

An ORDINANCE Amending the SPECIAL USE granted Ordinance No. 13,221, as amended, in a Class C-2 (Large Scale Commercial) District for a Shopping Center, to Allow the Development of Restaurant and Retail Establishments for the Property Commonly Known as Northwoods Mall, Located at 2200 W. War Memorial Drive (Parcel Identification Nos. 14-19-451-003, 14-30-201-002, 14-19-451-007, 14-19-451-011 through -014), Peoria, Illinois.

WHEREAS, the City of Peoria is a home rule municipality pursuant to Article VII, Section 6, of the Illinois Constitution of 1970; and

WHEREAS, as a home rule municipality, the City may exercise any power and perform any function pertaining to its government and affairs including zoning regulations and uses; and

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

WHEREAS, the Planning and Zoning Commission has been petitioned to amend a Special Use for a Shopping Center to allow the development of restaurant and retail establishments under the provisions of Article 2.15 of Appendix B, the Zoning Ordinance of the City of Peoria; and

WHEREAS, said Planning and Zoning Commission held a public hearing on June 4, 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, and no written protest was made by the owners of twenty percent (20%) of the frontage immediately adjoining or across from the frontage proposed to be altered; and

WHEREAS, said Planning and Zoning Commission has submitted its report of said public hearing and the City Council finds that to permit such 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:

Section 1. That a Special Use is hereby amended, with Waivers, for following described property:

PART OF LOT 8 OF NORTHWOODS SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NE 1/4 OF SECTION 30, T9N, R8E, OF THE 4TH PM, PEORIA COUNTY, ILLINOIS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 8; THENCE S07°57'00"E ALONG THE WEST LINE OF SAID LOT 8 AND THE EAST R.O.W. LINE OF NORTH STERLING AVENUE, A DISTANCE OF 104.07 FEET TO THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED; THENCE CONTINUING S07°57'00"E ALONG THE WEST LINE OF SAID LOT

8 AND THE EAST R.O.W. LINE OF SAID NORTH STERLING AVENUE, A DISTANCE OF 366.87 FEET TO THE NORTHERLY R.O.W. LINE OF F.A.I ROUTE 74; THENCE S74°54'24"E ALONG THE NORTHERLY R.O.W. LINE OF SAID F.A.I. ROUTE 74, A DISTANCE OF 296.22 FEET; THENCE S70°20'01"E ALONG THE NORTHERLY R.O.W. LINE OF SAID F.A.I. ROUTE 74, A DISTANCE OF 66.44 FEET; THENCE N24°24'36"W, A DISTANCE OF 286.84 FEET; THENCE IN A NORTHERLY DIRECTION ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 136.37 FEET FOR AN ARC DISTANCE OF 58.32 FEET; THENCE N00°05'31"E, A DISTANCE OF 134.81 FEET; THENCE N03°31'54"W, A DISTANCE OF 44.78 FEET; THENCE IN A NORTHWESTERLY DIRECTION ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 9.00 FEET, FOR AN ARC DISTANCE OF 13.59 FEET; THENCE S89°55'27"W, A DISTANCE OF 179.56 FEET; THENCE S79°14'51"W, A DISTANCE OF 32.82 FEET TO THE EAST R.O.W. LINE OF SAID NORTH STERLING AVENUE; THENCE S51°04'47"W ALONG THE EAST R.O.W. LINE OF SAID NORTH STERLING AVENUE, A DISTANCE OF 58.14 FEET TO THE POINT OF BEGINNING, SITUATE, LYING AND BEING IN THE COUNTY OF PEORIA AND STATE OF ILLINOIS.

Said Ordinance is hereby approved with the following WAIVERS:

1. Reduce setback requirement along I-74 from 20 feet to 10 feet.
2. Waive front yard landscaping requirement for trees along Sterling.
3. Waive front yard landscaping requirement for trees along I-74 right-of-way.

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 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

