

An ORDINANCE Approving a REZONING from a Class R-3 (Single Family Residential) District to a Class R-8 (Multifamily Residential) District and a MULTIFAMILY PLAN in a Class R-8 (Multifamily Residential) District for the Property Located at the foot of Morton Street (part of 18-03-382-003), Peoria, Illinois

WHEREAS, the City of Peoria is a home rule municipality pursuant to Article VII, Section 6, of the Illinois Constitution of 1970; and

WHEREAS, as a home rule municipality, the City may exercise any power and perform any function pertaining to its government and affairs including zoning regulations and uses; and

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

WHEREAS, said Planning and Zoning Commission has been petitioned to grant a rezoning to the R-8 (Multifamily Residential) District and Multifamily Plan per the provisions of Article 2.9 of Appendix C, the Land Development Code of the City of Peoria; and

WHEREAS, said Planning and Zoning Commission held a public hearing on September 3, 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, and no written protest was made by the owners of twenty percent (20%) of the frontage immediately adjoining or across from the frontage proposed to be altered; and

WHEREAS, said Planning and Zoning Commission has submitted its report of said public hearing and the City Council finds that to permit such rezoning and Multifamily Plan 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 a rezoning and Multifamily Plan is hereby granted as per the site plan and elevations, with waivers and conditions for the multifamily plan, for following described property:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 8 NORTH, RANGE 8 EAST OF THE FOURTH PRINCIPAL MERIDIAN, PEORIA COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTHEASTERLY RIGHT OF WAY LINE OF BOND STREET AND THE NORTHEASTERLY RIGHT OF WAY LINE OF MORTON STREET; THENCE SOUTH 49 DEGREES 52 MINUTES 15 SECONDS WEST ALONG SAID SOUTHEASTERLY RIGHT OF WAY LINE OF BOND STREET, A DISTANCE OF 60.00 FEET TO A POINT ON A LINE 20.00 FEET NORTHEASTERLY OF AND PARALLEL WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF MORTON STREET, SAID POINT BEING THE POINT OF BEGINNING;

THENCE SOUTH 39 DEGREES 54 MINUTES 22 SECONDS EAST, ALONG SAID SOUTHWESTERLY PARALLEL LINE, A DISTANCE OF 249.04 FEET TO THE POINT OF CURVATURE; THENCE SOUTH ALONG A CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 60.00 FEET, AN ARC LENGTH OF 104.57 FEET, A CHORD BEARING OF SOUTH 10 DEGREES 05 MINUTES 05 SECONDS WEST AND A CHORD DISTANCE OF 91.83 FEET TO A POINT OF REVERSE CURVATURE; THENCE SOUTHWESTERLY ALONG A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 710.00 FEET, AN ARC LENGTH OF 448.70 FEET, A CHORD BEARING OF SOUTH 41 DEGREES 54 MINUTES 37 SECONDS WEST AND A CHORD DISTANCE OF 441.27 FEET TO A POINT OF REVERSE CURVATURE; THENCE SOUTHWESTERLY ALONG A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 380.00 FEET, AN ARC LENGTH OF 281.44 FEET, A CHORD BEARING OF SOUTH 45 DEGREES 01 MINUTES 24 SECONDS WEST AND A CHORD DISTANCE OF 275.05 FEET; THENCE SOUTH 66 DEGREES 14 MINUTES 28 SECONDS WEST, A DISTANCE OF 108.18 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY ALONG A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 177.50 FEET, AN ARC LENGTH OF 44.14 FEET, A CHORD BEARING OF SOUTH 57 DEGREES 55 MINUTES 37 SECONDS WEST AND A CHORD DISTANCE OF 44.02 FEET; THENCE NORTH 29 DEGREES 58 MINUTES 04 SECONDS WEST, A DISTANCE OF 85.16 FEET; THENCE NORTH 14 DEGREES 22 MINUTES 18 SECONDS EAST, A DISTANCE OF 131.75 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1050.00 FEET, AN ARC LENGTH OF 650.56 FEET, A CHORD BEARING OF NORTH 32 DEGREES 07 MINUTES 17 SECONDS EAST AND A CHORD DISTANCE OF 640.20 FEET TO A POINT ON SAID SOUTHEASTERLY RIGHT OF WAY LINE OF BOND STREET; THENCE NORTH 49 DEGREES 52 MINUTES 15 SECONDS EAST, ALONG SAID SOUTHEASTERLY RIGHT OF WAY LINE, A DISTANCE OF 198.00 FEET TO THE POINT OF BEGINNING.

PIN #: Part of 18-03-382-003

With respect to the Multifamily Plan only, said Ordinance is hereby approved with the following waivers and conditions:

*Waivers*

1. LDC Section 8.1.6. Parking Schedule, to allow 258 parking spaces instead of the required 290 spaces.
2. LDC Section 4.1.4, Building Envelope Standards, to allow a reduction in the minimum required front yard setback from newly dedicated right-of-way, as depicted on the plan.

*Conditions for the Multifamily Plan:*

1. The multifamily plan becomes invalid if the accompanying rezoning and subdivision requests are not approved.
2. All applicable codes, except where waivers are provided, must be met.
3. All other applicable permits, including building permits, are required.
4. Require identification signage at the Morton entrance.

Section 2. All provisions of Appendix C, the Land Development Code of the City of Peoria, with respect to the Class R-8 (Single Residential) District shall remain applicable to the above-described premises, with exception to the Multifamily Plan 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