

**AN ORDINANCE APPROVING A SPECIAL USE IN A CLASS C-N (NEIGHBORHOOD COMMERCIAL) DISTRICT FOR AUTO SALES AND REPAIR, FOR THE PROPERTIES LOCATED AT 314 S WESTERN AVENUE (PARCEL IDENTIFICATION NO. 18-08-305-017) AND 1835 W KETTELLE (PARCEL IDENTIFICATION NO. 18-08-305-018), PEORIA IL.**

WHEREAS, the property herein described is now zoned in a Class C-N (Neighborhood Commercial) District; and

WHEREAS, said Planning & Zoning Commission has been petitioned to approve a Special Use for Auto Sales and Repair under the provisions of Section 2.9 of Appendix A, the Unified Development Code of the City of Peoria; and

WHEREAS said Planning & Zoning Commission held a public hearing on May 2, 2019, 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

WHEREAS, said Planning & Zoning Commission has submitted its report of said 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, AS FOLLOWS:

Section 1. That a Special Use for Auto Sales and Repair is hereby approved for the following described property:

Legal Description:

Lots 11, 12, and 13 in Block 1 in Hardin and Miller's Fourth Addition to the City of Peoria, situate, lying and being in the County of Peoria and State of Illinois

Parcel Address: 314 S Western Ave  
Parcel ID 18-08-305-017

Lot 14 in Hardin and Miller's Fourth Addition to the City of Peoria, situate, lying and being in the County of Peoria and State of Illinois

Parcel Address: 1835 W Kettelle St  
Parcel ID 18-08-305-018

Said Ordinance is hereby approved per the submitted Site Plan Documents (Attachment A) and the following conditions and waiver:

- 1) Adherence to use standards per Section 5.3.3.G of the Unified Development Code, except for standards relating to service bay doors.
- 2) Vehicle repair is prohibited.

- 3) The gravel areas located on the north and south sides of the building must be removed and replaced with sod/grass seed, or resurfaced with asphalt, Portland cement, interlocking concrete paver or brick, or bituminous cement binder pavement, or permeable pavers/porous paving system.
- 4) Provide 1 handicap accessible parking space appropriately striped and signed.
- 5) Customer/Employee parking spaces must be a striped as minimum of 18.5' in length by 8.5' in width.
- 6) Provide a pedestrian accessible route (PAR) between the public right-of-way and the building.
- 7) Repair the existing concrete parking surface to remove potholes and cracks with weeds.
- 8) Remove the concrete block with fence post laying in the rear yard area.
- 9) Construct a 100 percent opaque eight-foot high visual barrier or screen on the east property line abutting the residential property. Chain link or wire fencing is prohibited.
- 10) Any parking lot paving or resurfacing shall be completed by a contractor who is licensed and bonded with the City of Peoria.
- 11) Replace deteriorated and non-ADA-compliant sidewalks and curbs along all property frontages. Sidewalk participation may be available from the City of Peoria at an 80/20% cost share.
- 12) The driveways shall comply with current City Standards (including width, concrete thickness, apron dimensions and slopes). Depressed curb shall be installed (or maintained) through the driveway (curb should not follow the driveway flares).
  - a. Non-residential driveways shall be a minimum of 15 feet wide for one-way operation and 24 feet wide for two-way operation.
  - b. Non-residential driveways shall be a maximum of 30 feet wide.
  - c. Driveways shall be located a minimum of 50 feet from the intersecting curblines; and 5 feet from side property line; No part of the driveway apron shall encroach upon the intersection radii.
  - d. Driveway pavement (including the sidewalk at the driveway) shall be 8" thick concrete for commercial sites.
- 13) Western Ave is under the jurisdiction of the State. All work within the State right-of-way will require approval from Illinois Department of Transportation (IDOT).
- 14) Waivers due to existing site conditions for the following:
  - a. Service bay doors oriented toward the street and without screening from the public right-of-way.
  - b. No front yard landscaping along Western Ave.
  - c. Building setback greater than the build-to line of 15 feet.
  - d. Window and door fenestration less than 40 % on the Kettelle St façade.
  - e. Driveway access from Western Ave less than 75 feet from the street corner.

Section 2. All provisions of Appendix A, the Unified Development Code of the City of Peoria, with respect to the Class C-N (Neighborhood Commercial) District shall remain applicable to the above-described premises, with exception to 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 \_\_\_\_\_, 2019.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

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

EXAMINED AND APPROVED:

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