

AN ORDINANCE AMENDING AN EXISTING SPECIAL USE ORDINANCE NOS. 13,045 AS AMENDED AND 13,455 AS AMENDED IN A CLASS C-2 (LARGE SCALE COMMERCIAL) DISTRICT FOR A SHOPPING CENTER TO ADD PROPERTY AND NEW COMMERCIAL BUILDINGS FOR THE PROPERTY COMMONLY KNOWN AS GLEN HOLLOW SHOPPING CENTER WITH AN ADDRESS OF 5001 BIG HOLLOW ROAD, PEORIA, IL. THE SHOPPING CENTER SPECIAL USE CURRENTLY INCLUDES PARCEL IDENTIFICATION NOS. 14-19-151-067, 14-19-151-068, 14-19-151-070, 14-19-152-033, 14-19-152-038, 14-19-176-019, 14-19-176-029, 14-19-176-034, 14-19-176-035, 14-19-177-019, 14-19-177-020 (N WAR MEMORIAL DR), WITH THE FOLLOWING PROPERTY TO BE ADDED: 14-19-177-016 AND 14-19-177-017 (5040 N BIG HOLLOW RD) PEORIA, IL.

WHEREAS, the properties herein described are now zoned in a Class C-2 (Large Scale Commercial) District; and

WHEREAS, said Planning & Zoning Commission has been petitioned to amend an existing Special Use for a Shopping Center under the provisions of Section 2.15 of Appendix B, the Zoning Ordinance of the City of Peoria; and

WHEREAS said Planning & Zoning Commission held a public hearing on May 5, 2016, 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 amendment 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 an existing Special Use for a Shopping Center to add property into the Special Use boundary and add new commercial buildings is hereby approved for the following described property:

Legal Description:

Parcel 1

A PART OF THE NW 1/4 OF SECTION 19; A PART OF LOTS 1, 11 AND 12 OF MEADOWVIEW SUBDIVISION NO. 1; ALL OF LOTS 2 THROUGH 10, LOTS 13 THROUGH 34 OF MEADOWVIEW SUBDIVISION NO. 1; ALL OF LOTS 35 THROUGH 54 OF MEADOWVIEW SUBDIVISION NO. 2; AND THOSE PORTIONS OF THE STREETS KNOWN AS WILLIAM COURT, MEADOWVIEW COURT AND RED BUD COURT LYING WITHIN MEADOWVIEW SUBDIVISION NO. 1 AND MEADOWVIEW SUBDIVISION NO. 2; A PART OF LOTS 1, 2 AND 3 AND ALL OF LOT 4 OF FARROW SUBDIVISION; ALL BEING A PART OF THE NW 1/4 OF SECTION 19, T. 9 N., R. 8 E. OF THE 4TH P.M., AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 19; THENCE S89°41'W ALONG THE SOUTH LINE OF THE NW 1/4 OF SAID SECTION 19, A DISTANCE OF 591.73 FEET TO THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED; THENCE CONTINUING S89°41'W ALONG THE SOUTH LINE OF THE NW 1/4 OF SAID SECTION 19, A DISTANCE OF 595.25 FEET; THENCE N26°45'07"E, A DISTANCE OF 24.29 FEET TO A POINT ON THE NORTH R.O.W. LINE OF WEST GLEN AVENUE; THENCE

