

**AN ORDINANCE AMENDING AN EXISTING SPECIAL USE ORDINANCE NO. 17,014 IN A CLASS C-2 (LARGE SCALE COMMERCIAL) DISTRICT FOR A SHOPPING CENTER TO ADD A BUILDING AND REVISE THE SITE PLAN FOR THE PROPERTY IDENTIFIED AS PARCEL IDENTIFICATION NUMBERS 09-32-126-008 (10128 N EVA LN), 09-32-126-009 (10104 N EVA LN), 09-32-126-013 (10117 N KNOXVILLE AVE), 09-32-126-017, 09-32-126-020, 09-32-126-021, AND 09-32-126-022 WITH A TEMPORARY ADDRESS OF 10023 N. KNOXVILLE AVE, 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 Shopping Center 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 June 4, 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 a Shopping Center is hereby approved for the following described property:

A PART OF LOTS 1, 2, 45, 46, 47, 48, 49, 50, 51 AND 52 AND A PART OF VACATED RICHMAR ROAD LYING ADJACENT TO SAID LOTS IN MT. HAWLEY MANOR, BEING A SUBDIVISION OF A PART OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 10 NORTH, RANGE 8 EAST, OF THE FOURTH PRINCIPAL MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 2 AS THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED; THENCE NORTH 88°-57'-49" EAST (BEARINGS ASSUMED FOR THE PURPOSE OF DESCRIPTION ONLY) ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 250.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 2; THENCE NORTH 01°-13'-25" WEST ALONG THE WEST LINE OF SAID LOTS 51 AND 52, A DISTANCE OF 300.22 FEET TO THE NORTHWEST CORNER OF SAID LOT 52; THENCE NORTH 89°-25'-27" EAST ALONG THE NORTH LINE OF SAID LOT 52, A DISTANCE OF 159.91 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF ILLINOIS ROUTE 40; THENCE IN A SOUTHEASTERLY DIRECTION ALONG THE WEST RIGHT OF WAY LINE OF ILLINOIS ROUTE 40 ON A CURVE TO THE LEFT HAVING A RADIUS OF 9,610.00 FEET FOR AN ARC DISTANCE OF 491.79 FEET; THENCE IN A SOUTHEASTERLY DIRECTION ALONG THE WEST RIGHT OF WAY LINE OF ILLINOIS ROUTE 40 ON A CURVE TO THE RIGHT HAVING A RADIUS OF 9,390.00 FEET FOR AN ARC DISTANCE OF 466.06 FEET; THENCE SOUTH 88°-45'-23" WEST ALONG THE WESTERLY ACCESS CONTROL LINE OF ILLINOIS ROUTE 40 AND THE WESTERLY EXTENSION THEREOF, A DISTANCE OF 189.79 FEET TO A POINT ON THE WESTERLY

RIGHT-OF-WAY LINE OF RICHMAR ROAD; THENCE NORTH 01°-14'-29" WEST ALONG THE WESTERLY RIGHT-OF-WAY LINE OF RICHMAR ROAD AND THE NORTHERLY EXTENSION THEREOF, A DISTANCE OF 212.64 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF RICHMAR ROAD; THENCE SOUTH 89°-28'-51" WEST ALONG THE NORTH RIGHT OF WAY LINE OF RICHMAR ROAD, A DISTANCE OF 63.36 FEET; THENCE NORTH 82°-30'-18" WEST ALONG THE NORTH RIGHT OF WAY LINE OF RICHMAR ROAD, A DISTANCE OF 85.40 FEET; THENCE SOUTH 81°-09'-39" WEST ALONG THE NORTH RIGHT OF WAY LINE OF RICHMAR ROAD, A DISTANCE OF 82.28 FEET; THENCE SOUTH 89°-28'-51" WEST ALONG THE NORTH RIGHT OF WAY LINE OF RICHMAR ROAD, A DISTANCE OF 20.54 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF EVA LANE; THENCE NORTH 01°-14'-23" WEST ALONG THE EAST RIGHT OF WAY LINE OF EVA LANE, A DISTANCE OF 444.04 FEET TO THE POINT OF BEGINNING, CONTAINING 6.374 ACRES, MORE OR LESS, SITUATED IN THE COUNTY OF PEORIA AND STATE OF ILLINOIS.

Parcel Identification Nos. 09-32-126-008 (10128 N EVA LN), 09-32-126-009 (10104 N EVA LN), 09-32-126-013 (10117 N KNOXVILLE AVE), 09-32-126-017, 09-32-126-020, 09-32-126-021, AND 09-32-126-022

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

- 1) The buildings illustrated by the submitted elevation drawings must be the specific buildings built with regard to the building façade, roof line, and building materials. The building materials shall consist of brick, or combination of other masonry products and materials, consistent with the surrounding neighborhood character.
- 2) Freestanding sign and all wall signs shall be designed with raised or cut letters. Flat panel design is prohibited.
- 3) All rooftop, wall mounted, and ground level mechanical and utility equipment must be screened from street view and residentially zoned districts per the Zoning Ordinance.
- 4) All garbage dumpsters must be screened on all four sides with a six to seven foot tall solid fence or wall including a gate for access.
- 5) 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.
- 6) The 5-foot wide sidewalk located on private property along Richmar Road and Eva Lane as noted on the site plan, must be placed within a 9-foot wide permanent easement for public use.
- 7) Waiver to reduce the front yard setback along Knoxville Avenue from 20 feet to 9 feet at its narrowest point
- 8) Waiver to reduce the front yard setback along Richmar Road from 20 feet to 10 feet.
- 9) Waiver to reduce the required freestanding sign setback from 10 feet to 5 feet along Richmar Road and to 3 feet along Knoxville Avenue property lines.
- 10) Waiver to increase the size of the freestanding sign from 70 sq. ft. to 285 sq. ft.

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:

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