

ORDINANCE 17,496

**AN ORDINANCE PROPOSING THE CREATION OF A
STERLING AVENUE/ROCKWOOD ROAD SPECIAL SERVICE AREA
IN THE CITY OF PEORIA, ILLINOIS AND PROVIDING FOR A PUBLIC HEARING
AND OTHER PROCEDURES IN CONNECTION THEREWITH**

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

WHEREAS, the City of Peoria desires to establish, by virtue of its home rule powers and 35 ILCS 200/27-5 et seq. a Special Service Area within the City of Peoria; and

WHEREAS, the City of Peoria has received a request from the owners of land within the later described proposed Special Service Area asking that a Special Service Area be established;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Peoria, Illinois as follows:

Section 1. AUTHORITY TO ESTABLISH A SPECIAL SERVICE AREA

The authority to establish and finance a Special Service Area is provided in Section 6(1) of Article VII of the Illinois Constitution of 1970, which provides, in pertinent part:

The General Assembly shall not deny or limit the power of home rule units . . . (2) to levy or impose additional taxes upon areas within their boundaries in the manner provided by law for the provision of special services to those areas for the payment of that incurred in order to provide those special services.”

and by the Special Service Area Tax Law of Illinois (35 ILCS 200/27-5 et seq).

Section 2. FINDINGS

The City Council of the City of Peoria, Illinois finds:

(a) That the consideration, by public hearing, of the extension and continuation of an area hereinafter described in Section 3 as a Special Service Area for the services and purpose therein set forth is in the public interest.

(b) That said proposed area for the Sterling Avenue/Rockwood Road Special Service Area is a contiguous area within the City of Peoria.

FILED

SEP 19 2017

**R. STEVE SONNEMAKER
PEORIA COUNTY CLERK**

(c) That the services for which provisions would be made, as set forth in the request for the establishment of the Sterling Avenue/Rockwood Road Special Service Area, would be in addition to those governmental services generally provided by the City of Peoria throughout said municipality.

(d) That the establishment of the Sterling Avenue/Rockwood Road Special Service Area would, as set forth in the request for the establishment of the Sterling Avenue/Rockwood Road Special Service Area, provide services to businesses within the boundaries of the Special Service Area over and above those typically provided pertaining to government affairs of the City of Peoria; which services would include:

1. The initial development/construction within the boundaries of the SSA of a restaurant facility, commonly known as Portillo's, or any other similar or related commercial or retail project to be operated from and within the SSA;
2. The maintenance, repair or replacement cost of any improvement as may have been constructed within properties comprising the SSA; and/or
3. The promotion of community stabilization and the enhancement of the business tax base of the City through projects and programs for property owners and tenants within the Special Service Area.

(e) That to accomplish and provide for the above special services, it is proposed by the property owners within said Special Service Area, that a levy of a special additional municipal sales tax of one percent (1%) upon the gross receipts of and from the business of making sales of service or making retail sales of tangible personal property in said Special Service Area be levied.

Section 3. PUBLIC HEARING – TAX RATE – NO ISSUANCE OF BONDS

A public hearing is hereby scheduled for the 14th day of November, 2017, at 6:00 p.m. or as soon thereafter as the matter may be heard in the City Council Chambers, Room 400, Peoria, Illinois, to consider:

- (a) The creation of a Special Service Area within the City of Peoria (with a duration of thirty [30] years) on the property legally described on the attached Exhibit A and depicted upon the map attached as Exhibit B, for the purpose of establishing funds for the special services described above (without the issuance of any bonds by the City of Peoria in connection therewith).
- (b) At said hearing, there shall be considered the levy of a special additional municipal sales tax of one percent (1%) upon the gross receipts of and from the business of making sales of service or the making of retail sales of tangible

personal property within said proposed Special Service Area, the proceeds of which will be used for the purposes of the providing for the special services itemized and described above.

Section 4. NOTICE OF PUBLIC HEARING

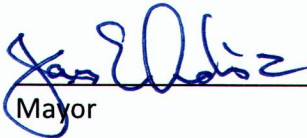
The City Council directs that Notice of Public Hearing be provided (and published) as required by law as in such cases are to be given for the conducting of a public hearing on the foregoing proposal for the establishment of the Sterling Avenue/Rockwood Road Special Service Area within the City of Peoria.

