



City of Pekin

**REGULAR ZONING BOARD OF APPEALS MEETING
WEDNESDAY, DECEMBER 8, 2021
5:00 PM**

1.	Call to Order
2.	Pledge of Allegiance
3.	Roll Call
4.	Agenda Approval
5.	Minutes Approval
5.1.	November 22, 2021 Minutes
6.	City Council Action Report
7.	Applications and Hearings
7.1.	Case RZ 2021-05 A rezoning request by Anthony LaHood for properties currently zoned R-1, One-Family Residential District, to P-1 Vehicular Parking District, located at 1704 and 1706 Karo Street with legal descriptions of SEC 09 T24N R5W DALLAS SUBD #2 LOT 21 NE 1/4 and P.I.N. #10-10-09-205-004 and SEC 09 T24N R5W DALLAS SUBD #2 LOT 20 NE 1/4 and P.I.N. #10-10-09-205-005, both in Tazewell County, Illinois.
7.2.	Ordinance Proposing Zoning Code Changes to Include the Creation of a B-4 Commercial
8.	Informal
9.	Public Input
10.	Adjourn

Pekin Zoning Board of Appeals
111S. Capital Street
City Council Chambers 2nd Floor
November 22, 2021
4:30 PM

Present: Bill Craig, Chris Deverman, Daryl Dagit, Donald Hild, David Huskisson, Chris Lang, Mary Lanane, Kelly Madden, Steve Thompson, Kim Joesting, James Ruth.

The regular meeting of the Pekin Board of Appeals was called to order and a quorum was declared. Staff present: Matt Fick, Community Development Director, David Bess, Community Development Block Grant Program Manager, and Kathie Brown, Economic Development Program Support.

MOTION by Commissioner Thompson to approve the November 22, 2021, agenda seconded by Commissioner Hild. Motion carried 11-0.

Minutes for the November 9, 2021 meeting were approved to include a revision requested by Commissioner Deverman affirming his absence from the subject meeting with all members present voting aye.

City Council Action Report – All recommendations submitted by the Zoning Board of Appeals from the November 8, 2021 meeting were approved by the City Council.

Case SU 2021-13 Public Hearing Opened at 4:35 p.m.

A special use request by Allison Dries for the establishment of an adult-use cannabis infuser organization in an I-1 Light Industrial District at 845 Brenkman Drive.

Petitioner Allison Dries was one of thirty-two successful applications meeting cannabis licensing requires for the State of Illinois. The applicant lives in Bartonville but has selected a property with adequate square footage to accommodate her business model – incorporating distilled cannabis oil into shelf stable products for distribution to licensed cannabis outlet sites throughout the region and state. The property will adhere to all product and security requirements issued by the State of Illinois and Illinois Department of Agriculture who oversees cannabis production and distribution. Security plan will be approved by the Illinois State Police. Applicant anticipates a February close on the property, followed by a 6–9-month update and remodel of the building to accommodate production. Remodel includes asbestos testing and installation of a sprinkler system.

The business will begin with first shift operations only, with a potential to add a second shift with increased production demands. Initial employment will include full time manager (\$70,000 - \$75,000 salary range) and 5-10 FTEs at \$16-\$19 hour. Anticipates reaching a level of 20-25 employees.

Commissioner Madden made a motion to approve the request for a special use permit, motion seconded by Commissioner Hild. Motion carried 11-0.

Case SU 2021-14 Public Hearing Opened at 4:44 p.m.

A special use request by Panda Restaurant Group for a drive-through establishment in a B-3 General Commercial District at 2015 Court Street.

Roland Solinski, Designer Planner with New Ground International presented the site plan for the proposed 2-lane drive through for new restaurant Panda Express. The design mirrors the approach taken for the recently developed Panda Express in East Peoria. The drive through lanes will allow for stacking of four cars in each lane before merging into single lane for pick up. This approach has been successful in efficiently moving traffic off streets and through the pickup lanes. The company plans for greatest drive through capacity at each of their sites. The site plan also illustrated the use of landscaping as a screening and buffer around the drive through lanes adding a good deal of curb appeal to the *true warm and welcome* design. This corporate design with landscape buffer supports integration of the building to the area. Consideration for 7–8-foot setbacks, access from multiple directions, and utilities have also been accomplished through the site plan.

