

**MINUTES  
LAND USE COMMITTEE  
JANUARY 3, 2022 @ 4:00 P.M.  
ROOM 403**

**MEMBERS PRESENT:** James Dillon - Chairman; Eden Blair, Jennifer Groves Allison, Brian Elsasser (*via teleconference*), William Watkins, Jr., Sharon Williams

**MEMBERS ABSENT:**

**OTHERS PRESENT:** Jennie Cordis Boswell - State's Attorney's Office; Shauna Musselman - County Administration; Kathi Urban, Andrew Braun - Planning & Zoning; Jack Walton – Management Analyst; Randy Koors – Petitioner; Kelly O’Brien – ConnectGEN; Kyle Barry – Attorney

**Call to Order:**

Mr. Dillon called the meeting to order at 4:18 p.m.

A motion to approve the participation of Mr. Elsasser via teleconference was made by Ms. Williams and seconded by Dr. Blair. A vote was taken on the motion and carried. (5-0)

**Approval of Minutes:**

A motion to approve the Land Use Committee minutes from November 29, 2021 was made by Mr. Watkins and seconded by Ms. Groves Allison. A vote was taken on the motion and carried. (6-0)

**Reports/ Other Minutes/Updates:**

Tri-County Regional Planning Commission Minutes: No questions or comments.

Unsafe Structures: No questions or comments.

Development Summary: No questions or comments.

Mr. Dillon made a motion to receive and file the reports.

**Zoning Cases:**

ZBA-2021-000039, Petition of David J. Russell and Kim D. Bryan-Russell:

Ms. Groves Allison made a motion to approve the special use request and was seconded by Dr. Blair.

Ms. Urban summarized the case. A Special Use request to allow for Overnight Accommodations in the “R-2” Medium Density Residential Zoning District, provided that the requirements are met as set forth in Section 7.8 (Overnight Accommodations) and provided that no more than five (5) rooms or suites of rooms are rented, and rooms are not rented for a period of more than fourteen (14) days. The petitioner proposes to offer an entire 1,416 sq ft. 3-bedroom, single-family dwelling for rent on a short-term basis through the Airbnb and VRBO websites. There is also a detached garage on the property. The subject parcel is located on Riverview Road in Medina Township. There are 2

consents and 0 objections on file. The subject parcels and all surrounding parcels are zoned “R-2” Medium Residential; to the north are 5 vacant residential lots, there are single-family dwellings to the west and east, and the Illinois River lies to the south of the parcel.

The entire house will be rented and the use of the property will be similar to that of a single-family dwelling. The petitioner’s request is consistent with the surrounding area as single-family dwellings are the principal land use along N. Riverview Road. The Airbnb listing states that no parties or events are allowed, and check-in time is between 2:00 p.m. and 6:00 p.m. with check out at 10:00 a.m. Development standards for all overnight accommodations are outlined in Section 20-7.8 of the UDO; this definition includes short-term rentals. The Ordinance does require that the owner keep a log identifying the name, address, and phone number of all guests and that overnight accommodations not begin operation until a Certificate of Occupancy has been issued by the Zoning Administrator. The Ordinance also requires that no more than 4 automobiles may be parked accessory to the family dwelling for a period of more than seventy-two (72) continuous hours. The potential traffic generated by the proposed use is consistent with the observed rates for a single-family dwelling unit and less than the projected traffic generation for a residential care home.

The request is consistent with the Environmental Corridor Land Use designation and the Peoria County Land Use map. The petitioner’s request is also consistent with the Peoria County Growth Strategy of generating economic opportunity and stability. Staff recommended approval with restrictions and the Zoning Board of Appeals concurred unanimously with the same restrictions.

A vote was taken on the motion and carried (6-0).

ZBA-2021-000040, Petition of Briscoe Financial, LLC:

Mr. Watkins made a motion to approve the special use request and was seconded by Ms. Williams.

Ms. Urban summarized the case. A Special Use request to allow for Overnight Accommodations in the “R-2” Medium Density Residential Zoning District, provided that the requirements are met as set forth in Section 7.8 (Overnight Accommodations) and provided that no more than five (5) rooms or suites of rooms are rented, and rooms are not rented for a period of more than fourteen (14) days. The petitioner proposes to offer an entire 2,076 sq ft. 3-bedroom, single-family dwelling with attached garage for rent on a short-term basis through the Airbnb and VRBO websites. The subject parcel is located on Riverview Drive in Chillicothe Township. There are 2 consents and 1 objection on file. The objector stated that this short-term rental has been managed well but he has concerns with density potential. The subject parcels and all surrounding parcels are zoned “R-2” Medium Residential; to the north, west and southwest are single-family dwellings and to the east is the Illinois River.

