



TO: The Honorable Mayor and the City Council

FROM: Ty Livingston, Director of Planning & Community Development

DATE: February 9, 2021

SUBJECT: Petition of Derek and Holly Greving for a Special Use to allow tree farming on property located off of Brenyn Court.

BACKGROUND:

The petition here is to permit a tree-farming operation. Mr. Greving approached staff regarding this concept and has presented ample information – and even provided tours of his property – to offer a good understanding of his proposal. Included is his application is his plan for activity here which has been developed in concert with the IDNR. The operation will include the felling invasive species, provide an enhanced habitat for wildlife, as well as harvesting and minimal processing of select trees. In addition, the petitioner proposes to construct an approx. 9,600sf building to house equipment associated with the operation along with some timber. The goal here is conservation of the property and, in the long run, it should be beneficial to the surrounding properties in providing a healthier, more stable environment for both the wildlife and native vegetation.

At their September 2020 meeting, the ZBA voted 5-0 to recommend approval of the Special Use, with the condition the easement be staked-out by a surveyor to confirm its location. This work has been completed and a confirmation of this work has been provided by the petitioners. Staff had also anticipated additional conditions – such as hours of operation and limitations on other activities – and still recommends them.

RECOMMENDATION: Approval of the Special Use, with the following conditions:

- Hours of operation/activity with power equipment (chain saws, sawmill, etc.) outside of an enclosed building will be limited to 7am – 7pm, or daylight hours, whichever are shorter.
- Allow a building to be constructed on the property, as proposed, not to be larger than 9,600sf to house associated equipment related to the tree-farming operation.
- The amount of heavy equipment (tree-hauling trucks, etc..) is to be minimized. Sufficient and credible complaints from neighbors may result in a revision, up to a revocation, of the Special Use by the ZBA and City Council.

ORDINANCE NO. 4554

**AN ORDINANCE AUTHORIZING A SPECIAL USE
FOR PROPERTY LOCATED OFF BRENYN COURT
IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS**

WHEREAS, Derek and Holly Greving (the "Petitioners") have petitioned for a special use for tree farming on their property zoned "C, Conservation and Residential Estate District" and located off Brenyn Court (and off Lauren Lane) in East Peoria, as shown and described at "Exhibit A", attached hereto and incorporated herein by reference (which property as so described hereinafter referred to as the "Property"); and

WHEREAS, after hearing pursuant to duly published notice, the East Peoria Zoning Board of Appeals has recommended approval of the proposed Special Use subject to certain conditions hereinafter set forth;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, THAT:

Section 1. A Special Use to allow for a tree farming use and construction of a principal structure for the tree farming operations on the Property is hereby approved.

Section 2. The Property covered under this Special Use shall include and is limited to the following parcel: PIN 01-01-24-305-004 (off Brenyn Court and off Lauren Lane in East Peoria).

Section 3. The establishment and continuation of the special use hereby authorized is contingent upon continual compliance with all applicable provisions of the City Code and the following special conditions:

1. Petitioners shall construct and continuously maintain a 9,600 square foot principal structure on the Property for conducting tree farming operations on the Property in accordance with the site plan (the "Site Plan") prepared and submitted by the Petitioner, attached hereto as "Exhibit B" and incorporated by reference.
2. Petitioners shall house equipment for tree farming operations in the 9,600 square foot principal structure on the Property.
3. Petitioners may only use power equipment (such as chain saws and sawmill equipment) and other noise generating equipment for conducting tree farming operations on the Property outside of the enclosed

structure during the hours of 7:00 a.m. to 7:00 p.m. or daylight hours, whichever is shorter.

4. Petitioners shall use their best efforts to minimize the amount of heavy equipment and tree-hauling trucks on City streets providing access to the Property.

5. Petitioners shall maintain tree farming operations on the Property in accordance with the presentation materials dated September 14, 2020, and provided to the Zoning Board of Appeals and the City for this Special Use.

6. Petitioners shall maintain the driveway easement providing vehicle access to the Property in a manner sufficient to support the vehicles brought onto the Property for the tree farming operations (see Exhibit C).

7. Sufficient and credible complaints from neighbors or other evidence of non-compliance with the limitations imposed by this Ordinance may result in a revision, up to a revocation, of the Special Use granted this Ordinance.

Upon the violation of or failure to comply with the foregoing conditions or with any provisions of the City Code applicable to the Property or its use, the City Council may, after providing reasonable notice and an opportunity for a hearing, terminate the Special Use hereby approved.

Section 4. This Ordinance is hereby ordered to be published in pamphlet form by the East Peoria City Clerk and said Clerk is ordered to keep at least three (3) copies hereof available for public inspection in the future and in accordance with the Illinois Municipal Code.

Section 5. This Ordinance is in addition to all other ordinances on the subject and shall be construed therewith excepting as to that part in direct conflict with any other ordinance, and in the event of such conflict, the provisions hereof shall govern.