Hours of operation will be 10:30 a.m. – 9:00 p.m. and they anticipate fifteen employees with 3-5 part-time employees per shift with a full-time manager. Groundbreaking anticipated in April 2022 with a 6–7-month window to be fully operational. They anticipate no environmental concerns with the property.

Councilmember Nutter inquired as to how the entrances and exits on both Court Street and Parkway Drive were configured and whether there would be traffic flow concerns with access on Court Street. The petitioner explained the plan includes entrances and exits on both Court Street and Parkway Drive, with Matt Fick opining that City Engineer Josie Esker has reviewed the site plans and did not object to the proposed plans in regards to traffic flow. Commission discussion compared this design and approach as most favorable as moving traffic into the facility and service in a most efficient way. Only concern or consideration expressed was integration of this site work with future Court Street improvements.

Commissioner Thompson mad a motion to approve the request for a special use permit, motion seconded by Commissioner Dagit. Motion carried 11-0

Discussion regarding issues with the traffic flow associated the Dunkin' Doughnuts drive-through. During this discussion, the commission noted that while the Dunkin' Doughnuts has caused some concerns with traffic flow, the proposed Panda Restaurant will have a larger stack for cars waiting in line. The commission also discussed the availability of infrastructure grant funds for the City with the recent passage of infrastructure-related funding legislation.

Next meeting will be December 8, at 5:00 p.m. to accommodate council meeting which follows and there are two cases which will appear before the commission.

Adjourned 5:05 p.m.

Matt Fick, Secretary

Pekin Planning Commission



Matt Fick, Director of
Community Development
111 S. Capitol Street
Pekin, Illinois 61554
mfick@ci.pekin.il.us
(309) 478-5355

To: Board of Appeals Members

From: Matt Fick *MFF*

Re: December Cases

Date: December 6, 2021

CASE RZ 2021-05

A rezoning request by Anthony LaHood for properties currently zoned R-1, One-Family Residential District, to P-1 Vehicular Parking District, located at 1704 and 1706 Karo Street

SUMMARY: Mr. LaHood appeared before the Board of Appeals on October 13th to request a rezoning of this property from R-1 to B-3 in order to allow for the installation of a parking lot. Due to neighbor opposition, the Board denied Mr. LaHood's request and it did not move forward to Council for a vote. It was suggested that he attempt to rezone the lot to P-1 (parking only) and put a fence around the property in order cut off any access from Karo Street. The neighbors seemed to be acceptable of this idea. The attached site plan provided by Mr. LaHood indicates 6 parking spots on the other side of a proposed fence that would be accessed from Karo Street.

The requirements of a P-1 parking lot are:

The parking area shall be accessory to and for use in connection with one or more multiple dwellings, businesses or industrial establishments located in adjoining multiple dwelling, business or industrial districts or in connection with one or more existing professional or institutional office buildings or institutions. **(This condition is satisfied)**

Such parking lots shall be contiguous to an RM or nonresidential district. Parking areas may be approved when adjacent to said districts or on the end of a block where such areas front on a street which is perpendicular to that street servicing the district. There may be a private driveway or public street or public alley between such P-1 District and above-listed districts. **(It is unclear if this condition is satisfied, as adjacent properties are not located within the City of Pekin)**

Parking area shall be used solely for parking of private passenger vehicles, for periods of less than one day and shall not be used as an off-street loading area. **(This condition cannot be satisfied until the lot is in use)**

No commercial repair work or service of any kind or sale or display thereof shall be conducted in such parking area. **(This condition cannot be satisfied until the lot is in use)**

No signs of any kind, other than signs designating entrances, exits and conditions of use, shall be maintained on such parking area. **(This condition cannot be satisfied until the lot is in use)**

Attachment: RZ 2021-05 Packet (2874 : Case RZ 2021-05)

No buildings, other than those for shelter of attendants, shall be erected upon the premises, and they shall not exceed 15 feet in height. **(The existing structure on the site will be grandfathered so this restriction does not apply to it but it would any future buildings)**

Applications for P-1 District rezoning shall be made by submitting a dimensional layout of the area requested showing the intended parking plans in accordance with Sections [4-3-8-14](#) and [4-3-9-2](#). **(A layout has been submitted but a more detailed, engineered drawing will be required should this request be approved)**

RECOMMENDATION:

Staff recommends approval on the condition the entire lot is fenced, no access to the site from Karo Street is allowed, and engineered construction plans are submitted prior to construction demonstrating compliance with hard surface parking lot requirements (asphalt or concrete) and drainage/storm water detention plans that are approved by the City Engineer. The petitioner would also need to demonstrate the need for the 6 parking spots shown on Karo Street before that would be recommended for approval.

