

ORDINANCE NO. 18,087

AN ORDINANCE AMENDING AN EXISTING SPECIAL USE ORDINANCE NO. 17,543 IN A CLASS R-4 (SINGLE-FAMILY RESIDENTIAL) DISTRICT FOR TOWNHOMES TO INCLUDE A SHORT TERM RENTAL FOR THE PROPERTY LOCATED AT 824 W MOSS AVENUE (PARCEL IDENTIFICATION NO. 18-08-236-001), PEORIA, IL

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

WHEREAS, said Planning & Zoning Commission has been petitioned to approve an amendment to the Special Use for a Short Term Rental 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 11, 2023, 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 a Short Term Rental is hereby approved for the following described property:

Parcel 1: Lots 7 and 8 in Range 1 in MOSS'S ADDITION to the City of Peoria; ALSO, all of Lot 9 in Range 1 in MOSS'S ADDITION to the City of Peoria, EXCEPTING HOWEVER, 45 feet of even width by full depth of lot off the Southwesterly side thereof; EXCEPTING ALSO such portions of said Lots 7, 8, and 9 which shall be included in the right of way of Seventh Avenue and Union Street; EXCEPTING ALSO a part of Lots 7, 8 and 9 in Range One of MOSS ADDITION, a Subdivision in part of the Southeast Quarter of Section 5 and the Northeast Quarter of Section 8, Township 8 North, Range 8 East of the Fourth Principal Meridian, situate and lying in Peoria County, Illinois, being more particularly described as follows: Commencing at the Northeasterly corner of said Lot 9, thence South 65°-30'-00" West (bearing assumed for purpose of description only), along the Northerly line of said Lot 9, 43.98 feet; thence South 28° - 45' - 43" East, 142.00 feet to the Point of Beginning of the tract to be described: From the Point of Beginning, thence North 61° - 40' - 00" East, 43.85 feet to the dividing line between Lots 8 and 9 in said MOSS ADDITION; thence South 28° - 45' - 43" East, along said dividing line, 63.79 feet; thence North 61° - 40' - 00" East, 115.13 feet to the Southwesterly Right of Way of Union Street; thence South 28° - 20' - 00" East, along said Right of Way line, 138.00 feet; thence South 61° - 00' - 00" West, 157.95 feet; thence North 28° - 45' - 43" West, 203.63 feet to the Point of Beginning.

ALSO EXCEPTING THEREFROM: A part of Lot 9 in Range One of MOSS ADDITION, a Subdivision in a part of the Southeast Quarter of Section 5 and the Northeast Quarter of Section 8, Township 8 North, Range 8 East of the Fourth Principal Meridian, City of Peoria, Peoria County, Illinois, more particularly described as follows: Commencing at the Northeasterly corner of said Lot 9, thence South 65° - 30' - 00" West, (bearing assumed for purpose of description only), along the Northwesterly line of said Lot 9, 18.91 feet to the Point of Beginning of the tract to be described: from the Point of Beginning, thence South 65° - 30' - 00" West, along said Northwesterly line, 25.07 feet; thence South 28° - 45' - 43" East, 142.00 feet thence North 61° - 40' - 00" East 25 feet; thence North 28° - 45' - 43" West, 140.32 feet to the Point of Beginning, situate, lying and being in the City of Peoria, County of Peoria and State of Illinois.

Parcel 2: A part of Lots 7, 8 and 9 in Range One of MOSS ADDITION, a Subdivision in part of the Southeast Quarter of Section 5 and the Northeast Quarter of Section 8, Township 8 North, Range 8 East of the Fourth Principal Meridian, situate and lying in Peoria County, Illinois, being more particularly described as follows: Commencing at the Northeasterly corner of said Lot 9, thence South 65° - 30' - 00" West (bearing assumed for purpose of description only), along the Northerly line of said Lot 9, 43.98 feet; thence South 28° - 45' - 43" East, 142.00 feet to the Point of Beginning of the tract to be described: From the Point of Beginning, thence North 61° - 40' - 00" East, 43.85 feet to the dividing line between Lots 8 and 9 in said MOSS ADDITION; thence South 28° - 45' - 43" East, along said dividing line, 63.79 feet; thence North 61° - 40' - 00" East, 115.13 feet to the Southwesterly Right of Way of Union Street; thence South 28° - 20' - 00" East, along said Right of Way line, 138.00 feet; thence South 61° - 00' - 00" West, 157.95 feet; thence North 28° - 45' - 43" West, 203.63 feet to the Point of Beginning, said tract containing 0.569 acres, more or less, situate, lying and being in the City of Peoria, County of Peoria and State of Illinois.

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

1. Additional dwelling units cannot be added to the four-unit townhome.
2. Short term rental use is permitted for Unit 1 only in the four-unit townhome.
3. Occupancy of the short term rental unit shall not exceed four (4) total persons.
4. Fire extinguishers shall be installed according to the 2018 International Fire Code Chapter 9, Section 906.
5. Interconnected smoke alarms shall be installed according to the 2018 International Fire Code Chapter 9, Section 907.
6. Carbon monoxide detector shall be installed according to the 2018 International Fire Code Chapter 9, Section 915.
7. Add the address to the exterior of the building.
8. Parking lot parking spaces shall be striped.
9. The owner shall obtain and maintain a valid Short Term Rental license from the City of Peoria and the owner shall pay Room Rental Use or Privilege tax to the City of Peoria.
10. An approved Special Use is valid for the Applicant only as identified on the special use application submitted to the Planning & Zoning Commission. An approved Special Use shall become null and void upon any change in ownership of the property which results in the removal of all prior applicants. Such change in ownership of the property will require a new special use application and approval.

Section 2. All provisions of Appendix A, the Unified Development Code of the City of Peoria, with respect to the Class R-4 (Single Family 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

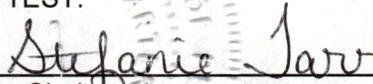
13th DAY JUNE, 2023.

