



**TO:** The Honorable Mayor and the City Council

**FROM:** Ty Livingston, Director of Planning & Community Development

**DATE:** June 10, 2020

**SUBJECT:** Petition of the Glen “Bob” Thomas to amend a Special Use to allow the outdoor display and storage of vehicles/trailers on property located at 1109 E. Washington St.

**BACKGROUND:**

The petitioner is requesting to amend the Special Use (approved in Ordinance No. 4450) for this property to allow up to 25 vehicles/trailers as the U-Haul business here has far-exceeded any anticipated projections for it. While staff supports increasing the limit, 25 is pushing the lot’s capacity given that it also supports the other business here – a taxi operation. The petitioner has been encouraged to look for other nearby properties to support the business and its expansion. In the interim, staff feels that 20 is the maximum this property can sustain. As a part of this addition, an additional 24 feet of wood privacy fence needs to be extended along the east side of the lot to at least obscure the vehicles/trailers on-site.

At their meeting, the ZBA voted 6-1 to recommend approval of this Special Use with the following conditions.

- Not more than 20 U-Haul trucks/trailers on-site at a time. As a part of that 20, not more than 12 can be trucks in that mix.
- Parking for up to 9 customer/employee parking must be maintained. This includes 1 handicapped spot.
- The privacy fence along the east edge of the lot is to be extended an additional 24 feet in its same form (6 ft tall, wood). It is to be installed by August 31, 2020.

**RECOMMENDATION:** Approval, as presented with conditions.

**ORDINANCE NO. 4507**

**AN ORDINANCE AUTHORIZING ADDITIONAL AMENDMENT TO CONDITIONS  
IMPOSED ON THE SPECIAL USES PREVIOUSLY GRANTED FOR PROPERTY  
AT 1109 E. WASHINGTON STREET IN THE CITY OF EAST PEORIA**

**WHEREAS**, on October 16, 2007, the City Council approved Ordinance No. 3770 which authorized a special use to allow the operation of a used car sales lot on certain property zoned as “B-3, Business Service District”, which property is shown and described at “Exhibit A”, attached hereto and incorporated herein by reference (which property as so described is hereinafter referred to as the “Property”); and

**WHEREAS**, on January 15, 2008, the City Council approved Ordinance No. 3783 regarding the special use on the Property, but has been superseded by subsequent amendments, including this Ordinance, and thus Ordinance No. 3783 is no longer valid or applicable to the Property; and

**WHEREAS**, on February 19, 2008, the City Council approved Ordinance No. 3798, which authorized the mechanical repair of automobiles as an additional special use on the Property; and

**WHEREAS**, on May 3, 2016, the City Council approved Ordinance No. 4277, which authorized the operation of a U-Haul rental facility as an additional special use, while expanding the permitted hours of operation and imposing other conditions on the special use on the Property; and

**WHEREAS**, on August 6, 2019, the City Council approved Ordinance No. 4450, which limited the total number of vehicles to ten (10) parked on the Property that are being displayed for sale or for rental as U-Haul vehicles and trailers, while imposing other conditions and landscaping requirements for the special use on the Property; and

**WHEREAS**, Glen Thomas for Big Daddy Cab Company (the “Petitioner”) has petitioned for further amendment of the conditions imposed on the use of the Property regarding the number of used vehicles offered for sale on the Property and the number of U-Haul vehicles offered for rent on the Property; and

**WHEREAS**, after hearing pursuant to duly published notice, the East Peoria Zoning Board of Appeals has recommended the amendment of conditions imposed on the operation of the special uses on the Property subject to certain conditions hereinafter set forth;

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, THAT:**

**Section 1.** The conditions imposed on the operation of the special uses approved by Ordinance No. 3770 and as amended by Ordinance Nos. 3798, 4277, and 4450 are hereby modified as follows:

1. Not more than a total of twenty (20) vehicles (which includes trailers) shall be parked on the Property at any one time that are being offered for sale or for rental as U-Haul vehicles, with no more than twelve (12) of these twenty vehicles being U-Haul trucks.

2. The Petitioner shall maintain a minimum of nine (9) parking spaces on the Property for employee and customer parking at all times, with one (1) of these nine parking spaces continuing to be maintained as a handicapped space.

3. The Petitioner shall extend the privacy fence an additional twenty-four (24) feet along the east side of the Property in the same form as the current fence (six-feet in height with wood construction). This 24-foot extension to the privacy fence shall be completed by no later than August 31, 2020.

4. All modifications approved by this Ordinance shall be placed on the Property in accordance with the Site Plan submitted by the Petitioner.

Upon the violation of or failure to comply with the forgoing conditions or the previously approved conditions for the Property or with any provisions of the City Code applicable to the Property or its use, the City Council may, after providing reasonable notice and an opportunity for a hearing, terminate the Special Use hereby approved.

**Section 2.** Except to the extent specifically modified by this Ordinance, the terms and conditions of Ordinance No. 3770, as amended by Ordinance Nos. 3798, 4277, and 4450, shall continue to apply.

