

AN ORDINANCE APPROVING A SPECIAL USE IN A CLASS C1 (GENERAL COMMERCIAL) DISTRICT FOR A MULTI-STORY MINI-STORAGE AND VEHICLE RENTAL FACILITY FOR THE PROPERTY IDENTIFIED AS PARCEL IDENTIFICATION NOS 14-19-477-007 & -019 WITH AN ADDRESS OF 4400 N BRANDYWINE DRIVE, PEORIA, ILLINOIS

WHEREAS, the properties herein described are now zoned in a Class C1 (General Commercial) & P1 (Parking) District; and

WHEREAS, said Planning and Zoning Commission has been petitioned to grant a Special Use for a Multi-Story Mini-Storage and Vehicle Rental Facility under the provisions of Section 2.9 of Appendix A, the Unified Development Code of the City of Peoria; and

WHEREAS, said Planning and Zoning Commission held a public hearing on February 1, 2018, with respect to said petitions, which hearing was held 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 and Zoning Commission has submitted its report of said public hearing and the City Council finds that to permit such 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:

Section 1. That a Special Use for a Multi-Story Mini-Storage and Vehicle Rental Facility in the Class C1 (General Commercial) District is hereby granted for following described property:

Legal Description of Special Use:

TRACT 1:

A PART OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 9 NORTH, RANGE 8 EAST OF THE FOURTH PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 1 OF JOSEPH BROTHER'S COMMERCIAL PARK, SECTION ONE, BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SAID SECTION 19, SAID POINT BEING THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED; FROM THE POINT OF BEGINNING THENCE NORTH 17 DEGREES 39 MINUTES 30 SECONDS EAST (BEARINGS ASSUMED FOR PURPOSE OF DESCRIPTION ONLY) ALONG THE EASTERLY LINE OF LOT 1 OF JOSEPH BROTHER'S COMMERCIAL PARK, SECTION ONE, 304.86 FEET TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE NORTH 89 DEGREES 25 MINUTES 34 SECONDS EAST, 453.78 FEET TO THE WESTERLY LINE OF BEL-AIRE AVENUE; THENCE SOUTH 0 DEGREES 34 MINUTES 26 SECONDS EAST ALONG THE WESTERLY LINE OF BEL-AIRE AVENUE, 25.0 FEET TO THE SOUTHERLY LINE OF BEL-AIRE AVENUE; THENCE NORTH 89 DEGREES 25 MINUTES 34 SECONDS EAST ALONG THE SOUTHERLY LINE OF BEL-AIRE AVENUE, 237.48 FEET TO A POINT THAT IS 254 FEET NORMALLY DISTANT WESTERLY OF THE EAST LINE OF SECTION 19; THENCE SOUTH 0 DEGREES 48 MINUTES 29 SECONDS EAST, PARALLEL TO AND 254 FEET NORMALLY DISTANT FROM THE EASTERLY LINE OF SAID SECTION 19, 210.00 FEET; THENCE SOUTH 89 DEGREES 25 MINUTES 34 SECONDS WEST, 66.02 FEET; THENCE SOUTH 44 DEGREES 25 MINUTES 34 SECONDS WEST, 320.49 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF BRANDYWINE DRIVE; THENCE NORTHWESTERLY ALONG SAID NORTHERLY RIGHT OF WAY LINE OF BRANDYWINE DRIVE, ON A CURVE TO THE LEFT HAVING A RADIUS OF 320.00 FEET, FOR AN ARC DISTANCE OF 75.00 FEET; THENCE NORTH 72 DEGREES 20 MINUTES 30

SECONDS WEST ALONG SAID NORTHERLY RIGHT OF WAY LINE OF BRANDYWINE DRIVE, 449.07 FEET TO THE POINT OF BEGINNING; SAID TRACT SITUATED IN THE COUNTY OF PEORIA AND STATE OF ILLINOIS.

