

AN ORDINANCE AMENDING AN EXISTING SPECIAL USE ORDINANCE NO. 16,376, AS AMENDED, FOR A PLANNED UNIT DEVELOPMENT PRELIMINARY PLAN IN CLASS R-3 (SINGLE FAMILY RESIDENTIAL) AND CLASS C-1 (GENERAL COMMERCIAL) DISTRICTS TO ADD LAND INTO THE PUD AREA AND ADD ONE 12-UNIT APARTMENT BUILDING FOR PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF ORANGE PRAIRIE ROAD AND WOODSAGE ROAD, WITH ADDRESSES WITHIN THE 5200 - 5300 BLOCK OF W WOODSAGE ROAD AND 8900-9000 BLOCK OF N SCRIMSHAW DRIVE AND IDENTIFIED AS PARCEL IDENTIFICATION NUMBERS 13-02-100-024, 13-02-100-025, 13-02-100-026, 13-02-100-027, 13-02-100-030, 13-02-100-035, 13-02-104-001, 13-02-104-002, 13-02-104-003, 13-02-104-004, 13-02-105-001, 13-02-105-002, 13-02-105-003, 13-02-105-004, 13-02-105-005, AND 2) APPROVING THE FINAL PLAN OF VILLAS AT GRAND PRAIRIE PLANNED UNIT DEVELOPMENT PHASE 5, FOR PROPERTY IDENTIFIED AS PARCEL IDENTIFICATION NO 13-02-105-002 WITH A TEMPORARY ADDRESS OF 9018 N SCRIMSHAW DRIVE, PEORIA, ILLINOIS

WHEREAS, the property herein described is now zoned in Class R-3 (Single Family Residential) and Class C-1 (General Commercial) Districts; and

WHEREAS, said petition was directed to the Planning & Zoning Commission as directed by Section 2.14 of Appendix B, the Permanent Zoning Ordinance of the City of Peoria; and,

WHEREAS, said Planning & Zoning Commission has been petitioned to grant an amendment to the existing Planned Unit Development and approve a Final Plan as directed by Section 2.15 of Appendix B, the Zoning Ordinance of the City of Peoria; and

WHEREAS, said Planning & Zoning Commission held a public hearing on September 4, 2014, 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 & Zoning Commission has submitted its report of said public hearing and the City Council finds that to permit such rezoning and such 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 an amendment to an existing Planned Unit Development is hereby granted to add land into the PUD area and add one 12-unit apartment building for the following described property:

Legal Description of PUD area:

TRACT-1

Being all of Lots 5, 6, 7 and Outlot D, Pinecastle Drive, Spicewood Drive, Scrimshaw Drive and part of Wood Sage Drive, and Villas at Grand Prairie Condominiums Phase Two all being in a Subdivision known as " Subdivision of Lot 2 in Villas at Grand Prairie" being a part of the Northwest Quarter of Section 2, Township 9 North, Range 7 East of the 4th Principal Meridian, Peoria County, Illinois as recorded August 2, 2007 in Plat Book 11 on pages 43 and 44 as Document number 07-25040 in the Peoria County Recorder of Deeds Office. Being more particularly described as follows:

Beginning at the Northwest Corner of said Lot 6, from said Point of Beginning thence south 89° 22' 45" east 904.87 along the North Line of said Lot 6;(the following 3 courses are along the East Line of said Lot 6) thence south 09° 13' 31" east 417.67 feet; thence south 30° 15' 30" east 278.51 feet; thence south 28° 22' 41" east 219.23 feet to a point on the North Right-of-Way Line of Wood Sage Drive also being the most Southeasterly Corner of said Lot 6; thence continuing along said Right-of- Way Line southeast 89.32 feet along the arc of a curve concave to the northeast and the 89.29 foot chord bears south 87° 01' 48" east; thence south 00° 06' 22" west 55.00 feet to a point on the South Right-of-Way Line of Wood Sage Drive also being the Northeast Corner of said Outlot D; thence south 00° 06' 22" west 687.46 feet along the East Line of said Outlot D to the Southeast Corner of said Outlot D (the following 5 courses are along the South Line of said Outlot D); thence south 75° 49' 39" west 196.02 feet; thence north 49° 16' 35" west 184.04 feet; thence south 42° 54' 28" west 141.01 feet; thence south 33° 15' 48" west 169.61 feet; thence south 88° 21' 41" west 787.28 feet to a point on the East Right-of-Way Line of a 60' wide strip dedicated to the City of Peoria; thence north 00° 02' 42" east 1798.15 feet along said East Line and northerly extension thereof to the Point of Beginning, containing 45.86 acres, more or less.

TRACT-2

Being all that part of the vacated 60' (foot) strip dedicated to the City of Peoria for future roadway purposes as shown on the "Lot- 2 in Villas at Grand Prairie Subdivision" Final Plat. Lying north of and adjacent to the North Line of Lot 6 in said "Lot- 2 in Villas at Grand Prairie Subdivision" as vacated by the City of Peoria per Document Number 2014-003595 recorded on February 27, 2014 in the Peoria County Recorder of Deeds Office Peoria County, Illinois. Containing 1.217 acres, more or less.

