Pekin Planning Commission Meeting
Council Chambers
111 South Capitol Street, 2nd level
November 14, 2018
5:30pm

Present:

Bill Craig, Chair	Chris Deverman
Ron Knautz	Daryl Dagit
Amy Wilson	Don Hild
Tim Bonnette	

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 Attorney Sue Bosich.

MOTION by Daryl Dagit to approve the November 14, 2018 Agenda, Seconded by Ron Knautz. On roll call vote, all present voted AYE. Motion approved.

MOTION by Daryl Dagit to approve the minutes of September 12, 2018, Seconded by Chris Deverman. On roll call vote, all present voted AYE. Motion approved.

Council Action Reports:

Chairman Bill Craig reported that at the September 24, 2018 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 to establish a private park on a vacant parcel on Black Street located in the B-3, General Business District.

Application #1: Review and consideration of a petition for Special Use Authorization to establish a dog grooming salon use at 600 S. 4th street

Prior to the meeting, applicant, Nicole Dougherty, informed the City that she was withdrawing her Special Use petition, as the purchase of the property at 600 S. 4th Street had fallen through and she was no longer purchasing the property.

Application #2: Review and consideration of a petition for Special Use Authorization for Open front Storage at 2909 Court Street.

Hearing #2 (#11-1922): Consideration of a Special Use Petition submitted by Amerco Real Estate Company for Open Front Storage of Uhaul rental trucks, trailers and equipment at a property located at 2909 Court Street with a Legal Description of Sec 7 T24N R4W Pekin

Commercial Park Subd. Lot 2 (Exc. SE Tract) all Lots 3-4 & 5 NW ¼ 8.537 AC in Tazewell County, Illinois, with the following P.I.N.# 11-11-07-101-008.

Open Public Hearing: 5:33 pm

Bill Craig, Chairman, entertained a motion for discussion.

Motion made by Daryl Dagit, seconded by Amy Wilson, to open discussion.

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

Aaron Freeman, representing the U-Haul Company, appeared before the Plan Commission and explained the nature of the Special use request and stated that the U-Haul Company had a long history of reclaiming vacant, underutilized commercial properties such as the former K-Mart property that is the subject of the Special Use request. Mr. Freeman further stated that proposed U-Haul use of the property at 2909 Court Street would include the retail use that is currently being conducted at the property, the exterior, open storage and parking of rental trucks and trailers and equipment and the retrofitting of the interior of the building for climate controlled storage.

Close Public Hearing: 5:37 pm.

Commissioner Don Hild asked if the Special Use petition was only for the outdoor, open storage of rental trucks, trailers and other equipment. Building Inspections / Development Director, John R. Lebegue answered that, yes, the Special Use authorization only pertained to the outdoor, open storage rental trucks, trailers and other equipment.

Commissioner Ron Knautz asked the applicant if the U-Haul Company planned to develop any outlot buildings on the property at 2909 Court Street, given the large size of the property.

Mr. Freeman answered that the U-Haul Company currently did not have any plans to develop and outlot buildings and that the U-Haul Company would be using the entire property.

Chairman Bill Craig asked the applicant what landscaping would be provided on the site.

Mr. Freeman answered by stating that landscaping would be installed along Court Street to improve the appearance of the property.

Commissioner Knautz asked how many vehicles would be stored on the property on average.

Mr. Freeman answered by stating that the equipment was in constant movement and that as few as 1 to 3 trucks could be present on the property and as many as 15 to 20, and it all depended on demand.

Chairman Bill Craig called the question on the request for Special Use Authorization for Open Front Storage of U-Haul rental trucks, trailers and equipment at a property located at 2909 Court Street. On a roll call vote, all present voted Aye. Motion passed.

Application #3: Review and consideration of a petition for Special Use Authorization to construct and operate a solar farm use on a vacant parcel on Koch Street.

Hearing #3 (#11-1923): Consideration of a Special Use Petition submitted by Riverway Drive Solar, LLC to construct a solar farm use on a vacant parcel located on Koch Street in the I-1, Industrial District, with a Legal Description of Sec 10 T24N R5W w ½ (Exc. SLY 120 Ft. & WLY 25 Ft.) NE 1/ of NW ¼ 17.99 AC in Tazewell County, IL, with a P.I.N. # of 10-10-10-100-047.

Open Public Hearing: 5:43 pm

Motion made by Chris Deverman, seconded by Ron Knautz, to open discussion.