TRACT 2:

A PART OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 9 NORTH, RANGE 8 EAST OF THE FOURTH PRINCIPAL MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 19; THENCE SOUTH 89 DEGREES 08 MINUTES 53 SECONDS WEST ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 19, A DISTANCE OF 25.00 FEET TO A POINT ON THE WESTERLY R.O.W. LINE OF DAWN DRIVE; THENCE NORTH 0 DEGREES 48 MINUTES 29 SECONDS WEST ALONG THE WESTERLY R.O.W. LINE OF SAID DAWN DRIVE, A DISTANCE OF 312.60 FEET; THENCE SOUTH 89 DEGREES 11 MINUTES 31 SECONDS WEST, A DISTANCE OF 125.00 FEET; THENCE NORTH 0 DEGREES 48 MINUTES 29 SECONDS WEST, A DISTANCE OF 114.00 FEET; THENCE SOUTH 89 DEGREES 08 MINUTES 53 SECONDS WEST, A DISTANCE OF 140.00 FEET; THENCE SOUTH 46 DEGREES 18 MINUTES 11 SECONDS WEST, A DISTANCE OF 91.15 FEET TO A POINT ON THE EASTERLY R.O.W. LINE OF BRANDYWINE DRIVE; THENCE NORTHWESTERLY ALONG THE EASTERLY R.O.W. LINE OF BRANDYWINE DRIVE, ON A CURVE TO THE LEFT, HAVING A RADIUS OF 320.00 FEET FOR AN ARC DISTANCE OF 13.47 FEET; THENCE NORTH 27 DEGREES 35 MINUTES 34 SECONDS WEST ALONG THE EASTERLY R.O.W. LINE OF BRANDYWINE DRIVE, A DISTANCE OF 152.78 FEET; THENCE NORTHWESTERLY ALONG THE EASTERLY R.O.W. LINE OF BRANDYWINE DRIVE, ON A CURVE TO THE LEFT HAVING A RADIUS OF 320.00 FEET FOR AN ARC DISTANCE OF 174.92 FEET; THENCE NORTH 44 DEGREES 25 MINUTES 34 SECONDS EAST, A DISTANCE OF 178.24 FEET TO THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED; THENCE CONTINUING NORTH 44 DEGREES 25 MINUTES 34 SECONDS EAST, A DISTANCE OF 142.25 FEET; THENCE NORTH 89 DEGREES 25 MINUTES 34 SECONDS EAST, A DISTANCE OF 66.02 FEET; THENCE NORTH 0 DEGREES 48 MINUTES 29 SECONDS WEST, A DISTANCE OF 210.00 FEET TO A POINT ON THE SOUTHERLY R.O.W. LINE OF BEL-AIRE AVENUE; THENCE NORTH 89 DEGREES 25 MINUTES 34 SECONDS EAST ALONG THE SOUTHERLY R.O.W. LINE OF BEL-AIRE AVENUE, A DISTANCE OF 104.00 FEET TO A POINT 125.00 FEET WESTERLY OF THE WEST R.O.W. LINE OF SAID DAWN DRIVE; THENCE SOUTH 0 DEGREES 48 MINUTES 29 SECONDS EAST, A DISTANCE OF 118.30 FEET; THENCE NORTH 89 DEGREES 25 MINUTES 34 SECONDS EAST, A DISTANCE OF 118.00 FEET TO A POINT 7.00 FEET WESTERLY OF THE WESTERLY R.O.W. LINE OF SAID DAWN DRIVE; THENCE SOUTH 0 DEGREES 48 MINUTES 29 SECONDS EAST PARALLEL TO THE WESTERLY R.O.W. LINE OF DAWN DRIVE, A DISTANCE OF 228.12 FEET; THENCE SOUTH 89 DEGREES 25 MINUTES 34 SECONDS WEST, A DISTANCE OF 353.33 FEET; THENCE NORTH 45 DEGREES 34 MINUTES 26 SECONDS WEST, A DISTANCE OF 50.68 FEET TO THE POINT OF BEGINNING; SITUATED IN THE COUNTY OF PEORIA AND STATE OF ILLINOIS.

EXCEPTING THEREFROM ALL THAT PART DESCRIBED AS:

A PART OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 9 NORTH, RANGE 8 EAST OF THE FOURTH PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 19; THENCE SOUTH 89 DEGREES 08 MINUTES 53 SECONDS WEST (BEARING ASSUMED FOR PURPOSE OF DESCRIPTION ONLY), ALONG THE SOUTH LINE OF SAID SECTION 19, 25.00 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF DAWN DRIVE; THENCE NORTH 00 DEGREES 48 MINUTES 29 SECONDS WEST, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF DAWN DRIVE, 516.69 FEET; THENCE SOUTH 89 DEGREES 08 MINUTES 53 SECONDS WEST, 7.00 FEET; THENCE SOUTH 89 DEGREES 08 MINUTES 53 SECONDS WEST, 267.54 FEET; THENCE SOUTH 59 DEGREES 05 MINUTES 43 SECONDS WEST, 119.11 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF BRANDYWINE DRIVE; THENCE NORTH 27 DEGREES 35 MINUTES 34 SECONDS WEST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, 63.00 FEET; THENCE NORTHWESTERLY,