S89°37'19"W ALONG THE NORTH R.O.W. LINE OF WEST GLEN AVENUE, A DISTANCE OF 1140.42 FEET TO THE SOUTHEAST CORNER OF SAID LOT 51 OF MEADOWVIEW SUBDIVISION NO. 2; THENCE N00°23'10"W ALONG THE EAST LINE OF SAID LOT 51 OF MEADOWVIEW SUBDIVISION NO. 2, A DISTANCE OF 162.75 FEET; THENCE S8937'19"W, A DISTANCE OF 100.00 FEET TO A POINT ON THE WEST LINE OF SAID LOT 51 OF MEADOWVIEW SUBDIVISION NO. 2; THENCE N6505'07"W, A DISTANCE OF 297.54 FEET TO A POINT ON THE WEST LINE OF SAID LOT 54 OF MEADOWVIEW SUBDIVISION NO. 2, SAID POINT BEING 290.00 FEET FROM THE SOUTHWEST CORNER OF SAID LOT 54 OF MEADOWVIEW SUBDIVISION NO. 2; THENCE N0046'50"E ALONG THE WEST LINE OF SAID MEADOWVIEW SUBDIVISION NO. 2 AND THE WEST LINE OF SAID MEADOWVIEW SUBDIVISION NO. 1, A DISTANCE OF 793.65 FEET TO THE MOST NORTHERLY CORNER OF SAID LOT 24 OF MEADOWVIEW SUBDIVISION NO. 1; THENCE S7522'10"E ALONG THE NORTH LINE OF SAID MEADOWVIEW SUBDIVISION NO. 1, A DISTANCE OF 160.03 FEET; THENCE S7632'10"E ALONG THE NORTH LINE OF SAID MEADOWVIEW SUBDIVISION NO. 1, A DISTANCE OF 361.40 FEET; THENCE N77°24'E ALONG THE NORTH LINE OF SAID MEADOWVIEW SUBDIVISION NO. 1, A DISTANCE OF 256.0 FEET; THENCE N64°04'E ALONG THE NORTH LINE OF SAID MEADOWVIEW SUBDIVISION NO. 1, A DISTANCE OF 365.0 FEET; THENCE S87°28'E ALONG THE NORTH LINE OF SAID MEADOWVIEW SUBDIVISION NO. 1, A DISTANCE OF 82.0 FEET; THENCE N27°46'03"E, A DISTANCE OF 100.0 FEET; THENCE S79°24'E, A DISTANCE OF 66.5 FEET TO A POINT ON THE NORTHERLY LINE OF SAID LOT 12; THENCE N38°19'E ALONG THE NORTH LINE OF SAID LOT 12, A DISTANCE OF 300.0 FEET TO THE MOST NORTHERLY CORNER OF SAID LOT 12, SAID CORNER ALSO LYING ON THE SOUTHWESTERLY R.O.W. LINE OF BIG HOLLOW ROAD; THENCE S27°58'20"E ALONG THE SOUTHWESTERLY R.O.W. LINE OF BIG HOLLOW ROAD, A DISTANCE OF 403.74 FEET; THENCE S23°11'33"W ALONG THE SOUTHWESTERLY R.O.W. LINE OF BIG HOLLOW ROAD, A DISTANCE OF 70.95 FEET; THENCE S39°55'35"E ALONG THE SOUTHWESTERLY R.O.W. LINE OF BIG HOLLOW ROAD, A DISTANCE OF 85.00 FEET; THENCE S83°33'44"E ALONG THE SOUTHWESTERLY R.O.W. LINE OF BIG HOLLOW ROAD, A DISTANCE OF 59.44 FEET; THENCE S37°02'E ALONG THE SOUTHWESTERLY R.O.W. LINE OF BIG HOLLOW ROAD, A DISTANCE OF 253.35 FEET; THENCE S37°34'46"E ALONG THE SOUTHWESTERLY R.O.W. LINE OF BIG HOLLOW ROAD, A DISTANCE OF 190.16 FEET; THENCE S2°13'W ALONG THE SOUTHWESTERLY R.O.W. LINE OF BIG HOLLOW ROAD, A DISTANCE OF 21.2 FEET; THENCE S36°54'E ALONG THE SOUTHWESTERLY R.O.W. LINE OF BIG HOLLOW ROAD, A DISTANCE OF 364.90 FEET; THENCE S54°30'W, A DISTANCE OF 190.0 FEET; THENCE S9°30'W, A DISTANCE OF 28.28 FEET; THENCE S35°30'E, A DISTANCE OF 199.48 FEET; THENCE S89°41'W, A DISTANCE OF 97.67 FEET; THENCE S0°19'W, A DISTANCE OF 30.0 FEET TO THE POINT OF BEGINNING, CONTAINING 49.54, ACRES MORE OR LESS, SITUATE, LYING AND BEING IN THE COUNTY OF PEORIA AND STATE OF ILLINOIS.
PINs: 14-19-151-070; 14-19-152-033; 14-19-152-038; 14-19-176-035; 14-19-176-029; 14-19-176-034; 14-19-151-068; and 14-19-151-01-067.

Parcel 2

A PART OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 9 NORTH, RANGE 8 EAST OF THE FOURTH PRINCIPAL MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 19, 77.3 FEET WEST OF THE CENTER OF SAID SECTION 19; THENCE RUNNING NORTHWESTERLY ALONG THE WESTERLY R.O.W. LINE OF US ROUTE #150, A DISTANCE OF 1276.11 FEET; THENCE SOUTH 66°27'29" WEST, A DISTANCE OF 16.5 FEET TO THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED; THENCE CONTINUING SOUTH 66°27'29" WEST, A DISTANCE OF 237.31 FEET TO A POINT LYING 15 FEET EASTERLY OF THE EASTERLY R.O.W. LINE OF BIG HOLLOW ROAD; THENCE NORTH 18°43'15" EAST, A DISTANCE OF 32.43 FEET; THENCE NORTH 0°37'41" EAST, A DISTANCE OF 52.12 FEET; THENCE NORTH 66°27'29"E, A DISTANCE OF 116.0 FEET; THENCE SOUTH 79°51'04" EAST, A DISTANCE OF 57.69 FEET TO THE POINT OF BEGINNING, CONTAINING 0.142 ACRES, SITUATE, LYING AND BEING IN THE COUNTY OF PEORIA AND STATE OF ILLINOIS.
PINs: 14-19-177-019 and 14-19-177-020.