APPROVED:



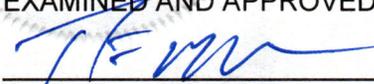
Mayor

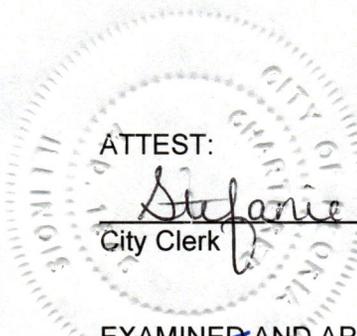
ATTEST:



City Clerk

EXAMINED AND APPROVED:

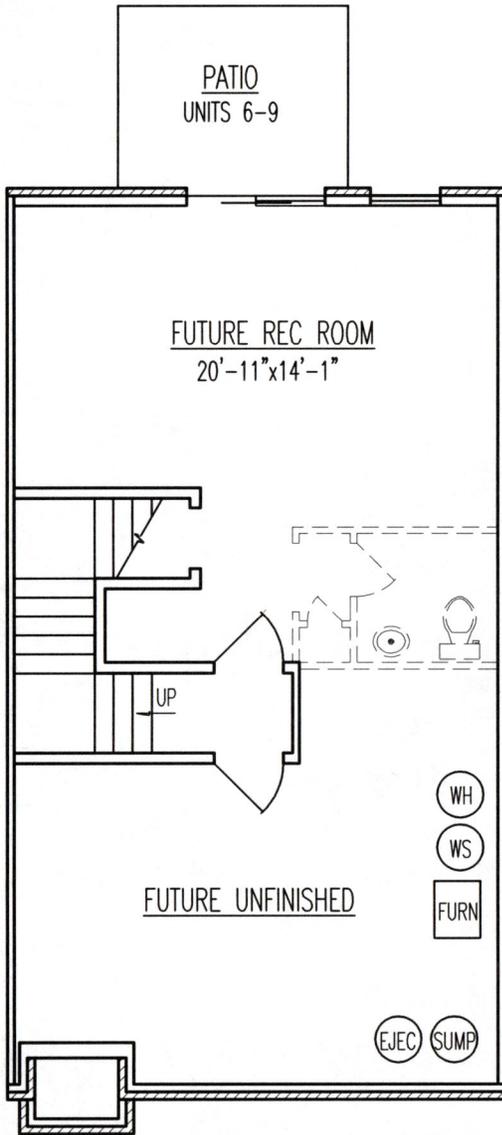


Corporation Counsel

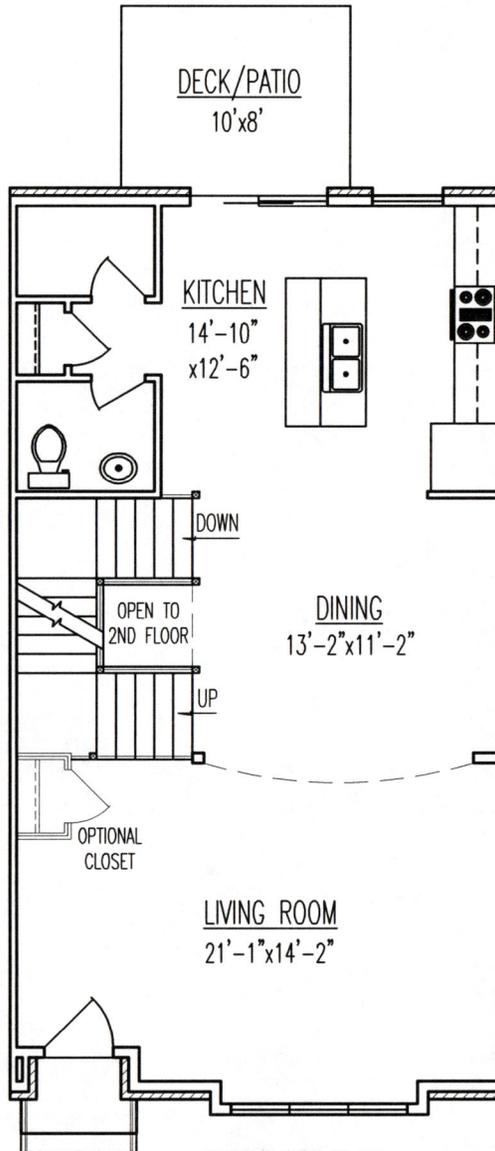
Attachment A to Ordinance

824 W Moss Avenue

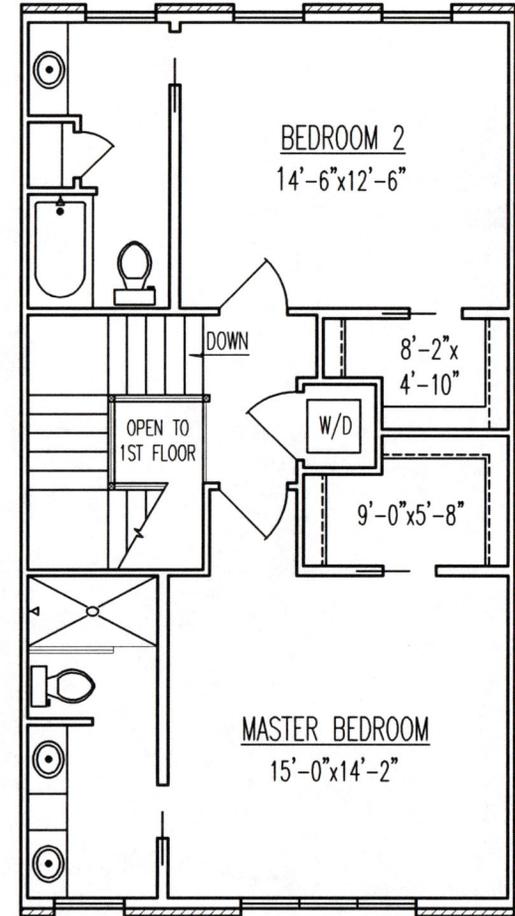




BASEMENT PLAN
9' Ceiling Ht



FIRST FLOOR PLAN
10' Ceiling Ht



SECOND FLOOR PLAN
9' Ceiling Ht



Scott Lewis Homes, Inc.
8305 N. Allen Road, Suite 5
Peoria, IL 61615
(309) 689-3410

