

PLANNING & ZONING COMMISSION

TO: City of Peoria Planning & Zoning Commission

FROM: Development Review Board (prepared by Kimberly Smith)

DATE: October 5, 2017

CASE NO: PZ 17-36

REQUEST: Hold a Public Hearing and forward a recommendation to City Council on the request of

Scott Lewis, of Scott Lewis home, to rezone property from a Class R-1 (Single Family Residential) District to a Class R-4 (Single Family Residential) District and to obtain a Special Use for Townhomes for the property located at 824 W Moss Avenue (Parcel Identification Nos. 18-08-226-030 and 18-08-226-024), Peoria, IL (Council District 2)

SUMMARY OF PROPOSAL & REQUESTED WAIVERS

The petitioner is requesting to:

1) Rezone the property from a Class R-1 (Single Family Residential) District to a Class R-4 (Single Family Residential) District, and

2) Obtain a Special Use townhomes as described below:

Development Item	Applicant Proposal	Applicant Waiver Request & Justification	Development Review Board Comment
Dwelling units	Building 1: three units Building 2: five units	None	None
Parking	Sixteen on-site spaces are required; 19 provided. Includes one accessible parking space. Access is proposed from the adjacent property to the west.	None	None
Mechanical & Utility Screening	Dumpster enclosure will be the same brick materials and color as the exterior building.	None	None
Landscaping	Not required, however 12 shade trees are proposed in addition to three existing shade trees. One new shade tree, plus shrubs are proposed along the front of the parking area.	None	None
Signs	Not proposed at this time.	None	None
Exterior Lighting	Exterior lights will be LED dark sky wall lights, 20 watts per unit.	None	None

Development Item	Applicant Proposal	Applicant Waiver Request & Justification	Development Review Board Comment
Setbacks, Yards	Encroach into the front yard setback by 6.06 feet along Moss near the corner of Moss and Union.	Waiver of Unified Development Code Section 4.2.4., Building Envelop Standards, to encroach 6.06 feet into the required 15 foot front yard setback along Moss near the corner of Moss and Union.	Curve the corner or otherwise eliminate encroachment into the setback.
Height	Approximately 28 feet	None	None
Materials	Brick, in reddish and tan earthy colors; plus stone with a limestone look. Sloped roof will be a black rubber membrane; visible front portion will be Certainteed weather wood. Exterior windows will be Quaker Brand with Black vinyl cladding. Front door will be a stained wood look.	None	None
Density	Maximum density in the R-4 district is 11.62 gross dwelling units per acre. The applicant proposes 8 dwelling units for 1.1 acres.	None	None

BACKGROUND

Property Characteristics

The subject property contains 1.1 acres of land and has been vacant for over 20 years. The property is currently zoned Class R-1 (Single Family Residential). It is surrounded by R-6 (Multi Family Residential) zoning to the north, east and west; and R-4 (Single Family Residential) zoning to the south.

<u>History</u>

Date	Zoning
1931 – 1958	A – One Family
1958 – 1963	A – One Family and C – Apartments
1963 – 1990	R-2 – Medium Density Residential
1990 - Present	(1990 – 2010) R-6 Multifamily Residential; (2010 – present) R-1 Single Family Residential

DEVELOPMENT REVIEW BOARD 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* Peoria's Comprehensive Plan.

Standard	Standard Met per Community Development Dept. Review	
LaSalle Factor #1: Existing uses of and zoning of nearby property	The subject property is surrounded by a mix of multifamily and single family uses.	
LaSalle Factor #2: Extent to which property values are diminished by the particular zoning	Property values should not be diminished by the rezoning to R-4 (Single Family Residential), as nearby single family homes are also zoned residential.	
LaSalle Factor #3: Extent to which the destruction of property values of the complaining party benefits the health, safety, or general welfare of the public.	The rezoning would permit development after many years of vacancy; this is expected to improve property values, not diminish.	
<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 greater flexibility for allowable residential uses.	
<u>LaSalle Factor #5</u> : Suitability of the property for the zoned purpose.	The subject parcel is suitable for R-4 (Single Family Residential) based on size and proximity to the neighborhood.	
LaSalle Factor #6: 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 20+ years.	
<u>LaSalle Factor #7</u> : Public need for the proposed use.	None	
Comprehensive Plan Future Land Use Designation	The Future Land Use Designation is Medium Density Residential and Conservation.	

