

**ORDINANCE 17,689**

**AN ORDINANCE AMENDING AN EXISTING SPECIAL USE ORDINANCE NO. 14,063, AS AMENDED, IN A CLASS C-2 (LARGE SCALE COMMERCIAL) DISTRICT FOR A SHOPPING CENTER TO ADD TWO COMMERCIAL BUILDINGS FOR THE PROPERTY COMMONLY KNOWN AS JUNCTION CITY SHOPPING CENTER AND LOCATED AT 5901 N PROSPECT ROAD (INCLUDING 5726 & 5728 N KNOXVILLE AVENUE, AND 5713 – 5805 N HUMBOLDT AVENUE, WITH PARCEL IDENTIFICATION NOS. 14-16-452-008, 14-16-452-009, 14-16-452-034, 14-16-452-038, 14-16-452-039, 14-16-452-040, 14-16-452-042, AND 14-16-452-043), 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 add two commercial buildings 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 May 2, 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 amendment to the 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 the Special Use to add a 4,000 sq. ft. and a 3,264 sq. ft. commercial buildings is hereby approved for the following described property:

PARCEL 1:

PIN. NO. 14-16-452-040

LOT 4 OF PRELIMINARY AND FINAL PLAT OF JUNCTION CITY PHASE ONE, A RESUBDIVISION OF LOT 1 OF JUNCTION CITY, BEING A PART OF THE LOTS 12, 13 AND 14 IN PLAT OF BRYANT & LINDSAY'S SUBDIVISION OF LOTS 7 AND 8 IN SCHOOL SECTION NO. 16, ALSO A PART OF VACATED RIGHT OF WAY IN THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 16, ALSO A PART OF VACATED RIGHT OF WAY IN THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 16, ALL IN TOWNSHIP 9 NORTH, RANGE 8 EAST OF THE FOURTH PRINCIPAL MERIDIAN, AS SHOWN ON THE PLAT THEREOF RECORDED FEBRUARY 23, 2010 AS DOCUMENT NO. 2010004139 IN PLAT BOOK 12, PAGE 16, SITUATED IN THE COUNTY OF PEORIA AND STATE OF ILLINOIS.

PARCEL 2:

PIN. NO. 14-16-452-043

LOT 5B OF JUNCTION CITY PHASE TWO, BEING A RESUBDIVISION OF LOT 5 OF JUNCTION CITY

PHASE ONE, BEING A RESUBDIVISION OF LOT 1 OF JUNCTION CITY, BEING A PART OF LOTS 12, 13 AND 14 IN PLAT OF BRYANT LINDSAY'S SUBDIVISION OF LOTS 7 AND 8 IN SCHOOL SECTION NO. 16, ALSO A PART OF VACATED RIGHT OF WAY IN THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 16, ALL IN TOWNSHIP 9 NORTH, RANGE 8 EAST OF THE FOURTH PRINCIPAL MERIDIAN, SITUATED IN THE COUNTY OF PEORIA AND STATE OF ILLINOIS.

PARCEL 3:

PIN. NO. 14-16-452-038

LOT 2 OF JUNCTION CITY, A RESUBDIVISION OF A PART OF LOTS 12, 13 AND 14 IN PLAT OF BRYAN & LINDSAY'S SUBDIVISION OF LOTS 7 AND 8 IN SCHOOL SECTION NO. 16, ALSO A PART OF VACATED RIGHT OF WAY IN THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 16, ALL IN TOWNSHIP 9 NORTH, RANGE 8 EAST OF THE FOURTH PRINCIPAL MERIDIAN, AS SHOWN ON THE PLAT THEREOF RECORDED JULY 28, 2009 IN PLAT BOOK 11 PAGE 124 IN THE OFFICE OF THE PEORIA COUNTY RECORDER OF DEEDS, SITUATED IN THE COUNTY OF PEORIA AND STATE OF ILLINOIS.

PARCEL 4:

PIN. NO. 14-16-452-009

PART OF LOT FOURTEEN (14) IN BRYANT & LINDSAY'S SUBDIVISION OF LOTS SEVEN (7) AND EIGHT (8) IN SCHOOL SECTION SIXTEEN (16), TOWNSHIP NINE (9) NORTH, RANGE EIGHT (8) EAST OF THE FOURTH PRINCIPAL MERIDIAN, MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS, TO WIT: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT FOURTEEN (14) AND RUNNING THENCE NORTH ALONG THE EASTERLY BOUNDARY OF SAID LOT FOURTEEN (14), A DISTANCE OF ONE HUNDRED EIGHT SIX AND FIVE-TENTHS (186.5) FEET TO A POINT; THENCE AT RIGHT ANGLES WEST A DISTANCE OF TWO HUNDRED TWENTY-THREE AND SIX-TENTHS (223.6) FEET TO THE NORTHERLY BOUNDARY OF THE CHICAGO, ROCK ISLAND & PACIFIC RAILROAD COMPANY RIGHT-OF-WAY; THENCE IN A SOUTHEASTERLY DIRECTION, ALONG THE NORTHEASTERLY BOUNDARY OF THE CHICAGO, ROCK ISLAND & PACIFIC RAILROAD COMPANY RIGHT-OF-WAY, A DISTANCE OF TWO HUNDRED FIFTY (250) FEET TO THE SOUTH LINE OF SAID LOT FOURTEEN (14); THENCE EAST ALONG THE SOUTH LINE OF SAID LOT FOURTEEN (14) A DISTANCE OF FIFTY-SIX AND SEVENTY-THREE HUNDREDTHS (56.73) FEET TO THE SOUTHEAST CORNER OF SAID LOT FOURTEEN (14), AND THE POINT OF BEGINNING.

