



TO: The Honorable Mayor and City Council

FROM: Ty Livingston, Director of Planning & Community Development

DATE: January 11, 2022

SUBJECT: Petition of Sue & Larry Overcash for a Special Use to allow an event center on property located at 125 Chestnut Dr. 05-05-10-206-011.

BACKGROUND: The proposal here – as in a prior case back in September last year– is to allow an event center on this property. At that time, the City Council expressed concerns regarding alternative access (other than Chestnut) as well as sufficient paved parking to accommodate up to 200 guests. Staff recommends the following conditions:

- Alternate access to the property must be secured and confirmed with the City prior to the operation of the Special Use. The proposal here is to access from Cimmeron as shown on the attached site plan.
- A satisfactory closure of Chestnut must occur prior to the use commencing – how and where it should be closed-off. In working with our street department, this location has been identified near the existing western entrance (see attached site plan). As a follow-up, the end of Chestnut will be vacated and sufficient room will be provided to accommodate a turnaround at this new location.
- Given the proposed maximum number of guests, along with employees, additional paved parking needs to be added to the site. 100 spaces total are to be provided.

At their meeting, the ZBA 4-1 to recommend this Special Use, with the conditions that the alternative access be confirmed, at least 100 paved spaces be provided, and the end of Chestnut be terminated to prohibit access to this property from it. A bond/letter of credit is required to cover all associated paving costs as this work likely won't be able to be completed until spring.

RECOMMENDATION: Approval, as presented.

ORDINANCE NO. 4600

**AN ORDINANCE AUTHORIZING A SPECIAL USE FOR
AN EVENT CENTER ON PROPERTY LOCATED AT 125 CHESTNUT DRIVE
IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS**

WHEREAS, Sue Overcash has petitioned for a special use to allow the siting of an event center on property zoned “B-1, Business District, Offices” and located at 125 Chestnut Drive in East Peoria, 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 City has recently approved changing the zoning for the Property from “R-1, One Family Dwelling District” to “B-1, Business District, Offices”, while also approving an event center special use for the B-1 zoning district; 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 use of the Property as an event center 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 the floor plan for the facility (the “Floor Plan”) prepared and submitted by the Petitioner, attached hereto as Exhibit B and incorporated by reference.

2. Prior to use of the Property as permitted by this Ordinance, Petitioner shall construct driveway access to the Property from Cimmeron Drive as provided in the attached site plan (the “Site Plan”) prepared and submitted by the Petitioner, attached hereto as Exhibit C and incorporated by reference, or as otherwise approved by the Director of Planning and Community Development. Further, prior to use of the Property as permitted by this Ordinance, the driveway access to the Property off of Chestnut Drive shall be eliminated, which will be undertaken as part of the City’s closure of

the eastern end of Chestnut Drive adjacent to the Property (see Site Plan), as Chestnut Drive shall not be used for vehicular access to the Property.

3. Prior to use of the Property as permitted by this Ordinance, Petitioner shall provide no less than 100 paved parking spaces on the Property to serve the event center, which shall include the expansion of the current paved parking area as necessary to achieve the required 100 paved parking spaces.

4. Within thirty (30) days of the approval of this Ordinance, Petitioner shall provide the City with verification of sufficient funds to implement and construct the improvements required by this Ordinance.

5. The hours of operation shall be limited to 8:00 a.m. through midnight on Friday and Saturday for guests at events being held in the event center facility.

6. The hours of operation shall be limited to 8:00 a.m. through 10:00 p.m. on Sunday through Thursday for guests at events being held in the event center facility.

7. The service of alcoholic beverages and liquors shall cease in the event center facility and on the Property one (1) hour prior to the applicable closing time. Petitioner must obtain properly issued liquor licenses prior to service of alcoholic beverages on the Property.

8. No more than two hundred (200) persons may be in attendance at an event being held in the event center facility.

9. Any activities taking place on the Property outside of the event center facility in conjunction with an event or meeting being held in the event center facility must be confined to the area at the rear of the facility (on the east side of the main structure on the Property).

10. No music shall be played in an outdoor area on the Property, and music must be confined to the indoor area of the event facility (being the main structure on the Property).

11. The hours of operation in the outdoor area of the Property shall be limited to not extend past 9:00 p.m. Sunday through Thursday or past 10:00 p.m. on Friday and Saturday.