**Section 3.** This Ordinance is hereby ordered to be published in pamphlet form by the East Peoria City Clerk and said Clerk is ordered to keep at least three (3) copies hereof available for public inspection in the future and in accordance with the Illinois Municipal Code.

**Section 4.** This Ordinance is in addition to all other ordinances on the subject and shall be construed therewith excepting as to that part in direct conflict with any other ordinance, and in the event of such conflict, the provisions hereof shall govern.

**Section 5.** This Ordinance shall be in full force and effect from and after its passage, approval and ten (10) day period of publication in the manner provided by law.

**PASSED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, IN REGULAR AND PUBLIC SESSION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.**

**APPROVED:**

\_\_\_\_\_  
Mayor

**ATTEST:**

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

**EXAMINED AND APPROVED:**

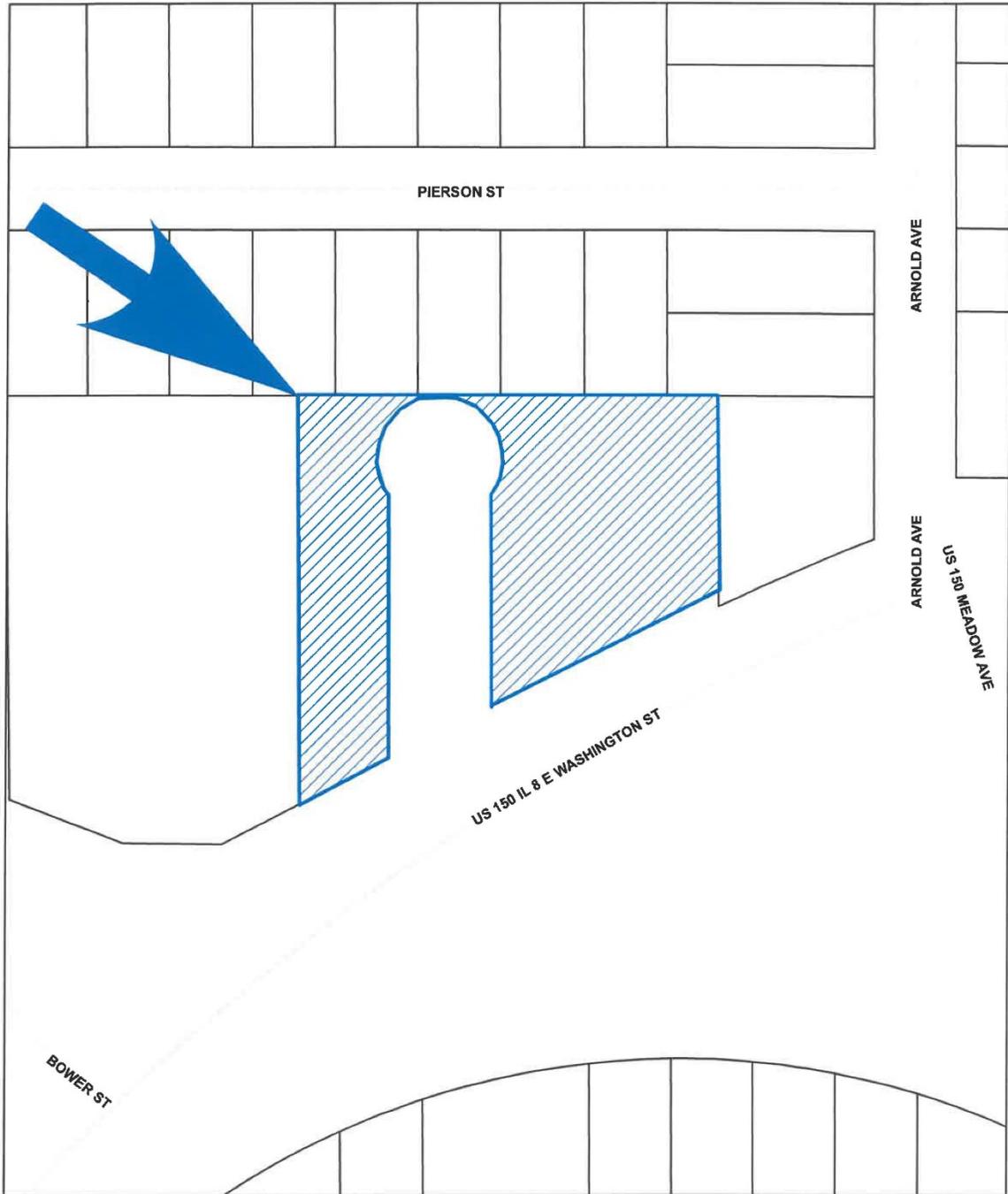
\_\_\_\_\_  
Corporation Counsel

**EXHIBIT A**  
**Map of Location of Special Use (1109 E. Washington Street)**

Case 20-SU-13  
1109 E Washington St  
Glen "Bob" Thomas

Exhibit "A"

Legal Description: P.I.N.: 01-01-33-209-012



1104 E. Washington St.  
East Peoria, IL 61611

Big Daddy Cab Co

BD - Big Daddy Cab Co  
parking  
HC - Handicapped space  
PO - Pre-owned

AN