The
Brownstones on Moss
MODEL 1
1630 sq ft

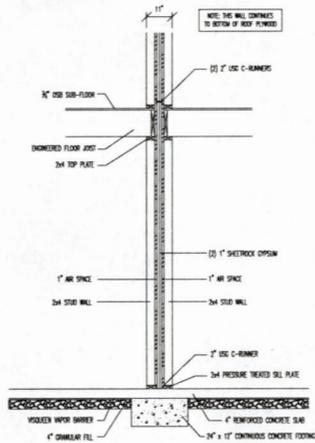


Benchmark
Residential Design
Kristi Bruch

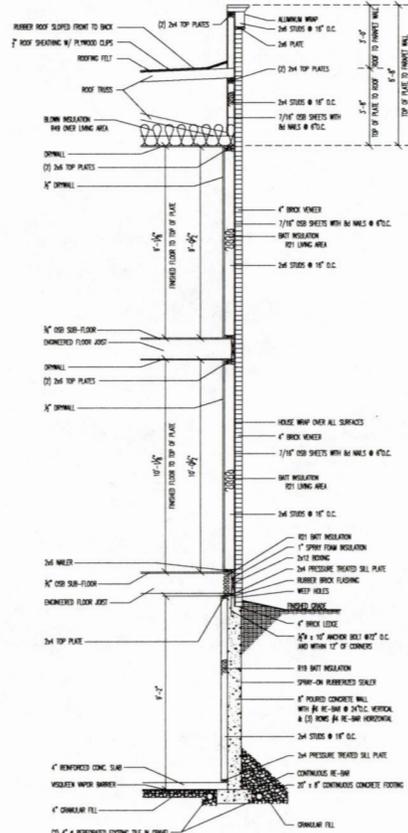
GENERAL NOTES:

1. ALL ELECTRICAL WORK, EQUIPMENT, INSTALLATIONS AND SYSTEMS SHALL BE FURNISHED, INSTALLED AND COMPLETED IN STRICT ACCORDANCE WITH ALL PROVISIONS SET FORTH IN THE NATIONAL ELECTRICAL CODE, CURRENT EDITION, AS PUBLISHED BY THE NATIONAL FIRE PROTECTION ASSOCIATION.
2. ALL PLUMBING FIXTURES, WORK, EQUIPMENT, MATERIALS, INSTALLATIONS AND SYSTEMS SHALL BE FURNISHED, INSTALLED AND COMPLETED IN STRICT ACCORDANCE WITH CURRENT PLUMBING RULES AND REGULATIONS SET UP BY STATE AND LOCAL BUILDING CODES.
3. ALL HEATING/AIR CONDITIONING WORK, EQUIPMENT, MATERIALS, INSTALLATIONS AND SYSTEMS SHALL BE FURNISHED, INSTALLED AND COMPLETED IN STRICT ACCORDANCE WITH CURRENT HEATING, VENTILATING AND AIR CONDITIONING RULES AND REGULATIONS SET UP BY STATE AND LOCAL BUILDING CODES.
4. ALL MATERIALS SHALL BE FURNISHED, ALL SYSTEMS INSTALLED, AND ALL WORK COMPLETED IN STRICT ACCORDANCE WITH ALL PROVISIONS SET FORTH IN THE NFPA 101 LIFE SAFETY CODE, CURRENT EDITION, AS PUBLISHED BY THE NATIONAL FIRE PROTECTION ASSOCIATION, AND WITH OTHER STATE AND LOCAL CODES WHICH MAY PREVAIL.
5. WRITTEN DIMENSIONS OF THESE DRAWINGS TAKE PRECEDENCE OVER SCALED DIMENSIONS. THE CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS ON THE JOB.
6. ALL STRUCTURAL DETAILS AND MATERIALS AS SHOWN ARE TO SERVE AS AN AID TO THE CONTRACTOR. THE CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL STRUCTURAL DETAILS AND MATERIALS.
7. THE BEAM, COLUMN AND FOOTING LOCATIONS AS SHOWN MAY VARY FROM THE ACTUAL LOCATIONS AS SPECIFIED BY THE JOIST MANUFACTURER. THE CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR THE SIZE AND LOCATIONS OF ALL BEAMS, COLUMNS AND FOOTINGS ON THE JOB SITE.
8. ALL FEDERAL, STATE AND LOCAL CODES, ORDINANCES, REGULATIONS, ETC. SHALL BE CONSIDERED AS PART OF THE SPECIFICATIONS FOR THIS BUILDING AND SHALL TAKE PRECEDENCE OVER ANYTHING SHOWN, DESCRIBED OR IMPLIED WHERE SAME ARE AT VARIANCE.
9. GENERAL CONTRACTOR, WINDOW MANUFACTURER AND DOOR MANUFACTURER TO CONFIRM ROUGH OPENINGS, EXPRESS REQUIREMENTS, AND TEMPERING REQUIREMENTS AS SET FORTH BY STATE AND LOCAL BUILDING CODES AND THE STATE FIRE MARSHALL'S OFFICE.
10. THIS PLAN, AND ALL DRAWINGS AND SPECIFICATIONS RELATED THERETO, IS LIMITED TO A SPECIFIC PROJECT OF THE PURCHASER AND FOR THE CONSTRUCTION OF ONE BUILDING. ANY REUSE OF SAID PLANS IS STRICTLY PROHIBITED WITHOUT SPECIFIC WRITTEN CONSENT OF Benchmark Residential Design.

