

ORDINANCE 17.317

An ORDINANCE Amending Ordinances 13,667, as amended through 15,728, for a SPECIAL USE for an Assisted Living Facility in a Class R-7 (Multifamily Residential) and R-3 (Single Family Residential) District for the Property Located 2724 Reservoir Boulevard (14-30-302-002, -004 and -018, and 14-30-328-001 and -031), to add property for a parking lot expansion, located at 3627 N Rockwood (14-30-329-027), Peoria, Illinois

WHEREAS, the City of Peoria is a home rule municipality pursuant to Article VII, Section 6, of the Illinois Constitution of 1970; and

WHEREAS, as a home rule municipality, the City may exercise any power and perform any function pertaining to its government and affairs including zoning regulations and uses; and

WHEREAS, the property herein described is now zoned in a Class R-7 (Multifamily Residential) and R-3 (Single Family Residential) District; and

WHEREAS, said Planning and Zoning Commission has been petitioned to amend an existing Special Use for an Assisted Living Facility per the provisions of Article 2.9 of Appendix C, the Land Development Code of the City of Peoria; and

WHEREAS, said Planning and Zoning Commission held a public hearing on January 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, 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 Special Use amendment 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 amendment is hereby granted as per the site plan and elevations, with conditions, for following described property:

Original Building Lot – Tax I.D. No. 14-30-328-001

A part of the Southwest Quarter of Section 30 Township 9 North, Range 8 East of the Fourth Principal Meridian, more particularly bounded and described as follows: Commencing 46 rods and 15 feet West of the Northeast corner of said Southwest Quarter of said Section 30; thence West 40 rods; thence South 20 rods; thence East 40 rods; thence North 20 rods to the place of beginning, situated in the City of Peoria, County of Peoria, State of Illinois, excepting, however, from this conveyance all parts of the above- described real estate heretofore conveyed or dedicated for highway or road purposes. This conveyance is subject to general taxes for the year 1972 which have heretofore been adjusted between the parties hereto and which the Grantee agrees to pay and is also subject to any and all building and use covenants, restrictions, reservations and conditions as well as easements, if any, of record.

West Apartment Lot - Tax I.D. No. 14-30-302-004

A part of the North Half of the Southwest Quarter of Section 30, Township 9 North, Range 8 East of the Fourth Principal meridian, more particularly described as follows: Commencing at the Center of said Section 30, thence Westerly along the North line of Southwest Quarter of said Section 30, 1434.00 feet; thence South 0 degrees 34 minutes 59 seconds West (bearing assumed for purposes of description only) along the West line of a tract conveyed by Document No. 72-16833, as recorded in Peoria County Recorder's Office, 40. 00 feet to the Place of beginning of the tract to be described; FROM THE PLACE OF BEGINNING thence South 0 degrees 34 minutes 59 seconds West along the Westerly line of said tract conveyed by Document No. 72-16833, 292.75 feet to the Southwest corner thereof; thence South 77 degrees 28 minutes 41 seconds West, 372.19 feet; thence North 6 degrees 56 minutes 16 seconds West, 370.47 feet to a point 40 feet normally distant Southerly from the North line of the Southwest Quarter of said Section 30; thence North 89 degrees 12 minutes 35 seconds East, parallel to and 40 feet normally distant Southerly from the North Line of the Southwest Quarter of said Section 30, 411.36 feet to the Place of Beginning; situated in Peoria County, Illinois.

East Lot – Tax I.D. No. 14-30-328-031

A part of the North Half of the Southwest Quarter of Section 30, Township 9 North, Range 8 East of the Fourth Principal meridian and a part of Outlot B in Westwood Hills Subdivision Section Two, being a part of the North Half of the Southwest Quarter of said Section 30, all of which is more particularly described as follows: Commencing at the Northwest corner of Lot 49 in said Westwood Hills Subdivision Section Two as the Point of the beginning of the tract to be described; thence North 89 degrees 28 minutes 55 seconds East along the North line of said Lot 49, a distance of 170.6 feet to the Northwest corner of said Outlot B; thence South 7 degrees 07 minutes 11 seconds West along the Westerly line of said Outlot B, a distance of 10.09 feet to the Southwest corner of said Outlot B; thence North 89 degrees 28 minutes 55 seconds East along the South line of said Outlot B a distance of 90.57 feet; thence North 0 degrees 46 minutes 43 seconds East, a distance of 251.90 feet to a point on the South R.O.W line of Reservoir Blvd.; thence South 89 degrees 33 minutes 00 seconds West along the South R.O.W. line of Reservoir Bld., a distance of 260.05 feet; thence South 0 degrees 46 minutes 43 seconds West, a distance of 242.20 feet to the Point of Beginning, situated in Peoria County, Illinois.

West Lot – Tax I.D. No. 14-30-302-018

Lot Seven (7) in Forest Hills West, a subdivision of part of the North Half of the Southwestern Quarter of Section 30, Township 9 North, Range 8 East of the Fourth Principal meridian, according to the plat thereof recorded on November 15, 1977 as document No. 77-29725; situated in City of Peoria, in the County of Peoria, in the State of Illinois.

