

**MINUTES
LAND USE COMMITTEE
FEBRUARY 28, 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; Matt Windish

MEMBERS ABSENT:

OTHERS PRESENT: Jennie Cordis Boswell - State's Attorney's Office; Scott Sorrel, Shauna Musselman, Gretchen Pearsall - County Administration; Andrew Braun - Planning & Zoning; Richard Laukitis – zoning case objector; Attorney John McCarthy – Attorney for zoning case petitioner; Kiersten Sheets – Trajectory Energy

Call to Order:

Mr. Dillon called the meeting to order at 4:03 p.m.

Approval of Minutes:

A motion to approve the Land Use Committee minutes from January 13, 2022 and January 24, 2022 was made by Ms. Groves Allison and seconded by Dr. Blair. 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 motioned to receive and file the reports.

Zoning Cases:

ZBA-2022-000006, Petition of Briscoe Financial, LLC:

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

Mr. Braun summarized the case. A Special Use request from Section 2-5.5.5.2.2.c of the Unified Development Ordinance which allows for overnight accommodations provided that they meet the requirements as set forth in Section 7.8 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 provide overnight accommodations on a short-term rental basis. The petitioner proposes to offer an entire 952 sq.ft.2-bedroom, single-family dwelling with a 280 sq.ft. attached garage for rent on a short-term basis through the Airbnb and VRBO websites. The subject parcel is located on N. Front Street in Chillicothe Township. There are 2 consents and 3 objections on file. One objector testified that staff recommended restrictions related to parking issues due to a shared drive addressed her concerns. The subject parcel and all surrounding parcels are zoned “R-2”

Medium Density Residential; to the northwest and southwest of the subject parcel 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 is consistent with the mixed residential, commercial, and recreational character of 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 home is equipped with security cameras and tech doors and locks to ensure the safety of guests and the surrounding premises.

The Ordinance does require that the operator 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 a single-family dwelling for a period of more than seventy-two (72) continuous hours. The Chillicothe Township Road Commissioner submitted a comment on February 9, 2022 stating that he would forbid parking in and along the right-of-way of Washington Street and Front Street for the guests of the property, due to concerns with flooding of roads and egress of the shared private drive.

The request is consistent with the Environmental Corridor and Unincorporated Center Land Use designations of the Peoria County Comprehensive Land Use Plan. The petitioner's request is also consistent with the Peoria County Growth Strategy of generating economic opportunity and stability. Staff recommended approval with eight (8) restrictions and the Zoning Board of Appeals concurred, with the same restrictions, by a vote of 4-2.

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

Attorney John McCarthy addressed the committee speaking on behalf of the petitioner, and Mr. Laukitis addressed the committee with his concerns related to the subject property, including incidence of flooding, functionality of the septic system, and parking issues. Mr. Braun presented GIS, aerial views and video of the subject parcel and surrounding area.

A vote was taken on the motion and carried (5-1). Ms. Williams voted nay; Mr. Elsasser absent for vote.

ZBA-2021-000007, Petition of Briscoe Financial, LLC:

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

Mr. Braun summarized the case. A Special Use request from Section 2-5.5.5.2.2.c of the Unified Development Ordinance which allows for overnight accommodations provided that they meet the requirements as set forth in Section 7.8 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 provide overnight accommodations on a short-term rental basis. The petitioner proposes to offer an entire 1,256 sq.ft. 3-bedroom, single-family dwelling with a 1,226 sq.ft. attached garage below the house for rent on a short-term basis through the Airbnb and VRBO websites. The dwelling was elevated in 2012 to mitigate flood impacts. The subject parcel is located on N. River Beach Drive in Chillicothe Township. There are 2 consents and 0 objections on file. The subject parcel and all surrounding parcels are zoned "R-2" Medium Density Residential; single family dwellings are located to the north and west of the parcel, four vacant lots owned by Peoria County and the Chillicothe Park District are located to the south, and the Illinois River is located to the east. The request is consistent with the residential character of the surrounding area.

The entire house will be rented and the use of the property will be similar to that of a single-family dwelling. The Airbnb listing states that no parties or events are allowed, and guests are limited the number stated at time of booking. The home is equipped with security cameras and tech doors and locks to ensure the safety of guests and the surrounding premises.

The Ordinance does require that the operator 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 a single-family dwelling for a period of more than seventy-two (72) continuous hours.

The request is consistent with the Environmental Corridor and Unincorporated Center Land Use designations of the Peoria County Comprehensive Land Use Plan. The petitioner's request is also consistent with the Peoria County Growth Strategy for Economic Development. Staff recommended approval with seven (7) restrictions and the Zoning Board of Appeals concurred unanimously with the same restrictions.

A vote was taken on the motion and carried (6-0). Mr. Elsasser absent for vote.

ZBA-2021-000012, Petition of Cornwell Solar, LLC:

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

Mr. Braun summarized the case. A Special Use request from Section 20-5.1.3.2.f of the Unified Development Ordinance. This section allows for a special use in the "A-1" Agricultural Preservation Zoning District for a Solar Energy Generation Facility, provided that the conditions in Section 7.17 "Ground Mounted Solar Energy Equipment" of these regulations are met. The petitioner proposes to construct a 40 megawatt utility-scale Solar Energy Generation Facility.

The proposal is located on three (3) parcels totaling approximately 272.5 acres on W. Laura Road and south of the unincorporated town of Monica in Princeville Township. There are 2 consents and 0 objections on file. The Peoria County Highway Department and Princeville Township Road Commissioner had no objections; however, both will require road use agreements and access permits prior to construction. The three parcels are zoned "A-1" Agricultural Preservation and have been used for agricultural production; adjacent parcels are also zoned "A-1". There are three adjacent residential parcels. The Ameren Illinois Monica Switching Station, the proposed site of the inter-connection, is also adjacent to the project area on Laura Road. Of the 272.5 acres, 250 acres will be covered with the solar panels. The facility is intended to operate for at least 25 years. Panels will utilize an anti-reflective coating to minimize glare and a 7 ft. chain-link fence with a locked gate to enclose all panels and electrical equipment will be constructed. The petitioner will use pollinator friendly landscaping where possible, and vegetation maintenance that limits run-off.

The Peoria County Future Land Use Form Map designates the area as Agricultural Preservation. Solar generation facilities are not an identified use in the Comprehensive Plan; however, the request will not disrupt adjacent agricultural operations and will be returned to a condition reasonably similar to the condition prior to development. Staff recommended approval with seven restrictions and the Zoning Board of Appeals concurred unanimously with the same restrictions.

A vote was taken on the motion and carried (7-0).

APPROVED 03/21/2022

ZBA-2021-000013, Petition of Peoria County:

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

Mr. Braun summarized the case. A Text Amendment to amend Chapter 20, Appendix A “Fee Schedule” of the Peoria County Code. In January 2022, the County Board voted to approve amendments to Section 3.2 and Article 11 of the Unified Development Ordinance; however, due to a misprint in the Peoria Journal Star this case was taken separately. The amendments clarify the calculation of Special Use filing fees.

A vote was taken on the motion and carried (7-0).

Adjournment: Mr. Dillon adjourned the meeting at 4:45 p.m.