

AN ORDINANCE AMENDING SPECIAL USE ORDINANCE NOS. 13,111 AND 13,194 IN A CLASS C-2 (LARGE SCALE COMMERCIAL) DISTRICT TO ALLOW FOR AN ADULT USE CANNABIS DISPENSARY, FOR THE PROPERTY LOCATED AT 3929 W WAR MEMORIAL DR AND COMMONLY KNOWN AS THE WILLOW KNOLLS SHOPPING CENTER (PARCEL IDENTIFICATION NOS. 13-12-300-032, 13-12-300-018, 13-12-300-020, 13-12-300-021, 13-12-300-022, 13-12-300-024, 13-12-300-030, 13-12-300-031, AND 13-12-302-003), PEORIA, IL.

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

WHEREAS, said Planning & Zoning Commission has been petitioned to approve an amendment to the existing Special Use for a Shopping Center under the provisions of Section 2.9 of Appendix A, the Unified Development Code of the City of Peoria; and

WHEREAS said Planning & Zoning Commission held a public hearing on September 1, 2022, 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 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 Special Use Ordinance Nos. 13,111 and 13,194 to allow for an Adult Use Cannabis Dispensary is hereby approved for the following described property:

PARCEL 1: LOTS 1, 1A AND 4 IN WILLOW KNOLLS COURT, A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 12, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE FOURTH PRINCIPAL MERIDIAN, AS SHOWN ON PLAT FILED OCTOBER 12, 1990, ND RECORDED IN PLAT BOOK 4, PAGE 132, IN THE RECORDER'S OFFICE OF PEORIA COUNTY. EXCEPTING THEREFROM, THAT PORTION CONVEYED BY WILLOW KNOLLS LIMITED PARTNERSHIP, AN INDIANA LIMITED PARTNERSHIP, TO GENERAL MILLS RESTAURANT, INC., A FLORIDA CORPORATION, BY SPECIAL WARRANTY DEED DATED AUGUST 13, 1993 AND RECORDED AUGUST 19, 1993 AS DOCUMENT NO. 93-25435 DESCRIBED AS FOLLOWS: A PART LOT 4 OF WILLOW KNOLLS COURT, A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 12, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE FOURTH PRINCIPAL MERIDIAN, RECORDED AS DOCUMENT NO. 90- 24401 IN THE PEORIA COUNTY RECORDER'S OFFICE, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 4, THENCE NORTH 69 DEGREES 47 MINUTES 57 SECONDS WEST, (BEARING ASSUMED FOR PURPOSE OF DESCRIPTION ONLY), ALONG THE SOUTHWESTERLY LINE OF SAID LOT 4, SAID LINE BEING ALSO THE NORTHEASTERLY RIGHT OF WAY LINE OF F.A.P. ROUTE 49 (U.S. ROUTE 150), 220.00 FEET; THENCE NORTH 20 DEGREES 12 MINUTES 03 SECONDS EAST, 260.14 FEET; THENCE NORTH 48 DEGREES 39 MINUTES 00 SECONDS EAST, 175.74 FEET, TO A POINT ON THE NORTHEASTERLY LINE OF SAID LOT 4; THENCE SOUTH 41 DEGREES 21 MINUTES 00 SECONDS EAST, ALONG SAID NORTHEASTERLY

