

AN ORDINANCE AMENDING A SPECIAL USE IN A CLASS R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT, FOR CHURCH FACILITIES, ORDINANCE NO. 11,550, AS AMENDED, TO ALLOW A DAY CARE CENTER, FOR THE PROPERTY LOCATED AT 1420, 1504, 1508 W MOSS AVENUE AND 425 N MALVERN LN (PARCEL IDENTIFICATION NOS. 18-08-133-001, 18-08-176-009, 18-08-176-010, 18-08-176-011, 18-08-176-012, 18-08-176-015, AND 18-08-176-016), PEORIA, ILLINOIS.

WHEREAS, the property herein described is now zoned in a Class R-1 (Single-Family Residential) District; and

WHEREAS, said Planning & Zoning Commission has been petitioned to approve an amendment to the Special Use to include a Day Care Center 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 September 3, 2020, 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 an amendment to an existing Special Use, Ordinance 11,550, as amended, to include a Day Care Center with the existing Church facilities for the following described property:

All that parts of lots numbered 3 and 4 in Eastman's Subdivision of a part of the NW 1/4, Section 8.T.8N ,R.8E. of the 4th P.M., more particularly bounded and described as follows, to wit: Commencing at the most Westerly corner of said lot 4 and running thence Northeastwardly along the Southerly line of Moss Avenue 150' thence at right angles Southeasterly 120'; thence at right angles Southwestwardly, parallel to Moss Avenue, 150', more or less, to the Northwestwardly along said Northeasterly line on Malvern Lane and at right angles to Moss Avenue, 120' to the place of beginning; situated in the City of Peoria, County of Peoria, and State of Illinois.

Beginning at the North Westerly Corner of Lot 4, in Eastman's Subdivision of a part of the North West Quarter of Section 8, Township 8, North of Range 8, East of the 4th P.M., thence running North Easterly along the Southerly line of Moss Avenue, One Hundred Fifty Feet: thence at right angles South Easterly One Hundred Fifteen Feet: thence South Westerly parallel to Moss Avenue One Hundred Fifty Feet, more or less to the Westerly line of said Lot 4: thence North Westerly along said lot line One Hundred Fifteen Feet, more or less, to the place of beginning. Together with buildings thereon

A part of Lot Four (4) in Eastman's Subdivision of the Northwest Quarter of Section Eight (8) Township Eight (8) North Range Eight (8) East of the Fourth P.M. continuing at a point on the Easterly line of Malvern Lane which is the Southwest corner of this property now own and occupied by the Westminster Presbyterian Church; thence Easterly along the southerly line of said church lot, to the southeast corner of said church Lot; thence at right angles in a southeasterly direction, five (5) feet, thence at right angles in a westerly direction and parallel to the

southerly line of said church lot, the easterly line of Malvern Lane; thence along the easterly line of Malvern Lane five (5) feet more or less to the place of beginning.

All that part of Lot Five (5) in Phelps Subdivision and parts of Lots Three (3) and Four (4) in Eastman's Subdivision, all in the North West Quarter of section Eight (8) Township Eight (8) North Range Eight (8) East of the Fourth (4) Principal Meridian, bounded on the North and East by Malvern Lane and on the South by Seventh Avenue and on the West by Lot Five (5) in Eastman's Subdivision, except a strip One Hundred (100) feet wide and of even width off the Westerly Side of that part of Lot Four (4) in Eastman's Subdivision of part of the North West Quarter of Section Eight (8) Township Eight (8) North Range Eight (8) East of the Fourth (4th) Principal Meridian, lying between Malvern Lane and Seventh Avenue and adjoining Lot Five (5) in Eastman's Subdivision; also a strip of ground thirty (30) feet wide by full depth off the Northeasterly side of a strip of ground One Hundred (100) feet wide by full depth off the South Westerly side of that part of Lot Four (4) Southwest of Malvern Lane in Eastman's Subdivision of part of the Northwest Quarter of Section Eight (8) in Township Eight (8) North, Range Eight

(8) East of the Fourth (4th) Principal Meridian, situated in the County of Peoria in the State of Illinois.

Part of Lot Four (4) in Eastman's Subdivision of part of the Northwest Quarter (NW1/4) of Section Eight (8), Township Eight (8), North, Range Eight (8), East of the Fourth Principal Meridian, more particularly bounded and described as follows, to wit; Commencing at a point in a Southeasterly Line of said Lot Four (4), Twenty (20) Feet Northeasterly from the Southerly corner of said Lot Four (4); Running thence Northwesterly, parallel with the dividing line between Lots four (4) and Five (5) in said Eastman's Sub-division One Hundred thirty-five (135) Feet to the place of beginning of the Tract to be described: running thence Northwesterly, parallel with said dividing line between Lots Four (4) and Five (5) to the Southerly line of Malvern Lane; Thence in an Easterly direction, along said Southerly Line of Malvern Lane to the Intersection of a line drawn parallel to said Lot Four (4), Seventy (70) Feet Northeasterly, from said Southerly corner of Lot Four (4), thence Southeasterly along said parallel line to a point One Hundred Twenty-five (125) feet, Northwesterly of said Southeasterly line of Lot Four (4) as measured along said parallel line: Thence in a Westerly direction to the place of beginning.

Part of Lots Four (4) and Five (5) in Eastman's Subdivision of part of the Northwest quarter of Section Eight (8), Township Eight (8) North, Range Eight (8) East of the Fourth Principal Meridian, more particularly bounded and described as follows, to-wit: Commencing at a pipe on the Westerly Line of Malvern Lane One Hundred and Seventy-five (175) feet Southeasterly from the Southeasterly line of Moss Avenue; thence in a southwesterly direction and parallel with the Southeasterly line of Moss Avenue Ninety-seven and Sixty-five Hundredths (97.65) feet to a pipe; thence Southeasterly and parallel with the dividing line between Lots Five (5) and Six (6) of Eastman's Subdivision Four Hundred and Seven (407) feet, to a point on the Northwesterly line of Seventh Street; thence in a Northeasterly direction along the Northwesterly line of Seventh Street One Hundred Thirty-three and Twenty-five Hundredths (133.25) feet to a point; thence in a Northwesterly direction and parallel with the dividing line between Lots Four (4) and Five (5) in Eastman's Subdivision Three Hundred Fifty-one and Seventy-two (351.72) feet to a pipe on the Southerly line of Malvern Lane; thence in a Southwesterly and Northwesterly direction along the Southerly line of Malvern Lane Eighty-one and Fifty-three Hundredths (81.53) feet to the place of beginning; situate, lying and being in the city of Peoria, in the County of Peoria, in the State of Illinois.

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

1. Replace the non-ADA-compliant sidewalk and curb along Moss Avenue frontage.
2. Accessible parking spaces shall have an accessible route to the building entrance. Accessible parking spaces shall have markings and signs clearly visible pursuant to City of Peoria Code Appendix A, Section 8.1.5.E Handicapped Accessible Parking.

Section 2. All provisions of Appendix A, the Unified Development Code of the City of Peoria, with respect to the Class R-1 (Single-Family Residential) District shall remain applicable to the above-described premises, with exception to the Special Use, as amended, 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 _____, 2020.

APPROVED:

Mayor

ATTEST:

City Clerk

EXAMINED AND APPROVED:

Corporation Counsel