The entire house will be rented and the use of the property will be similar to that of a single-family dwelling and consistent with the surrounding area. The Airbnb listing states that no parties or events are allowed, and guests are limited the number stated at time of booking. The listing also states that outdoor cameras are located by all exit doors in the garage but no recording or surveillance takes place while guests are at the property. The Ordinance does require that the owner keep a log identifying the name, address, and phone number of all guests and that overnight accommodations not begin operation until a Certificate of Occupancy has been issued by the Zoning Administrator. The Ordinance also requires that no more than 4 automobiles may be parked accessory to the family dwelling for a period of more than seventy-two (72) continuous hours. The potential traffic generated by the proposed use is consistent with the generated vehicles of other permitted uses in this zoning district.

The request is consistent with the Environmental Corridor Land Use designation and the Peoria County Land Use map. The petitioner's request is also consistent with the Peoria County Growth Strategy of generating economic opportunity and stability. Staff recommended approval with restrictions and the Zoning Board of Appeals concurred unanimously with the same restrictions.

A vote was taken on the motion and carried (6-0).

ZBA-2021-000041, Petition of Holloway Holdings, LLC:

Dr. Blair made a motion to approve the special use request and was seconded by Ms. Williams.

Ms. Urban summarized the case. A Special Use request to allow for Overnight Accommodations in the "R-2" Medium Density Residential Zoning District, provided that the requirements are met as set forth in Section 7.8 (Overnight Accommodations) and provided that no more than five (5) rooms or suites of rooms are rented, and rooms are not rented for a period of more than fourteen (14) days. The petitioner proposes to offer an entire 816 sq ft. 3-bedroom, single-family dwelling with attached garage for rent on a short-term basis through the Airbnb and VRBO websites. The subject parcel is located on Portage Street in Chillicothe Township. There are 0 consents and 0 objections on file. The subject parcels and all surrounding parcels are zoned "R-2" Medium Residential; single-family dwellings are adjacent in all directions and the Illinois River is located approximately 155 ft. to the east of the subject parcel.

The entire house will be rented and the use of the property will be similar to that of a single-family dwelling and consistent with the surrounding area. The Airbnb listing states that no parties or events are allowed, and guests are limited the number stated at time of booking. The Ordinance does require that the owner keep a log identifying the name, address, and phone number of all guests and that overnight accommodations not begin operation until a Certificate of Occupancy has been issued by the Zoning Administrator. The Ordinance also requires that no more than 4 automobiles may be parked accessory to the family dwelling for a period of more than seventy-two (72) continuous hours.

The request is consistent with the Environmental Corridor Land Use designation and the Peoria County Land Use map. The petitioner's request is also consistent with the Peoria County Growth Strategy of generating economic opportunity and stability. Staff recommended approval with restrictions and the Zoning Board of Appeals concurred unanimously with the same restrictions.

A vote was taken on the motion and carried (6-0).

ZBA-2021-000042, Petition of Randy F. Koors:

Mr. Watkins made a motion to approve the special use request and was seconded by Dr. Blair.

Ms. Urban summarized the case. A Rezoning request from "C-1" Neighborhood Commercial to "R-2" Medium Density Residential to allow for two (2) commercially zoned parcels to be used residentially. The parcels are located on North Route 29 in Medina Township. There are 0 consents and 0 objections on file. The petitioner purchased the two parcels and demolished the former "Club 29" building in 2007. The subject property to the north has a residential dwelling which the current petitioners use for storage; the other parcel is vacant. The petitioner proposes bringing the existing residential property into compliance with the zoning ordinance and rezone the other parcel so that it may be sold as a residential parcel. All surrounding parcels are zoned "R-2" Medium Density Residential. To the northwest and south are single-family dwellings and the Illinois River is located to the south and east. The rezoning would be consistent with the area. The parcels have access to public water and no new access points are proposed at this time.

The request is consistent with the Land Use map designation of Rural and is consistent with the Peoria County Growth Strategy. Staff recommended approval and the Zoning Board of Appeals concurred unanimously.

A vote was taken on the motion and carried (6-0).

