

Pekin Planning Commission Meeting
Council Chambers
111 South Capitol Street, 2nd level
November 13, 2019
5:30 p.m.

Present:

Bill Craig, Chairman
Tim Bonnette
Steve Thompson

Don Hild
Chris Deverman
Amy Wilson

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 Kate Swise, City Attorney

MOTION by Tim Bonnette to approve the November 13, 2019 Agenda, seconded by Don Hild. On roll call vote, all present voted AYE. Motion approved.

MOTION by Chris Deverman to approve the minutes of October 16, 2019, Seconded by Tim Bonnette. On roll call vote, Chairman Bill Craig, Don Hild, Tim Bonnette, Steve Thompson and Chris Deverman voted AYE, Amy Wilson abstained. Motion approved.

Council Action Reports:

Chairman Bill Craig, stated that at the October 28, 2019 regular meeting of the Pekin City Council, the members of the City Council concurred with the recommendation of the Plan Commission and granted Site Plan approval for the construction of an addition to the rear of the Johnson Mechanical building at 1818 Parkway Drive.

Application #1: Conduct a Public Hearing for the consideration of a Special Use Petition submitted by Atul Patel of AARAV1121 Inc. for Open Front Storage of U-Haul rental trucks, trailers and equipment at a property located at 422 Derby Street with a Legal Description of Sec 3 T24N R5W Alfs Addn. Lot 1 Blk 1 SE ¼ in Tazewell County, Illinois, with the following P.I.N.# 04-10-03-420-004.

Open Public Hearing: 5:33 p.m.

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

Jeff Shutt, representing U-Haul, appeared before the members of the Plan Commission and explained that the small U-Haul use being proposed for 422 Derby Street would replace the U-

Haul use that had been previously conducted at A-Z Rental at 1115 Derby Street. Mr. Shutt further stated that 1 to 2 pieces of equipment would be stored at the site at 422 Derby Street and if vehicles were dropped off at 422 Derby Street in excess of the 2 vehicles, the vehicle would be moved to a larger, local location.

Neighboring property owner, Michael Abbott, 414 Derby Street, appeared before the members of the Plan Commission and expressed concerns that the proposed U-Haul use would utilize the alley at the rear of the property. In response to Mr. Abbott's concern, Mr. Shutt and Mr. Patel stated that the proposed U-Haul use would be entirely conducted at the front of the property and the alley at the rear of the property would not be used.

Don Hild asked the applicant if there were any future plans to pave the vacant lot to the west of the property to expand the U-Haul use onto that property.

Mr. Patel stated that they have recently installed a secondary driveway on the vacant parcel, but has no plans to expand business onto the vacant lot.

Close Public Hearing: 5:40 p.m.

Chairman Bill Craig entertained a motion for discussion.

Motion made by Steve Thompson, seconded by Chris Deverman, to open discussion.

Don Hild asked if U-Haul can control the drop off of large vehicles at 422 Derby Street.

Mr. Shutt stated that U-Haul has the ability to route larger vehicles to larger, local facilities, as they would be happy to take the larger vehicles.

Amy Wilson stated that she had concerns that a truck being returned to the site would be parked in a location on the lot that would obstruct traffic and create an unsafe condition and suggested that signage be installed on the property at 422 Derby Street to identify the designated parking area for U-Haul trucks and equipment.

Chairman Bill Craig stated that he had concerns as to the small size of the property, but felt that the small scale U-Haul use would be a nice accessory use for the owner of the property at 422 Derby Street.

Chairman Bill Craig called the question on the petition for Special Use authorization for the open front storage of U-Haul rental trucks, trailers and equipment at the property at 422 Derby Street. On a roll call vote, all present voted Aye. Motion passed.

Application #2: Conduct a Public Hearing for the consideration of amendments to the City of Pekin Zoning Code for regulating adult-use recreational cannabis businesses and use of adult-use recreational cannabis in the City of Pekin.

Open Public Hearing: 5:49 p.m.

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

No one appeared before the members of the Plan Commission to speak in regard to the consideration of amendments to the City of Pekin Zoning Code for regulating adult-use recreational cannabis businesses and use of adult-use recreational cannabis in the City of Pekin.

Close Public Hearing: 5:50 p.m.

Bill Craig, Chairman, entertained a motion for discussion.

Motion made by Chris Deverman, seconded by Steve Thompson, to open discussion.

Chairman Bill Craig opened discussion by stating that he had been contacted prior to the meeting and informed that there was a last minute change to the proposed ordinance in regard to the setback requirements for cannabis establishments. Chairman Craig further explained that where the ordinance required a setback of 1000 feet that the setback be changed to 500 feet.

City Attorney Kate Swise explained that the decision to reduce the setback of cannabis establishments was made since the draft ordinance was prepared and the reduced setback would apply to cannabis dispensaries, cannabis infusers and cannabis transportation centers.

City Attorney Swise continued by stating that under the Medical Cannabis Act the State determined the required setback of a medical cannabis facility, but for recreational cannabis facilities the State has included no setback regulations and is leaving that matter up to the local municipality. City Attorney Swise then distributed a downtown district map that showed how limiting a 1000 foot setback would be for cannabis related businesses interested in locating in downtown Pekin. City Attorney Swise ended her comments by stating that staff recommended the required setback be reduced to 500 feet and that staff had prepared a survey in regard to resident opinions in regard to recreational cannabis establishments and the results of the survey have been distributed.

Chris Deverman complimented City Attorney Swise on the work she had on performed on the proposed ordinance.

Don Hild asked that since all cannabis related uses required Special Use authorization if conditions and restrictions could be placed on cannabis related establishments similar to other special uses.

City Attorney Swise stated that conditions could be placed on recreational cannabis establishments.

Chris Deverman then asked if a recreational cannabis facility could be located in a building in the downtown district that had an upper story residence.

Building Inspections / Development Director stated that a recreational cannabis facility could not locate in a downtown building if a residence existed on an upper story of the building.

Chris Deverman asked what the required distance was between cannabis dispensing facilities.

City Attorney Swise stated that cannabis dispensing facilities must be 1,500 feet apart.

Don Hild then stated that according to the proposed ordinance that residents can grow cannabis at home.

City Attorney Swise stated that residents may grow cannabis at home but only if they have a medical cannabis card.

Chris Deverman stated that he did not have a problem with even less than a 500 foot setback.

City Attorney Swise explained that the required setback for cannabis facilities could be reduced to 100 feet, which would be consistent with the required setback established under the liquor code.

Chairman Bill Craig then moved to amend the proposed ordinance reduce the setback for cannabis dispensing organizations, cannabis infuser organizations, cannabis processing organizations and cannabis transporting organizations to 100 feet from a pre-existing place of worship, public or private nursery school, preschool, primary or secondary school, college, university, community or junior college, vocational or trade school, learning center or academy, driving school, cosmetology school, day care center, licensed day care home, or licensed residential care home, seconded by Chris Deverman. Chairman Bill Craig called the question on the amended ordinance amending the City of Pekin Zoning Code for the regulation of adult-use recreational cannabis businesses and use of adult-use recreational cannabis in the City of Pekin. On a roll call vote, all present voted Aye. Motion passed.

No public input.

Motion made by Steve Thompson, seconded by Chris Deverman to adjourn. On roll call vote, all present voted Aye. Motion approved. Meeting adjourned at 6:30 p.m.

Respectfully submitted:

John R. Lebegue, Building Inspections / Development Director