B-4 SPECIAL BUSINESS DISTRICT

A proposed amendment to the Pekin City Code to create a new business district that is intended to encourage the growth of retail and restaurant businesses along the City's main traffic corridor.

SUMMARY: City code currently contains three zoning districts dedicated toward various intensities of commercial use. The proposed fourth zoning district is intended to allow and encourage businesses such as restaurants, retailers, entertainment venues, banks and personal service establishments. The goal of limiting the types of new businesses allowed in the B-4 Special Business District is to encourage more clustering of complementary uses. For example, a new restaurant opens inside a commercial shopping center and is successful. The space next to it becomes vacant and is now for lease. Currently a wide variety of uses could go into the vacant space, including a title loan company, gambling parlor or vape shop. These uses are much different from a restaurant and, generally speaking, do not benefit from being located next to each other. However, if another restaurant were to occupy the vacant space you would now have two of them located next to each other, and their ability to attract customers greatly enhanced. The code already allows for the aforementioned non-compatible uses in other commercial zoning districts so the creation of the B-4 Special Business District is not restrictive or punitive, it simply narrows the allowed uses in an effort to create a different type of business environment.

RECOMMENDATION:

Recommend approval of the B-4 Special Business District to the Pekin City Council.



ILLINOIS
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City of Pekin- Planning and Zoning Department

111 S. Capitol Street, Pekin, Illinois 61554 - (309) 478-5355

30674

ZONING MAP AMENDMENT APPLICATION

Applicant Name: Tony La Hood
Address: 1704-1706 Karo Street, Pekin IL 61554
Phone #: 309-219-7663 **Cell Phone #:** _____ **E-Mail:** lahoodremodeling@yahoo.com
Property Interest of Applicant: Owner

Owner Name: La Hood Enterprises
Address: 1704-1706 Karo Street, Pekin, IL 61554
Phone #: 309 219-7663 **Cell Phone #:** 309-219-7669 **E-Mail:** _____

Attorney / Representative: Tony La Hood
Address: 1713 S. 2nd Street, Pekin, IL 61554
Phone #: 309 219-7663 **Cell Phone #:** _____ **E-Mail:** _____

Property Information:

Address of Property: 1704-1706 Karo Street
Lot Area: 10,000 sq. ft. **Zoning District:** R-2 **Present Use:** Office/Storage
Use of Adjacent Property & Zoning:
North: County Residential **South:** County Residential
East: B-3 General Commercial **West:** County Residential
Property Identification Number: 10-10-09-205-004 & 10-10-09-205-005
Legal Description: (Attach Separate Page)

Attachment: RZ 2021-05 Packet (2874 : Case RZ 2021-05)



City of Pekin- Planning and Zoning Department
111 S. Capitol Street, Pekin, Illinois 61554 -- (309) 478-5355

REASON FOR REQUEST:

A Zoning Map Amendment for the above property is requested as follows: _____

Re-zoning from R-1 residential to P-1 Vehicular Parking District

Explain how the Requested Zoning Classification Relates to the Comprehensive Plan: _____

NA

CERTIFICATION BY THE APPLICANT

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.

[Signature]

Applicant Signature

10-22-21

Date

CERTIFICATION BY PROPERTY OWNER

I certify that I am the owner of the property, which is the subject of this request. The applicant has received my approval to proceed with this request.

