

AN ORDINANCE AMENDING AN EXISTING SPECIAL USE, ORDINANCE NUMBER 17,081, FOR ASSISTED LIVING (FORMERLY CALLED ELDERLY HOUSING) IN A CLASS R-3 (SINGLE-FAMILY RESIDENTIAL) DISTRICT AND A CLASS R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT FOR THE PROPERTY LOCATED AT 6414 N MOUNT HAWLEY ROAD (PARCEL IDENTIFICATION NUMBERS 14-16-129-014 & 14-16-177-001), PEORIA, ILLINOIS.

WHEREAS, the property herein described is now zoned in a Class R-3 (Single-Family Residential) District and R-1 (Single-Family Residential) District; and

WHEREAS, said Planning and Zoning Commission has been petitioned to grant an amendment to the existing Special Use as directed by Section 2.15 of Appendix B, the Permanent Zoning Ordinance of the City of Peoria; and

WHEREAS, said Planning and Zoning Commission held a public hearing on April 7, 2016, 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.

WHEREAS, said Planning and Zoning Commission has submitted its report of said public hearing and the City Council finds that to permit 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 a Special Use is hereby granted to allow the use of Assisted Living, with waivers, for the following described property:

LEGAL DESCRIPTION:

Lots 97, 98, 99, and 100 in High Point Section 11, a Subdivision of part of the South half of Section 9 and the North Half of Section 16 Township 9 North, Range 8 East of the Fourth Principal Meridian, subject to restrictions, reservations and easements of record. ALSO, Lot 6 (now vacated) of the Re-subdivision of Ridge Lane Subdivision, a subdivision of all of Lot 1 Giles Subdivision of part of the South half of the Northwest quarter of Section 16, Township 9, North Range 8 East of the Fourth Principal Meridian;

situate, lying and being in the County of Peoria and State of Illinois.

PINS: 14-16-129-014 and 14-16-177-001

Said Ordinance is hereby amended per the submitted Site Plan and building elevations (Attachment A) with the following conditions and waivers:

1. Waiver to allow the existing parking area and 6 additional parking spaces (as shown on site plan) to remain within the required front yard setback.
2. Waiver to increase the height of the retaining wall from 3 feet to 7.3 feet
3. All rooftop and ground level mechanical equipment and utilities must be screened per Zoning Ordinance requirements.
4. For any project disturbing more than 5000 square feet and increasing impervious area by less than 0.5 acres (and even if project decreases impervious area), storm water detention is required using the City's simplified rational method. Storm detention requirements may be met utilizing sustainable Best Management Practices (BMP) including, but not limited to, native grasses, bioswales, rain barrels, raingardens, dry wells, permeable pavement, etc.
5. All TBY's must achieve a substantially solid visual barrier within two (2) years from the date of the issuance of a Certificate of Occupancy by the City of Peoria.
6. Exterior lighting shall not exceed 3 footcandles when measured at the property line.
7. A pedestrian accessible route (PAR) shall be provided between the public ROW and the building.
8. Sidewalk cross slope through drive approaches shall continue in a constant plane, with 1.5% cross slope (2% maximum); sidewalk joint pattern should continue through drive approaches as well.
9. All portions of the existing chain link fence in the front yard must be removed or replaced with wrought iron.

Section 2. All provisions of Appendix B, the Permanent Zoning Ordinance of the City of Peoria, with respect to the Class R-3 (Single-Family Residential) District and R-1 (Single-Family Residential) District shall remain applicable to the above-described premises, with exception to the amended 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 OF _____, 2016.

APPROVED:

Mayor

ATTEST:

City Clerk

EXAMINED AND APPROVED:

Corporation Counsel