

**AN ORDINANCE APPROVING A SPECIAL USE IN A CLASS C-1 (GENERAL COMMERCIAL) DISTRICT FOR AN ACTIVE PARK FOR THE PROPERTY IDENTIFIED AS PART OF PARCEL IDENTIFICATION NO 08-35-100-034 WITH A TEMPORARY ADDRESS OF 9800 N ORANGE PRAIRIE ROAD, PEORIA, ILLINOIS**

WHEREAS, the property herein described is now zoned in a Class C-1 (General Commercial) District; and

WHEREAS, said Planning & Zoning Commission has been petitioned to approve a Special Use for an Active Park 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 February 4, 2016, 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 a Special Use for an Active Park is hereby approved for the following described property:

A part of the NW ¼ of Section 35, Township 10 North, Range 7 east of the Fourth Principal Meridian, Peoria County, Illinois, Being more particularly described as follows, and bearings are assumed for the purpose of description only;

The northern half, comprising 10.45 acres, of the following described property:

Commencing at the Southwest corner of said NW ¼; thence S 89° 35'04" E, along the south line of said NW ¼, a distance of 70.00 feet to the point of beginning of the tract to be described (said point also being on the east right-of-way line of Orange Prairie Road); thence N 00° 04'42" E, along said east right-of-way line, a distance of 776.86 feet; thence S 89° 51'24" E, a distance of 1151.09 feet; thence S 00° 33'19" W, a distance of 782.33 feet to a point on the south line of said NW ¼ of Section 35; thence N 89° 35'04" W, along said south line of said NW ¼, a distance of 1144.59 feet to the point of beginning, said tract containing 20.543 acres, more or less; subject to any other easements, covenants and/or agreements of record.

Part of Parcel Identification Number: 08-35-100-034

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

- 1) Revise the preliminary/final plat to subdivide the parcel into two lots delineating the special use/development area vs non-developed area.
- 2) Compliance with federal, state and local regulations for wetland mitigation, if any.
- 3) Approval from Public Works Dept of the proposed median break on Orange Prairie Road, which may require northbound and/or southbound auxiliary turn lanes.

Section 2. All provisions of Appendix B, the Zoning Ordinance, of the City of Peoria, with respect to Class C-1 (General 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 \_\_\_\_\_, 2016.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

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

EXAMINED AND APPROVED:

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