And

A part of Lot Eight (8) of Forest Hills West, a subdivision of a part of the North Half of the Southwest

Quarter of Section Thirty (30), Township Nine (9) North, Range Eight (8) East of the Fourth Principal Meridian, more particularly described as follows:

Beginning at the Northeast Corner of said Lot 8, thence South 06°-56'-16" East, (bearing assumed for purposed of description only), along the Easterly line of said Lot 8, 110.00 feet; thence North 77°-43'-23" West, 357.42 feet to a point 6.00 feet normally distant Southerly from the Northerly line of said Lot 8; thence South 85°-22'-29" West, parallel to said Northerly line, 29.35 feet to the Northwesterly line of said Lot 8; thence North 53°-22'-47" East, along said Northwesterly line, 11.32 feet to the Northerly line of said Lot 8; thence North 85°-22'-29" East, along the Northerly line of said Lot 8, 357.30 feet to the point of beginning. Said tract containing 0.453 acre, more or less.

West Lot along Reservoir Boulevard – Tax I.D. No. 14-30-302-002

A part of the North Half of the Southwest Quarter of Section Thirty (30), Township Nine (9) North, Range Eight (8) East of the Fourth Principal Meridian, more particularly described as follows: Commencing at the center of said Section 30, thence Westerly along the North line of the Southwest Quarter of said Section 30, 1434 feet; thence South 0 °-34'-59" West (Bearing assumed for purpose of description only), 40.00 feet; thence South 89 °-12'-35" West, parallel to and 40 feet normally distant Southerly from the North line of the Southwest Quarter of said Section 30, 411.36 feet to the Point of Beginning of the tract to be described: FROM THE POINT OF BEGINNING thence South 6 °-56'-16" East, 118.74 feet; thence South 85 °-22'-33" West, 357.29 feet; thence North 60 °-48'-58" West, 284.10 feet to a point 40 feet normally distant Southerly from the North line of the Southwest Quarter of said Section 30; thence North 89 °-12'-35" East, parallel to the North line of the Southwest Quarter of said Section 30, 589.87 feet to the Point of Beginning; said tract containing 1.447 acres, more or less; situated in the County of Peoria and State of Illinois.

East Lot Added to Special Use – Tax I.D. No. 14-30-329-027

Part of the North Half of the Southwest Quarter of Section 30, Township 9 North, Range 8 East of the Fourth Principal Meridian, more particularly described as follows: Commencing at the Northeast corner of said Southwest Quarter of Section 30, (center of Section 30); thence West 46 rods (i.e. 759 feet) and 15 feet to the Northeast corner of the 5 acre tract hereto fore conveyed; thence South 17 rods (i.e. 280.50 feet); thence East 46 rods (i.e. 759 feet) and 15 feet; thence North 17 rods (i.e. 280.50 feet) to the point of beginning. EXCEPT HOWEVER, that part of said premises dedicated for public road purposes by dedication of right of way recorded in book 562 page 399 of the office of the Recorder of Peoria County, Illinois.

Outlot "B" in WESTWOOD HILLS SUBDIVISION SECTION TWO, a subdivision of part of the North Half of the Southwest Quarter of Section 30, Township 9 North, Range 8 East of the Fourth Principal Meridian, according the plat thereof recorded September 30, 1956 in Plat book "W" page 26 and 27 of the Office of Recorder of Peoria County, Illinois.

All that part of Outlot "A" lying West of the East of the East line of Rockwood Road extending in a Northerly direction being a part of Outlot "A" in Westwood Hills Subdivision Section One, lying and being in the North Half of the Southwest Quarter of Section 30, Township 9 North, Range 8 East of the Fourth Principal Meridian, according to the plat recorded thereof on May 11, 1956 in Plate Book "W" page 2 of the Office of the Recorder of Peoria county, Illinois.

EXCEPTING THEREFROM the following described real property, the following Tract of land, to wit: Tract One: Commencing at the center of said Section 30; thence South 89 degrees 33 minutes West along the North Line of the Southwest Quarter of said Section 30, a distance of 40.0 feet, thence South

0 degrees 21 minutes West parallel to the East line of the Southwest Quarter of said Section 30, a distance of 40.0 feet to the point of beginning of the tract to be described; thence South 89 degrees 33 minutes West parallel to the North line of the Southwest Quarter of said Section 30, a distance of 258.39 feet; thence South 0 degrees 32 minutes East a distance of 242.29 feet to a point on the North line of Outlot "A" in Westwood Hills Subdivision Section One, a subdivision of a part of the North Half of the Southwest Quarter of said Section 30; thence North 89 degrees 28 minutes East along the North line of said Outlot "A" a distance of 254.65 feet to the West right of way line of North Sterling Avenue; thence North 0 degrees 21 minutes East along West right of way line of North Sterling Avenue a distance of 241.94 feet to the place of beginning.

