

Call to order

- Meeting Called to order at 5:30pm

Roll Call

- The following board members were present upon roll call: Rick Picl, Tessie Bucklar, Steve Cady, Mike Woo, Nicko Tijerina, Kathy Stevenson, Janie, and Jack.

Approval of Meeting Minutes from April 15, 2019

- Motion to approve made by Mike, Kathy seconds. All in favor, none opposed.

Appointment of Zoning Board of Appeals Secretary

- The appointment of Nicko Tijerina as secretary was presented. A motion to elect was made by Kathy and a second was made by Janie. All in favor, None opposed.

Approval of site plan for construction of proposed improvements of commercial building located at 1327 East Kelly Avenue, Peoria Heights, Illinois, 61616 (PIN No. 14-22-404-034), which is currently zoned B-2 (General Retail Business District).

- Greg Birkland shares details with the board. Parking is currently at 29 spaces. During phase 2 Greg explains that the properties on either side of the building have been purchased and removed to allow for future parking. Discussion of current and additional lighting is reviewed as well as a new sewer line completed during the last 3 months. Rick asks for confirmation of capacity of the building and Kathy asks for confirmation of Fire Department walk through. Greg shares that the maximum capacity is at 300 and that the Fire Department has done a walk through and that a sprinkler system installed. Kathy asks for further explanation of phase 2, Janie and Tessie addressed green space. Rick had questions on storm drainage. Greg reviews phase 2 and answers questions. Greg asks for clarification on how street parking counts toward his parking needed for the property. Rick explains parking count and that a variance can be asked for. A discussion is had. Kathy asked if there was an issue with Kevin Shields on parking at Heritage Square. Greg explains that they have a mutual agreement on parking. Kathy returns to the issue of green space as she feels there are some issues with the lack of greenery. Greg assures Kathy that landscaping is important to the projects developed by KDB Group. A discussion continues on landscaping and green space, Kathy feels it is important to know of how this plays in phase 2 as it is important to the approval of phase 1.
- Motion to approve with the condition of contingent on a variance or written approval from Kevin Shields on use of parking of 31 spaces until phase 2 is completed. Kathy also adds the condition of landscaping. Kathy motioned to approve, Janie seconded the motion. All in favor, none opposed.

Site Plan review application submitted by KDB Group, LLC seeking approval of a Site Plan for construction of proposed commercial building located at 4615 North Prospect, Peoria Heights, Illinois 61616 (PIN No. 14-22-331-019), which property is currently zoned B-1 (Central Business District).

- Greg approaches to share updates. At this time he is unable to share updates due to the need to vet another management hotel company as many hotel companies require higher room capacity. Once an agreement is made with a company he will present the room count, layout and final plans as well as plenty of parking. Rick offers the opportunity for Greg to meet with zoning members so he can ask any questions of what may be required, so that he is able to prepare for the next meeting. Kathy asks on landscaping for this project, since there is not a landscape plan. Greg explains that this will all be a part of phase 2. Janie would like to have more information on how the hotel would look and if there is a model they can look at. Greg explains there is now as they are looking for a boutique type of hotel. Kathy shares that she knows of contact information that could help connect him to a boutique hotel management group.

Variance and Site Plan review application by Larry Herman on behalf of Steven and Christine Schmidgall, seeking approval to construct improvements to a commercial building and extend portions of the building two feet onto the existing public sidewalk, for property located at 4616 North Prospect, Peoria Heights, IL 61616 (PIN No. 14-22-403-001), which property is currently zoned B-1 (Central Business District).

- Larry shares the past history of the building and the proposed changes. The proposal is to remove the porch front and pillars and change the facade and additions to the front would bump out 2 feet onto public property but would fit more into the traditional look of the Heights. Kathy asks if Larry is aware of the change in code which requires the building to have a 75% of a glass front. Larry explains that the majority front is glass. Tessie expresses that she is not in favor of setting precedence of extending onto public property but is in favor of removing the pillars and overhang, but not a fan of the look of the proposed facade. She feels there could be another option as this is offbrand of a look for Zion. Larry shares that this building that could use a nice bold front, that is memorable and this is the design that the business wants. He feels this is best as the building was underperforming in the past. Tessie asks of a new proposed entrance and Kathy asks if there is a possibility of using the recessed entrance to not have the need of the extension. Larry states that these proposed changes are at a large cost that is not feasible. Tessie asks more questions on different options on the front. Larry provides more information and states that he is adding 40 to 50% more glass than there is currently. A lengthy discussion is had on the review of the site plan. Kathy wants 2 votes, one on the glass and one for the public space.
- Motion to approve site plan as stated. Motion to approve by Kathy with a second by Janie. All in favor, none opposed.

Variance application by William “Mickey” Donarski, seeking approval of a front/side yard fence on a corner lot for property located at 4415 North Miller Avenue, Peoria Heights, IL 61616 (PIN No. 14-22-478-024), which property is currently zoned R-1 (Low Density Residential District).

- Property owner states that the fence is necessary for his dog, he is worried about the dogs safety without a fence. He did not know that he had to have a permit for the fencing. He is willing to move fencing to meet zoning requirements and is wanting to accommodate requests. Kathy addresses concern that this could have been avoided if he had a permit beforehand. A discussion is had on other options for fencing or moving it in closer to the house, many options are addressed as well as a variance. Neighbors are given the opportunity to speak, the neighbors hired an engineer to speak on their behalf the petition is signed by 12 neighbors. After the engineer speaks, select neighbors speak on their dislike of the fence. A review and discussion is had on the fencing. Nicko makes a motion to approve the fence of placed on his property line. Tessie seconds the motion with the condition by Rick that there is a survey done to have property lines checked. A discussion continues on if it needs to be set back from his property line. Mark determines that it was not a majority vote, the board reviews the fact findings and it cannot pass due to lack of majority vote.

Other

- Discussion talk on the recent legalization of marijuana and the zoning requirements for dispensaries is had as it will be addressed at future meetings.

Adjourn

Revisions:

ZBA Vote - Before the vote we reviewed the Findings of Fact. If a majority of the board finds it does not meet just one of the Findings of Fact, the motion fails without a vote. The ZBA found it the variance request did not meet 3 out of 5 applicable Findings of Fact by a margin of 6-2. A subsequent vote showed 4-4 to approve the motion, however the vote was thrown out since they failed to meet all of the Findings of Fact. We then modified the motion to move it back to the lot line and again with one other proposal for a total of 3 different attempts to approve a motion. We ran through the Findings of Facts and still failed to meet them by the 6-2 margin so the motion failed without a vote.

In addition, there is no mention the fence is currently 6 ft on public property in both directions per Mr. Donarskis own drawing.