12. All outdoor areas, landscaping, and the parking area shall be continuously maintained in a clean and orderly manner free of refuse and other debris.

13. Prior to constructing an outdoor patio or similar outdoor area for use by patrons of the event center facility on the Property or constructing or placing any additional accessory structures on the Property, Petitioner shall submit a proposed site plan to the Director of Planning and Community Development for the outdoor area and thereafter receive approval from the Director of Planning and Community Development before proceeding with construction or installation of the improvements.

14. All paving and other improvements authorized or required by this Ordinance shall be continuously maintained after completion in accordance with the Site Plan or as otherwise approved by the Director of Planning and Community Development.

15. The Special Use granted by this Ordinance shall only remain in place for the Property while owned by Petitioner. Should the Property be sold to any party, the Special Use granted by this Ordinance shall immediately cease upon such transfer of title of the Property. As provided herein, the Petitioner's ownership of the Property shall include maintaining title of the Property in any legal entity in which Petitioner holds the majority ownership and controlling interest.

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 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 _____, 2022.

APPROVED:

Mayor

ATTEST:

City Clerk

EXAMINED AND APPROVED:

Corporation Counsel

EXHIBIT A

Map of Location of Special Use (125 Chestnut Drive)

Sue Overcash
125 Chestnut
Case 21-SU-30

Exhibit "A"

