

AN ORDINANCE AMENDING AN EXISTING SPECIAL USE ORDINANCE NO. 13,450, AS AMENDED, IN A CLASS C-2 (LARGE SCALE COMMERCIAL) DISTRICT FOR A SHOPPING CENTER TO ADD A RESTAURANT WITH A DRIVE-THRU FOR THE PROPERTY IDENTIFIED AS PARCEL IDENTIFICATION NOS. 14-29-327-003, 14-29-327-021, 14-29-327-025, AND 14-29-327-026, WITH AN ADDRESS OF 3425 - 3525 N UNIVERSITY STREET, PEORIA, IL AND COMMONLY KNOWN AS UNIVERSITY PLAZA SHOPPING CENTER.

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 February 4, 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 a restaurant building with a drive-thru is hereby approved for the following described property:

PARCEL 1:

PART OF LOT 1 OF COMMISSIONER'S SUBDIVISION OF ALLERTON ESTATE, A SUBDIVISION OF PART OF THE EAST HALF OF THE SOUTHWEST QUARTER 20.OF SECTION 29, TOWNSHIP NINE (9) NORTH, RANGE EIGHT (8) EAST OF THE FOURTH PRINCIPAL MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 29, THENCE SOUTH 00°-00'-00" EAST, (BEARING ASSUMED FOR PURPOSE OF DESCRIPTION ONLY), ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 29, 596.03 FEET; THENCE NORTH 89°-18'-00" WEST, 53.33 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF NORTH UNIVERSITY STREET, SAID POINT BEING THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED; FROM THE POINT OF BEGINNING THENCE NORTH 89°-18'-00" WEST, 448.41 FEET; THENCE NORTH 00°-39'-44" EAST, 303.66 FEET; THENCE NORTH 89°-20'-16" EAST, 232.40 FEET; THENCE NORTH 00°-39'-44" WEST, 16.62 FEET TO THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF MEADOWBROOK ROAD; THENCE SOUTHEASTERLY, ALONG THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF MEADOWBROOK ROAD AND THE WESTERLY RIGHT-OF-WAY LINE OF NORTH UNIVERSITY STREET, ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 465.80 FEET, FOR AN ARC DISTANCE OF 398.45 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

LOT 6-A IN LANDMARK PARK, A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 9 NORTH, RANGE 8 EAST OF THE FOURTH PRINCIPAL MERIDIAN, SITUATE, LYING AND BEING IN THE COUNTY OF PEORIA AND STATE OF ILLINOIS.

PARCEL 3:

LOT 1 IN UNIVERSITY PLAZA, A SUBDIVISION OF A PART OF LOT 1 OF COMMISSIONER'S SUBDIVISION OF ALLERTON ESTATE, AND A PART OF LOT 7 OF LANDMARK PARK, ALL BEING IN THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 9 NORTH, RANGE 8 EAST OF THE FOURTH PRINCIPAL MERIDIAN, PEORIA COUNTY, ILLINOIS, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 12 AT PAGE 95 IN THE PEORIA COUNTY RECORDER'S OFFICE.

PARCEL 4:

LOT 2 IN UNIVERSITY PLAZA, A SUBDIVISION OF A PART OF LOT 1 OF COMMISSIONER'S SUBDIVISION OF ALLERTON ESTATE, AND A PART OF LOT 7 OF LANDMARK PARK, ALL BEING IN THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 9 NORTH, RANGE 8 EAST OF THE FOURTH PRINCIPAL MERIDIAN, PEORIA COUNTY, ILLINOIS, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 12 AT PAGE 95 IN THE PEORIA COUNTY RECORDER'S OFFICE.

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

- 1) The City's 2016 University Avenue Reconstruction will include installation of property line sidewalks along the property frontage. In exchange for new sidewalks, the property owner will be required to donate temporary and/or permanent easements. Plans shall indicate that contractor shall coordinate sidewalk construction abutting ROW sidewalk with Public Works Department.

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