



PLANNING & ZONING COMMISSION

TO: City of Peoria Planning & Zoning Commission
FROM: Community Development Department
DATE: March 30, 2016
CASE NO: PZ 16-06

REQUEST: HOLD A PUBLIC HEARING AND FORWARD A RECOMMENDATION TO THE CITY COUNCIL ON THE REQUEST OF JOHN AND DOROTHY DURFEE TO REZONE PROPERTY FROM A CLASS R-6 (MULTI-FAMILY RESIDENTIAL) DISTRICT TO A CLASS C-N (NEIGHBORHOOD COMMERCIAL) DISTRICT, FOR THE PROPERTY LOCATED AT 3029 N PROSPECT ROAD (PARCEL IDENTIFICATION NUMBER 14-34-128-032), PEORIA, ILLINOIS. (COUNCIL DISTRICT 3).

SUMMARY OF PROPOSAL & REQUESTED WAIVERS

The petitioner is requesting to rezone property from a class R-6 (Multi-Family Residential) District to a Class C-N (Neighborhood Commercial) District.

BACKGROUND

Property Characteristics

The subject property contains .13 acres of land and is currently developed with a legal non-conforming office building. The property is zoned Class R-6 Multi-Family residential and surrounded by P-R (Prospect Road Form) District and R-4 (Single-Family Residential) zoning to the north, R-4 (Single-Family Residential) zoning to the west and south, and R-3 (Single-Family Residential) zoning to the east.

History

On May 5, 1988, a Use with Approval was granted for nonconforming office space in an R-2 Zoning District. The request was originally made in 1983; however, it was left unresolved at that time due to issues with the site plan and was granted approval in 1988.

Date	Zoning
1931 - 1958	A (One Family Dwelling)
1958 - 1963	E (Neighborhood Commercial)
1963 - 1990	R2 (Medium-Density Residential)
1990 - Present	R6 (Multi-Family Residential)

COMMUNITY DEVELOPMENT DEPARTMENT ANALYSIS

The Community Development Department examines each rezoning application against the standards that resulted from the case of LaSalle National Bank of Chicago V. Cook County and City's Comprehensive Plan.

Standard	Standard Met per Community Development Dept. Review
<u>LaSalle Factor #1:</u> Existing uses of and zoning of nearby property	The requested zoning district designation is compatible with the property immediately north, as that property is zoned Prospect Road Form District

Standard	Standard Met per Community Development Dept. Review
	with allows for commercial uses. The property is surrounded by Single-family residential zoning on all other sides; however, the intent of the C-N District is for commercial and office uses that primarily serve the immediate surrounding neighborhood. Typical uses occupy no more than 15,000 square feet of gross floor area, which fits this property and the existing structure.
<u>LaSalle Factor #2</u> : Extent to which property values are diminished by the particular zoning	Property values should not be diminished by the rezoning to C-N, as the property already contains a non-residential use.
<u>LaSalle Factor #3</u> : Extent to which the destruction of property values of the complaining party benefits the health, safety, or general welfare of the public.	With the location along Prospect Road, adjacent to another commercial use, a rezoning to C-N would provide a public benefit, along this mixed-use Corridor.
<u>LaSalle Factor #4</u> : Relative gain to the public as compared to the hardship imposed on the individual property owner.	The rezoning would allow for uses that would complement the existing mixed-use character of the neighborhood.
<u>LaSalle Factor #5</u> : Suitability of the property for the zoned purpose.	The subject parcel is suitable for small-scale commercial development due to its size & location, which aligns with the intent and allowed uses of the C-N District.
<u>LaSalle Factor #6</u> : Length of time the property has been vacant as zoned, compared to the development in the vicinity of the property.	The property has been vacant for approximately 3 years. The property owner has indicated that they have had interest in the property but for uses that don't align with the current R-6 zoning or the Use With Approval designation as an office.
<u>LaSalle Factor #7</u> : Public need for the proposed use.	As stated above, a rezoning to C-N in this area would provide a public benefit, as the area currently contains a mix of uses.
<u>Comprehensive Plan Future Land Use Designation</u>	No, as the Future Land Use Designation is Medium Density Residential; however, there are commercial uses immediately to the north of the property with Prospect Road Form District Zoning.

COMMUNITY DEVELOPMENT DEPARTMENT RECOMMENDATION

The Community Development Department recommends approval of the request.

NOTE: If a City Code Requirement is not listed as a waiver, then it is a required component of the development. The applicant is responsible for meeting all applicable code requirements through all phases of the development.

ATTACHMENTS

1. Surrounding Zoning (County GIS Print in Color)
2. Aerial Photo (County GIS Print in Color - 2008 Photo for until updated)

3029 N Prospect Road Aerial Photo (2008)



1 inch = 83 feet



Disclaimer: Data is provided 'as is' without warranty or any representation of accuracy, timeliness or completeness. The burden for determining fitness for, or the appropriateness for use, rests solely on the requester. The requester acknowledges and accepts the limitations of the Data, including the fact that the Data is in a constant state of maintenance. This website is NOT intended to be used for legal litigation or boundary disputes and is informational only. -Peoria County GIS Division

Peoria County, IL, HERE, USGS
County of Peoria, IL and the Sanborn Map Company, Inc.

