

**AN ORDINANCE AMEND AN EXISTING SPECIAL USE ORDINANCE NO. 15,337 AS AMENDED, IN A CLASS C-2 (LARGE SCALE COMMERCIAL) DISTRICT, FOR A SHOPPING CENTER, TO INCREASE THE SIZE OF A MENU BOARD FROM 30 SQ. FT. TO 46.29 SQ. FT. AND THE HEIGHT FROM 5 FEET TO 6 FEET, 3 INCHES, FOR THE PROPERTY LOCATED AT 5019 W HOLIDAY DR, (PARCEL IDENTIFICATION NO. 13-11-327-012), PEORIA IL. THIS INCLUDES THE PROPERTIES LOCATED AT 5000, 5026, 5101, 5114, 5115, AND 5117 W HOLIDAY DRIVE (PARCEL IDENTIFICATION NOS. 13-11-326-005, 13-11-326-008, 13-11-326-009, 13-11-326-010, 13-11-326-011, 13-11-326-012, 13-11-327-003, 13-11-327-007, 13-11-327-008, AND 13-11-327-009, PEORIA, IL.**

WHEREAS, the property herein described is now zoned in a Class C-2 (Large Scale Commercial) District; and

WHEREAS, said Planning & Zoning Commission has been petitioned to approve an amendment to the Special Use for Drive Through Menu Board 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 June 27, 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 an amendment to an existing Special Use for a Shopping Center to increase the size of a menu board from 30 sq. ft. to 46.29 sq. ft. and the height from 5 feet to 6 feet, 3 inches is hereby approved for the following described property:

Lot I in Holiday Park, including that part shown as Summershade Circle (private road) and also referred to as Outlot A, a subdivision of part of the East ¼ of the Southwest ¼ of Section 11, Township 9 North, Range 7 East of the Fourth Principal Meridian, according to the Plat thereof recorded on October 13, 1995 in Plat Book 5, Page 125, as Document No. 95-25364; Situate, lying and being in the County of Peoria and State of Illinois. Excepting therefrom: Charter Oak Plaza, Section One a subdivision of part of Lot 1 of Holiday Park, a subdivision of part of the East ¼ of the Southwest ¼ of Section 11, Township 9 North, Range 7 East of the Fourth Principal Meridian, more particularly described as follows: a part of Lot 1 of Holiday Park, a subdivision of part of the East ¼ of the Southwest ¼ of Section 11, Township 9 North, Range 7 East of the Fourth Principal Meridian as shown on a Plat recorded as Document No. 95-25364 in the Peoria County Recorder's Office. And excepting therefrom, the following described real estate: Commencing at the Southwest corner of the East Half of the Southwest Quarter of said Section 11 ; thence North 00 degrees 34 minutes 46 seconds West (bearings are for descriptive purposes only), along the West line of the East Half of the Southwest Quarter of said Section 11, a distance of 1977.35 feet; thence North 89 degrees 25 minutes 14 seconds East, a distance of 58.00 feet to the point of beginning of the tract to be described; From the point of beginning thence continuing North 89 degrees 25 minutes 14 seconds East a distance of 8.00 feet; thence North 00 degrees 34 minutes 46 seconds West a distance of 73.79 feet; thence North 89 degrees 59 minutes 24 seconds East a distance of 325.70 feet; thence South 00 degrees 34

minutes 46 seconds East a distance of 400.00 feet; thence South 89 degrees 59 minutes 24 seconds West a distance of 333.70 feet; thence North 00 degrees 34 minutes 46 seconds West a distance of 326.13 feet to the point of beginning, situate, lying and being in the City of Peoria, County of Peoria and State of Illinois.

**Parcel 2:**

Lots 1 and Lot 2 of Charter Oak Plaza, Section One, a subdivision of part of Lot 1 of Holiday Park, a subdivision of part of the East ¼ of the Southwest ¼ of Section 11, Township 9 North, Range 7 East of the Fourth Principal Meridian as shown on a Plat recorded as Document No. 98-40660 in Peoria County Recorder's Office.

**Parcel 3:**

A part of the East Half of the Southwest Quarter of Section Eleven, Township Nine North, Range Seven East of the Fourth Principal Meridian, City of Peoria, County of Peoria, State of Illinois, as shown on the plat recorded in the Peoria County Recorder's Office as Document Number 95- 10710 on May 19, 1995 at 11:15 a.m., more particularly described as follows: Commencing at the center of said Section Eleven, thence South 00 degrees 19 minutes 36 seconds East (Bearing assumed for purpose of description only), along the East line of the Southwest Quarter of said Section Eleven, 606. 75'; (said course previously described as South 00 degrees 03 minutes 51 seconds East, 602.18 '); thence South 89 degrees 40 minutes 24 seconds West, 150.00 feet to the intersection of the Southwesterly right of way line of US Route 150 and the Westerly right of way line of Illinois Route Six (FAP 405) said point being the point of beginning of the tract to be described (said course previously described as South 89 degrees 56 minutes 09 seconds West, 149.47 feet); from the point of beginning thence South 00 degrees 19 minutes 36 seconds East, along said Westerly right of way line of Illinois Route Six, 326.10 feet, said course previously described as South 00 degrees 02 minutes 57 seconds East); thence South 90 degrees 00 minutes 00 seconds West, 485.10 feet; thence North 00 degrees 00 minutes, 00 seconds West, 334.32 feet to a point hereafter referred to as "Point A"; thence North 00 degrees 00 minutes 00 seconds West, 221.00 feet to said Southwesterly right of way line of US Route 150; thence South 70 degrees 12 minutes 06 seconds East, along said Southwesterly right of way line, 174.59 feet (said course previously described as S 70 degrees 00 minutes 00 seconds E); thence South 61 degrees 55 minutes 51 seconds East, along said Southwesterly right of way line, 361.48 feet (said course previously described as South 61 degrees 43 minutes 46 seconds East) to the point of beginning, said tract containing 5.000 acres, more or less, together with the following described easement for ingress and egress to the above described parcel: A tract of land 24.00 feet in even width, the centerline of which is more particularly described as follows: Beginning at the aforementioned "Point A", thence South 90 degrees 00 minutes 00 seconds West, 628.67 feet to the East right of way line of Township Road 158, dedicated by Document No. 65-04601 recorded in the Peoria County Recorder's Office, said point being the point of termination of said easement.

Said Ordinance is hereby approved per the submitted Site Plan Documents (Attachment A).

Section 2. All provisions of Appendix A, the Unified Development Code of the City of Peoria, with respect to the Class C-2 (Large Scale 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:

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Mayor

ATTEST:

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City Clerk

EXAMINED AND APPROVED:

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Corporation Counsel