

AN ORDINANCE AMENDING SPECIAL USE ORDINANCE NO 14,612, AS AMENDED IN A CLASS C-2 (LARGE SCALE COMMERCIAL) DISTRICT TO ALLOW AN ADULT USE CANNABIS DISPENSARY, FOR THE PROPERTY LOCATED AT 1210 W GLEN AVENUE WHICH INCLUDES PROPERTIES LOCATED AT 1222 W GLEN AVENUE, 4730, 4732, 4734, 4736, AND 4738 N UNIVERSITY STREET, 4800 N UNIVERSITY STREET, 4810 N UNIVERSITY STREET, AND 4816 N UNIVERSITY STREET, AND COMMONLY KNOWN AS THE CROSSROADS CENTER SHOPPING CENTER (PARCEL IDENTIFICATION NOS. 14-20-401-001, 14-20-401-029, 14-20-401-032, 14-20-401-036, 14-20-401-037, AND 14-20-401-038) 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 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 December 1, 2022, 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 Special Use Ordinance No. 14,612 to allow an Adult Use Cannabis Dispensary is hereby approved for the following described property:

APN: 14-20-401-001: All that part of the North 30 Acres of the Northwest Quarter of the Southeast Quarter of Section 20, Township 9 North, Range 8 East of the Fourth Principal Meridian, more particularly described as follows: Commencing at a point that is 95 feet East of the West line of the Southeast Quarter of Section 20 and 40 feet South of the North line of the Southeast Quarter of Said Section 20 as the point of beginning; thence East along the Southerly Right of Way line of Glen Avenue, a distance of 95 feet; thence South and parallel with the Easterly Right of Way Line of University Street, a distance of 150 feet thence West parallel with the Southerly Right of Way line of Glen Avenue, a distance of 150 feet to the Easterly Right of Way Line of University Street; thence North along the Easterly right of way line of University Street, a distance of 95 feet to a point; thence North 25 degrees 20 minutes East, a distance of 41.24 feet; thence North 65 degrees 39 minutes East, a distance of 41.24 feet to the point of beginning, in Peoria County, Illinois.

A non-exclusive easement for the benefit of Parcel 1 as created by Access Easement Agreement Dated January 19, 2005 and recorded November 22, 2005 as Document 05-39003 from Jaydor Bleeker Realty, Sub II, LLC to DDB Properties, LLC for the purpose of Pedestrian and Vehicular Ingress and Egress over the described land: a 30 foot wide by 138 foot length easement for ingress and egress over, across and through a part of Lot 4 of Crossroads Center Subdivision Extension No. One, Being a resubdivision

of Lot 1 of Crossroads Center Subdivision, being a subdivision of part of the Southeast Quarter of Section 30, Township 9 North, Range 8 East of the Fourth Principal Meridian, according to the plat recorded January 29, 2003, as document No. 03-04496, in Plat Book 8, Page 52, situate, lying and being in the city of Peoria, County of Peoria, and State of Illinois, being more particularly described as follows: Commencing at the Center of Said Section 20; thence South 89 degrees 15 minutes East (bearings assumed for the purpose of description only) along the North line of the Southeast Quarter of said Section 20, a distance of 190.00 feet; thence South 00 Degrees 14 Minutes West, a distance of 40.00 feet to a point on the South Right of Way Line of Glen Avenue; thence South 00 degrees 11 minutes 36 seconds West along the Easterly line of Lot 3 in Said Crossroads Center Subdivision Extension No. One, a distance of 150.00 feet to a point on the Northerly line of said Lot 4 and the point of beginning of said Ingress and Egress Easement to be described; thence continuing South 00 degrees 11 minutes 36 seconds West, a distance of 30.00 feet to a point on the Southerly line of said Lot 4; thence North 89 degrees 15 minutes West along the Southerly Line of said Lot 4 and the Westerly Extension thereof, a distance of 138.00 feet to a point on the West line of Said Lot 4. also being the East Right of Way Line of North University Street; thence North 00 degrees 11 minutes 36 Seconds East along the West line of Said Lot 4 also being the East Right-of-way line of North University Steet, a distance of 30.00 feet to the most Northwesterly corner of said Lot 4; thence South 89 Degrees 15 Minutes East along the Northerly line of said Lot 4, a distance of 138.00 feet to the point of beginning, situated in Peoria County, Illinois.

