

ORDINANCE B

AN ORDINANCE AMENDING AN EXISTING SPECIAL USE, ORDINANCE NUMBER 14,063, AS AMENDED, FOR A SHOPPING CENTER IN A CLASS C-2 (LARGE SCALE COMMERCIAL) DISTRICT TO ADD A NEW COMMERCIAL BUILDING, FOR THE PROPERTY COMMONLY KNOWN AS JUNCTION CITY SHOPPING CENTER AND LOCATED AT 5901 N PROSPECT ROAD (PARCEL IDENTIFICATION NUMBERS 14-16-452-038, -039, -040, -042, -043, -034, & -008), PEORIA, ILLINOIS

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

WHEREAS, said 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 Permanent Zoning Ordinance, of the City of Peoria; and

WHEREAS, said Zoning Commission held a public hearing on March 5, 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 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 to add a new commercial building is hereby approved for the following described property:

A PART OF LOTS 12, 13 AND 14 IN PLAT OF BRYANT & LINDSAY'S SUBDIVISION OF LOTS 7 & 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, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 16; THENCE SOUTH 19 DEGREES 11 MINUTES 55 SECONDS EAST, (BEARINGS ARE FOR DESCRIPTIVE PURPOSES ONLY), ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER OF SECTION 16, A DISTANCE OF 556.40 FEET MORE OR LESS TO A POINT ON THE EXISTING SOUTHWESTERLY RIGHT OF WAY LINE OF PROSPECT ROAD EXTENDED IN A WESTERLY DIRECTION; THENCE NORTH 70 DEGREES 48 MINUTES 05 SECONDS EAST, ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE OF PROSPECT ROAD EXTENDED IN A WESTERLY DIRECTION, A DISTANCE OF 8.00 FEET TO A POINT ON THE EXISTING SOUTHWESTERLY RIGHT OF WAY LINE OF PROSPECT ROAD, SAID POINT BEING THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED;

FROM THE POINT OF BEGINNING; THENCE (THE FOLLOWING THREE COURSES ARE ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE OF PROSPECT ROAD), NORTH 70 DEGREES 48 MINUTES 05 SECONDS EAST, A DISTANCE OF 25.00 FEET; THENCE SOUTH 86 DEGREES 53 MINUTES 47 SECONDS

ORDINANCE B

EAST, A DISTANCE OF 664.14 FEET; THENCE SOUTH 52 DEGREES 48 MINUTES 04 SECONDS EAST, A DISTANCE OF 33.12 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF HUMBOLDT AVENUE, (SAID LINE ALSO BEING THE EAST LINE OF LOTS 12, 13 AND 14 IN PLAT OF BRYANT & LINDSAY'S SUBDIVISION OF LOTS 7 & 8 IN SCHOOL SECTION NO. 16, TOWNSHIP 9 NORTH, RANGE 8 EAST); THENCE SOUTH 18 DEGREES 44 MINUTES 47 SECONDS EAST, ALONG SAID WESTERLY RIGHT OF WAY LINE OF HUMBOLDT AVENUE, (SAID LINE ALSO BEING THE EAST LINE OF LOTS 12, 13 AND 14 IN PLAT OF BRYANT & LINDSAY'S SUBDIVISION OF LOTS 7 & 8 IN SCHOOL SECTION NO. 16, TOWNSHIP 9 NORTH, RANGE 8 EAST), A DISTANCE OF 914.48 FEET; THENCE SOUTH 71 DEGREES 03 MINUTES 40 SECONDS WEST, A DISTANCE OF 223.39 FEET TO A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF THE CHICAGO, ROCK ISLAND & PACIFIC RAILROAD; THENCE NORTH 60 DEGREES 50 MINUTES 03 SECONDS WEST ALONG THE NORTHEASTERLY RIGHT OF WAY LINE OF THE CHICAGO, ROCK ISLAND & PACIFIC RAILROAD, A DISTANCE OF 615.92 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF KNOXVILLE AVENUE; (THE FOLLOWING SEVEN COURSES FOLLOW ALONG THE EASTERLY RIGHT OF WAY LINE OF KNOXVILLE AVENUE) THENCE NORTH 19 DEGREES 54 MINUTES 01 SECONDS WEST, A DISTANCE OF 82.92 FEET; THENCE NORTH 22 DEGREES 44 MINUTES 16 SECONDS WEST, A DISTANCE OF 284.22 FEET; THENCE SOUTH 71 DEGREES 27 MINUTES 31 SECONDS WEST, A DISTANCE OF 0.66 FEET; THENCE NORTH 23 DEGREES 10 MINUTES 55 SECONDS WEST, A DISTANCE OF 31.32 FEET; THENCE NORTH 19 DEGREES 11 MINUTES 55 SECONDS WEST, A DISTANCE OF 201.92 FEET; THENCE SOUTH 70 DEGREES 48 MINUTES 05 SECONDS WEST, A DISTANCE OF 25.00 FEET; THENCE NORTH 19 DEGREES 11 MINUTES 55 SECONDS WEST, A DISTANCE OF 164.95 FEET TO THE POINT OF BEGINNING, CONTAINING 13.265 ACRES MORE OR LESS, SITUATED IN THE COUNTY OF PEORIA AND STATE OF ILLINOIS.