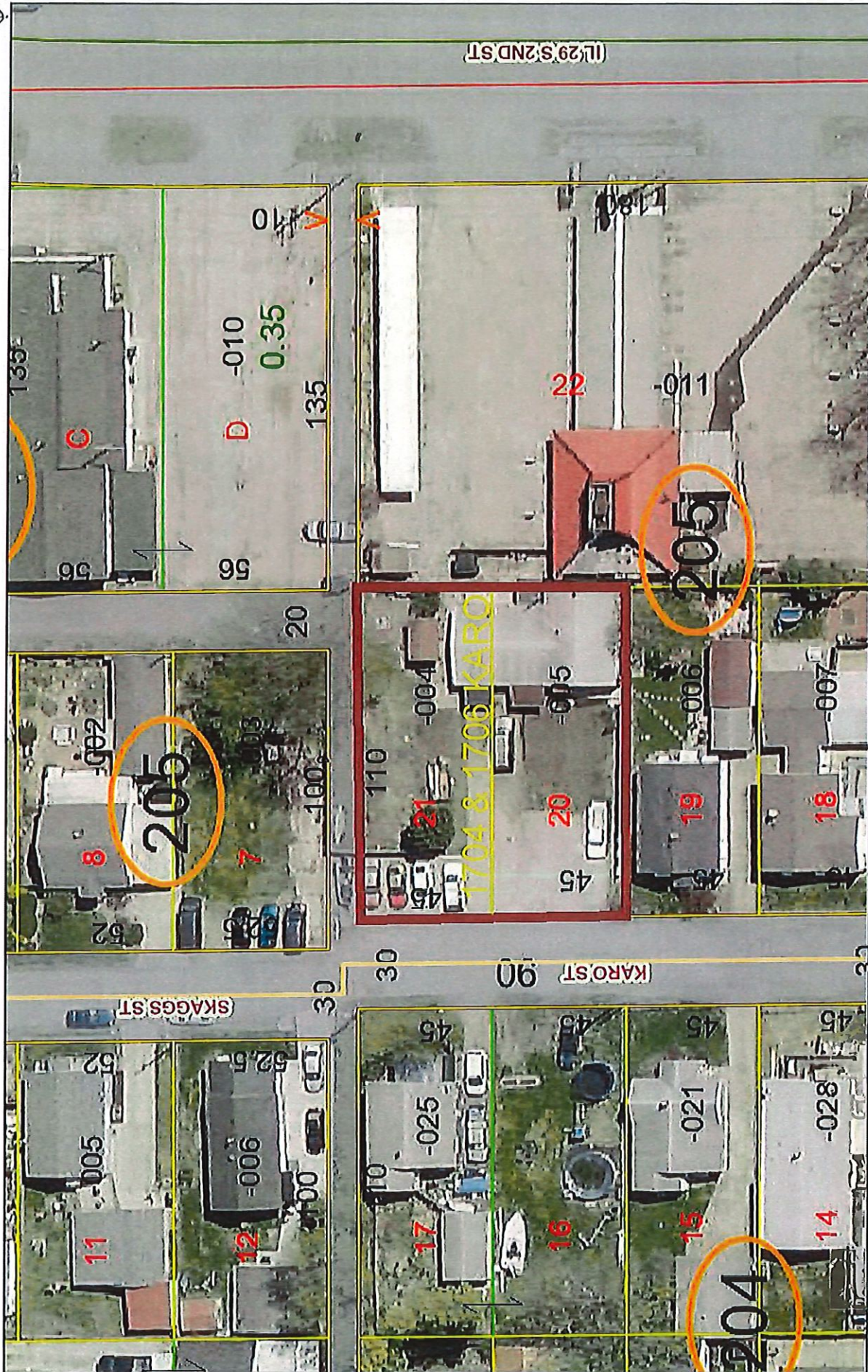
[Signature]