LINE, 155.00 FEET TO THE NORTHEASTERLY CORNER OF SAID LOT 4; THENCE SOUTH 20 DEGREES 12 MINUTES 03 SECONDS WEST, ALONG THE EASTERLY LINE OF SAID LOT 4, 340.82 FEET TO THE POINT OF BEGINNING. ALSO EXCEPTING THEREFROM, THAT PORTION CONVEYED BY WILLOW KNOLLS LIMITED PARTNERSHIP, AN INDIANA LIMITED PARTNERSHIP, TO SOUTH SIDE TRUST & SAVINGS BANK OF PEORIA BY A SPECIAL WARRANTY DEED DATED JULY 24, 1992 AND RECORDED JULY 29, 1992 AS DOCUMENT NO. 92-22355 DESCRIBED AS FOLLOWS: A PART OF LOT 4 OF WILLOW KNOLLS COURT, A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 12, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE FOURTH PRINCIPAL MERIDIAN, RECORDED AS DOCUMENT NO. 90-24401 IN THE PEORIA COUNTY RECORDER'S OFFICE, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 4, THENCE SOUTH 01 DEGREES 22 MINUTES 18 SECONDS EAST, (BEARINGS ASSUMED FOR PURPOSE OF DESCRIPTION ONLY), ALONG THE WEST LINE OF SAID LOT 4, 650.00 FEET; THENCE NORTH 88 DEGREES 37 MINUTES 42 SECONDS EAST, 10.00 FEET TO THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED: FROM THE POINT OF BEGINNING, THENCE NORTH 88 DEGREES 37 MINUTES 42 SECONDS EAST, 201.89 FEET; THENCE SOUTH 69 DEGREES 47 MINUTES 57 SECONDS EAST, 28.08 FEET; THENCE SOUTH 01 DEGREES 22 MINUTES 18 SECONDS EAST, 236.57 FEET TO THE SOUTHWESTERLY LINE OF SAID LOT 4, SAID LINE BEING ALSO THE NORTHEASTERLY RIGHT OF WAY LINE OF F.A.P. ROUTE 49 (U.S. ROUTE 150); THENCE NORTH 69 DEGREES 47 MINUTES 57 SECONDS WEST ALONG THE SOUTHWESTERLY LINE OF SAID LOT 4, 193.36 FEET; THENCE NORTH 39 DEGREES 44 MINUTES 35 SECONDS WEST ALONG SAID SOUTHWESTERLY LINE, 93.73 FEET TO THE WESTERLY LINE OF SAID LOT 4; THENCE NORTH 01 DEGREES 22 MINUTES 18 SECONDS WEST, ALONG SAID WESTERLY LINE, 92.31 FEET; THENCE NORTH 88 DEGREES 37 MINUTES 42 SECONDS EAST, 10 FEET; THENCE NORTH 01 DEGREES 22 MINUTES 18 SECONDS WEST, 10 FEET TO THE POINT OF BEGINNING. ALSO EXCEPTING THEREFROM, A PART OF LOT 4 OF WILLOW KNOLLS COURT, A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 12, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE FOURTH PRINCIPAL MERIDIAN, RECORDED AS DOCUMENT NO. 90-24401 IN THE PEORIA COUNTY RECORDER'S OFFICE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 4, THENCE NORTH 69 DEGREES 47 MINUTES 57 SECONDS WEST, (BEARINGS ASSUMED FOR PURPOSE OF DESCRIPTION ONLY) ALONG THE SOUTHWESTERLY LINE OF SAID LOT 4, SAID LINE BEING ALSO THE NORTHEASTERLY RIGHT OF WAY LINE OF F.A.P. ROUTE 49 (U.S. ROUTE 150) 220.00 FEET TO THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED: FROM THE POINT OF BEGINNING THENCE NORTH 69 DEGREES 47 MINUTES 57 SECONDS WEST, ALONG THE SOUTHWESTERLY LINE OF SAID LOT 4, 209.56 FEET; THENCE NORTH 01 DEGREES 22 MINUTES 18 SECONDS WEST, 93.03 FEET; THENCE EASTERLY ON A CURVE TO THE LEFT HAVING A RADIUS OF 36.34 FEET, FOR AN ARC DISTANCE OF 57.79 FEET; THENCE NORTH 01 DEGREES 24 MINUTES 09 SECONDS WEST, 92.59 FEET; THENCE SOUTH 77 DEGREES 00 MINUTES 25 SECONDS EAST, 169.09 FEET; THENCE NORTH 04 DEGREES 08 MINUTES 28 SECONDS EAST, 60.00 FEET; THENCE SOUTHEASTERLY ON A CURVE TO THE LEFT HAVING A RADIUS OF 28.31 FEET, FOR AN ARC DISTANCE OF 23.25 FEET; THENCE SOUTH 41 DEGREES 26 MINUTES 59 SECONDS EAST, 13.31 FEET; THENCE SOUTH 69 DEGREES 47 MINUTES 57 SECONDS EAST, 27.00 FEET; THENCE NORTH 20 DEGREES 12 MINUTES 03 SECONDS EAST, 213.97 FEET TO THE NORTHEASTERLY LINE OF SAID LOT 4, THENCE SOUTH 41 DEGREES 21 MINUTES 00 SECONDS EAST, ALONG THE NORTHEASTERLY LINE OF SAID LOT 4, 155.50 FEET; THENCE SOUTH 48 DEGREES 39 MINUTES 00 SECONDS WEST, 175.74 FEET; THENCE SOUTH 20 DEGREES 12 MINUTES 03 SECONDS WEST, 260.14 FEET TO THE POINT OF BEGINNING. ALL SITUATE IN THE COUNTY OF PEORIA, STATE OF ILLINOIS. PARCEL 2: EASEMENT FOR INGRESS AND EGRESS, PARKING, STORM WATER DRAINAGE AND OTHER PURPOSES FOR THE BENEFIT OF PARCEL 1 AS SET FORTH IN EASEMENTS WITH COVENANTS AND RESTRICTIONS AFFECTING LAND DATED FEBRUARY 27, 1990, AND RECORDED MARCH 2, 1990 AS DOCUMENT NO. 90-04433, AS AMENDED BY FIRST AMENDMENT TO EASEMENT WITH COVENANTS AND RESTRICTIONS AFFECTING LAND RECORDED NOVEMBER 5, 2001 AS DOCUMENT 01-40713, IN THE RECORDER'S OFFICE OF PEORIA COUNTY, ILLINOIS, SITUATE IN PEORIA COUNTY, ILLINOIS.

Parcel ID Nos.: 13-12-300-018, 13-12-300-020, 13-12-300-021, 13-12-300-022, 13-12-300-024, 3-12-300-030, 13-12-300-031, 13-12-300-032, and 13-12-302-003

Parcel Address: 3929 W War Memorial Dr, Peoria, Illinois 61615.

Said Ordinance is hereby approved per the submitted Site Plan Documents (Attachment A) and the following conditions:

1. Repair and restripe parking lot for regular and handicap parking spaces including required handicap space signs and install four (4) bicycle parking spaces all per Section 8.1 of the Unified Development Code (UDC).
2. Ground, wall, and rooftop mounted mechanical and utility equipment must be screened from view of the public right-of-way.
3. Provide a revised landscape plan to include a continuous hedge, a decorative masonry wall, or any combination thereof along the perimeter of the parking area along War Memorial Dr.
4. All signs will comply with Section 8.3 of the UDC approved through a separate sign permit application.
5. Exterior lighting will comply with Section 8.5 of the UDC.

Section 2. All provisions of Appendix A, the Unified Development Code 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 _____, 2022.

APPROVED:

Mayor

ATTEST:

City Clerk

EXAMINED AND APPROVED:

Corporation Counsel