

**AN ORDINANCE TO AMEND AN EXISTING SPECIAL USE ORDINANCE NO. 13,115 AS AMENDED, IN A CLASS C-2 (LARGE SCALE COMMERCIAL) DISTRICT FOR LOCAL SIGN REGULATIONS FOR THE PROPERTIES LOCATED AT 4123 N. SHERIDAN RD, 4125 N. SHERIDAN RD, AND 900 W. LAKE AVE (PARCEL IDENTIFICATION NOS. 14-29-227-013, 14-29-227-012, AND 14-29-226-017), 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 Local Sign Regulations 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 November 7, 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 Local Sign Regulations for the following described property:

A part of the Northeast Quarter of Section 29, Township 9 North, Range 8 East of the Fourth Principal Meridian, being more particularly described as follows: Commencing at the Northeast corner of the Northeast Quarter of said Section 29; thence South 0 degrees 43 minutes 38 seconds East along the East line of the Northeast Quarter of said Section 29, a distance of 124.55 feet; thence South 89 degrees 16 minutes 22 seconds West, a distance of 40.00 feet to a point on the Westerly Right of Way line of North Sheridan Road and the Point of Beginning of the tract to be described; thence South 0 degrees 43 minutes 38 seconds East along the Westerly right of way line of North Sheridan Road, a distance of 734.80 feet to a point on the Northerly right of way line of West Ridgemont Road; thence North 89 degrees 49 minutes 30 seconds West along the Northerly right of way line of West Ridgemont Road, a distance of 760.95 feet to the Southeast corner of Lot 6 in Block 6 of Sheridan Village Section Two, being a subdivision of part of the Northeast Quarter of said Section 29; thence North 0 degrees 10 minutes 30 seconds East along the Easterly line of said Lot 6, a distance of 120.0 feet to the Northeast corner of said Lot 6; thence North 89 degrees 49 minutes 30 seconds West along the Northerly line of Lots 1, 2, 3, 4, 5 and 6 in Block 6 of said Sheridan Village Section Two, a distance of 300.00 feet to the Northwest corner of said Lot 1 and the Easterly line of Lot 18 in Block 6 of said Sheridan Village Section Two; thence North 0 degrees 10 minutes 30 seconds East along the Easterly line of Lots 17 and 18 in Block 6 of Sheridan Village Section Two and the extension thereof, a distance of 170.00 feet to a point on the Northerly right of way line of Willow Lane; thence North 89 degrees 49 minutes 30 seconds West along the northerly right of way line of Willow Lane, a distance of 22.0 feet to the Southeast corner of Lot 7 in Block 5 of said Sheridan Village Section Two; thence North 0 degrees 10 minutes 30 seconds East along the Easterly line of said Lot 7, a distance of 120.0 feet to the Northeast corner of said Lot 7; thence North 89 degrees 49 minutes 30 seconds West along the Northerly line of Lots 4, 5, 6

and 7 of Block 5 in said Sheridan Village Section Two, a distance of 227.0 feet to the Southeast corner of Lot 29 in Block 5 of Sheridan Village Section One, being a subdivision of part of the Northeast Quarter of said Section 29; thence North 51 degrees 49 minutes 30 seconds West along the Northeasterly line of said Lot 29, a distance of 81.21 feet to the Northeasterly corner of said Lot 29; thence North 0 degrees 10 minutes 30 seconds East along the Easterly line of Lot 28 of Block 5 of said Sheridan Village Section One and the extension thereof, a distance of 190.00 feet to the Southeasterly corner of Lot 1 in Block 4 of Sheridan Village Section One; thence North 52 degrees 10 minutes 30 seconds East along the Southeasterly line of said Lot 1, a distance of 81.21 feet to the Southeasterly corner of Lot 29 in Block 4 of said Sheridan Village Section One; thence North 0 degrees 10 minutes 30 seconds East, a distance of 116.0 feet to a point on the Southerly right of way line of West Lake Avenue; thence South 89 degrees 59 minutes 49 seconds East along the Southerly right of way line of West Lake Avenue, a distance of 1212.05 feet; thence South 78 degrees 12 minutes 58 seconds East along the Southerly right of way line of West Lake Avenue, a distance of 50.00 feet; thence South 45 degrees 21 minutes 33 seconds East along the Southwesterly right of way line of West Lake Avenue, a distance of 36.97 feet to a point on the Westerly right of way line of North Sheridan Road; thence South 12 degrees 30 minutes 33 seconds East along the Westerly right of way line of North Sheridan Road, a distance of 50.06 feet to the Point of Beginning.

THE ABOVE TRACT OF LAND IS ALSO DESCRIBED AS:

Parcel 1:

A part of the Northeast Quarter of Section 29, Township 9 North, Range 8 East of the Fourth Principal Meridian, more specifically described as follows: Beginning at a point 75 feet South and 40 feet West of the Northeast corner of said section 29, said point being on the Westerly right of way line of Sheridan Road; thence south 0 degrees 42 minutes 30 seconds East, 784.98 feet along the Westerly right of way line of Sheridan Road to a point; thence North 89 degrees 49 minutes 30 seconds West, a distance of 761.26 feet to a point; thence North 0 degrees 10 minutes 30 seconds East, 120 feet to a point; thence North 89 degrees 49 minutes 30 seconds West, 300 feet to a point; thence North 0 degrees 10 minutes 30 seconds East, a distance of 696.68 feet to a point on the Southerly right of way line of Lake Avenue; thence in an Easterly direction along the Southerly right of way line of Lake Avenue, a distance of 1013.62 feet to a point which is 40 feet South and 75 feet West of the Northeast corner of the Northeast Quarter of said Section 29; thence South 44 degrees 39 minutes East, a distance of 49.8 feet, more or less, to the Point of Beginning of the tract being described.