The Development Review Board examines each application against the appropriate standards found in the Code of the City of Peoria and/or in case law.

Standard	Standard Met per SPRB Review	SPRB Condition Request & Justification
No detriment to public health, safety, or general welfare	Yes	None
No injury to other property or diminish property values	Yes	None

Standard	Standard Met per SPRB Review	SPRB Condition Request & Justification
No impediment to orderly development	Yes	None
Provides adequate facilities	Yes	None
Ingress/Egress measures designed to minimize traffic congestion	Yes	None
If a public use/service, then a public benefit	N/A	N/A
Conforms to all district regulations	Front yard setback is not met.	Staff determined that attempting to meet the setback in this case does not add value. Granting of this waiver does not impede orderly development.
Comprehensive Plan Critical Success Factors	Reinvest in Neighborhoods	N/A
City Council Strategic Plan Goals	Smart Population Growth	N/A

DEVELOPMENT REVIEW BOARD RECOMMENDATION

The Development Review Board recommends APPROVAL of the request to rezone the subject property from R-1 (Single Family Residential) to R-4 (Single Family Residential).

The Development Review Board recommends APPROVAL of the request to obtain a Special Use to allow for Townhomes, with the following condition: Round the building corner to avoid front yard setback encreachment.

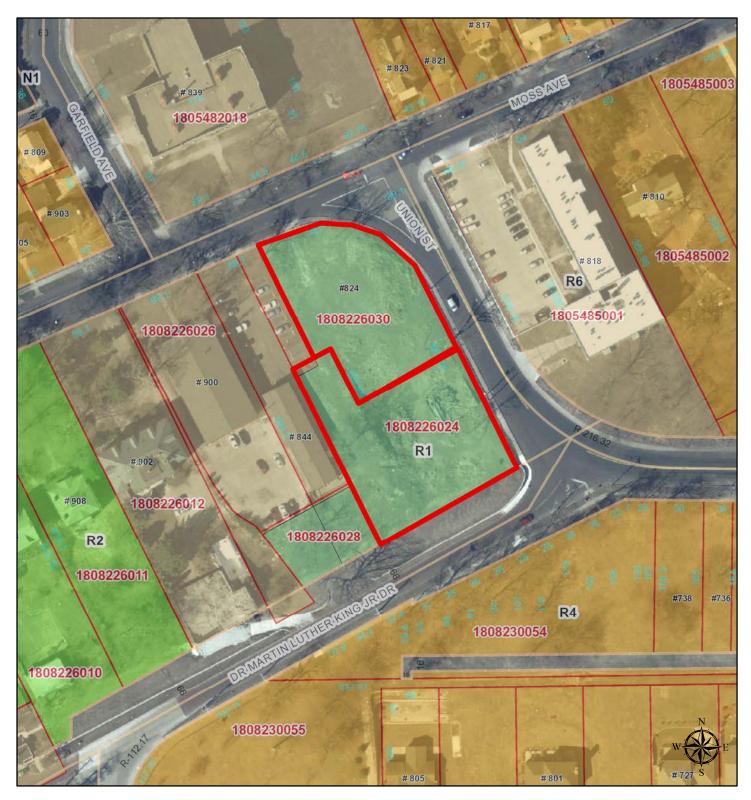
The Development Review Board recommends DENIAL of the requested waiver of UDC Section 4.2.4., Building Envelop Standards, to allow encroachment into the front yard setback near the corner of Moss and Union.

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 meetings all applicable code requirements through all phases of the development.