APN: 14-20-401-029: A part of the Southeast Quarter of Section 20, Township 9 North, Range 8 East of the Fourth Principal Meridian, more particularly described as follows: Commencing at the center of said Section 20; thence South 89 minutes 15 seconds East along the North line of the Southeast Quarter of said Section 20, a distance of 190.0 feet; thence South 0 minutes 14 seconds West, a distance of 40.0 feet to the South right of way line of Glen Avenue; thence South 0 degrees 11 minutes 36 seconds West, a distance of 150.00 feet; thence North 89 minutes 15 seconds West, a distance of 138.00 feet to a point on the East right of way line of University Street, thence South 0 degrees 11 minutes 36 seconds West along the East right of way line of University Street, a distance of 50.31 feet to the point of beginning of the tract to be described; thence continuing South 0 degrees 11 minutes 36 seconds West along the East right of way line of University Street, a distance of 153.96 feet; thence South 45 degrees 32 minutes 00 seconds East, a distance of 57.04 feet; thence South 89 degrees 46 minutes 06 seconds East, a distance of 126.87 feet; thence North 0 degrees 11 minutes 36 seconds East, a distance of 20.71 feet; thence South 89 minutes 15 seconds East, a distance of 7.19 feet; thence North 0 degrees 11 minutes 36 seconds East, a distance of 162.13 feet; thence in a Northwesterly direction along a curve to the left having a radius of 30.00 feet for an arc distance of 46.83 feet; thence North 89 minutes 15 seconds West, a distance of 115.20 feet; thence South 0 degrees 11 minutes 36 seconds West, a distance of 20.31 feet; thence North 89 minutes 15 seconds West, a distance of 30.00 feet to the point of beginning, as shown on a Tract Survey recorded as Document Number 01-01150, situated in Peoria County, Illinois.

APN: 14-20-401-032: Lot 2 of Crossroads Center Subdivision, being a subdivision of part of the Southeast Quarter of Section 20, Township 9 North, Range 8 East of the Fourth Principal Meridian, as shown on the plat thereof recorded December 10, 2002 in Plat Book 8, page 46 as Document No. 02-51713, situated in Peoria County, Illinois.

Non-exclusive easements for (a) ingress and egress over, upon and across the Cross Access Easement Area as shown on Exhibit B, (b) utilities, sewer and storm water drainage over, under, along and across portions of the retail parcel, and (c) parking on retail parcel, as shown on said Exhibit B; all as contained in and created by the Restriction and Easement Agreement by and between SM Properties Peoria IL, L.L.C. and Crossroads Peoria LLC recorded December 23, 2002 as Document No. 02-53980, situated in Peoria County, Illinois.

APN: 14-20-401-036: Lot 3 of Crossroads Center Subdivision Extension No. One, Being a Resubdivision of Lot 1 of Crossroads Center Subdivision, Being A Subdivision of Part of The Southeast Quarter of Section 20, Township 9 North, Range 8 East of The Fourth Principal Meridian, according to the Plat recorded on January 29, 2003 in Plat Book 8, Page 52 as Document No. 0304496 in Peoria County, Illinois.

APN: 14-20-401-037: Lot 4 of Crossroads Center Subdivision Extension No. One, Being a Resubdivision of Lot 1 of Crossroads Center Subdivision, Being A Subdivision of Part of The Southeast Quarter of Section 20, Township 9 North, Range 8 East of The Fourth Principal Meridian, according to the Plat recorded on January 29, 2003 in Plat Book 8, Page 52 as Document No. 0304496 in Peoria County, Illinois.

APN: 14-20-401-038: Lot 5 of Crossroads Center Subdivision Extension No. One, Being a Resubdivision of Lot 1 of Crossroads Center Subdivision, Being A Subdivision of Part of The Southeast Quarter of Section 20, Township 9 North, Range 8 East of The Fourth Principal Meridian, according to the Plat recorded on January 29, 2003 in Plat Book 8, Page 52 as Document No. 0304496 in Peoria County, Illinois.

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

1. Add a third accessible parking space pursuant to Section 8.1 of the Unified Development Code.
2. Replace required signage for existing accessible parking spaces.
3. Install at least three (3) bicycle parking spaces pursuant to Section 8.1.6 of the Unified Development Code.
4. Landscaping shall comply with previously approved landscaping plan for the 2008 amendment to the Shopping Center, Ordinance 16,264, or a new landscaping plan shall be submitted in compliance with Section 8.2 of the Unified Development Code.
5. All appropriate building permits shall be obtained for the alterations to the tenant space.
6. Sign permit shall be obtained for all new exterior signs. Said signs shall adhere to the requirements of Section 8.3 of the Unified Development Code.

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 _____, 2023.

APPROVED:

Mayor

ATTEST:

City Clerk

EXAMINED AND APPROVED:

Corporation Counsel