

AN ORDINANCE APPROVING A SPECIAL USE IN A CLASS CG (GENERAL COMMERCIAL) DISTRICT FOR AN ASSISTED LIVING FACILITY, FOR THE PROPERTY IDENTIFIED AS 518 W ROMEO B GARRETT (PART OF PARCEL IDENTIFICATION NO. 18-09-110-027 PLUS 18-09-109-025) PEORIA, IL

WHEREAS, the property herein described is now zoned in a Class CG (General Commercial) District; and

WHEREAS, said petition was directed to the Planning and Zoning Commission as directed by Article 2.8 of Appendix C, the Land Development Code of the City of Peoria; and,

WHEREAS, said Planning and Zoning Commission held a public hearing on November 6, 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 and Zoning Commission has submitted its report of said public hearing and the City Council finds that to permit such rezoning 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. A Special Use for an Assisted Living Facility, in the CG (General Commercial) District is hereby approved for following described property, with the following waivers and condition, and per the attached legal description exhibit, site plans, and elevations:

Legal Description

TRACT "A"

A PART OF LOTS 7, 8, 9, 10 AND 11, BLOCK 89, ALL IN AIKEN, MONSON AND SANFORD'S ADDITION TO THE TOWN OF PEORIA, ILLINOIS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 1 OF THE SOUTHTOWN EXTENSION 3, AS SHOWN IN PLAT BOOK 11, PAGE 50 IN THE PEORIA COUNTY RECORDER'S OFFICE; THENCE SOUTH 00°-05'-34" WEST, ALONG, THE WEST LINE OF SAID LOT 1, A DISTANCE OF 137.94 FEET; THENCE NORTH 89°-58'-27" WEST, ALONG A NORTH LINE OF SAID LOT 1, A DISTANCE OF 228.03, TO A POINT ON THE EAST RIGHT OF WAY LINE OF RICHARD PRYOR PLACE; THENCE NORTH 00°-06'-07" WEST, ALONG THE SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 138.03 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF R.B. GARRETT AVENUE, SAID POINT BEING 12.00 FEET SOUTH OF THE NORTHWEST CORNER SAID LOT 7; THENCE SOUTH 89°-57'-11" EAST, ALONG THE SOUTH RIGHT OF WAY LINE OF R.B. GARRETT AVENUE, A DISTANCE OF 228.50 FEET, TO THE POINT OF BEGINNING; CONTAINING 0.723 ACRES MORE OR LESS

TRACT "B"

BEING A PART OF LOTS 1, IN SOUTHTOWN EXTENSION 3, AS SHOWN IN PLAT BOOK 11, PAGE 50, IN THE PEORIA COUNTY RECORDER'S OFFICE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1; THENCE SOUTH 00°-05'-34" WEST, ALONG, THE WEST LINE OF SAID LOT 1, A DISTANCE OF 137.94 FEET; THENCE NORTH 89°-58'-27" WEST, ALONG A NORTH LINE OF SAID LOT 1, A DISTANCE OF 228.03, TO A POINT ON THE EAST RIGHT OF WAY LINE OF RICHARD PRYOR PLACE; THENCE SOUTH 00°-06'-07" EAST, ALONG THE SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 25.16 FEET; THENCE SOUTH 89°-59'-42" EAST, ALONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 143.03 FEET; THENCE SOUTH 00°-00'-46" EAST, ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 127.97 FEET; THENCE SOUTH 89°-59'-46" EAST, ALONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 394.63 FEET; THENCE NORTH 00°-10'-31" WEST, A DISTANCE OF 214.10 FEET; THENCE SOUTH 89°-51'-41" EAST, A DISTANCE OF 69.29 FEET; THENCE NORTH 00°-09'-42" WEST, A DISTANCE OF 76.77 FEET, TO THE NORTH LINE OF SAID LOT 1; THENCE NORTH 89°-57'-11" WEST, ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 377.90 FEET, TO THE POINT OF BEGINNING; CONTAINING 2.568 ACRES MORE OR LESS

Waivers

1. LDC Section 4.2.4.C. Maximum setback line, also LDC Section 4.2.4.H.8. Building façade may be 10-80 feet behind right-of-way line. This is not met from Richard Pryor (west side) where the building is setback 165.30 feet.
2. LDC Section 4.2.4.D. Parking setback line (right-of-way). Parking shall be located 15 feet from the right-of-way. This is not met along Richard Pryor (west side of the site), where there provided setback is 13.65 feet.
3. LDC Section 4.2.4.D. Parking setback line (common lot line). Parking shall be located 5 feet from any common lot-line; this is not met on the east side of the site, where the parking is shared with the adjacent hospital.
4. LDC Section 4.2.4.H.3 Ground story height. Building finished floor elevation exceeds 18" above adjacent sidewalk on both frontages. Also, the submitted elevation does not show ground story clear interior height of a least 12 feet.
5. LDC Section 4.2.4.H.9. Street facade (primary). Width of building façade shall be at least 60% of width of lot frontage along primary street. This is not met along R. B. Garrett (north side).
6. LDC Section 4.2.4.H.9. Street facade (side). Width of building façade shall be at least 25% of width of lot frontage along side street. This is not met along Richard Pryor (west side).
7. LDC Section 4.2.4.H.14. Common lot line treatment. Neither a garden wall nor transitional bufferyard is provided as required along south property line with R-6 zoning.
8. LDC Section 4.2.4.I.1. Windows and doors (blank lengths). Blank lengths of wall in excess of 20 lineal feet are not permitted. The north and south ends of the east and west wings have blank walls in excess of 20 lineal feet.
9. LDC Section 4.2.4.I.1. Windows and doors (windows and doors). Windows and doors must comprise 40-90% of the façade area situated between 2 and 10 feet above the adjacent public sidewalk on which the face fronts. The ground story: north elevation is 22% windows and doors; and west elevation is 34% windows and doors.

Condition: All mechanical equipment and refuse areas are required to be screened.

Section 2. All provisions of Appendix C, the Land Development Code, of the City of Peoria, and the District Map made a part of said Ordinance, shall extend to said above-described premises as herein approved for a special use.

Section 3. All provisions of Appendix C, the Land Development Code of the City of Peoria, with respect

to the Class CG (General Commercial), shall apply to the above-described premises.

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