

AN ORDINANCE APPROVING AMENDING AN EXISTING SPECIAL USE ORDINANCE NO. 15,862, AS AMENDED, IN A CLASS C-2 (LARGE SCALE COMMERCIAL) DISTRICT FOR A SHOPPING CENTER TO INCREASE THE SIZE OF THE FREESTANDING AND MENU BOARD SIGNS, FOR THE PROPERTIES LOCATED AT 6820 N PEAR TREE LANE, 6828 N PEAR TREE LANE, 4115 W PARTRIDGE WAY, 4123 W PARTRIDGE WAY, AND W PARTRIDGE WAY, (PARCEL IDENTIFICATION NOS. 13-12-352-003, 13-12-352-004, 13-12-352-007, 13-12-352-008, AND 13-12-352-009), 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 an existing Special Use for a Shopping Center, 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 a Special Use for a Shopping Center is hereby amended for the following described property:

LEGAL DESCRIPTION OF SHOPPING CENTER PROPERTY
(SPECIAL USE PROPERTY)

LOT 1 IN HOLLOW HILL, BEING A SUBDIVISION OF A PART OF THE SOUTHEAST QUARTER OF SECTION 11, AND PART OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 9 NORTH, RANGE 7 EAST, OF THE FOURTH PRINCIPAL MERIDIAN, PEORIA COUNTY, ILLINOIS

LEGAL DESCRIPTION
(TACO BELL PARCEL)

(PER FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT NO. 11007.185 WITH AN EFFECTIVE DATE OF MARCH 1, 2007)

PARCEL 1:

A PART OF LOT ONE OF HOLLOW HILL, A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION ELEVEN (11), AND A PART OF THE SOUTHWEST QUARTER OF SECTION TWELVE (12), TOWNSHIP NINE (9) NORTH, RANGE SEVEN (7) EAST OF THE FOURTH PRINCIPAL MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT ONE, THENCE NORTH 88 DEGREES 33 MINUTES 57 SECONDS WEST, (BEARINGS ASSUMED FOR PURPOSE OF DESCRIPTION ONLY), ALONG THE SOUTH LINE OF SAID LOT ONE, 245.20 FEET; THENCE NORTH 00 DEGREES 13 MINUTES 50 SECONDS WEST, 129.00 FEET; THENCE NORTHWESTERLY, ON A CURVE TO THE LEFT, HAVING A RADIUS OF 100.00 FEET FOR AN ARC DISTANCE OF 50.51 FEET, SAID CURVE BEING SUBTENDED BY A CHORD HAVING A BEARING OF NORTH 14 DEGREES 41 MINUTES 06 SECONDS WEST AND A LENGTH OF 49.97 FEET; THENCE NORTH 75 DEGREES 57 MINUTES 30 SECONDS EAST, 135.92 FEET; THENCE SOUTH 68 DEGREES 26 MINUTES 00 SECONDS EAST, 20.24 FEET; THENCE NORTH 86 DEGREES 21 MINUTES 46 SECONDS EAST, 106.98 FEET TO THE EAST LINE OF SAID LOT 1, SAID LINE ALSO BEING THE WEST RIGHT OF WAY LINE OF BIG HOLLOW ROAD (CH 037); THENCE SOUTH 00 DEGREES 13 MINUTES 50 SECONDS EAST, ALONG SAID EAST LINE, 215.80 FEET TO THE POINT OF BEGINNING

PARCEL 2:

A NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY RECIPROCAL EASEMENT AGREEMENT DATED OCTOBER 27, 1997, AND RECORDED NOVEMBER 6, 1997, AS DOCUMENT NO. 97-34409 AND RE-RECORDED ON MARCH 19, 1998, AS DOCUMENT 98-09515 FOR THE PURPOSE OF INGRESS AND EGRESS DESCRIBED AS A 24 FOOT WIDE EASEMENT THE CENTERLINE OF WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE AFOREMENTIONED SOUTHEAST CORNER OF LOT 1, THENCE NORTH 88 DEGREES 33 MINUTES 57 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LOT 1, 245.20 FEET TO THE POINT OF BEGINNING OF THE CENTERLINE TO BE DESCRIBED; FROM THE POINT OF BEGINNING THENCE NORTH 00 DEGREES 13 MINUTES 50 SECONDS WEST, 129.00 FEET; THENCE NORTHWESTERLY, ON A CURVE TO THE LEFT, HAVING A RADIUS OF 100.00 FEET FOR AN ARC DISTANCE OF 119.04 FEET; THENCE NORTH 68 DEGREES 26 MINUTES 00 SECONDS WEST, 52.65 FEET TO THE POINT OF TERMINATION OF SAID EASEMENT; SITUATED IN THE COUNTY OF PEORIA AND STATE OF ILLINOIS

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

Waivers

1. UDC Section 8.3.10: Waiver requested to increase allowable signage from 70 to 82 square feet.
2. UDC Section 8.3.10: Waiver requested to change allowable menu boards from two 30 square foot signs to one 46.8 square foot sign.

Conditions

1. No freestanding sign will be permitted along the Partridge frontage.
2. No additional menu boards will be permitted.

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 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