

**MINUTES
LAND USE COMMITTEE
APRIL 7, 2020
11:00 A.M.**

MEMBERS PRESENT: James Dillon – Chairman; Sharon Williams, Brian Elsasser, Kate Pastucha

MEMBERS ABSENT: Matt Windish

OTHERS PRESENT: Larry Evans - State's Attorney's Office; Scott Sorrel, Shauna Musselman, Angela Loftus, Gretchen Pearsall - County Administration; Kathi Urban, Andrew Braun - Planning & Zoning; Mark Little – IT; Doug Gaa – Sheriff’s Office;

Call to Order:

Mr. Dillon called the meeting to order at 11:04 a.m.

Ms. Pastucha made a motion to suspend the rules to hold the meeting virtually and was seconded by Mr. Elsasser. A vote was taken and the motion was approved: (4-0) (Mr. Windish was absent.)

Approval of Minutes:

A motion to approve the Land Use Committee minutes from February 25, 2020 was made by Mr. Elsasser and seconded by Ms. Williams. A vote was taken on the motion and carried. (4-0) (Mr. Windish was absent.)

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:

011-20-U, Petition of David & Carroll Inskeep:

Ms. Pastucha made a motion to approve the special use with restriction and was seconded by Mr. Elsasser.

Ms. Urban summarized the case. A Special Use as required in Section 20.5.1.3.2.a of the Unified Development Ordinance. This section allows for a special use for an Agriculturally-related business. The petitioner proposes to operate a commercial pumping business in the "A-1" Agricultural Preservation Zoning District. This parcel is located on Schaffer Road in Elmwood

Township. There are 0 consents and 0 objections on file. This parcel consists of 104 acres, the majority of which is in row crop production. The petitioners would like to construct a 6,000 square foot building in the northeast corner of the property in order to store business equipment for Inskeep Custom Services, Inc. Inskeep Custom Services, Inc. has been in operation for over 20 years and offers hog manure pumping services. The Inskeeps recently sold another farm where the business equipment was being stored, so they would like to build the proposed building in order to store the equipment on this property instead. This parcel and surrounding parcels are all zoned "A-1" Agriculture Preservation. The request is consistent with the agricultural uses and character of the surrounding area. The Health Department had no objection to the request. The proposed shed will be accessed by an existing access point off W. Schaffer Rd., and no new access points are proposed. The business employs one full time employee and one part time employee. The equipment is used for four weeks in the spring and for two to two and a half months during the fall, and there would be approximately twenty trips to the proposed machine shed in the course of a year. The Elmwood Township Road Commissioner had no comment. The Peoria County Future Land Use Form Map designates this area as Agriculture Preservation and Environmental Corridor. The proposed shed will not be located in the section of the parcel designated as Environmental Corridor. The request is consistent with the Agriculture Preservation Land Use Form, the Peoria County Growth Strategies, and the City of Elmwood Land Use Plan. The City of Elmwood is within 1.5 miles of the subject parcel. Staff has recommended approval with the following restriction: The Special Use is null and void in the event the parcel is no longer owned by David Inskeep, Carroll Inskeep, or their legal descendants. The Zoning Board of Appeals also recommended approval with the same restriction.

A vote was taken on the motion and carried. (4-0) (Mr. Windish was absent.)

007-20-U, Petition of Debbie S. Jost:

Ms. Pastucha made a motion to approve the special use with restriction and was seconded by Mr. Elsasser.

Mr. Urban summarized the case. A Special Use as required in Section 20.5.2.2.1.a.1 of the Unified Development Ordinance. This section allows for a special use when a proposed land split does not meet the 25 acre minimum lot size nor the 1 dwelling unit per 25 contiguous acres density requirement in the A-2 Agricultural District. The petitioner proposes to divide 1.348 acres from an existing 11.448 acre parcel in order to move an existing single family dwelling. The parcel is located on Tuscarora Road in Hollis Township. There are 0 consent and 0 objections on file. The following subdivision waiver case has been filed concurrently with this zoning case to address the issue of road frontage for the proposed parcel to be created. There is currently a single family dwelling on the 11 acre piece along with some woodland. The property and all adjacent parcels are zoned "A-2" Agriculture. Surrounding uses are cropland, woodland, and residential and there are over 40 parcels under 2 acres which are zoned or used residentially within approximately 0.5 miles of the subject parcel. No cropland will be taken out of production as a result of the split and the remaining 10 acres will continue to be used as it is currently. A dwelling which now lies approximately 0.13 miles to the east will be moved onto the 1.384 acre piece. The proposed request is consistent with the residential and agricultural land use and character of the surrounding area. The overall LESA score was 155.1 out of 300, which is a low rating for agriculture protection. The Health Department had no objections to the request and the property will continue to be served by an existing private septic system and public water.

Moving the home 0.13 miles will have little to no effect on the existing transportation system. The proposed 1.348 acre parcel will be accessed by an existing driveway from W. Tuscarora Rd. According to the petitioner, a 20 foot ingress/egress easement will be created to provide access to the proposed 1.348 acre parcel through this driveway. The existing access driveway already serves 4 homes and this home would be the fifth. The Hollis Township Road Commissioner made no comment on the request. The request is consistent with the Peoria County Comprehensive Land Use Plan and the Peoria County Rural Area Growth Strategies. Staff has recommended approval with the following restriction: Parcels created by the approval of this Special Use may not be divided again, even if subsequently combined with other parcels, unless a rezoning is granted by the County Board or unless each lot to be created meets the 25 acre minimum lot size of the "A-2" zoning District. The Zoning Board of Appeals recommended approval with the same restriction.