Section 6. This Ordinance shall be in full force and effect from and after its passage, approval and ten (10) day period of publication in the manner provided by law.

**PASSED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWell
COUNTY, ILLINOIS, IN REGULAR AND PUBLIC SESSION THIS _____ DAY OF
_____, 2021.**

APPROVED:

Mayor

ATTEST:

City Clerk

EXAMINED AND APPROVED:

Corporation Counsel

EXHIBIT A

Map of Location of Tree Farming Special Use (Off Brenyn Court)

Case 20-SU-23
Off of Brenyn Ct.
Derek & Holly Greving

Exhibit "A"

Legal Description: P.I.N.:01-01-24-305-004

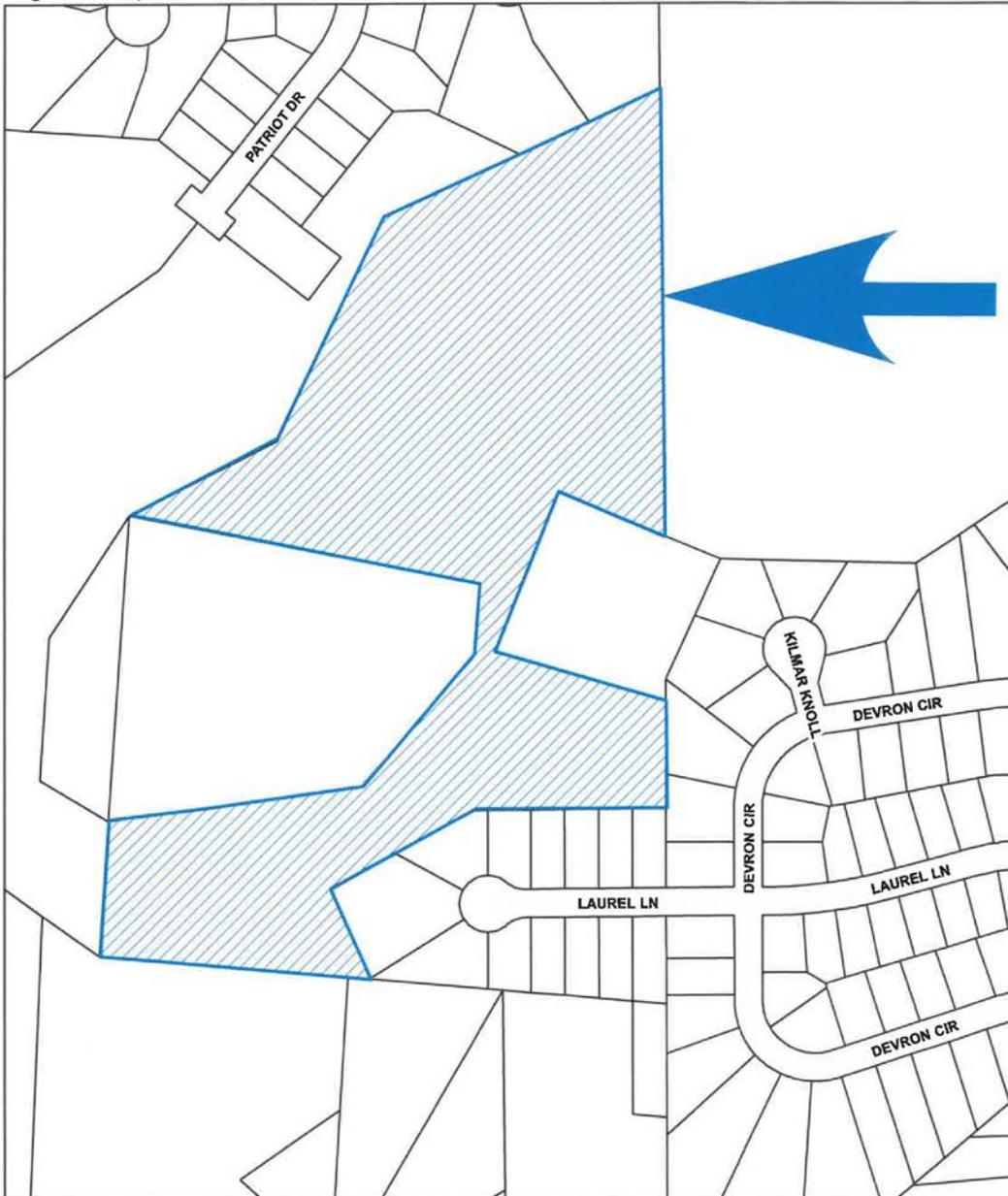


EXHIBIT B

Site Plan for Tree Farming Special Use (Off Brenyn Court)



Site Plan Detail



*Tentative, for illustrative purposes

EXHIBIT C

Easement for Tree Farming Special Use (Off Brenyn Court)