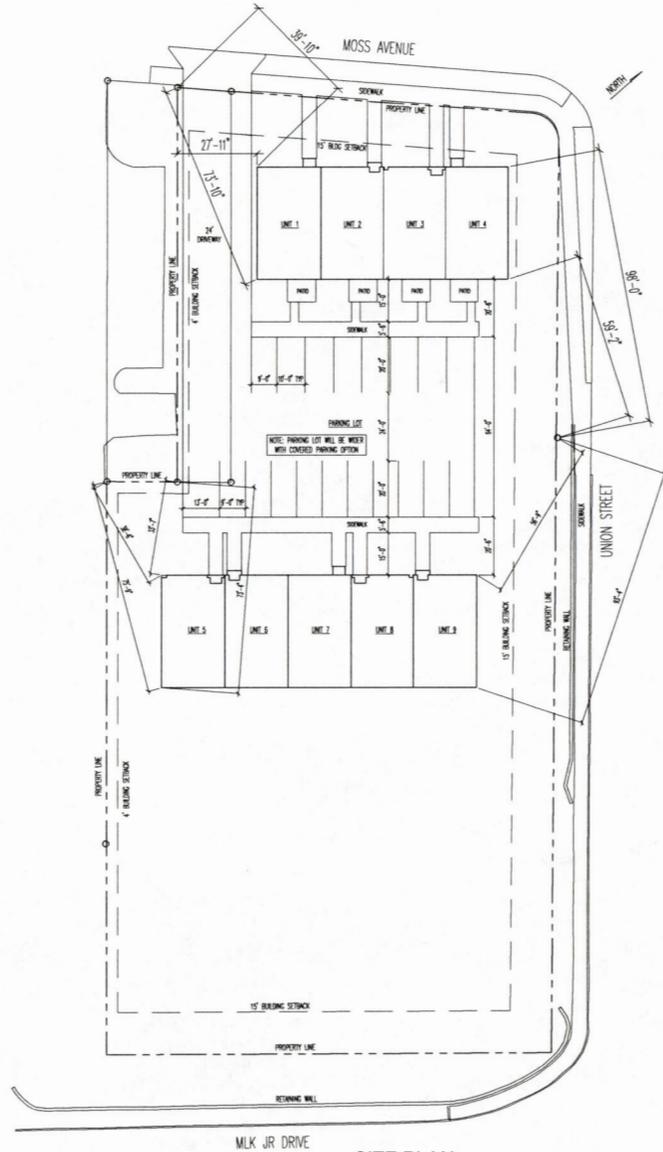
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INTERIOR WALL SECTION
SCALE: 1/2" = 1'-0"



EXTERIOR WALL SECTION
SCALE: 3/8" = 1'-0"



SITE PLAN
SCALE: 1" = 20'

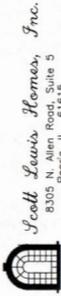
STRUCTURE MUST MEET ALL LOCAL AND STATE BUILDING CODES. STRUCTURAL INTEGRITY IS THE RESPONSIBILITY OF THE CONTRACTOR. IF QUESTIONS ARISE, IT MAY BE NECESSARY TO CONSULT AN ARCHITECT OR A PROFESSIONAL ENGINEER. IN ALL SITUATIONS CONCERNING OR ERRORS FOUND IN THE DRAWING, THE CONTRACTOR SHOULD NOTIFY Benchmark Residential Design BEFORE PROCEEDING WITH WORK.

REVISION DATES

02/04/2018

SHEET
6
OF 6

PROJECT: 17-011
SCALE: AS INDICATED
DATE: 1/28/2018
DRAWN BY: Kristi Bruch

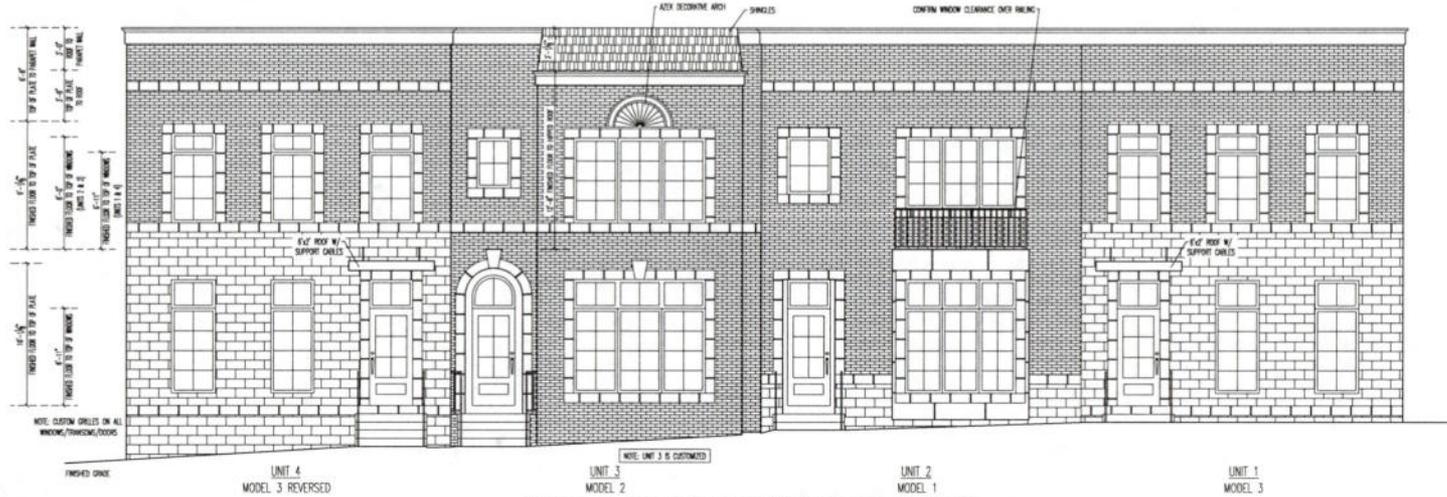


Scott Lewis Homes, Inc.
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(309) 689-3410