ALONG SAID EASTERLY RIGHT-OF-WAY LINE, ON A CURVE TO THE LEFT, HAVING A RADIUS OF 320.00 FEET, FOR AN ARC DISTANCE OF 104.25 FEET TO THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED: FROM THE POINT OF BEGINNING THENCE NORTHWESTERLY, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, ON A CURVE TO THE LEFT, HAVING A RADIUS OF 320.00 FEET, FOR AN ARC DISTANCE OF 70.67 FEET; THENCE NORTH 44 DEGREES 25 MINUTES 34 SECONDS EAST, 254.84 FEET; THENCE NORTH 89 DEGREES 25 MINUTES 34 SECONDS EAST, 216.63 FEET; THENCE SOUTH 00 DEGREES 48 MINUTES 29 SECONDS EAST, 160.00 FEET; THENCE SOUTH 89 DEGREES 25 MINUTES 34 SECONDS WEST, 278.29 FEET; THENCE SOUTH 44 DEGREES 25 MINUTES 34 SECONDS WEST, 89.96 FEET TO THE POINT OF BEGINNING, SITUATED IN THE COUNTY OF PEORIA AND STATE OF ILLINOIS.

PINS: 14-19-477-007 & -019 (4400 N Brandywine Dr)

Said Ordinance is hereby approved per the submitted Site Plan (Attachment A), Landscape Plan (Attachment B), and with the following conditions:

1. The following use standards shall apply:
 - a. No electrical power supply shall be accessible to the renter/lessee of the storage unit with the exception of lighting fixtures and climate controls.
 - b. The following activities shall be prohibited on the premises:
 - 1) Commercial, wholesale or retail sales, flea markets or peddling, or miscellaneous or garage sales. However, once a month, the management of the self-storage mini-warehouse complex may conduct a one-day auction or sale of abandoned or stored materials to settle unpaid storage bills in accordance with State of Illinois regulations.
 - 2) Servicing, repair, or fabrication of motor vehicles, boats, trailers, lawn mowers, appliances, or other similar equipment.
 - 3) Operation of a transfer-and-storage business.
 - 4) Operation of power tools, spray painting equipment, table saws, lathes, compressors, welding equipment, kilns, or other similar equipment except when needed for maintenance of the use.
 - 5) Any activity that is noxious or offensive because of odors, dust, noise, fumes, or vibrations.
 - 6) Storage of hazardous chemicals, flammable liquids, or combustible and explosive materials.
 - 7) Habitation of storage units by humans or animals.
 - c. All warehouse storage on the property shall be in a minimum two-story, single-enclosed building. All storage units shall be accessed internally. External doors to individual units shall not be permitted. One consolidated loading area is permitted to the rear or side of the building.
 - d. The storage of boats, RV's or other similar vehicles may be permitted in accordance with 8.4, Outdoor Storage and Display.
2. The existing roof sign shall be removed.
3. A signage plan shall be submitted and reviewed administratively and shall adhere to current regulations.
4. A photometric plan shall be submitted and reviewed administratively and shall adhere to current regulations.
5. A code compliant transitional buffer yard shall be implemented on the site (Plan Northwest, parking area adjacent to residential zoning) if the adjacent landscaping is removed by the adjoining landowners.
6. A code compliant transitional buffer yard shall be implemented on the site (Plan East, currently zoned P1 Parking District) if ever developed as a parking lot expansion.
7. Parking Lot islands and landscaping must be installed per landscaping code requirements. The overall parking lot shall adhere to current surfacing requirements.

8. Documentation shall be provided with respect to the type of uses to be allowed in the parking lot at the rear of the property adjacent to the residentially zoned property. The existing site plan shows disabled parking and striped loading areas which may allow non-compatible activities (e.g. unloading of trucks, idling vehicles, opening/closing of trailer doors). Additional conditions may be added to any building permit application to reduce this possible nuisance.
9. Documentation shall be provided during the building permit process in order to calculate if there is any required overparking fee.
10. Bike Parking shall be provided on the site as required. 301 parking spaces requires 8 bicycle spaces.
11. All required DRB improvements shall be installed on the subject property.

