

AN ORDINANCE AMENDING AN EXISTING SPECIAL USE ORDINANCE NO. 13,260, AS AMENDED, IN A CLASS C-2 (LARGE SCALE COMMERCIAL) DISTRICT FOR A SHOPPING CENTER TO ADD A WIRELESS COMMUNICATION TOWER FOR THE PROPERTY IDENTIFIED AS PARCEL IDENTIFICATION NOS. 14-05-203-004 (8919 N KNOXVILLE AVE), 14-05-203-007 (8901 N KNOXVILLE AVE), 14-05-252-004 (8727 N KNOXVILLE AVE), 14-05-252-002, 14-05-278-011 (N KNOXVILLE AVE), 14-05-252-005 (8727 N KNOXVILLE AVE), 14-05-278-012 (8713 N KNOXVILLE AVE), 14-05-278-010 (8711 N KNOXVILLE AVE), 14-05-278-016 (N KNOXVILLE AVE), 14-05-278-005 (8787 N KNOXVILLE AVE), 14-05-278-015 (N KNOXVILLE AVE), 14-05-203-008 (N KNOXVILLE AVE), 14-05-203-006 (8915 N KNOXVILLE AVE). THE PROPERTY IS COMMONLY KNOWN AS THE NORTHPOINT SHOPPING CENTER, PEORIA, ILLINOIS

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 an Wireless Communication Facility under the provisions of Section 2.15 of Appendix B, the Permanent Zoning Ordinance, of the City of Peoria; and

WHEREAS, said Planning & Zoning Commission held a public hearing on May 7, 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.

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

Section 1. That an amendment to an existing Special Use for an Wireless Communication Facility is hereby approved for the following described property:

A part of the Northeast Quarter of Section 5, Township 9 North, Range 8 East of the Fourth Principal Meridian, being more particularly described as follows:

Commencing at the Northwest corner of the Northeast Quarter of said Section 5; thence South 00°-00'-05" East along the West line of the Northeast Quarter of said Section 5, a distance of 2094.70 feet; thence South 89°-50'-57" East, a distance of 1015.46 feet to the Point of Beginning of the tract to be described; thence continuing South 89°-50'-57" East, a distance of 443.52 feet; thence North 0°-09'-03" East, a distance of 229.00 feet; thence South 89°-50'-57" East, a distance of 357.44 feet to a point on the Southwesterly R.O.W. line of Illinois Rte. No. 40 (Knoxville Avenue); thence North 34°-51'-10" West along the Southwesterly R.O.W. line of Illinois Rte. No. 40, a distance of 135.75 feet; thence North 24°-48'-10" West along the Southwesterly R.O.W. line of Illinois Rte. No. 40, a distance of 1002.50 feet; thence North 27°-39'-33" West along the Southwesterly R.O.W. line of Illinois Rte. No. 40, a distance of 120.40 feet to a point on the Southerly R.O.W. line of Bird Boulevard; thence North 68°-45'-59" West along the Southerly R.O.W. line of Bird Boulevard, a distance of 71.49 feet; thence in a Westerly direction along the Southerly R.O.W. line of Bird Boulevard, on a curve to the right, having a radius of 200.00 feet for an arc distance of 107.22 feet; thence North 53°-27'-30" West along the Southerly R.O.W. line of Bird Boulevard, a distance of 87.95 feet; thence in a Northwesterly direction along the Southerly R. O. W. line of Bird Boulevard, on a curve to the left, having a radius of 140.00 feet for an arc distance of 55.91 feet; thence South 89°-55'-03" West along the South R.O.W. line of Bird Boulevard, a distance of 147.06 feet; thence

South 0°-00'-05" East along the southerly R.O.W. line of Bird Boulevard, a distance of 15.00 feet; thence South 89°-55'-03" West along the South R.O.W. line of Bird Boulevard, a distance of 85.50 feet to a point on the East R.O.W. line of North Hale Avenue; thence South 0°-00'-05" East along the East R.O.W. line of North Hale Avenue, a distance of 961.45 feet; thence in a Southeasterly direction along the Easterly R.O.W. line of North Hale Avenue, on a curve to the left, having a radius of 270.00 feet for an arc distance of 217.96 feet; thence South 46°-15'-17" East along the Easterly R.O.W. line of North Hale Avenue, a distance of 117.98 feet; thence in a Southeasterly direction along the Easterly R.O.W. line of North Hale Avenue, on a curve to the right, having a radius of 333.25 feet for an arc distance of 269.91 feet to the Point of Beginning, containing 23.555 Acres, situate, lying and being in the County of Peoria and State of Illinois.

P.I.N.S.: 14-05-203-004 (8919 N Knoxville Ave), 14-05-203-007 (8901 N Knoxville Ave), 14-05-252-004 (8727 N Knoxville Ave), 14-05-252-002, 14-05-278-011 (N Knoxville Ave), 14-05-252-005 (8727 N Knoxville Ave), 14-05-278-012 (8713 N Knoxville Ave), 14-05-278-010 (8711 N Knoxville Ave), 14-05-278-016 (N Knoxville Ave), 14-05-278-005 (8787 N Knoxville Ave), 14-05-278-015 (N Knoxville Ave), 14-05-203-008 (N Knoxville Ave), 14-05-203-006 (8915 N Knoxville Ave).

Said Ordinance is hereby approved per the submitted Site Plan (Attachment A) and with the following conditions:

- 1) A lighting plan must be submitted for review prior to issuance of a Zoning Certificate to ensure that exterior lighting does not exceed three foot candles when measured at the property line and is shielded or directed away from the residential properties to the south.
- 2) A 10-foot wide landscaped buffer surrounding the tower and equipment shelters must be maintained with plant materials that screens the view of the equipment shelters from adjacent street and/or residential properties.

Section 2. All provisions of Appendix B, the Zoning Ordinance, of the City of Peoria, with respect to 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 OF _____, 2015.

APPROVED:

Mayor

ATTEST:

City Clerk

EXAMINED AND APPROVED:
