

**AN ORDINANCE APPROVING A SPECIAL USE IN A CLASS C-N (NEIGHBORHOOD COMMERCIAL) DISTRICT FOR A BUILDING GREATER THAN 15,000 SQ. FT. IN SIZE, FOR THE PROPERTY LOCATED AT 911 W SMITH STREET (INCLUDING 905 - 909 W SMITH STREET, 915 – 923 W SMITH STREET, AND 126 S SARATOGA STREET, WITH PARCEL IDENTIFICATION NOS. 18-08-417-016, 18-08-417-017, 18-08-417-018, 18-08-417-019, 18-08-417-020, 18-08-417-021, 18-08-417-023, 18-08-417-024, 18-08-417-025, AND 18-08-417-032), PEORIA IL.**

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

WHEREAS, said Planning & Zoning Commission has been petitioned to approve a Special Use for a Building Greater than 15,000 sq. ft. in Size under the provisions of Section 2.9 of Appendix A, the Unified Development Code of the City of Peoria; and

WHEREAS said Planning & Zoning Commission held a public hearing on May 2, 2019, 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

WHEREAS, said Planning & Zoning Commission has submitted its report of said hearing and the City Council finds that to permit such special 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, AS FOLLOWS:

Section 1. That a Special Use for a Building Greater than 15,000 sq. ft. in Size is hereby approved for the following described property:

PARCEL ID# 18-08-417-016

The North 50 feet of Lot 8 in Block 2 in BROTHERSON'S ADDITION EXTENDED in the City of Peoria, situated in Peoria County, Illinois. Tax ID# 001-18-08-417-017 Legal Description: The south 100 feet of even width of lot 8 in block 2 in Brotherson's Addition Extended: in the City of Peoria, situated in Peoria County, Illinois.

PARCEL ID# 18-08-417-018

The east half of the south 100 feet of even width of lot 8 in Block 2 in Brotherson's Addition Extended in the City of Peoria, situated in Peoria County, Illinois.

PARCEL ID# 18-08-417-019

Lot 9 in Block 2 in Brotherson's Addition, Extended, a subdivision of part of the Southeast Quarter of Section 8, Township 8 North, Range 8 East of the Fourth Principal Meridian, Peoria County, State of Illinois

PARCEL ID# 18-08-417-020 and 18-08-417-021

Lot 13 in Block 2 in Brotherson's Addition Extended to the City of Peoria, situated in Peoria County, Illinois.

PARCEL ID# 18-08-417-032

West ½ of Lot 3, East ½ of Lot 5, Lot 4, Along with the north Yi of the vacated alley lying south and adjacent to said lots, and also lot 14 along with south Yi of the vacated alley lying north and adjacent to said lot; all in Block 2 of Brotherson Addition extended to the City of Peoria, situated in Peoria County, State of Illinois.

PARCEL ID# 18-08-417-023

The west 40 feet of lot 10 in Block 2 in Brotherson's Addition to the City of Peoria, as shown on the plat thereof recorded in Plat Book "g", page 80; situated in Peoria County, Illinois

PARCEL ID# 18-08-417-024

10 feet of even width by full depth of lot off of the east side of Lot 10 and 28 feet of even width by full depth of lot off of the west side of Lot 11 all in Block 2 in Brotherson's Addition to the City of Peoria, Situated in Peoria County, Illinois.

PARCEL ID# 18-08-417-025

A part of Lot 11 in Block 2 in Brotherson's Addition to the City of Peoria, more particularly bounded and described as follows, to-wit: commencing at the Southeast corner of said Lot 11, and running thence west, along the Southerly line of said lot 11, a distance of 22 feet; thence North at right angles and parallel to the dividing line between said lot 11 and lot 12 in said Block 2, a distance of 150 feet to the North line of said lot 11; thence East, along the North line of said lot 11, a distance of 22 feet to the line dividing said Lots 11 and 12; thence South along said dividing line, a distance of 150 feet to the point of beginning; situated in Peoria County, IL.

Said Ordinance is hereby approved per the submitted Site Plan (Attachment A) and Elevation Drawing (Attachment B) and the following conditions and waiver:

- 1) Provide an exterior lighting plan for review prior to issuance of a building permit to ensure that lighting does not exceed 0.5 footcandles when measured at the lot lines and a minimum of 0.5 footcandles for the parking area.
- 2) Provide bicycle parking accommodations for at least 1 bicycle.
- 3) Provide screening (Per Section 8.2.9 of the Unified Development Code) for the residence at 918 W Hurlburt upon development of adjacent property.
- 4) Waivers for the following:
  - a. Reduce the required building line length on Smith St from 80 % to 55% (Sec. 4.3.F.8.a).
  - b. Reduce the distance of the existing driveway from the block corner from 75 feet to 60 feet. (Sec. 4.3.F.11.a)
  - c. Reduce the rear yard setback from 25 feet to 23 feet. (Sec. 4.3.F.12)
  - d. Allow for blank walls exceeding 20 feet (Sec 4.3.G.1.a)
  - e. Reduce fenestration of windows and doors on the ground story façade from 40% to 19% of the Smith St façade and 9% of the Saratoga St façade. (Sec. 4.3.G.1.b)
  - f. Allow functioning entry doors to be located more than 75 feet apart. (Sec 4.3.G.3)

Section 2. All provisions of Appendix A, the Unified Development Code of the City of Peoria, with respect to the Class C-N (Neighborhood Commercial) District shall remain applicable to the above-described premises, with exception to 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 \_\_\_\_\_, 2019.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

EXAMINED AND APPROVED:

\_\_\_\_\_  
Corporation Counsel