Being otherwise described as beginning at a point 75 feet South and 40 feet West of said Northeast corner of Section 29, said point being on the Westerly right of way line along Sheridan Road; thence South, along the Westerly right of way line along Sheridan Road, 784.98 feet; thence in a Westerly direction parallel with the Southerly right of way line of Lake Avenue, a distance of 761.26 feet to a point; thence in a Northerly direction parallel with the Westerly right of way line of Sheridan Road, a distance of 120 feet to a point; thence in a Westerly direction and parallel with the Southerly right of way line of Lake Avenue, a distance of 300 feet to a point; thence in a Northerly direction and parallel with the Westerly Right of Way line of Sheridan Road, a distance of 696.68 feet, more or less, to a point on the Southerly right of way line of Lake Avenue; thence in an Easterly direction along the right of way line of Lake Avenue, a distance of 1013.62 feet to a point, which is 40 feet South and 75 feet West of said Northeast corner of Section 29; thence in a Southeasterly direction, a distance of 49.8 feet, more or less, to the Point of Beginning of the Tract being Described, in Peoria County, Illinois.

EXCEPTING AND EXCLUDING FROM THE ABOVE THE FOLLOWING TRACT OF LAND CONVEYED TO THE CITY OF PEORIA BY DEED RECORDED MARCH 2, 1979 AS DOCUMENT 79-03506; Part of the North 10 acres of Lot 1 of the Commissioner's Subdivision of the Kimmell Estate, being the East 50 acres of the North Half of the Northeast Quarter of Section 29, Township 9 North, Range 8 East of the Fourth Principal Meridian, City of Peoria, Peoria County, Illinois, more particularly described as follows: Commencing at a point 75.00 feet south of the center of Lake Avenue, and 40.00 feet West of the center of North Sheridan Road, as the Point of Beginning of the tract to be described: From the Point of Beginning, thence North 44 degrees 38 minutes 31 seconds West, 49.81 feet to a point 40.00 feet South of the center of Lake Avenue and 75.00 feet West of the center of North Sheridan Road, thence North 89 degrees 16 minutes 15 seconds West parallel with the center of Lake Avenue, 50.00 feet; thence South 77 degrees 29 minutes 24 seconds East, 50.00 feet; thence South 44 degrees 38 minutes 31 seconds East, 36.97 feet; thence south 11 degrees

46 minutes 55 seconds East, 50.00 feet to a point 40.00 feet West of the center of North Sheridan Road; thence North 0 degrees 00 minutes 00 seconds East parallel with the center of North Sheridan Road, 50.00 feet to the Point of Beginning.

Parcel 2:

A part of the North Half of the Northeast Quarter of Section 29, Township 9 North, Range 8 East of the Fourth Principal Meridian, more particularly described as follows: Commencing at the Northeast corner of said Section 29; thence North 89 degrees 49 minutes 30 seconds West along the North line of the Northeast Quarter of said Section 29, a distance of 1088.0 feet; thence South 0 degrees 10 minutes 30 seconds West, a distance of 40.00 feet to the South right of way line of Lake Avenue and the Point of Beginning of the Tract to be described; thence South 0 degrees 10 minutes 30 seconds West along the West line of the Sheridan Village Shopping Center Property (Book 924, page 521) a distance of 530.0 feet to the North line of Willow Lane in Sheridan Village Section Two, a Subdivision of part of the Northeast Quarter of said Section 29; thence North 89 degrees 40 minutes 30 seconds West along the North line of said Willow Lane, a distance of 22.0 feet to the Southeast corner of Lot 7, Block 5 in Sheridan Village Section Two; thence North 0 degrees 10 minutes 30 seconds East, a distance of 120.0 feet to the Northeast corner of said Lot 7; thence North 89 degrees 49 minutes 30 seconds West, a distance of 227.0 feet to the Southeast corner of Lot 29, Block 5 in Sheridan Village Section One, a Subdivision of part of the Northeast Quarter of said Section 29; thence North 51 degrees 49 minutes 30 seconds West, a distance of 81.21 feet; thence North 0 degrees 10 minutes 30 seconds East, a distance of 190.0 feet; thence North 52 degrees 10 minutes 30 seconds East, a distance of 81.21 feet to the Southeast corner of Lot 29, Block 4 in said Sheridan Village Section One and the Southeast corner of the tract of land recorded in Book 901, page 438; thence North 0 degrees 10 minutes 30 seconds East, a distance of 120.0 feet to the South right of way line of Lake Avenue; thence South 89 degrees 49 minutes 30 seconds East along the South right of way line of Lake Avenue, a distance of 249.0 feet to the Point of Beginning, situate, lying and being in the County of Peoria and State of Illinois.

Said Ordinance is hereby approved per the submitted Revised Sign Package (Attachment A) with the following conditions and waivers:

1. Amend local sign plan to allow two digital style signs as shown in the revised sign package as Sign #4 and Sign #5. One is a wall sign, one is a canopy sign. Size of sign area may not exceed standards in the Unified Development Code.
2. Amend local sign plan to add one freestanding sign, as shown in the revised sign package as Sign #7. Said sign must match design and dimensions of existing multi-tenant freestanding sign along Sheridan Road.
3. If any of the signs will have any part on the ROW (including footings) or overhang the ROW, a Revocable ROW permit will be required.
4. Waiver of size of sign area for Sign #7 as shown in the revised sign package. Sign #7 matches the dimensions of the existing 25 ft tall, 155 sq. ft. multi-tenant sign along Sheridan Road.
5. Waiver from the setback encroachment agreement for one freestanding sign, Sign #7 in the revised sign package. Location of Sign #7 may not interfere with existing internal vehicle circulation pattern of the shopping center.

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 the 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