

An ORDINANCE Repealing Ordinance number 17,259 and Adopting a SPECIAL USE in a Class R-4 (Single Family Residential) District for an Assisted Living Facility located at 1021, 1027, 1029, and 1031 Lincoln Avenue (Parcel Identification Numbers 18-08-462-025, -024, -023; and -022), Peoria, Illinois.

WHEREAS, the City of Peoria is a home rule municipality pursuant to Article VII, Section 6, of the Illinois Constitution of 1970; and

WHEREAS, as a home rule municipality, the City may exercise any power and perform any function pertaining to its government and affairs including zoning regulations and uses; and

WHEREAS, the property herein described is now zoned in a Class R-4 (Single Residential) District; and

WHEREAS, said Planning and Zoning Commission has been petitioned to grant a Special Use for an Assisted Living Facility under the provisions of Article 2.9 of Appendix C, the Land Development Code of the City of Peoria; and

WHEREAS, said Planning and Zoning Commission held a public hearing on August 7, 2015, with respect to said petition, which hearing was held pursuant to a notice of the time and place thereof in a newspaper of general circulation in the City of Peoria, not less than fifteen (15) days nor more than thirty (30) days prior to said hearing as required by law, and no written protest was made by the owners of twenty percent (20%) of the frontage immediately adjoining or across from the frontage proposed to be altered; and

WHEREAS, said Planning and Zoning Commission has submitted its report of said public hearing and the City Council finds that to permit such Special Use will not adversely affect the character of the neighborhood, and will not unduly burden the public utility facilities in the neighborhood;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEORIA, ILLINOIS:

Section 1. That a Special Use for an Assisted Living Facility is hereby granted as per the site plan and elevations, with waivers and conditions, for following described property:

ROHMAN & CO'S ADD SE ¼ SEC 8-8N-8E LOT 3 & E 15'; OF N 77' LOT 4

ROHMAN & COMPANY'S ADD SE ¼ SEC 8-8N-8E LOT 4 (EXC W 2.5' THEREOF (-022));

ALSO EXC E 15' OF N 77' THEREOF (-024)

ROHMAN & COMPANY'S ADD SE ¼ SEC 8-8N-8E W 2.5' LOT 4 & ALL LOT 5

ROHMAN & CO'S ADD SE 1/4 SEC 8-8-8E LOT 2 (EXC N 7' THEREOF) (97-05412)

The following WAIVERS are approved:

1. Waiver of LDC Section 4.1.4, Building Envelope Standards, to allow an increase in the maximum allowable density in the R4 district from 11.62 dwelling units per acre, to 16, to allow 8 units on the 0.50 acre subject site.
2. Waiver of LDC Section 4.1.4, Building Envelope Standards, to allow a reduction in the minimum required setback for the R4 district from 15 to 7 feet.
3. Waiver of LDC Section 4.1.5.C.1, Porches, to allow new residential structures without front porches, and without porches compatible with the architectural style of the house at the main entrance from the street.
4. Waiver of LDC Section 4.1.5.D, Front Entrances, to allow new residential structures without a front entrance that is prominent and oriented to the street in front of the dwelling.

Said Ordinance is hereby approved with the following CONDITIONS:

1. Dumpster enclosure must meet Land Development Code screening requirements, and be comprised of a material that matches or complements the principal structures.
2. All mechanical equipment must be screened as per Ordinance requirements.
3. The developer should contact IAWC (Illinois American Water Company) and Fire Department to maintain that fire hydrants in the area are within acceptable distance of project.
4. Submit an address request form – a temporary address will be issued for tracking purposes until such time that all Public Works permits have been applied for and paid in full. Address will then become permanent.
5. Accessible spaces shall be signed with an R7-8 sign and an R7-101 \$350 fine plate.
6. Replace curb ramp at Lincoln Avenue and NewStreet to meet current standards\
7. Required permits include Sidewalk/Drive Approach Permit; Excavation Permit (for utility connections); Erosion, Sediment and Storm Water Control Permit; and Lane/Road/Sidewalk/Alley Closure. A General ROW Use permit may be required.

Section 2. All provisions of Appendix C, the Land Development Code of the City of Peoria, with respect to the Class R-4 (Single Residential) District shall remain applicable to the above-described premises, with exception to the Special Use herein permitted.

Section 3. This Ordinance shall be in full force and effect from and after its passage and approval according to law.

PASSED BY THE CITY COUNCIL OF THE CITY OF PEORIA, ILLINOIS THIS

\_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

EXAMINED AND APPROVED:

\_\_\_\_\_  
Corporation Counsel