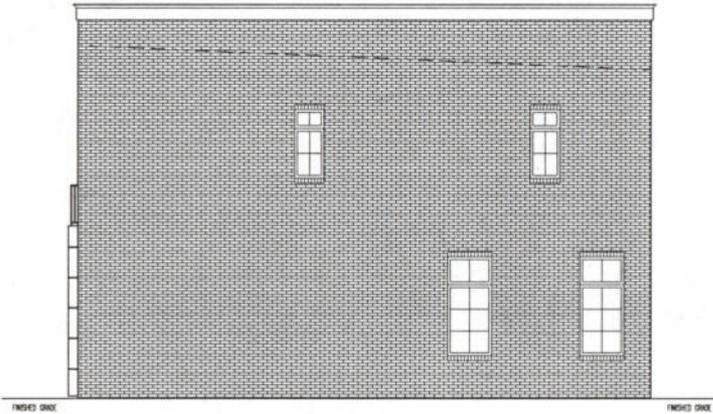
Benchmark on Moss Prairie, Illinois



Benchmark
Residential Design
12998 Rocky Pointe Rd.
McCordsville, IN 46055
(317) 335-3307



UNITS 1-4: NORTH ELEVATION (MOSS AVENUE)
SCALE: 1/4" = 1'-0"



UNITS 1-4: WEST ELEVATION
SCALE: 1/4" = 1'-0"

FOR ADDITIONAL SPECIFICATIONS, SEE "GENERAL NOTES" ON SHEET 6

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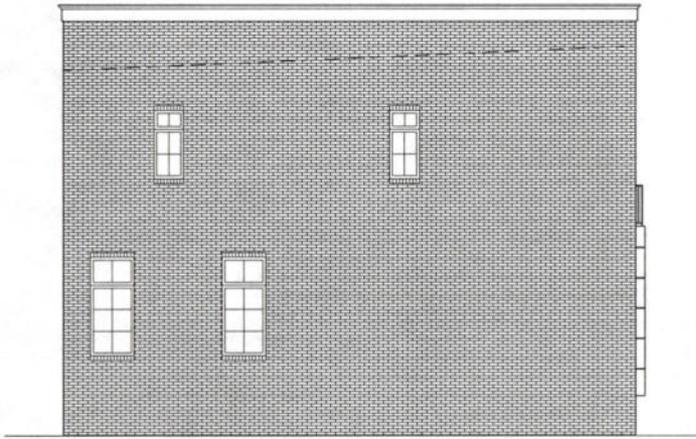
STRUCTURE MUST MEET ALL LOCAL AND STATE BUILDING CODES.
STRUCTURAL INTEGRITY IS THE RESPONSIBILITY OF THE CONTRACTOR. IF QUESTIONS ARISE, IT IS THE CONTRACTOR'S RESPONSIBILITY TO CONSULT AN ARCHITECT OR A STRUCTURAL ENGINEER.
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REVISION DATES	
02042018	

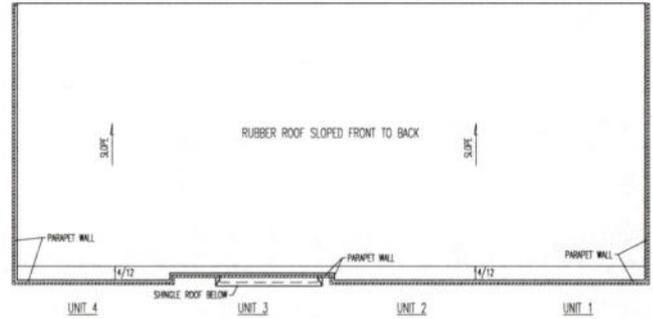
PROJECT 175-01	SCALE 1/4" = 1'-0"
	DATE 10/02/2018
DRAWN BY RCSB/Brcch	SHEET 1
	OF 6



UNITS 1-4: SOUTH ELEVATION (FACING PARKING LOT)
SCALE: 1/4" = 1'-0"



UNITS 1-4: EAST ELEVATION (UNION STREET)
SCALE: 1/4" = 1'-0"



UNITS 1-4: ROOF PLAN
SCALE: 1/8" = 1'-0"