Legal Description: 05-05-10-206-011

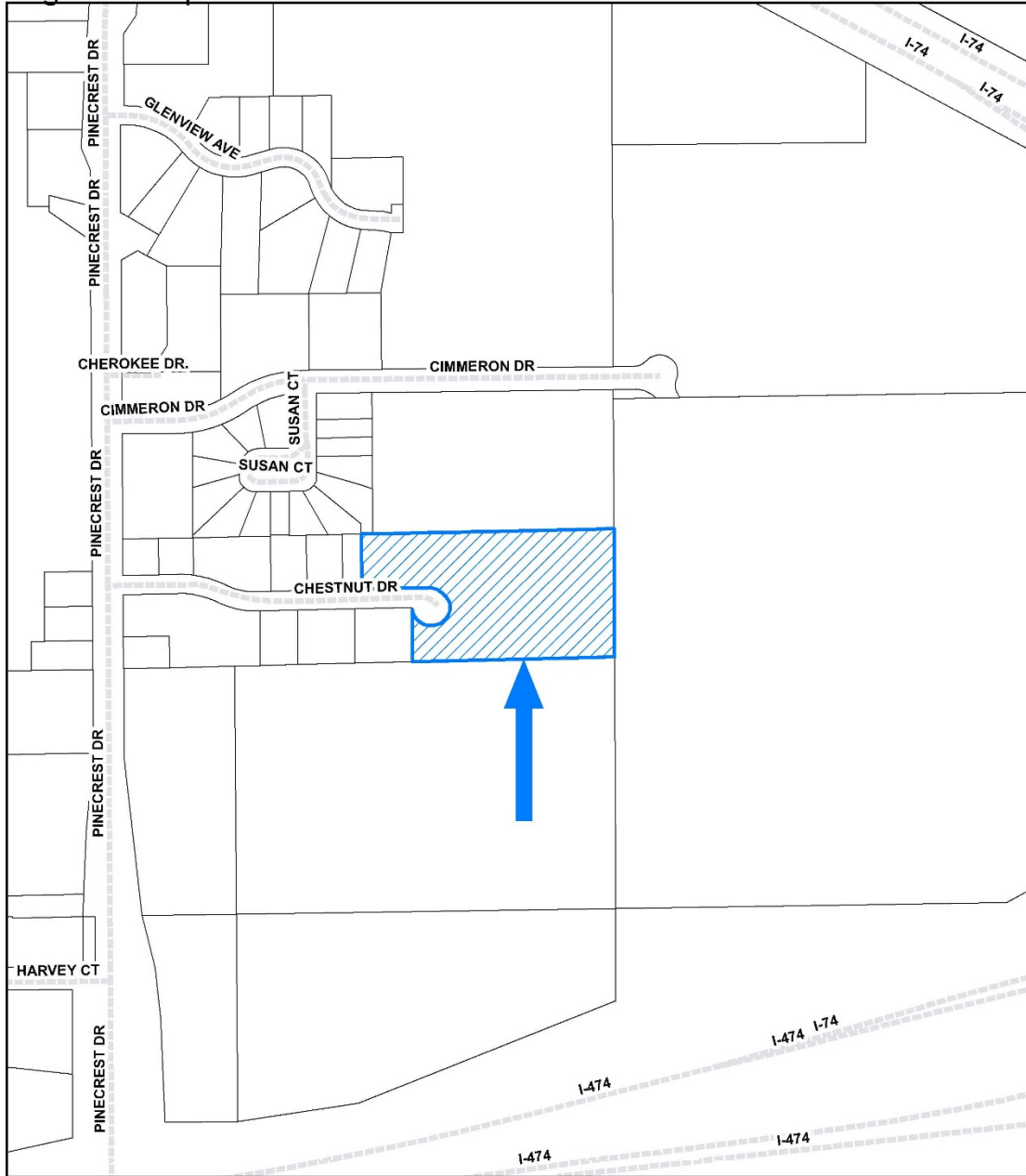


EXHIBIT B

Floor Plan for 125 Chestnut Drive

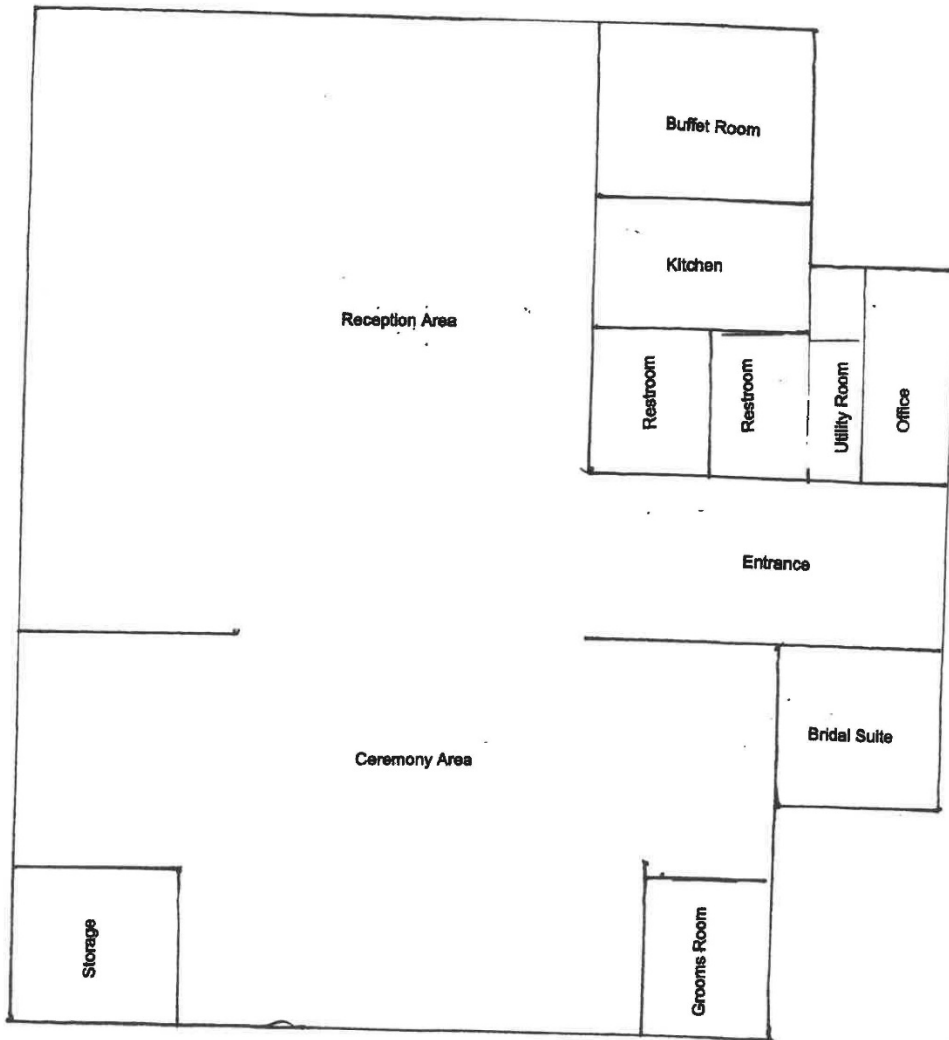
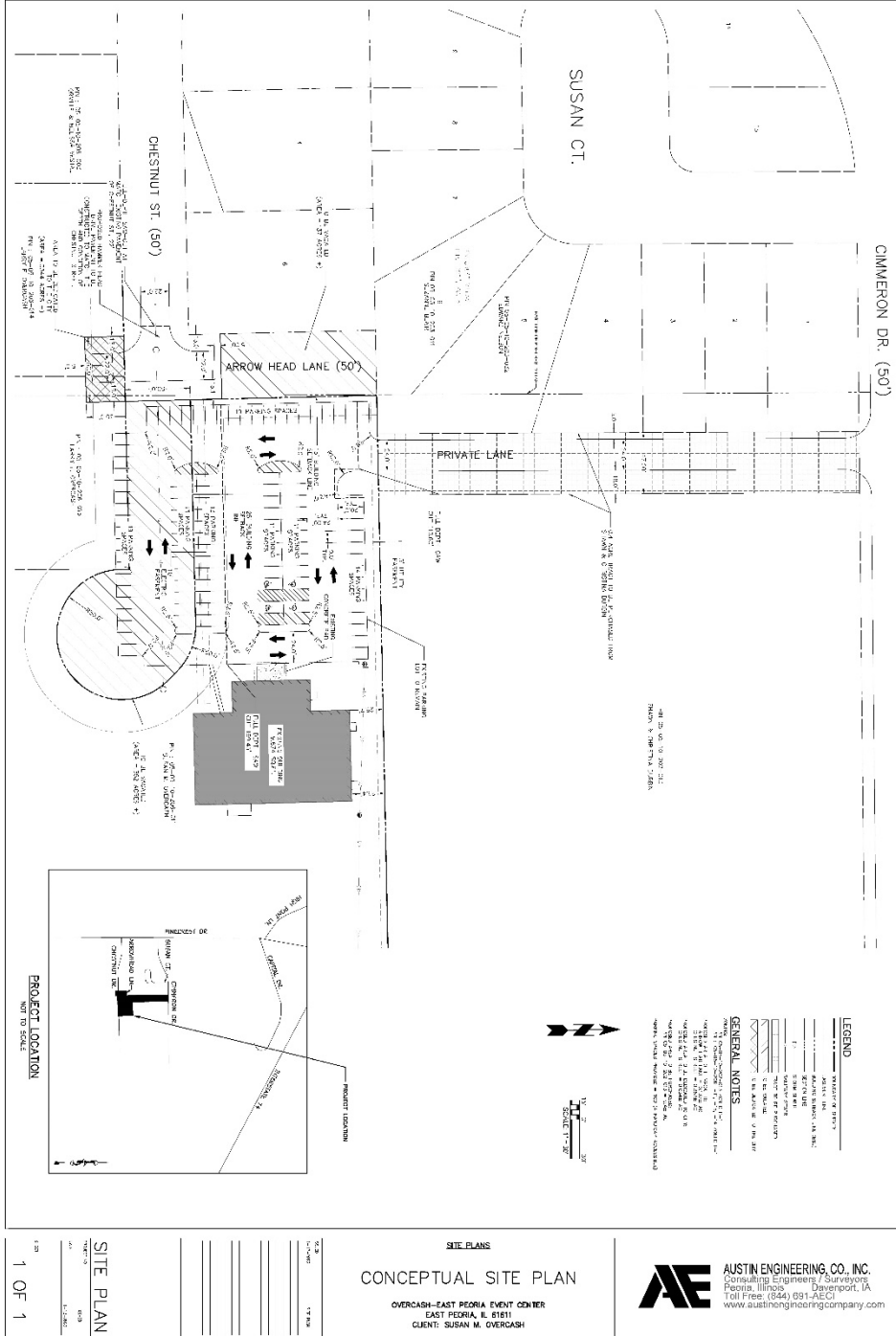


EXHIBIT C

Site Plan for 125 Chestnut Drive



SITE PLAN
1 OF 1

SITE PLANS
CONCEPTUAL SITE PLAN
OVERCASH-EAST PEORIA EVENT CENTER
EAST PEORIA, IL 61611
CLIENT: SUSAN M. OVERCASH

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