ATTACHMENTS

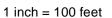
- 1. Surrounding Zoning
- 2. Aerial Photo
- 3. Site Plan
- 4. Elevations and/or Renderings

824 W Moss





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





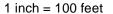


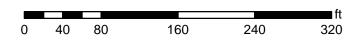
824 W Moss



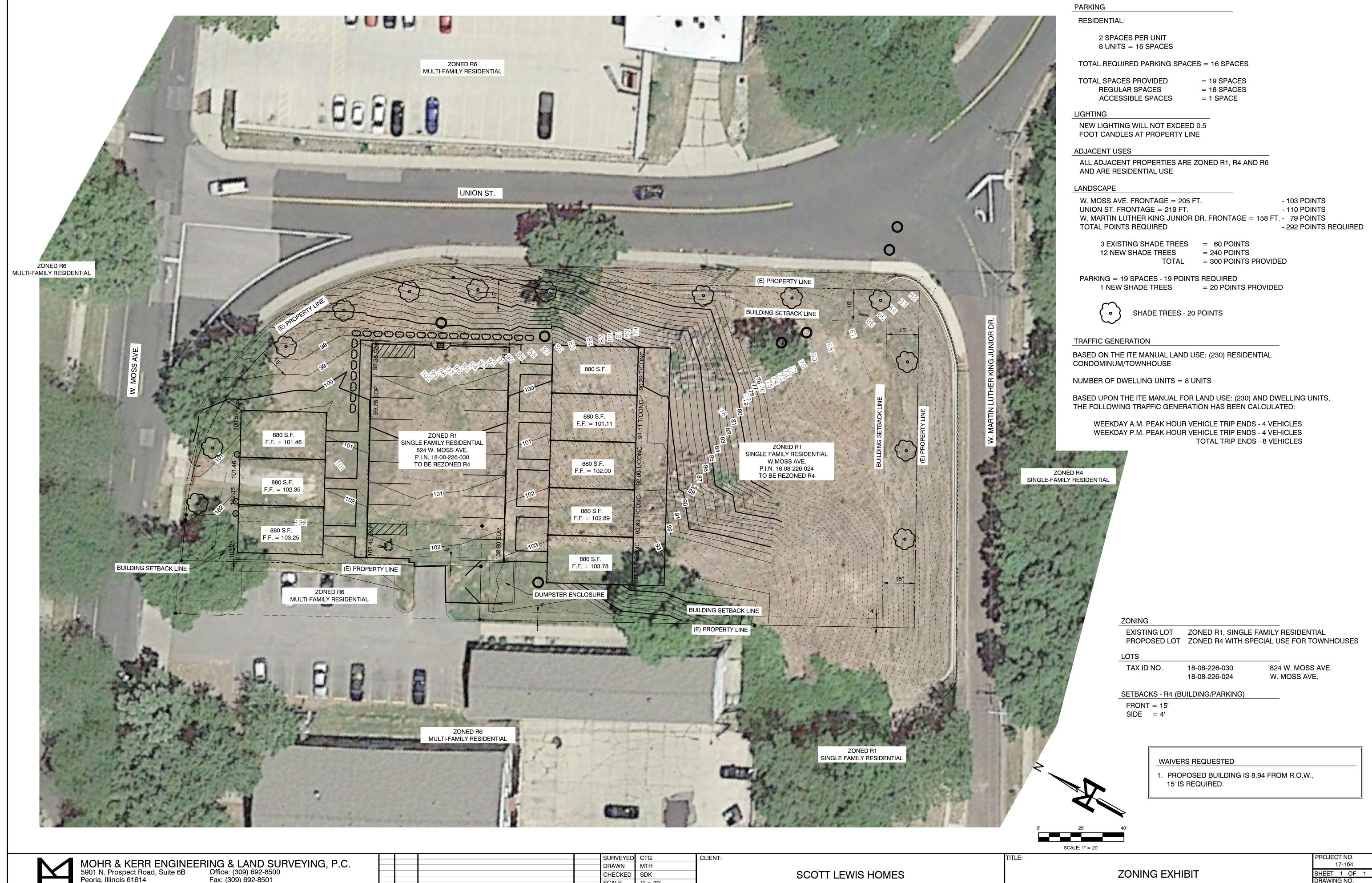


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