

**AN ORDINANCE AMENDING AN EXISTING SPECIAL USE, ORDINANCE NO. 13,392, AS AMENDED, IN A CLASS R-7 (MULTI-FAMILY RESIDENTIAL) DISTRICT AND A CLASS R-3 (SINGLE-FAMILY RESIDENTIAL) DISTRICT, TO ALLOW FOR BUILDING EXPANSIONS TO EXISTING TOWNHOUSES, NURSING CENTER, DINING AREA, AND INDEPENDENT LIVING AREA, AND PARKING LOT MODIFICATIONS, FOR THE PROPERTY LOCATED AT 3415 N. SHERIDAN ROAD, PEORIA, IL.**

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

WHEREAS, said Planning & 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 & Zoning Commission held a public hearing on November 6, 2014, 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 & 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 amendment to an existing Special Use is hereby granted to allow building additions to existing townhouses, nursing center, dining area and independent living area, and parking lot modifications for the following described property:

**LEGAL DESCRIPTION:**

**Legal Description (Parcel 01)**

Lot three (3) in COMMISSIONER'S SUBDIVISION of the North half of the Southeast Quarter of Section Twenty-nine (29), Township Nine (9) North, Range Eight (8) East of the Fourth Principal Meridian, excepting therefrom any right of way dedicated to the public; containing 12.9 acres, more or less.

**Legal Description (Parcel 02)**

A part of Lot 2 of COMMISSIONER'S SUBDIVISION, a subdivision of part of the East ½ of the Southeast ¼ of Section 29, Township 9 North, Range 8 East of the Fourth Principal Meridian, Peoria County, Illinois being more particularly described as follows:

Commencing at the Southwest corner of Lot 3 of said Commissioner's Subdivision, thence North 0 degrees 00 minutes 00 seconds East along the West line of Lot 3 of said Commissioner's Subdivision,

a distance of 126.14 feet to the point of beginning of the tract to be described, thence North 50 degrees 00 minutes 00 seconds West a distance of 9.91 feet; thence South 90 degrees 00 minutes 00 Seconds West a distance of 15.75 feet; thence North 0 degrees 00 minutes 00 seconds East, a distance of 75.00 feet; thence North 90 degrees 00 minutes 00 seconds East a distance of 15.75 feet; thence North 50 degrees 00 minutes 00 seconds East, a distance of 9.91 feet to a point on the West line of Lot 3 of said Commissioner's Subdivision; thence South 00 degrees 00 minutes 00 seconds West along the West line of Lot 3 of said Commissioner's Subdivision, a distance of 87.75 feet to the point of beginning containing 0.041 acres, situate, lying and being in the County of Peoria, and the State of Illinois.

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

- 1) A Landscape Plan must be submitted for review prior to the issuance of permits for the proposed parking lot expansion off of Florence Avenue, to ensure compliance with the Zoning Ordinance.
- 2) Accessible parking spaces shall be located on the shortest accessible route of travel to an accessible facility entrance (generally the closest parking space to the accessible door). Please verify that the accessible spaces are located nearest the accessible entrance or, if not, please submit a revised site plan showing them located nearest the accessible entrance.
- 3) Must maintain access for emergency vehicles to all structures on the property during construction.
- 4) Parking dimensions for all parking spaces in the parking lots off of Florence Avenue and Sheridan Road must meet Zoning Ordinance requirements. A revised site plan must be submitted which contains dimensions for parking stalls (width and length), driving aisles and entrances.
- 5) Per City Code the parking space for the disabled 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. A revised site plan must be submitted with dimensions shown that meet Zoning Ordinance requirements.
- 6) An accessible route shall be provided between the public right-of-way on Florence Avenue and the building and must meet ADA requirements.
- 7) A waiver to allow the dumpster to remain without the required 4-sided enclosure, as the building accomplishes the intent of screening.
- 8) A waiver is requested to allow existing spaces associated with the townhomes to remain at the current length, which varies from 16 feet to 17 feet.
- 9) A waiver is requested to allow existing conditions as it relates to a required transitional buffer yard and also to front yard landscaping along Sheridan & Florence.

Section 2. All provisions of Appendix B, the Permanent Zoning Ordinance of the City of Peoria, with respect to the Class R-7 (Multi-Family Residential) District and R-3 (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 \_\_\_\_\_, 2014.

APPROVED:

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Mayor

ATTEST:

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City Clerk

EXAMINED AND APPROVED:

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Corporation Counsel