Applicant Signature

10-22-21

Date

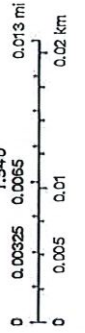
1704 & 1706 KARO



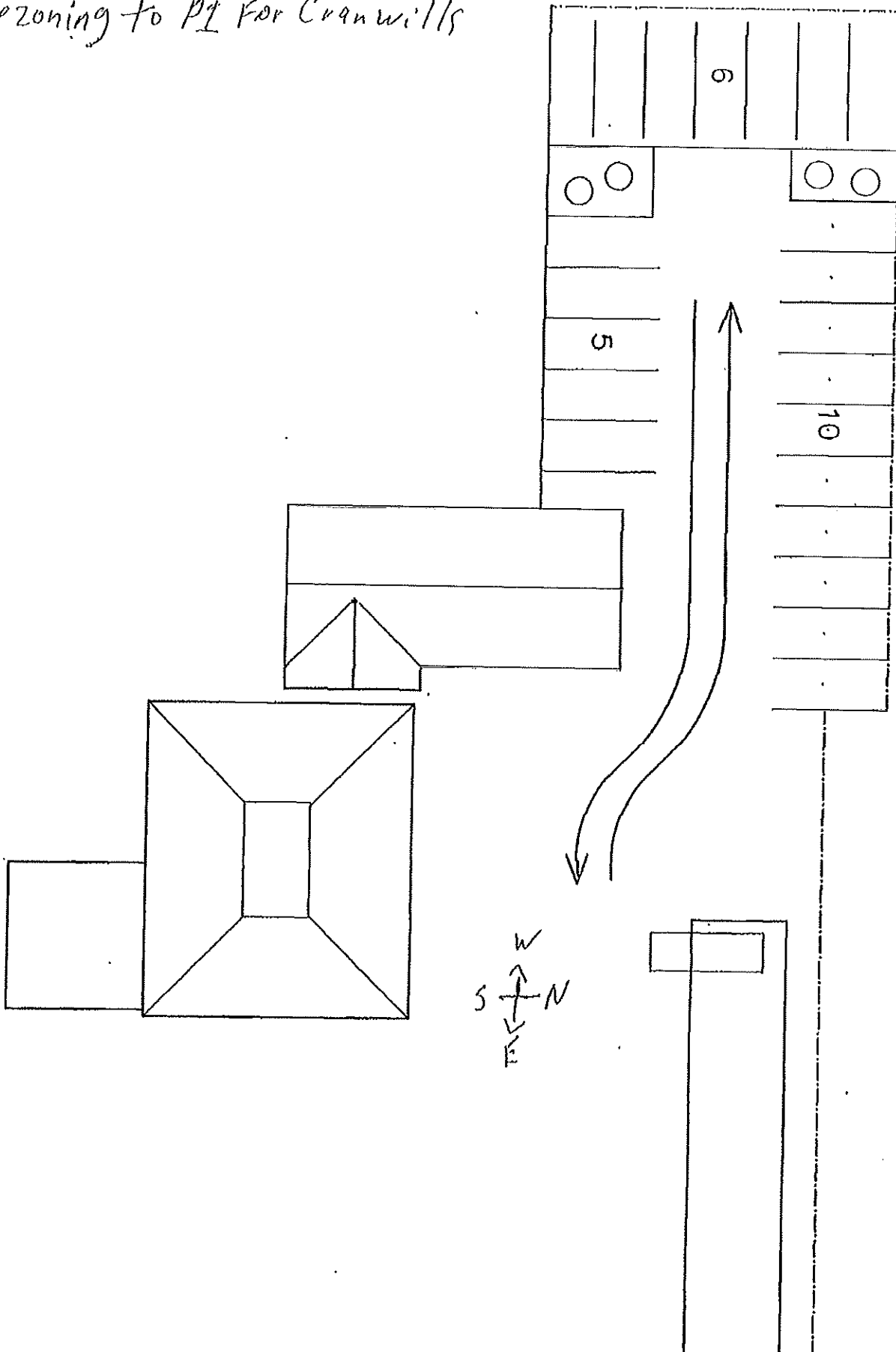
- IL 155 — IL 29 — US 24
- IL 474 — IL 98 — Streets
- IL 74 — US 150



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- Proposed Parking lot expansion/
Rezoning to P1 For Cranfills



ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE ZONING CODE TO ESTABLISH THE
B4 – SPECIAL BUSINESS DISTRICT**

WHEREAS, the City of Pekin is a home rule municipality as described in Section 6(a), Article VII of the 1970 Constitution of the State of Illinois; and

WHEREAS, the City of Pekin, as a home rule municipality, may exercise power and perform any function pertaining to its government and affairs, including, but not limited to, the power to legislate for the protection of the public health, safety, and welfare; and

WHEREAS, the City of Pekin has enacted a Zoning Code for establishing municipal zoning regulations for the purpose of improving and protecting the public health, safety, comfort, convenience, and general welfare of the people and its citizens; and

WHEREAS, the Planning Commission of the City of Pekin conducted a public hearing, as required by law, on June 9, 2021, regarding the proposed amendments to the City's Zoning Code pertaining to the creation of a new zoning district focusing on retail and restaurant uses; and

WHEREAS, the Planning Commission has recommended approval of the proposed amendments to the City's Zoning Code after holding the required public hearing and then considering the proposed amendments to the City's Zoning Code as set forth herein; and

WHEREAS, the City Council hereby finds that it is in the best interests of the City and its citizens that the Zoning Code be amended to provide for a new B-4 – Special Business District within the City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEKIN, TAZEWELL COUNTY, ILLINOIS, THAT:

Section 1. The findings and recitations set forth above are adopted and found to be true and correct.