Tract Two: A part of Outlot "A" in WESTWOOD HILLS SUBDIVISION SECTION ONE and more particularly described as follows: Commencing at the center of said Section 30; thence South 89 degrees 33 minutes West along the North line of the Southwest Quarter of said Section 30, a distance of 40.0 feet to the West right of way line of North Sterling Avenue to the point of beginning of the tract to be described; thence continuing South 89 degrees 33 minutes West along the North line of the Southwest Quarter of said Section 30, a distance of 318.94 feet; thence South 0 degrees 27 minutes East a distance of 40.0 feet; thence North 89 degrees 33 minutes East a distance of 10.0 feet; thence South 0 degrees 32 minutes East a distance of 252.36 feet to the South line of said Outlot "A"; thence North 89 degrees 28 minutes East along the South line of said Outlot "A", a distance of 50.0 feet; thence North 0 degrees 32 minutes West a distance of 252.29 feet; thence North 89 degrees 33 minutes East a distance of 258.39 feet to the West right of way line of North Sterling Avenue; thence North 0 degrees 21 minutes East along the West right of way line of North Sterling Avenue, a distance of 40.0 feet to the point of beginning, as shown on Plat of Survey recorded as document no. 66-18050 in the Office of the Recorder of Peoria County, Illinois.

Tract Three: Commencing at the Southeast corner of the Northwest Quarter of said Section 30; thence South 89 degrees 33 minutes 00 seconds West along the South line of the Northwest Quarter of said Section 30, a distance of 358.94 feet to the place of beginning of the tract to be described; thence South 0 degrees 27 minutes 00 seconds East a distance of 40.0 feet; thence South 89 degrees 33 minutes 00 seconds West a distance of 986.50 feet; thence South 89 degrees 20 minutes 41 seconds West a distance of 73.56 feet; thence North 0 degrees 39 minutes 19 seconds West a distance of 40.0; thence South 89 degrees 30 minutes 41 seconds West a distance of 66.12 feet; thence North 0 degrees 39 minutes 19 seconds West a distance of 40.0 feet; then North 89 degrees 20 minutes 41 seconds East a distance of 139.81 feet; thence North 89 degrees 33 minutes 00 seconds East a distance of 986.30 feet; thence South 0 degrees 27 minutes 00 seconds East a distance of 40.0 feet the point of beginning.

Tract Four: Commencing at the Northeast corner of the Southwest Quarter of Section 30; thence West 358.94 feet along the centerline of West Reservoir Boulevard to a point; thence South 40 feet to the point of beginning of the tract to be described; thence East 10 feet along the South right of way line of West Reservoir Boulevard to the intersection of the South right of way line of West Reservoir Boulevard and the West right of way line of North Rockwood Road; thence South 10 feet along the West right of way line of North Rockwood Road; thence North 45 degrees 0 minutes 0 seconds West a distance of 14.14 feet to the point of beginning

ALSO EXCEPTING THEREFROM THE FOLLOWING:

A part of the North Half of the Southwest Quarter of Section 30, Township 9 North, Range 8 East of the Fourth Principal Meridian and a part of Outlot "B" in Westwood Hills Subdivision Section Two, being a part of the North Half of the Southwest Quarter of said Section 30, all of which is more particularly

described as follows: Commencing at the Northwest corner of Lot 49, in said Westwood Hills Subdivision Section Two as the point of beginning of the track to be described; thence North 89 degrees 28 minutes 55 seconds East along the North line of said Lot 49, a distance of 170.6 feet to the Northwest corner of said Outlot "B"; thence South 7 degrees 07 minutes 11 seconds West along the Westerly line of said Outlot "B", a distance of 10.09 feet to the Southwest corner of said Outlot "B"; thence North 89 degrees 28 minutes 55 seconds East along the South line of said Outlot "B", a distance of 90.57 feet; thence North 0 degrees 46 minutes 43 seconds East, a distance of 251.90 feet to a point on the South right of way line of Reservoir Boulevard; thence South 89 degrees 33 minutes 00 seconds West along the South right of way line of Reservoir Boulevard a distance of 260.05 feet; thence South 0 degrees 46 minutes 43 seconds West, a distance of 242.20 feet to the point of beginning, situated in Peoria County, Illinois.

Conditions

1. A solid, front yard fence, four to six feet in height, is permitted along Rockwood Road, as shown in the attached site plan.
2. The same fence may also be located along the south property line.
3. Required landscaping points for the transitional buffer yard must be met.

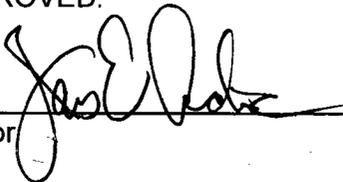
Section 2. All provisions of Appendix C, the Land Development Code of the City of Peoria, with respect to the Class R-7 (Multifamily Residential) and R-3 (Single Residential) District shall remain applicable to the above-described premises, with exception to the Special Use herein permitted.

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

_____ 26th _____ DAY OF _____ January _____, 2016.

APPROVED:



Mayor

ATTEST:



City Clerk

EXAMINED AND APPROVED:

Donald O. Guilt

Corporation Counsel