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

Tori Green and John Strader, representing Riverway Drive Solar, appeared before the members of the Plan Commission and explained the nature of the Special Use request, stating that the intent of the Special Use being sought was to install and operate a 2 megawatt solar farm on a vacant parcel of land in the Industrial District. Mr. Strader continued by stating that the proposed solar farm use would be a more valued and appropriate use than the current agricultural use of the property and would generate enough electricity to power 450 residential homes and provide additional property tax revenue to the City. Mr. Strader concluded by stating that proposed solar farm array had a life of 25 to 30 years and that array would be decommissioned and pulled out at the end of its useful life.

Jim Mangan appeared before the members of the Plan Commission and asked how the 450 City residents would be able to get the electricity generated by the proposed solar farm.

Mr. Strader answered by stating that there would be a signup process for those interested in purchasing electrical power from the solar farm and that the process would be available in the future.

Close Public Hearing: 5:51 pm.

Commissioner Donald Hild stated that the proposed solar farm use would be good for the City, as there has never been anything developed on that vacant industrial land. Commissioner Hild asked the applicant how and why was the City of Pekin chosen for the proposed solar farm.

Mr. Strader answered that they were working in the region and were seeking vacant industrial property that was available for development. Mr. Strader further stated that the site on Koch Street was also selected because of its suitable grading and close proximity to an electrical substation.

Commissioner Ron Knautz asked what type of fencing would be installed around the proposed solar farm.

Mr. Strader stated that the site would be enclosed by a chain link fence between 6 to 8 feet in height.

Commissioner Knautz further inquired as to sound generated by the power inverters and how long it would take to construct the facility.

Mr. Strader stated that the decibel rating of the power inverters are very minimal and are not louder than a conversation.

Commissioner Tim Bonnette asked where the power inverters would be located on the site.

Mr. Strader stated that they would be utilizing smaller inverters for this project and that they would be located at the front of the property.

Commissioner Bonnette then asked if Riverway Drive Solar would be applying for the energy credits for the proposed solar farm.

Mr. Strader stated that Riverway Drive Solar would be applying for the energy credits being offered by the State of Illinois, but that they would be constructing the solar farm regardless of whether they obtain the energy credits.

Chairman Bill Craig then asked if a landscaping plan would be submitted for the project and the length of the lease for the property.

Mr. Strader stated that a landscaping plan for the site had not yet been developed but that a landscaping plan satisfactory to the City will be submitted before the granting of a building permit or installation of the solar farm. Mr. Strader continued by stating that the lease for the property was for 20 years, with a 5 year extension.

Chairman Craig stated that he had concerns in regard to the decommissioning of the site and wanted to make sure that the required decommissioning bond would be submitted by the developer.

Mr. Strader stated that a decommissioning plan would be submitted before a building permit is issued for construction of the facility.

Chairman Craig asked the applicant if they had any objections in complying with the decommissioning and other requirements of the solar energy system ordinance recently adopted by the City of Pekin.

Mr. Strader stated that they have not yet had the opportunity to review the new solar energy system ordinance adopted by the City of Pekin, but felt that they would have no issues complying with the decommissioning and other requirements of the new ordinance.

City Attorney Sue Bosich stated that Riverway Drive Solar would have to comply with the requirements of the Solar Energy system ordinance since no building permit has been issued and the solar farm has not yet been constructed.

Chairman Craig then moved that the previous motion be amended to include the condition that the proposed solar farm comply with the requirements of Ordinance No. 2805-18/19. Motion was seconded by Commissioner Knautz. Chairman Bill Craig called the question on the request of Riverway Drive Solar for Special Use Authorization to construct and operate a solar farm use on a vacant parcel located on Koch Street in the I-1, Industrial District. On a roll call vote, all present voted Aye. Motion passed.

Application #4: Review and consideration of a petition for Special Use Authorization to establish a sober living residence at 912 Broadway Street.

Hearing #3 (#11-1924): Consideration of a Special Use Petition submitted by Wendy McCready, on behalf of Fight the Fight, to establish a sober living home use at a property located at 912 Broadway Road, with a Legal Description of SEC 2 T24N R5W ACME Subd. Lot 1 Haines Addn. Lot 5 NW ¼ in Tazewell County, Illinois, with the following P.I.N. # 04-10-02-110-004.

Open Public Hearing: 6:12 pm

Motion made by Amy Wilson, seconded by Daryl Dagit, to open discussion.

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

Corey Campbell, representing Fight the Fight, appeared before the members of the Pekin Plan Commission and explained the nature of the proposed sober living community residence use and why the use was needed in the City of Pekin. Mr. Campbell explained that the proposed sober living home would only be occupied by men over the age of 18 and that all residents would undergo a background check and that there would be zero tolerance for substance abuse while residing in the home. Mr. Campbell further explained that the City of Pekin is the epicenter of the heroin problem in the region and that the proposed sober living home would provide a treatment option that currently does not exist in the City. Mr. Campbell continued by stating that over 50 properties had been looked at and that the property at 912 Broadway Street was chosen

due to its proximity to the downtown and public transportation. Mr. Campbell concluded by stating that there is currently no state or federal funding available to provide the needed treatment solutions after an addict leaves treatment or prison and the community will have to come together to help those suffering from addiction break free of the addiction and live an accountable and responsible life.