EXCEPTING THEREFROM: Villas at Grand Prairie Condominiums Phase One as recorded in Plat Book 11 on pages 82 and 83 on February 21, 2008 as Document Number 08-04850 in the Peoria County Recorder of Deeds Office, Peoria County, Illinois. Being described as follows:

A part of Lot 6 in the Subdivision of Lot 2 in Villas at Grand Prairie, being part of the Northwest Quarter of Section 2, Township 9 North, Range 7 East of the Fourth Principal Meridian, in the City of Peoria, Peoria County, Illinois as recorded, August 2, 2007 in Plat Book 11 at Pages 43 and 44 as Document Number 07-25040 in the Peoria County Recorder's Office, Peoria, Illinois, more particularly described as follows:

Beginning at the Southeastern most Corner of said Lot 6. From said Point of Beginning, thence northwest 33.77 feet along the South Line of said Lot 6 being the arc of a curve concave to the northeast having a radius of 972.50 feet and the 33.76 foot chord of said arc bears north 83°-24'-14" west to a point of reverse curvature; thence northwest 95.02 feet along the South Line of said Lot 6 being the arc of a curve concave to the southwest having a radius of 1027.50 feet and the 94.99 foot chord of said arc bears north 85°-03'-31" west to a point of reverse curvature; thence northwest 136.60 feet along the Southwesterly Line of said Lot 6 being the arc of curve concave to the northeast having a radius of 172.50 feet and the 133.06 foot chord of said arc bears north 65°-01'-18" west to a point of compound curvature; thence northwest 70.48 feet along the Southwesterly Line of said Lot 6 being the arc of a curve concave to the northeast having a

radius of 924.60 feet and the 70.46 foot chord of said arc bears north 40°-09'-05" west; thence north 67°-27'-23" east 201.63 feet to a point on the Northeasterly Line of said Lot 6; thence south 30°-15'-31" east 7.55 feet along said Northeasterly Line; thence south 28°-22'-41" east 219.23 feet along said Easterly Line to the Point of Beginning, containing 31,905 sq. ft., more or less, equals 0.732 acre, more or less.

EXCEPTING THEREFROM: A portion of Outlot D of the "Subdivision of Lot 2 in Villas at Grand Prairie" that was deeded to The City of Peoria for the Orange Prairie Road improvements per Document Number 2011-016231 on July 13, 2011 in the Peoria County Recorder of Deeds Office, Peoria County, Illinois. Containing 2.268 acres, more or less.

EXCEPTING THEREFROM: A portion of Lots 5 and 6 of the "Subdivision of Lot 2 in Villas at Grand Prairie" that was deeded to The City of Peoria for the Orange Prairie Road improvements per Document Number 2012-012552 on May 21, 2012 in the Peoria County Recorder of Deeds Office, Peoria County, Illinois. Containing 0.501 acre, more or less.

Section 2. That the Final Plan of the Villas at Grand Prairie Phase 5 is hereby approved for the following described property:

Tract-a, as shown on the final plat of "The Villas at Grand Prairie, Phase Two, Section Two" Subdivision, a part of the northwest quarter of Section 2, Township 9 North, Range 7 East of the Fourth Principal Meridian Peoria County Illinois recorded as document number 2014-003596 on February 27, 2014 in plat book 13 on page 25 in the Peoria County Recorder of Deed's Office, Peoria County, Illinois.

Said Ordinance is hereby amended per the submitted Villas at Grand Prairie Planned Unit Development Plan Amendment (Attachment A), Villas at Grand Prairie Phase 5 Final Plan (Attachment B), Elevation Drawings (Attachment C), Phase 5 Landscape Plan (Attachment D), and with the following conditions and waivers:

- 1) All rooftop and ground level mechanical equipment must be screened from street view and residentially zoned districts.
- 2) All proposed refuse disposal areas must be screened on all four sides by a solid fence or wall with a minimum height of six feet, not to exceed seven feet.
- 3) A lighting plan must be submitted for review prior to issuance of a Zoning Certificate to ensure that exterior lighting does not exceed three foot candles when measured at the property line.
- 4) The proposed buildings must be constructed with buildings façades consistent with existing building façades.
- 5) All conditions of the previously approved Ordinance 16,376, as amended, remain in effect.

Section 3. All provisions of Appendix B, the Zoning Ordinance of the City of Peoria, with respect to the Class R-3 (Single Family Residential) District and C-1 (General Commercial) District shall remain applicable to the above-described premises, with exception to the amended Special Use herein permitted.

Section 4. 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 _____, 2014.

APPROVED:

Mayor

ATTEST:

City Clerk

EXAMINED AND APPROVED:

Corporation Counsel