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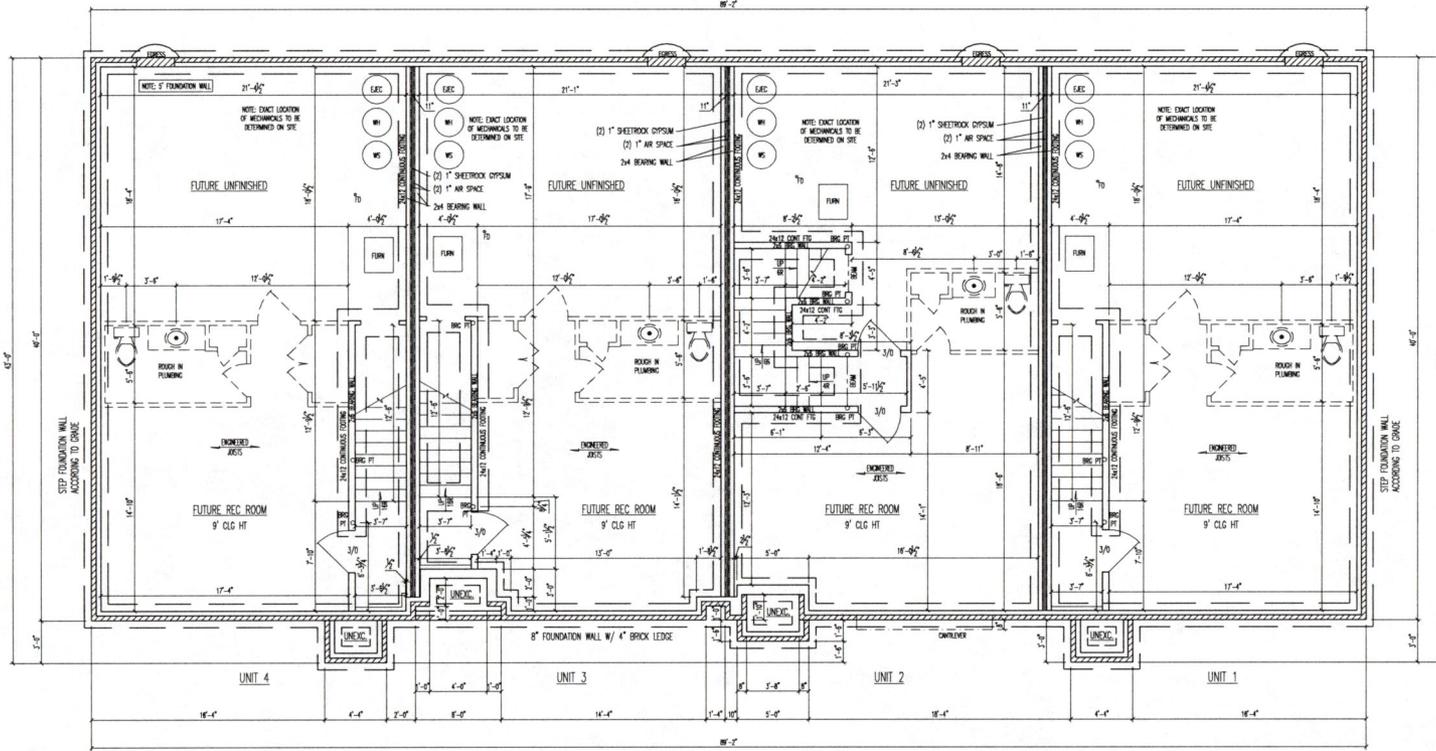
Benchmark
Residential Design
12298 Rocky Pointe Rd.
McCordsville, IN 46055
(317) 335-3307

Scott Lewis Homes, Inc.
8305 N. Allen Road, Suite 5
Indianapolis, IN 46215
(305) 883-3110
Boundaries are Made
Pursu, Brands

STRUCTURE MUST MEET ALL LOCAL AND STATE BUILDING CODES.
STRUCTURAL INTEGRITY IS THE RESPONSIBILITY OF THE CONTRACTOR. IF QUESTIONS ARISE, IT IS THE CONTRACTOR'S RESPONSIBILITY TO CONSULT AN ARCHITECT OR A STRUCTURAL ENGINEER.
IN THE EVENT OF ANY DISCREPANCIES OR ERRORS FOUND IN THE DRAWING, THE CONTRACTOR SHOULD NOTIFY AND MAKE RESIDENTIAL DESIGN BEFORE PROCEEDING WITH WORK.

REVISION DATES
02/24/2018

SHEET	2	OF 6
PROJECT	SCALE	DATE
17-011	AS INDICATED	08/26/2018
DRAWN BY	DATE	SCALE
Kristi Bruch	08/26/2018	AS INDICATED



UNITS 1-4: FOUNDATION PLAN
SCALE: 1/4" = 1'-0"

- FOUNDATION PLAN NOTES:**
1. ALL DIMENSIONS ARE TO THE FACE OF THE FOUNDATION WALL, UNLESS OTHERWISE NOTED.
 2. ALL FOUNDATION WALLS TO BE 8"W x 9'-0"H POURED CONCRETE, UNLESS OTHERWISE NOTED.
 3. ALL FOOTINGS UNDER FOUNDATION WALLS TO BE 20"W x 8"H, UNLESS OTHERWISE NOTED.
 4. ALL INTERIOR FOOTINGS TO BE 24"W x 12"H.
 5. ALL WINDOWS AT 8'-11" HT, UNLESS OTHERWISE NOTED.
 6. ALL WOOD IN CONTACT WITH CONCRETE TO BE PRESSURE TREATED.
 7. CONTRACTOR TO VERIFY EXISTING GRADE, AND STEP FOOTINGS & FOUNDATION WALLS AS REQUIRED.
 8. BEAMS, POSTS & PADS TO BE SIZED BY GENERAL CONTRACTOR.
- FOR ADDITIONAL SPECIFICATIONS, SEE "GENERAL NOTES" ON SHEET 6

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REVISION DATES	02/01/2018
SHEET	3
	OF 6
PROJECT	SCALE = 1'-0"
DRAWN BY	DATE = 08/Feb/2018
KRHH: Bruch	

