



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

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

**DATE:** April 13, 2021

**SUBJECT:** Petition of Melvin Murry for a Special Use to allow for outdoor display and sales of vehicles, along with vehicle repair on property located at 2125 E. Washington St. 01-01-34-202-015.

**BACKGROUND:**

The petition here is to permit used vehicle sales repair at this location. While the site has been used for storage the past few years, you may recall this location as being the Mid-Illini Autos. Mr. Murry tells us he looks forward to selling quality vehicles at a higher price-point than his current location on the south side of Peoria permits. Vehicle repair will be limited to those vehicles sold on the premises. The ZBA supports Mr. Murry's proposal to install a privacy fence on the property to separate the vehicles for sale from ones be stored/awaiting repair.

At their meeting, the ZBA recommended approval of the proposal 6-0 with the condition that not more than 40 vehicles (up to 25 for sale) be permitted to be displayed or stored on the property at any given time. The Special Use also limits vehicle repair to be conducted on vehicles Mr. Murry owns/is selling.

**RECOMMENDATION:** Approval, with the condition of not more than 40 vehicles be permitted to be displayed or stored on the lot.

**ORDINANCE NO. 4570**

**AN ORDINANCE AUTHORIZING A SPECIAL USE  
FOR PROPERTY LOCATED AT 2125 EAST WASHINGTON STREET  
IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS**

**WHEREAS**, Melvin Murry (the "Petitioner"), has petitioned for a special use to allow the siting of a used car dealership on property zoned "B-3, Business Service District" and located at 2125 E. Washington Street, as shown and described at "Exhibit A" attached hereto and incorporated herein by reference (which property as so described hereinafter referred to as the "Property"); and

**WHEREAS**, the Property has been used by a previous property owner as a used car dealership, but the Property has recently been used for storage purposes only; and

**WHEREAS**, after hearing pursuant to duly published notice, the East Peoria Zoning Board of Appeals has recommended approval of the proposed Special Use 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.** A Special Use to allow the siting of a used car dealership on the Property is hereby approved.

**Section 2.** The establishment and continuation of the special use hereby authorized is contingent upon continual compliance with all applicable provisions of the City Code and the following special conditions:

1. Petitioner shall establish the Special Use approved by this ordinance in accordance with a site plan (the "Site Plan") prepared and submitted by the Petitioner, attached hereto as Exhibit B and incorporated by reference.

2. Not more than twenty-five (25) vehicles may be displayed for sale at any given time on the Property, and not more than forty (40) vehicles in total may be located on the Property that are either being displayed for sale or stored for repair in the on-site repair facilities.

3. Petitioner shall install privacy fencing as set forth in the Site Plan pursuant to a schedule established by the Director of Planning and Community Development. When the fencing is completed, vehicles being stored for repair outside on the Property shall be only parked behind this fencing.

4. Petitioner shall only conduct repair of vehicles on the Property for vehicles that are either owned by Petitioner or will be offered for sale on the Property.

5. All fencing authorized or required by this Ordinance shall be continuously maintained after completion in accordance with the Site Plan, and other improvements already existing on the Property shall be continuously maintained in accordance with the Site Plan.

Upon the violation of or failure to comply with the forgoing conditions 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 3.** This Ordinance hereby supersedes and replaces in their entirety any prior special use ordinances or other prior City actions related to the use of the Property, and any such prior ordinances or actions are hereby repealed in their entirety.

**Section 4.** 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 5.** 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 6.** 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 \_\_\_\_\_, 2021.**

**APPROVED:**

\_\_\_\_\_  
Mayor

**ATTEST:**

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

**EXAMINED AND APPROVED:**

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

# EXHIBIT A

## Map of Location of Special Use (2125 E. Washington Street)

Case 21-SU-12  
2125 E. Washington St.  
Melvin Murry

Exhibit "A"

Legal Description: P.I.N.: 01-01-34-202-015