Parcel 3 (Added to the boundary of the Special Use)

A PART OF THE N.W. 1/4 OF SECTION 19, T.9N., R.8E. OF THE 4TH P.M., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE WESTERLY RIGHT OF WAY LINE OF STATE ROUTE NO. 150, AT A POINT BEING 1276.11 FEET NORTH OF THE SOUTH LINE OF THE N.W. 1/4 OF SAID SECTION 19, AS MEASURED ALONG SAID ROAD'S WESTERLY RIGHT OF WAY LINE, AS THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED; THENCE S 66°05'51"W, A DISTANCE OF 269.10 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF BIG HOLLOW ROAD; THENCE S37°25'45"E ALONG THE EASTERLY RIGHT OF WAY LINE OF BIG HOLLOW ROAD, A DISTANCE OF 74.05 FEET; THENCE S37°12'41"E ALONG THE EASTERLY RIGHT OF WAY LINE OF BIG HOLLOW ROAD, A DISTANCE OF 93.60 FEET; THENCE N66°27'37"E, A DISTANCE OF 232.01 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF STATE ROUTE NO. 150; THENCE N24°46'42"W ALONG THE WESTERLY RIGHT OF WAY LINE OF STATE ROUTE NO. 150, A DISTANCE OF 43.80 FEET; THENCE N24°25'36"W ALONG THE WESTERLY RIGHT OF WAY LINE OF STATE ROUTE NO. 150, A DISTANCE OF 120.75 FEET TO THE POINT OF BEGINNING, SITUATE, LYING AND BEING IN THE COUNTY OF PEORIA, AND STATE OF ILLINOIS.

PINS: 14-19-177-016 and 14-19-177-017

Parcel 4

A PART OF LOTS 1, 2 AND 3 IN FARROW SUBDIVISION, BEING A PART OF THE NORTHWEST QUARTER, SECTION 19, TOWNSHIP 9 NORTH, RANGE 8 EAST OF THE FOURTH PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 19; THENCE SOUTH 89 DEGREES 41 MINUTES WEST ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 19, A DISTANCE OF 233.48 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF BIG HOLLOW ROAD (OLD KNOXVILLE ROAD); THENCE NORTH 1 DEGREE 25 MINUTES 23 SECONDS EAST ALONG THE WESTERLY RIGHT OF WAY LINE OF BIG HOLLOW ROAD, A DISTANCE OF 30.01 FEET TO A POINT 30 FEET NORMAL DISTANCE NORTH OF THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 19 AND THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED; THENCE NORTH 35 DEGREES 30 MINUTES WEST ALONG THE WESTERLY RIGHT OF WAY LINE OF BIG HOLLOW ROAD, A DISTANCE OF 228.9 FEET; THENCE NORTH 36 DEGREES 54 MINUTES WEST ALONG THE WESTERLY RIGHT OF WAY LINE OF BIG HOLLOW ROAD, A DISTANCE OF 141.10 FEET; THENCE SOUTH 54 DEGREES 30 MINUTES WEST, A DISTANCE OF 190.00 FEET; THENCE SOUTH 9 DEGREES 30 MINUTES WEST, A DISTANCE OF 28.28 FEET; THENCE SOUTH 35 DEGREES 30 MINUTES EAST, A DISTANCE OF 199.48 FEET TO A POINT 30 FEET NORMAL DISTANCE NORTH OF THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 19; THENCE NORTH 89 DEGREES 41 MINUTES EAST PARALLEL WITH THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 19, A DISTANCE OF 261.16 FEET TO THE POINT OF BEGINNING, SITUATED IN THE COUNTY OF PEORIA AND STATE OF ILLINOIS.

PIN: 14-19-176-019

Said Ordinance is hereby approved per the submitted Site Plans (Attachment A), Signage Plans (Attachment B), Landscape Plans (Attachment C) and Elevation Drawings (Attachment D) and with the following conditions and waivers:

- 1) Payment of the parking impact fee for the net increase of 35 parking spaces.
- 2) Revise the landscape plans for parcels 2, 3, and 4, to provide tree plantings for the front yards and parking lots, in compliance with the Zoning Ordinance.
- 3) Install a sidewalk along the frontage of Big Hollow Road of parcels 2 and 3, and Glen Avenue of parcel 4.
- 4) Revise the size and placement of proposed freestanding signs to 70 sq. ft. in size and 25 feet in height with a minimum of 150 feet of lineal separation for signs located on the same zoning lot, in compliance with the Zoning Ordinance.

- 5) Special event and/or sales located in the parking lot or private building sidewalk may occur provided that any tents or other temporary covered structures and any temporary signage shall comply with all Codes of the City of Peoria.
- 6) Waiver to reduce the required front yard setback from 20 feet to 5 feet along Glen Avenue and Big Hollow Road for Parcel 4.
- 7) Waiver to reduce the required front yard setback from 20 feet to 8.9 feet at the narrowest point along War Memorial Drive and to 7 feet at the narrowest point along Big Hollow Road for Parcel 3.
- 8) Waiver to reduce the required setback from 10 feet to 1.5 feet for a freestanding sign along War Memorial Drive for Parcel 3.
- 9) Waiver to allow the re-use of the existing 45-foot tall, freestanding sign on Parcel 4 with a 300 sq. ft. sign face and 54 sq. ft. reader board.
- 10) Waiver to allow banners on all light standards in the parking lots. Size of banners must comply with current zoning regulations.

Section 2. All provisions of Appendix B, the Zoning Ordinance 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 amended 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 _____, 2016.

APPROVED:

Mayor

ATTEST:

City Clerk

EXAMINED AND APPROVED:

Corporation Counsel