Parcel Identification Numbers 14-16-452-038, -039, -040, -042, -043, -034, & -008.

Said Ordinance is hereby amended per the submitted Site and Landscape Plan (Attachment A), and Elevations (Attachment B), and with the following conditions and waivers:

1. A waiver is requested to allow the proposed commercial building to be setback 15.2 feet along Humboldt Avenue, instead of the required 20 foot front yard setback.
2. A waiver is requested to allow the dumpster enclosure to be placed within the required 20 foot front yard area along Humboldt Avenue, at a setback of 18.3 feet.
3. Lighting may not exceed 3 footcandles as measured at the property line and a photometric lighting plan must be submitted prior to the issuance of a building permit.
4. Water main and hydrant location information must be submitted to the Fire Department for approval.
5. An accessible route must be provided between the public ROW along Humboldt Avenue and the building.
6. A 5-foot wide sidewalk is required along Humboldt Avenue for the linear frontage of the Shopping Center boundary along Humboldt.
7. All loading and unloading for businesses within the Shopping Center must occur within the boundary of the Shopping Center.
8. Employees must park within the boundary of the shopping center.
9. Provide a pedestrian crossing (pedestrian signals & push buttons, ADA ramps, pavement markings) across Knoxville Avenue (on the north leg of the intersection). Update the traffic study to include this addition.
10. Proposed signs require a separate application/approval and must meet Zoning Ordinance requirements.
11. Regular parking spaces must be striped a minimum of 8.5 feet in width by 18.5 feet in length.

ORDINANCE B

- 12. Disabled parking spaces must be striped with an 11' parking area and a 5' aisle on the right hand side, or alternatively, with an 8' parking area and 8' aisle. Accessible spaces shall be signed with an R7-8 sign and an R7-101 \$350 fine plate.
- 13. All existing and proposed rooftop and ground level mechanical equipment, utilities, and refuse areas must be screened per Zoning Ordinance requirements. A revised site plan must be submitted showing all existing and proposed mechanical equipment and utilities with screening material noted.
- 14. The parapet wall proposed on the new commercial building should be extended all the way around the building to screen rooftop mechanical units from both public right-of-way and residential properties. A revised elevation must be submitted, prior to the issuance of permits, reflecting this requirement.
- 15. Landscaping must meet Zoning Ordinance requirements and a final landscape plan which notes proposed species must be submitted for review and approval prior to the issuance of permits.
- 16. The building described and attached to the approved Ordinance will be the specific building built. Any change to the proposed commercial building would require an amendment to the Special Use.
- 17. If any of the required/agreed to landscaping dies, it must be replaced as required by the Zoning Ordinance.

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 amendment 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:

Corporation Counsel