A vote was taken on the motion and carried. (4-0) (Mr. Windish was absent.)

Subdivision Waivers:

W02-20, Petition of Debbie S. Jost:

Mr. Elsasser made a motion to approve the subdivision waiver and was seconded by Ms. Pastucha.

Ms. Urban summarized the case. A waiver from Section 20-3.16.3.2.b.1 of the Unified Development Ordinance. This section requires a minimum of 30 feet of contiguous public road frontage for parcels being created by subdivision which are less than 10 acres. The lot created will be landlocked and will utilize the existing driveway for access. There will be a 20 foot ingress/egress easement created to provide access to the proposed 1.348 acre parcel. The Highway Department also suggested that an easement be created for this parcel. Staff has recommended approval with the following restriction: A 20' wide perpetual easement for ingress/egress to the proposed parcel from W. Tuscarora Road must be created at the time of creation of the proposed parcel.

A vote was taken on the motion and carried. (4-0) (Mr. Windish was absent.)

Resolutions:

FY20 Planning & Zoning Grant Fund Application:

Ms. Williams made a motion to approve the resolution and was seconded by Ms. Pastucha.

Mr. Sorrel stated that this resolution was regarding money that was left over from the grant awarded to Planning and Zoning through the Illinois Housing Development Authority in prior years. Mr. Sorrel added that there was \$14,900 leftover that would need to be appropriated to the FY20 budget for use this year. The purpose of these funds is to assist with the demolition of abandoned residential properties. The target area for the use of these funds is the West Laramie Neighborhood.

Ms. Williams asked Ms. Urban to fill the committee in on what had been taking place between Peoria County and Limestone Township. Ms. Urban stated that she and Ms. Williams had been meeting with Limestone Township somewhat frequently over the past year in order to address concerns about the area since there are a number of unsafe houses and houses with property maintenance issues in the neighborhood. Ms. Urban explained that Limestone Township was

currently working on acquiring an unsafe property in the neighborhood. If they are able to acquire the property, the county would be using these funds to assist in the demolition of the house. Ms. Urban stated that if Limestone Township were able to acquire the property, it would relieve the county of taking the process through demolition court because Limestone Township could give owner's consent to have it demolished. Ms. Urban added that Limestone Township would be meeting the following week to discuss the property in question, which is located on Crest Drive.

A vote was taken on the motion and carried. (4-0) (Mr. Windish was absent.)

Peoria County Fair Housing Program:

Mr. Elsasser made a motion to approve the resolution and was seconded by Ms. Pastucha.

Mr. Sorrel explained that this was the first step in the process for a new program called the Downstate Small Business Stabilization Program, which was established several days prior by the governor. Mr. Sorrel stated that the grant would offer qualifying small businesses up to \$25,000. Qualifying small businesses would have 50 or fewer employees and grant funds would have to be spent on working capital, such as wages, rent/mortgage, or purchase of goods. Businesses deemed as essential by the governor would not qualify for this grant funding. The source of funding for this grant from the state is through the Community Development Block Grant through the U.S. Department of Housing and Urban Development (HUD). Small businesses located within the city limits of the City of Peoria would not be eligible for these particular funds because they already receive their own Community Development Block Grant funds each year. These funds would be specifically for unincorporated areas of Peoria County or other villages or towns within Peoria County, with the exception of the City of Peoria.

Mr. Sorrel stated that small businesses would then be able to apply for the grant funds through a portal created by the Greater Peoria Economic Development Committee and each municipality would then review each application to make sure that they were complete and that the business was not deemed essential. Peoria County Planning and Zoning would be performing this application review for any businesses located within unincorporated Peoria County. The state will then review these applications and then award the funds to each municipality, which will in turn award that money to the small businesses within their jurisdiction.

Mr. Sorrel continued that to be eligible for these funds, the county would need to pass a fair housing resolution in order to use HUD money. Mr. Sorrel added that this is just the first step in a multilevel process in order to be eligible for the grant.

Mr. Dillon asked why Peoria County did not have a fair housing grant in the past, and Mr. Sorrel responded that Peoria County had never received HUD funding before, and therefore never had a reason to adopt a fair housing resolution. Mr. Dillon asked if this only needed to be passed one time or if it would need to be renewed annually. Mr. Sorrel stated that he believed it would be something that would be renewed annually, but he was not sure. Ms. Urban stated that she also was not sure if it would need to be renewed annually. Ms. Urban explained that this resolution simply states that the county will commit to abiding by the rules set forth in the Fair Housing Act, which is already a federal law.

A vote was taken on the motion and carried. (4-0) (Mr. Windish was absent.)

Approved 6/23/2020

Miscellaneous:

No further questions or comments were made.

Adjournment: Mr. Dillon adjourned the meeting at 11:27 a.m.

Recorded by: Ellen Hanks, ZBA Administrative Assistant