

AN ORDINANCE GRANTING A SPECIAL USE FOR ELDERLY HOUSING, WITH WAIVERS, FOR THE PROPERTY LOCATED AT 5712-5720 NORTH KNOXVILLE AVENUE (PARCEL IDENTIFICATION NUMBERS 14-16-451-014 &-14-16-451-016), PEORIA, ILLINOIS.

WHEREAS, the property herein described is now zoned in a Class C-1 (General Commercial) District; and

WHEREAS, said Planning and Zoning Commission has been petitioned to grant a Special Use for Elderly Housing under the provisions of 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 March 5, 2015, 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 Special Use for elderly housing is hereby approved for the following described property:

TRACT I

All of Lot Fourteen (14) in BRYANT AND LINDSAY'S SUBDIVISION of Lots Seven (7) and Eight (8) in School Section Sixteen (16), Township Nine (9) North, Range Eight (8) East of the Fourth Principal Meridian, which lies South and West of the Right of Way of the Chicago, Rock Island and Pacific Railroad Company. EXCEPTING a tract of ground located in the Southwest corner of said tract and being One Hundred Ninety (190) feet along Knoxville Avenue by Two Hundred (200) feet in depth, situate, lying and being in the County of Peoria and State of Illinois.
PIN # 14-16-451-016

TRACT II

Part of Lot 14 in Bryant and Lindsay's Subdivision of Lots 7 and 8 in School Section 16, Township 9 North, Range 8 East of the Fourth Principal Meridian, more particularly described as follows: Commencing at the intersection of the South line of said Lot 14 with the Easterly Right – of – Way line of Knoxville Avenue (also known as State Route 88) as said Right – of – Way line is described in a dedication for public road purposes recorded on January 3, 1949, in Book 768, Page 365; thence East along the South line of said Lot 14, a distance of 160 feet to a point; thence North a distance of 190 feet to a point; thence West a distance of 200 feet to a point on the Easterly Right – of – Way line of Knoxville Avenue, as described aforesaid; thence South along the Easterly Right – of – Way line of Knoxville Avenue, a distance of 166 feet to a point; thence Easterly a distance of 40 feet to a point; thence South a distance of 24 feet, more or less, to the Place of Beginning; situated in the County of Peoria and State of Illinois.

PIN # 14-16-451-014

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

1. A waiver to allow the proposed elderly housing building to be setback 15 feet from the front property line along Knoxville Avenue.
2. A waiver to allow the building to be 73 feet in height.
3. A waiver to allow a fenced garden/sitting area to encroach into the required TBY, reducing the depth in that area to approximately 17 feet deep.
4. Water supply and fire hydrant/FDC plans must be submitted to the Fire Department for review and approval prior to the issuance of any permits.
5. The proposed intersection / entrance on Knoxville will require review, approval and permitting from IL Department of Transportation.
6. Provide a pedestrian crossing (pedestrian signals & push buttons, ADA ramps, pavement markings) across Knoxville Avenue (on the north leg of the intersection). Update the traffic study to include this addition.
7. The private roadway/access drive under the trail bridge crosses a permanent easement granted to the Peoria Park District. Therefore, the proposed design must be reviewed and approved by the Peoria Park District. Written documentation showing this requirement is met must be provided to the City.
8. Regular parking spaces must be striped a minimum of 8.5 feet in width by 18.5 feet in length.
9. Disabled parking spaces must be striped with an 11' parking area and a 5' aisle on the right hand side, or alternatively, with an 8' parking area and 8' aisle. Accessible spaces shall be signed with an R7-8 sign and an R7-101 \$350 fine plate.
10. A revised site plan must be submitted before any permits are issued, showing proposed balconies, to ensure that they do not encroach any further into the setback, than currently shown.
11. A setback encroachment agreement or a waiver from this requirement, granted by the City Council, is required and must be provided/obtained before any permits are issued.
12. The clearance height under the bridge, as part of the proposed new entrance, must be submitted for review and approval, to ensure that adequate clearance is provided.
13. All rooftop and ground level mechanical equipment, utilities and refuse areas must be screened per Zoning Ordinance requirements. A revised site plan showing the location and proposed screening material for all rooftop and ground level mechanical equipment, utilities and refuse areas must be submitted for review and approval prior to the issuance of any permits.
14. Landscaping must meet Zoning Ordinance requirements and a final landscape plan which notes proposed species must be submitted for review and approval prior to the issuance of permits. Required screening of the activity area (parking lot) must be shown on the revised landscape plan.
15. There is significant landscaping existing along the south property boundary, in which a significant buffer is already achieved. Site Plan Review Board requests that this landscaped area be retained as part of the approval.
16. Lighting may not exceed 3 footcandles as measured at the property line and a photometric lighting plan must be submitted prior to the issuance of a building permit.
17. Proposed signs require a separate application/approval and must meet Zoning Ordinance requirements.
18. An accessible path from the building to the bike trail is required.
19. The building described and attached to the approved Ordinance will be the specific building built. Any change to the proposed building would require an amendment to the Special Use.

Section 2. All provisions of Appendix B, the Zoning Ordinance, of the City of Peoria, with respect to Class C-1 (General Commercial) District shall remain applicable to the above-described premises, with exception to the amendment 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

_____ DAY OF _____, 2015.

APPROVED:

Mayor

ATTEST:

City Clerk

EXAMINED AND APPROVED:

Corporation Counsel