Section 5. EFFECTIVE DATE

This Ordinance shall be in full force and effect immediately upon its passage.

PASSED BY THE CITY COUNCIL OF THE CITY OF PEORIA, ILLINOIS this 12th day of September, 2017.

APPROVED:




Mayor

ATTEST:




City Clerk

EXAMINED AND APPROVED:



Corporation Counsel

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PEORIA COUNTY CLERK

Exhibit A

**LEGAL DESCRIPTION OF PROPOSED STERLING AVE. /
ROCKWOOD ROAD SPECIAL SERVICE AREA**

A PART OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION NINETEEN (19), TOWNSHIP NINE (9) NORTH, RANGE EIGHT (8) EAST OF THE FOURTH PRINCIPAL MERIDIAN, PEORIA COUNTY, ILLINOIS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

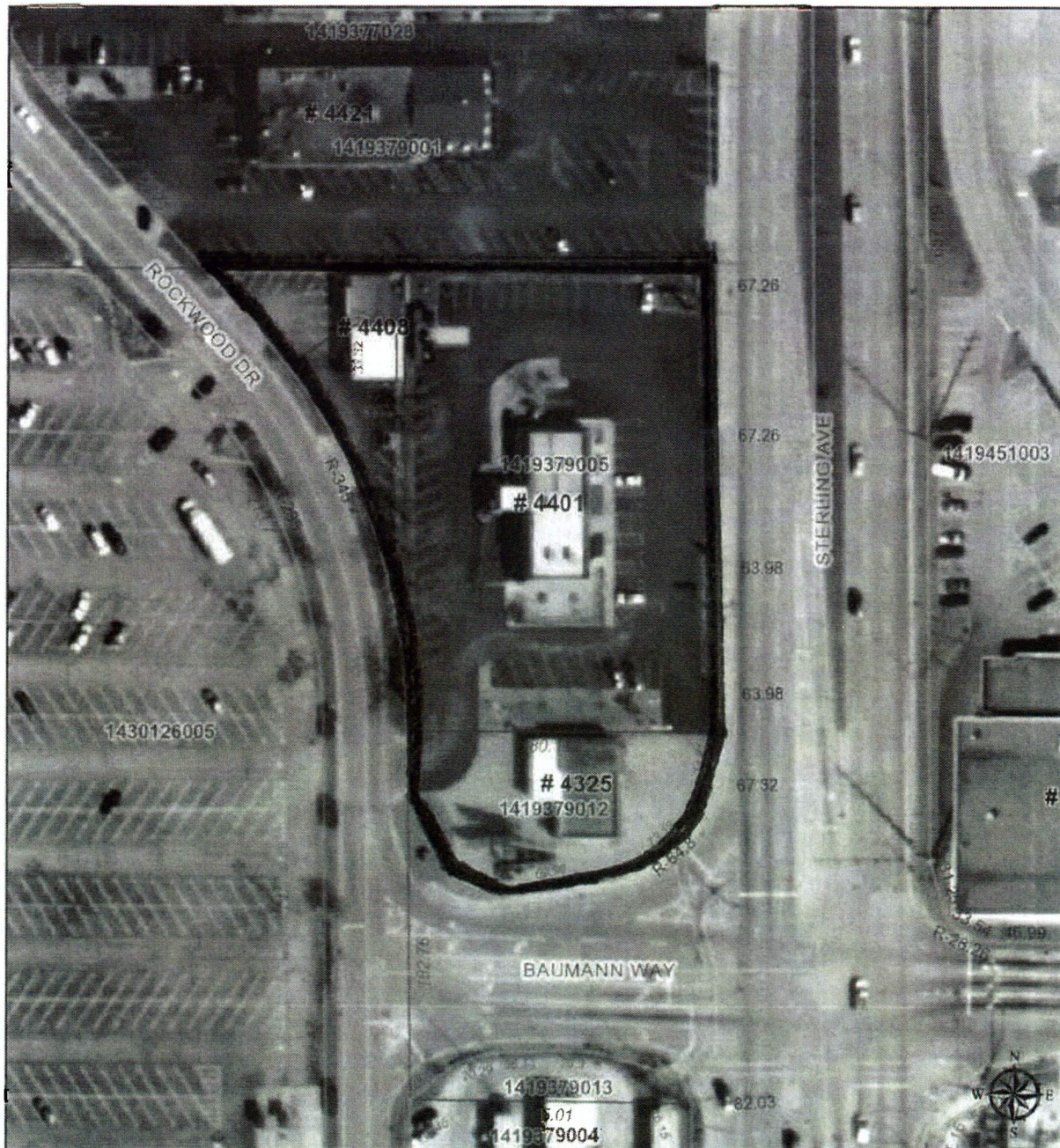
COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 19; THENCE SOUTH 89°-54'-04" WEST, ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER (SW 1/4) , 271.95 FEET; THENCE NORTH 00°-12'-11" WEST, 326.10 FEET TO THE EAST RIGHT-OF-WAY LINE OF ROCKWOOD ROAD AND THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED: FROM THE POINT OF BEGINNING, (THE FOLLOWING THREE COURSES ARE ALONG SAID EAST RIGHT-OF-WAY LINE), THENCE CONTINUING NORTH 00°-12'-11" WEST, 36.51 FEET; THENCE IN A NORTHWESTERLY DIRECTION ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 345.00 FEET FOR AN ARC DISTANCE OF 249.97 FEET, SAID CURVE BEING SUBTENDED BY A CHORD HAVING A BEARING OF NORTH 20°-57'-36" WEST, AND A LENGTH OF 244.54 FEET; THENCE NORTH 41°-43'-01" WEST, 49.99 FEET; THENCE SOUTH 89°-59'-00" EAST, 298.64 FEET TO THE WEST RIGHT-OF-WAY LINE OF NORTH STERLING AVENUE; (THE FOLLOWING FOUR COURSES ARE ALONG SAID WEST RIGHT-OF-WAY LINE); THENCE SOUTH 00°-26'-41" EAST, 104.52 