Section 2. Chapter 4, Article III, Section 3-1 of the Pekin City Code is hereby amended to add the following classification to the list of Nonresidential Districts:

B- 4: Special Business District

Section 3. Chapter 4, Article III, Division 6 of the Pekin City Code is hereby amended by the addition of a new Subdivision X as follows:

Subdivision X. – B-4 Special Business District

Sec. 4-3-6-10-1. – Intent.

The B-4 Special Business District is designed to encourage the growth of retail and restaurant businesses along the City's main traffic corridors.

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

In a Special Business 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 generally recognized retail business which supplies commodities on the premises within a completely enclosed building, such as, but not limited to, food, drugs, furniture, clothing, dry goods, notions or hardware; provided, however, that adult book stores, as defined in Section 5-1-3-1 shall not be permitted.
- (2) Any personal service establishment which performs services on the premises within a completely enclosed building, such as, but not limited to, repair shops (watches, radio, television, shoe, etc.), tailor shops, beauty parlor, barbershops, interior decorators, photographers and dry cleaners.
- (3) Banks and banks with drive-in facilities, when said drive-in facilities are incidental to the principal function; provided that this shall not include loan companies, pay day loan companies, title loan companies, or similar businesses.
- (4) Restaurants and taverns where the patrons are served while seated within the building occupied by such establishment or in an outdoor sales area or beer garden as defined in Section 5-2-1, or an outdoor seating area immediately adjacent to the building occupied by such establishment.
- (5) Theaters or concert venues, when completely enclosed; provided, however, that adult entertainment cabarets, adult motion picture theaters, and adult mini motion picture theaters, as defined in Section 5-1-3-1 shall not be permitted.
- (6) Offices and office buildings of an executive, administrative or professional nature.
- (7) Governmental offices and public safety facilities (excepting those used for overnight incarceration of prisoners).
- (8) Accessory structures customarily incident to the permitted uses provided for in this Section.

Section 4-3-6-10-3. – Special uses.

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

- (1) Drive-through windows incidental to and in conjunction with a restaurant permitted by Section 4-3-6-10-2(4), subject to the following conditions:
- A setback of at least 25 feet from the right-of-way line of any existing or proposed street must be maintained.
 - Access points shall be located at least 60 feet from the intersection of any two streets.
 - All lighting shall be shielded from adjacent residential districts.
 - 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.
- (2) Plant materials nursery for the retail sale of plant materials not grown on the site and sales of lawn furniture, playground equipment and garden supplies, subject to the following conditions:
- The storage and/or display of any materials and/or products shall meet all setback requirements of a structure.
 - All loading and parking shall be provided off-street.
 - The storage of any soil, fertilizer or other loose, unpackaged materials shall be contained to prevent any effects on adjacent uses.
- (3) Adult-use and medical cannabis dispensing organizations, subject to the conditions and procedures set forth in Division 10 of this Article.

Sec. 4-3-6-10-4. – Area and bulk requirements.

See Section 4-3-7-1 limiting the height and bulk of buildings and providing minimum lot size and yard setback requirements.

Section 4. Chapter 4, Article III, Section 7-1(a) of the Pekin City Code is amended by the addition of the following information:

		Lot Size/D.U. (area sq. ft.) Minimum Width		Maximum Height of Structure Sides in:		Minimum Yard Setback (per lot in) Ratio of Least Total				Maximum Percent of Lot Coverage (per unit)
Use District		Avg./Subdiv	In Feet	Stories	Feet	Front	One	Two	Rear	One
B-	Special									

4	Business									
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Section 5. This Ordinance is in addition to all other ordinances on the subject and shall be construed therewith excepting as to that part in direct conflict with any other ordinance, and in the event of such conflict, the provisions hereof shall govern.

Section 6. This Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED AND APPROVED at the regular meeting of the City Council of the City of Pekin, this _____ day of _____, 20____; and upon roll call the vote was as follows:

AYES:

NAYS:

ABSENT:

ABSTAINING:

APPROVED this _____ day of _____, 20____

Mayor

ATTEST:

City Clerk