ZBA-2021-000043, Petition of Four Creeks LLC:

Dr. Blair made a motion to approve the special use request and was seconded by Ms. Groves Allison.

Ms. O'Brien, ConnectGEN Director of Project Development and lead developer for the proposed Four Creeks project, gave a presentation on Meteorological Towers and the permit application process. She summarized the conditions in Section 5.14.3 of the Peoria County Ordinance pertaining to temporary Meteorological Towers and remarked that ConnectGEN intends to meet all required conditions. She stated that meteorological data gathered will ultimately be assessed for the viability of area wind farm projects.

Ms. Urban summarized the case. A Special Use allowing for the installation of a temporary meteorological tower to record and measure wind data for up to three (3) years. The tower will be a way of collecting data on speed, wind direction, ground level relative humidity and air temperature, and is transmitted by a cellular link. The temporary use permit would be good for not more than three (3) years. There are 0 consents and 0 objections on file. The parcel is located on a corner of W. Scotland Prairie Road and Route 78 in Millbrook Township. All surrounding parcels are zoned "A-1" Agricultural Preservation. The request meets all setback requirements and the requirements for high visibility aviation. The Millbrook Township Road Commissioner testified that a right of way permit will be required prior to construction of the tower.

The request is consistent with the Peoria County Comprehensive Land Use Plan Environmental Stewardship Theme of supporting renewable energy resources. Staff recommended approval and the Zoning Board of Appeals concurred unanimously.

A vote was taken on the motion and carried (6-0).

ZBA-2021-000044, Petition of Four Creeks LLC:

Mr. Watkins made a motion to approve the special use request and was seconded by Ms. Williams.

Ms. Urban summarized the case. A Special Use allowing for the installation of a temporary meteorological tower to record and measure wind data for up to three (3) years. The tower will be a way of collecting data on speed, wind direction, ground level relative humidity and air temperature, and is transmitted by a cellular link. The temporary use permit would be good for not more than three (3) years. There are 0 consents and 3 objections on file. Two objectors spoke at the ZBA Hearing, stating they objected to the meteorological tower as it may lead to a future wind farm for which they would have an objection. The parcel is located on N. Maher Road in Princeville Township. All surrounding parcels are zoned "A-1" Agricultural Preservation. To the northeast and south are agricultural uses and to the west of the subject parcel are two residences. The request meets all setback requirements and the requirements for high visibility aviation. The Millbrook Township Road Commissioner has the area under their jurisdiction, and has testified that a right of way permit will be required prior to construction of the tower.

The request is consistent with the Peoria County Comprehensive Land Use Plan Environmental Stewardship Theme of supporting renewable energy resources. Staff recommended approval and the Zoning Board of Appeals concurred unanimously.

A vote was taken on the motion and carried (6-0).

ZBA-2021-000045, Petition of Four Creeks LLC:

Ms. Groves Allison made a motion to approve the special use request and was seconded by Ms. Williams.

Ms. Urban summarized the case. A Special Use allowing for the installation of a temporary meteorological tower to record and measure wind data for up to three (3) years. The tower will be a way of collecting data on speed, wind direction, ground level relative humidity and air temperature, and is transmitted by a cellular link. The temporary use permit would be good for not more than three (3) years. There are 0 consents and 0 objections on file. The parcel is located on W. Forney Road and N. Brimfield Road in Brimfield Township. North Brimfield Road is a secondary county highway and W. Forney is a township road. The Highway Department commented that oversize/overweight permits would be required if needed. All adjacent parcels are zoned "A-1" Agricultural Preservation. The closest residence to the proposed location is located approximately 0.5 mile to the northeast.

The request is consistent with the Peoria County Comprehensive Land Use Plan Environmental Stewardship Theme of supporting renewable energy resources. Staff recommended approval and the Zoning Board of Appeals concurred unanimously.

A vote was taken on the motion and carried (6-0).

**Committee Action**

Review of Executive Session Minutes

Ms. Cordis Boswell stated that this is the six month review of the Executive Session Minutes, and it remains the recommendation of the State's Attorney's Office that all previously held minutes continue to be held, because the need for confidentiality still exists. All audio recordings of executive session minutes, that are older than two years, should be destroyed unless they pertain to pending litigation.

Ms. Williams made a motion to follow the State's Attorney's recommendations and was seconded by Ms. Groves Allison. A vote was taken, and the motion carried. (6-0)

**Adjournment:** Mr. Dillon adjourned the meeting at 4:48 p.m.