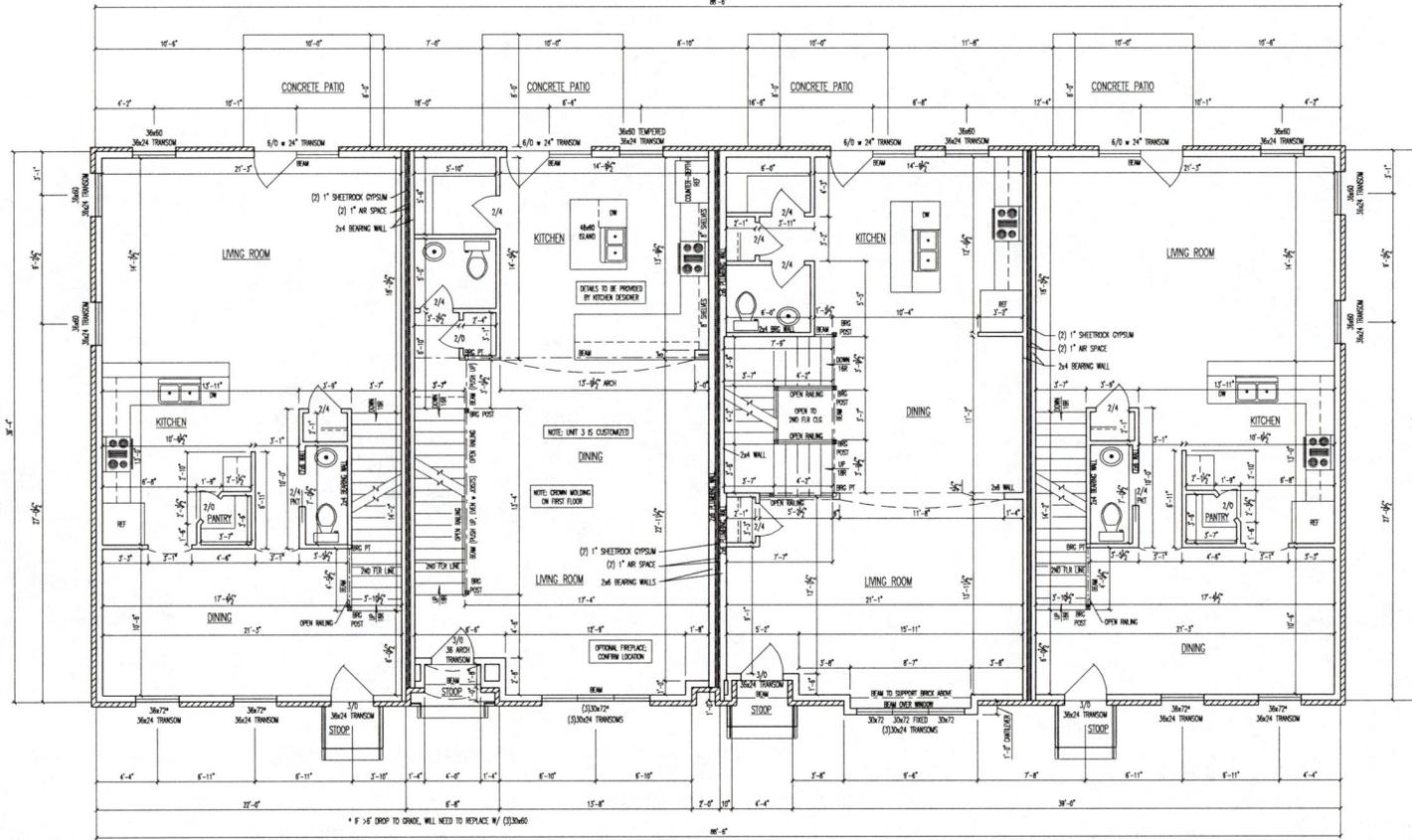
STRUCTURE MUST MEET ALL LOCAL AND STATE BUILDING CODES.
STRUCTURAL INTEGRITY IS THE RESPONSIBILITY OF THE CONTRACTOR. IF QUESTIONS ARISE, IT MUST BE RESOLVED BY AN ARCHITECT OR A STRUCTURAL ENGINEER.
IN THE EVENT OF ANY DISCREPANCIES OR ERRORS FOUND IN THE DRAWING, THE CONTRACTOR SHOULD NOTIFY BENCHMARK RESIDENTIAL DESIGN BEFORE PROCEEDING WITH WORK.



Scott Lewis Homes, Inc.
8305 N. Allen Road, Suite 5
Merrillville, IN 46550
(855) 889-3410
*Brownstones on Mass
Pawnee, Illinois*



Benchmark
Residential Design
12998 Rocky Pointe Rd.
McCordsville, IN 46055
(317) 335-3307



UNIT 4	UNIT 3	UNIT 2	UNIT 1
FIRST FLOOR LIVING AREA: 854 SQ. FT. SECOND FLOOR LIVING AREA: 823 SQ. FT. TOTAL: 1677 SQ. FT.	FIRST FLOOR LIVING AREA: 854 SQ. FT. SECOND FLOOR LIVING AREA: 822 SQ. FT. TOTAL: 1676 SQ. FT.	FIRST FLOOR LIVING AREA: 861 SQ. FT. SECOND FLOOR LIVING AREA: 769 SQ. FT. TOTAL: 1630 SQ. FT.	FIRST FLOOR LIVING AREA: 856 SQ. FT. SECOND FLOOR LIVING AREA: 823 SQ. FT. TOTAL: 1679 SQ. FT.

UNITS 1-4: FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

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- FIRST FLOOR PLAN NOTES:**
1. ALL EXTERIOR WALLS TO BE 2x6 STUDS (DRAWN 5-1/2" WIDE) UNLESS OTHERWISE NOTED.
 2. ALL INTERIOR WALLS TO BE 2x4 STUDS (DRAWN 3-1/2" WIDE) UNLESS OTHERWISE NOTED.
 3. ALL DIMENSIONS TO FACE OF STUD.
 4. ALL WALL HEIGHTS TO BE 10'-1 1/8" UNLESS OTHERWISE NOTED.
 5. ALL WINDOW HEIGHTS AT 6'-11" UNLESS OTHERWISE NOTED.
 6. ALL INTERIOR DOORS AT 6' HT OR WITH TRANSOMS ABOVE.
 7. BEAMS TO BE SIZED BY GENERAL CONTRACTOR.
- FOR ADDITIONAL SPECIFICATIONS, SEE "GENERAL NOTES" ON SHEET 6