Judy Hale, a nearby resident, appeared before the Plan Commission and stated that she lived a block away from the proposed sober living home and had concerns for the safety of the granddaughter she is raising and other children in the neighborhood. Ms. Hale stated that she understood the need for the facility but did not feel that the use was appropriate to be located in a residential neighborhood.

Lisa Brownfield, a nearby resident, appeared before the Plan Commission and stated that there is a bus stop for kids near the proposed sober living home and that she too had concerns for the safety of the children and did not feel that the sober living home should be located in a residential neighborhood.

Arthur Losher, 916 Broadway Street, appeared before the Plan Commission and stated that he was in opposition to the proposed sober living home as there was no parking allowed on Broadway Street and limited parking on the property at 912 Broadway Street and that residents and visitors of the proposed home would create further congestion in the neighborhood. Mr. Losher continued by stating that he worked at night and had safety concerns for his family should the sober living home be established in the middle of a residential neighborhood. Mr. Losher concluded by stating that he did not see how the sober living home would make the neighborhood better and could also negatively impact the City sewer system given the number of occupants in the home.

Jackie Holmes, a resident of Tazewell County, appeared before the Plan Commission and stated that recovering addicts currently did not have any treatment options once they leave get out of prison or a treatment center, and that we need to see progress in Pekin as addicts need the community's help.

Megan Losher, 916 Broadway Street, appeared before the Plan Commission and stated that she was concerned as to the decision being made of who lives in the home and who would be conducting the background checks and drug testing. Mrs. Losher further stated that she did not feel that there would be enough oversight and felt that 10 men living in the home would be too many for the home.

Brenda Fosdick, a resident of Pekin, appeared before the Plan Commission and read a letter of support for the proposed sober living home and stated that she felt a sober living home was needed to help addicts get their lives on track and be held accountable.

Jordan Ellis, 915 Broadway Street, appeared before the Plan Commission and stated that he had concerns that addicts would be everywhere in the neighborhood and that with up to 10 men living in the home that there would be a high chance of disorder and opportunity for the creation of problems that don't currently exist in the neighborhood. Mr. Ellis further stated that he had made significant investment in his property and was concerned that he would lose property value if the sober living home were established.

John Lee, a resident of Pekin, appeared before the Plan Commission and stated that drug and alcohol addiction is a community problem and that it should not just be viewed as a neighborhood problem.

Kip Synder, a resident of Pekin, appeared before the Plan Commission and stated that addicts usually relapse and that drug problems already exist in the neighborhood and that the problem could get worse if sober living home were established in the neighborhood. Mr. Snyder further stated that he too felt that the establishment of the sober living home in a residential neighborhood would lower property values.

Jim Mangan, 1200 Parkway Drive, appeared before the Plan Commission and asked what the status of the property at 601 Prince was currently. Chairman Bill Craig stated that the status of 601 Prince was not relevant to this discussion and asked that comments only be directed to the proposed Special Use request. Mr. Mangan then stated that this was a community problem and that it was very important that all problems created by the use are looked at. Mr. Mangan concluded by stating that the applicant for this Special Use request does not reside in Pekin.

Roger Greer, 601 Prince, appeared before the Plan Commission and stated that he has experience with individual dealing with substance abuse while operating a restaurant in Peoria and that there is a serious substance abuse problem in Pekin and that the community is not really doing anything to help. Mr. Greer continued by stating that the location chosen for the proposed sober living home was appropriate because it was near public transportation and that residents of the home would need public transportation to get to work and other appointments. Mr. Greer concluded by stating that a sober living home facility was sorely needed in the City of Pekin and that other homes in the neighborhood were in worse condition than the property at 912 Broadway Street.

Gina Steinsultz, 1003 Market Street, appeared before the Plan Commission and explained that she lived near the bike path and stated that a serious drug problem exists, as drug sales routinely take place on the bike path and that potential residents of the sober living home would have easy access to drugs. Ms. Steinsultz concluded by stating that it would not be fair to the neighborhood for this use to be established and would be a step in the wrong direction.

Judy Hale, a resident of Pekin, appeared for a second time before the Plan Commission and stated that there were a great number of mean and nasty comments on the internet in regard to

the proposed sober living home and that she felt that if the applicant had talked to the neighborhood property owners before proposing the use.

