is not willing to give a "stamped date" that would force him to pour cement. Commissioner Wilson suggested a plan that would potentially allow Force to lay the cement in sections with dates which would allow the city to hold Force accountable just as any other business and Force stated again that he will not agree to any timeline/stamped date. Commissioner Wilson also suggested that Force consider taking some time to get a plan together that would work for him and keep him compliant with the city. The variance was voted on and denied 4-2.

6.4. Case SU 2025-01 A Special Use request submitted by Robinson Outdoor, LLC for the construction and operation of an Off-Premises Electronic Multiple Message Billboard at 3405 Court Street.

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

Public Input Open: 5:57PM Public Input Closed: 6:00PM

Danny with Robinson Outdoor, LLC explained that he had applied for a SU for a digital board. Cody Gielbehausen with Civic Digital Displays, has a sign that was approved by the city and is being currently being installed. Mr.

Gielbenhausen feels that his sign and the proposed sign may be too close. Mr. Giebehausen also asked that if the new digital board is approved, that it will require the same architectural enhancements as their sign. Motion to approve made by Commissioner Lanane and seconded by Wilson. Commissioner Huskisson asked how many feet are required between the signs and Nic Maquet confirmed that the required amount of footage is 1,000 feet. Chairman Hild discussed the landscaping requirements and Nic said that the landscaping requirements are in the updated code. Commissioner Wilson feels there is no reason that the sign can't go in the requested location. pending all code requirements are met. Commissioner Lanane agrees with Wilson, landscaping would be appropriate and necessary, many other members of the committee agreed. Maquet asked Danny (Robinson Outdoor) who maintains the landscaping and Danny said that they maintain it themselves. Danny explained that he has concerns with their sign being so close to the other digital billboard and would like to have discussions with Mr. Giebelhausen to attempt to work together. Nic did clarify that if the board approves the Special Use (SU), Robinson Outdoor has one year to build then the SU is no longer valid. The committee chose to amend their original motion and add a requirement that includes a masonry base. Motion to approve as modified made by Commissioner Lanane and seconded by Madden.

6.5. Case SU 2025-02 A Special Use request submitted by Clean Energy Design Group, Inc on behalf of the Pekin Park District for the construction and operation of a Ground Mount Solar Array on the property near the intersection of Stadium Drive and North Parkway Drive.

RESULT:	Dismiss SU 2025-02
MOVER:	Commissioner Hild
SECONDER:	Commissioner Madden
AYES:	Commissioner Deverman, Hild, Huskisson, Lanane and Madden.
NAYS:	None
ABSTAIN:	Commissioner Wilson
ABSENT:	Commissioner Joesting

Public Input Open: 6:18PM Public Input Closed 6:20PM

Cameron Bettin, Director of Pekin Park District and Dan Griffin with Clean Energy Group were available for questions. Cameron said the property purposes a concern with the building code and he is here looking for clarification if a special use (SU) is necessary.

Motion to discuss by Hild and seconded by Commissioner Madden.

Nic Maquet explained that previous discussion with staff (and prior legal counsel) recognizes that the solar arrays are directly connected to the two buildings (The Arena and Parkside) and typically the ground mount array (if on the same parcel) where the array is going is on a separate parcel which proved not to be feasible. Discussion with staff prompted this case going to

ZBA for a possible SU, is a SU required or can this be considered a ground mount (with a building permit)? The park district does own all of the parcels but the parcels can not be combined.

Chairman Hild said he does not feel a SU is required. Commissioner Deverman asked Nic Maquet if the separate parcels are the only reason that there is a potential SU and Nic did confirm that is the only reason. Josh Wray (Economic Development Director for the City of Pekin) explained why the parcels can not be combined (TIF District/Non TIF District). Nic explained that by definition, a permit with a principle use (which is a park) is allowed.

Chairman Hild asked what we could do about the request for a SU and the attorney stated there is no need for a SU. A vote was taken to dismiss the SU based on our zoning ordinance. Motion to dismiss was made by Hild and seconded by Madden. *Commissioner Wilson did not vote as The Pekin Park District is her client*

6.6. Case SPR 2025-01 A Site Plan Review request submitted by Clean Energy Design group, Inc on behalf of the Pekin Park District for the construction and operation of a Ground Mount Solar Array on the property near the intersection of Stadium Drive and North Parkway Drive

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

Open Public Input: 6:30PM Closed Public Input 6:30PM

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

Nic Maquet stated that with the determination of this being a ground mount array, Nic's department could approve the site plan but has opted to turn to the ZBA committee for review and possible approval. Chairman Hild asked what the max height will be when the panels are fully tilted which will approximately eight-feet (when the panels are fully tilted to the east or west). Mr. Maquet asked how often the panels go full tilt and the panels will go full tilt two times a day with very little sound. Nic did remind the committee of a fence requirement which will give the panels protection. Cameron said that they are going to install a six-foot chain length fence with locked gates. Commissioner Lanane wanted to be sure that we include some requirements for landscaping. Cameron said they are looking to plan some trees on the North side (down Broadway St., heading east). Commissioner Wilson advised not using evergreens. She would suggest using something to buffer the fence with an ornamental or shade tree. The public was notified of this and their feedback was mostly positive with a few concerns on giving up green space. The park district did discuss the use of other property to hold events such as

tractor pulls (however there have not been any tractor pulls since the pandemic). Cameron noted that there will be some open field for special events such as cross country, etc. Commissioner Wilson asked Cameron what they (the park district) planned to do with the savings from the panels and Cameron said that they are looking to use the savings to work on other needs throughout the park. Commissioner Huskisson amended his motion to approve to include buffering with deciduous trees on Broadway and with plantings around the solar array fencing. The motion was seconded by Deverman. Commissioner Wilson abstained. Motion approved.

Any Other Business Before the Board

7.1. Tobacco License Discussion

Discussion regarding the Tobacco License:

There is currently a moratorium in place and Nic Maquet discussed the possibility of making this a Special Use (SU) with requirements such as distance between school, churches, etc. Commissioner Wilson believes this should be an ordinance rather than a SU. The committee discussed this and would like to review surrounding area(s) Tobacco License Ordinance. There was also discussion on limiting what can be sold at gas stations and tobacco stores as they are selling pipes, nitrous and many other products. Nic Maquet will send out the requested information to the committee and the ZBA will review.

Public Input

None

Adjourn

Motion was made to adjourn by Commissioner Lanane and seconded by Huskisson.