PARCEL 5:

NO SEPARATE PIN NO. BENEFITS PARCEL 4

ALSO, AN EASEMENT FOR THE PURPOSES DESCRIBED IN WARRANTY DEED CREATING AN EASEMENT RECORDED JULY 22, 1953 IN BOOK 942, PAGE 276, OVER, IN AND UPON THE FOLLOWING DESCRIBED TRACT:

COMMENCING AT THE NORTHEASTERLY CORNER OF THE TRACT IMMEDIATELY ABOVE DESCRIBED, AND RUNNING THENCE NORTH ALONG THE EAST LINE OF SAID LOT FOURTEEN (14), A DISTANCE OF TWO HUNDRED FORTY THREE AND NINE-TENTHS (243.9) FEET TO AN ANGLE IN THE WESTERLY LINE OF HUMBOLDT AVENUE AND THE NORTHERLY CORNER OF LOT FORTY THREE (43) IN MORNINGSIDE SUBDIVISION; THENCE CONTINUING NORTH ALONG THE WESTERLY BOUNDARY OF HUMBOLDT AVENUE A DISTANCE OF THIRTY (30) FEET TO A POINT; THENCE AT RIGHT ANGLES WEST A DISTANCE OF TWENTY (20) TO A POINT; THENCE AT RIGHT ANGLES SOUTH A DISTANCE OF TWO HUNDRED SEVENTY THREE AND NINE-TENTHS (273.9) FEET TO THE NORTHERLY BOUNDARY OF THE TRACT FIRST ABOVE DESCRIBED AND CONVEYED; THENCE AT RIGHT ANGLES EAST A DISTANCE OF TWENTY (20) FEET TO THE POINT OF BEGINNING.

PARCEL 6:

PIN. NO .14-16-452-039

LOT 3 OF JUNCTION CITY PHASE ONE, BEING A RESUBDIVISION OF LOT 1 OF JUNCTION CITY BEING A PART OF LOTS 12, 13 AND 14 IN PLAT OF BRYANT AND LINDSAY'S SUBDIVISION OF LOTS 7 AND 8 IN SCHOOL SECTION NUMBER 16, ALSO A PART OF VACATED RIGHT-OF-WAY IN THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 16, ALL IN TOWNSHIP 9 NORTH, RANGE 8 EAST OF THE FOURTH PRINCIPAL MERIDIAN, PEORIA COUNTY, ILLINOIS.

PARCEL 7:

PIN. NO. 14-16-452-042

LOT 5A OF JUNCTION CITY PHASE TWO, BEING A RESUB DIVISION OF LOT 5 OF JUNCTION CITY PHASE ONE, BEING A RESUBDIVISION OF LOT 1 OF JUNCTION CITY, BEING A PART OF LOTS 12, 13 AND 14 IN PLAT OF BRYANT LYND SAYS'S SUBDIVISION OF LOTS 7 AND 8 IN SCHOOL SECTION NO. 16, ALSO A PART OF VACATED RIGHT OF WAY IN THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 16, ALL IN TOWNSHIP 9 NORTH, RANGE 8 EAST OF THE FOURTH PRINCIPAL MERIDIAN, SITUATED IN THE COUNTY OF PEORIA AND STATE OF ILLINOIS.

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

- 1) The design and material of the buildings will be reviewed and approved administratively.
- 2) Provide a landscape plan prior to issuance of a building permit.
- 3) Provide an exterior lighting plan prior to issuance of a building permit.
- 4) Provide the appropriate number of bicycle parking accommodations.
- 5) The new entrance on Prospect is very near the IDOT right-of-way on Knoxville. Provide one of the following:
  - a. Verify that the entrance is outside IDOT's jurisdiction.OR
  - b. Provide verification that IDOT has approved the entrance.
- 6) Waiver to reduce the required building front yard setback from 20 feet to 5 feet for building 1, and from 20 feet to 6.8 feet for building 2, from the property line along Knoxville Ave as noted on the site plan.

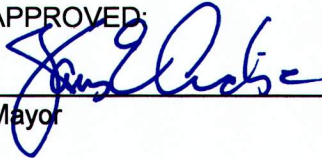
Section 2. All provisions of Appendix A, the Unified Development Code of the City of Peoria, with respect to the Class C-2 (Large Scale Commercial) District shall remain applicable to the above-described premises, with exception to Special Use herein permitted.

Section 3. This Ordinance shall be in full force and effect from and after its passage and approval according to law.

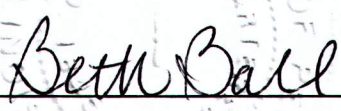
PASSED BY THE CITY COUNCIL OF THE CITY OF PEORIA, ILLINOIS THIS

28th DAY May, 2019.

APPROVED:

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

EXAMINED AND APPROVED:

  
\_\_\_\_\_  
Corporation Counsel