Debbie Williams, 913 Highland Dr. appeared before the Plan Commission and stated that she had a problem with the establishment of a sober living home in a residential district. Ms. Williams further stated that she had concerns for the safety of children and elderly residents who resided in the neighborhood and felt that parking issues would be created if the use were established. Ms. Williams concluded by stating that she was not against the idea of a sober living home, but felt that a better site should be found.

A Tazewell County resident appeared before the Plan Commission and explained that her son had lived in a sober living home and that it changed and saved his life, as it gave him the support he needed and held him accountable for his actions. The resident concluded by stating that she would live next door to a sober living home given the very positive impact it had on her son.

Close Public Hearing: 7:13 pm.

Chairman Bill Craig explained that the purpose of the hearing being conducted by the Plan Commission in regard to the establishment of a sober living home at 912 Broadway Street was to determine if the proposed use meets the zoning requirement for the City of Pekin.

Commissioner Donald Hild stated that there are several requirements and finding for a Special Use and that it appeared that there is insufficient parking for the use, the home is not large enough for the number of proposed residents and no neighboring property owner is in favor of the proposed sober living home use.

Corey Campbell stated that there were 3 parking spaces available on the property at 912 Broadway Street, which is enough for the manager and a limited number of visitors. Mr. Campbell further stated that since residents of the home would not have a car and would use public transportation, the sober living home use would not need much parking and it would not be an issue.

Commissioner Hild then asked what the typical amount of square footage is required per resident.

Building Inspections / Development Director John R. Lebegue stated that the allowed number of occupants in the home is determined by the 2015 International Property Maintenance Code.

Commissioner Ron Knautz asked if the house manager is present 24/7 on the property.

Corey Campbell responded that yes, the house manager or another staff person were present 24/7 and were responsible to see that all home rules are followed and manages activities within the home, but that everyone that resides in the home would have responsibilities.

Commissioner Amy Wilson stated that she too felt that the proposed sober living home did not meet all seven of the required findings of fact necessary to recommend approval of a Special Use. Commissioner Wilson continued by stating that she felt that insufficient parking was available for the use and that the use would create congestion and negatively impact the condition of the alley behind the home, as all traffic to the proposed sober living home would have to use the alley since public parking is prohibited on Broadway Street. Commissioner Wilson further stated that she also had concerns that the City sewer system would be negatively impacted by the potential number of tenants that would be occupying the home, as the level of sewage use would be much greater than a single family dwelling.

Corey Campbell stated that the home at 912 Broadway Street had been inspected and no plumbing problems had been discovered.

Commissioner Wilson concluded by stating that she concurred with the opinion of neighboring property owners that the proposed sober living home use had the potential to diminish property values in that neighborhood.

Corey Campbell stated that there are studies that show that the presence of a sober living home in a residential district does not negatively impact home values in the neighborhood.

Commissioner Daryl Dagit stated that he had concerns of excessive density and overcrowding of the property at 912 Broadway Street and felt that there just wasn't enough room for that many residents. Commissioner Dagit further stated that he too had concerns as to the traffic that would be created to the proposed use and that adequate parking was not available for the use at that particular site.

Commissioner Dagit then asked if the proposed sober living home facility or those employed by the home were State certified.

Corey Campbell stated that neither the proposed facility, nor those operating the facility, were state certified.

Commissioner Dagit concluded by stating that he felt that his type of facility was needed in the City, but that the property at 912 Broadway was not well suited for the proposed use.

Wendy McCready appeared before the Plan Commission and stated in response to the concerns expressed in regard to parking, that the most cars that were present at any time at the sober living home in Peoria, IL was 3 cars.

Commissioner Chris Deverman asked how many residents could occupy the home at 912 Broadway Street.

Building Inspections / Development Director John R. Lebegue stated that, pursuant to the occupancy requirements of the 2015 International Property Maintenance Code, 50 square feet of floor area must be provided in the bedroom for each resident of the home.

Wendy McCready stated that contrary to what was listed on the real estate listing, the home at 912 Broadway Street has 4 bedroom, as there is a bedroom on the second floor of the home.

Chairman Bill Craig stated that after hearing the testimony and considering the Special Use request, he did not feel that the use complies with the City Zoning Code.

Chairman Bill Craig then called the question on the request of Wendy McCready, representing Fight the Fight, for Special Use Authorization to establish a sober living home use at a property located at 912 Broadway Road. On a roll call vote, all present voted Nay. Request denied.

No public input.

Motion made by Tim Bonnette, seconded by Chris Deverman to adjourn. On roll call vote, all present voted Aye. Motion approved. Meeting adjourned at 7:38 pm.

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