REVISION DATES
02/01/2018

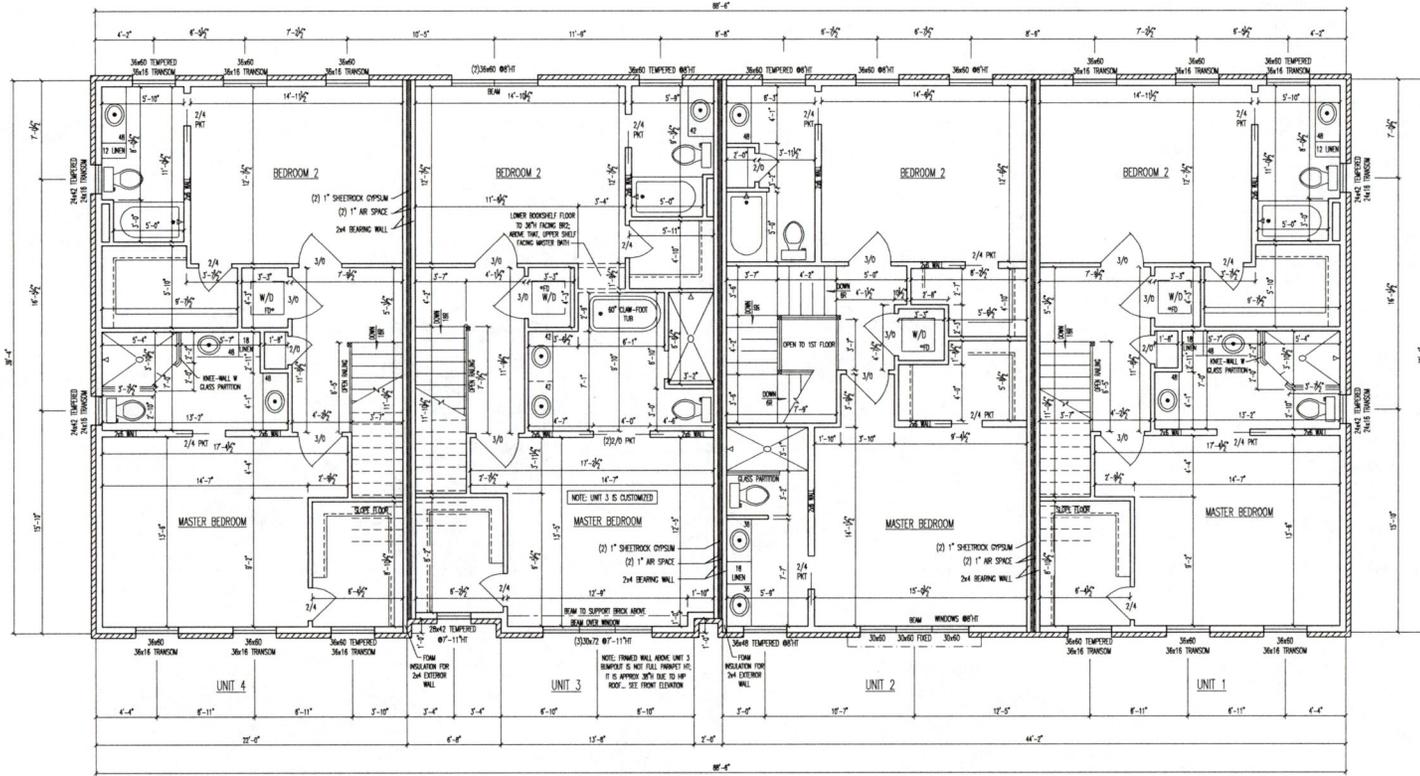
SHEET
4
OF 6

PROJECT: 17-011
SCALE: 1" = 1'-0"
DATE: 1/28/2018
DRAWN BY: Kristi Bruch

STRUCTURE MUST MEET ALL LOCAL AND STATE BUILDING CODES.
STRUCTURAL INTEGRITY IS THE RESPONSIBILITY OF THE CONTRACTOR. IF QUESTIONS ARISE, IT MUST BE REFERRED TO THE ARCHITECT OR A STRUCTURAL ENGINEER.
THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY ERRORS FOUND IN THE DRAWING. THE CONTRACTOR SHOULD NOTIFY Benchmark Residential Design BEFORE PROCEEDING WITH WORK.

Scott Lewis Homes, Inc.
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Peoria, IL 61615
(309) 699-3410
*Brownstones on Mass
Peoria, Illinois*

Benchmark
Residential Design
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McCordsville, IN 46055
(317) 335-3307



UNITS 1-4: SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"

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SECOND FLOOR PLAN NOTES:

1. ALL EXTERIOR WALLS TO BE 2x6 STUDS (DRAWN 5-1/2" WIDE) UNLESS OTHERWISE NOTED.
 2. ALL INTERIOR WALLS TO BE 2x4 STUDS (DRAWN 3-1/2" WIDE) UNLESS OTHERWISE NOTED.
 3. ALL DIMENSIONS TO FACE OF STUD.
 4. ALL WALL HEIGHTS TO BE 8'-1 1/8" UNLESS OTHERWISE NOTED.
 5. ALL WINDOW HEIGHTS AT 6'-11" UNLESS OTHERWISE NOTED.
 6. BEAMS TO BE SIZED BY GENERAL CONTRACTOR.
- FOR ADDITIONAL SPECIFICATIONS, SEE "GENERAL NOTES" ON SHEET 6

REVISION DATES

02/20/2018

SHEET
5
OF 6

PROJECT SCALE
DRAWN BY: JAL 1" = 1'-0"
DATE: 02/20/2018
DESIGNED BY: Kristi Brough

STRUCTURE MUST MEET ALL LOCAL AND STATE BUILDING CODES.
STRUCTURAL INTEGRITY IS THE RESPONSIBILITY OF THE CONTRACTOR. IF QUESTIONS ARISE, IT IS THE RESPONSIBILITY OF THE ARCHITECT OR A STRUCTURAL ENGINEER.
IN THE EVENT OF ANY DISCREPANCIES OR ERRORS FOUND IN THE DRAWING, THE CONTRACTOR SHOULD NOTIFY Benchmark Residential Design BEFORE PROCEEDING WITH WORK.



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Bloomington, Illinois



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