FEET; THENCE SOUTH 03°-10'-16" EAST, 68.98 FEET; THENCE SOUTH 00°-26'-41" EAST, 78.74 FEET; THENCE SOUTH 10°-05'-51" WEST, 51.47 FEET TO THE NORTH RIGHT-OF-WAY LINE OF JAMES BAUMANN WAY; (THE FOLLOWING FOUR COURSES ARE ALONG SAID NORTH RIGHT-OF-WAY LINE OF JAMES BAUMANN WAY); THENCE IN A SOUTHWESTERLY DIRECTION, ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 64.80 FEET FOR AN ARC DISTANCE OF 73.12 FEET, SAID CURVE BEING SUBTENDED BY A CHORD HAVING A BEARING OF SOUTH 47°-58'-32" WEST, AND A LENGTH OF 69.30 FEET; THENCE SOUTH 77°-12'-40" WEST, 69.96 FEET; THENCE NORTH 72°-55'-09" WEST, 32.69 FEET; THENCE NORTH 23°-29'-43" WEST, 57.77 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 1.663 ACRES, MORE OR LESS.

PIN#14-19-379-012; PROPERTY ADDRESS: 4325 N. STERLING, PEORIA, ILLINOIS 61615

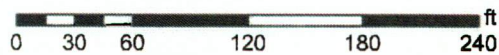
PIN#14-19-379-005; PROPERTY ADDRESS: 4401 N. STERLING, PEORIA, ILLINOIS 61615

PINS#14-19-379-011 & 14-19-379-008; PROPERTY ADDRESSES: 4408-4410 N. ROCKWOOD ROAD, PEORIA, ILLINOIS 61615

Peoria County, IL



1 inch = 83 feet



Disclaimer: Data is provided 'as is' without warranty or any representation of accuracy, timeliness or completeness. The burden for determining fitness for, or the appropriateness for use, rests solely on the requester. The requester acknowledges and accepts the limitations of the Data, including the fact that the Data is in a constant state of maintenance. This website is NOT intended to be used for legal litigation or boundary disputes and is informational only. -Peoria County GIS Division

County of Peoria, IL and Illinois Department of Transportation
Peoria County, IL, HERE, USGS



BOUNDARY MAP STERLING AVE. / ROCKWOOD ROAD SSA