Section 2. All provisions of Appendix A, the Unified Development Code of the City of Peoria, with respect to the Class C1 (General 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 OF _____, 2018

APPROVED:

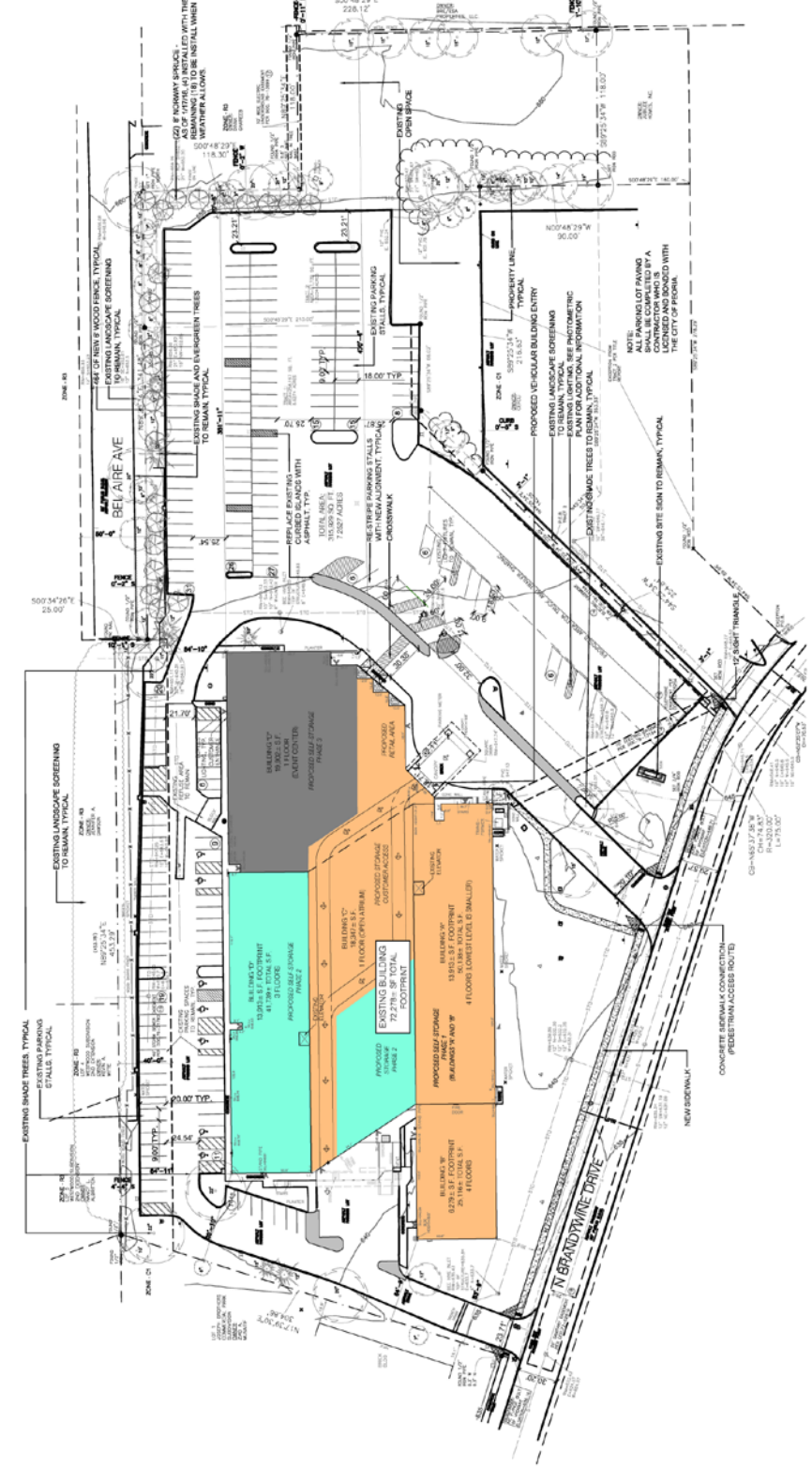
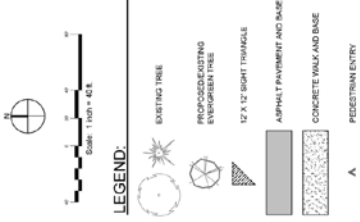
Mayor

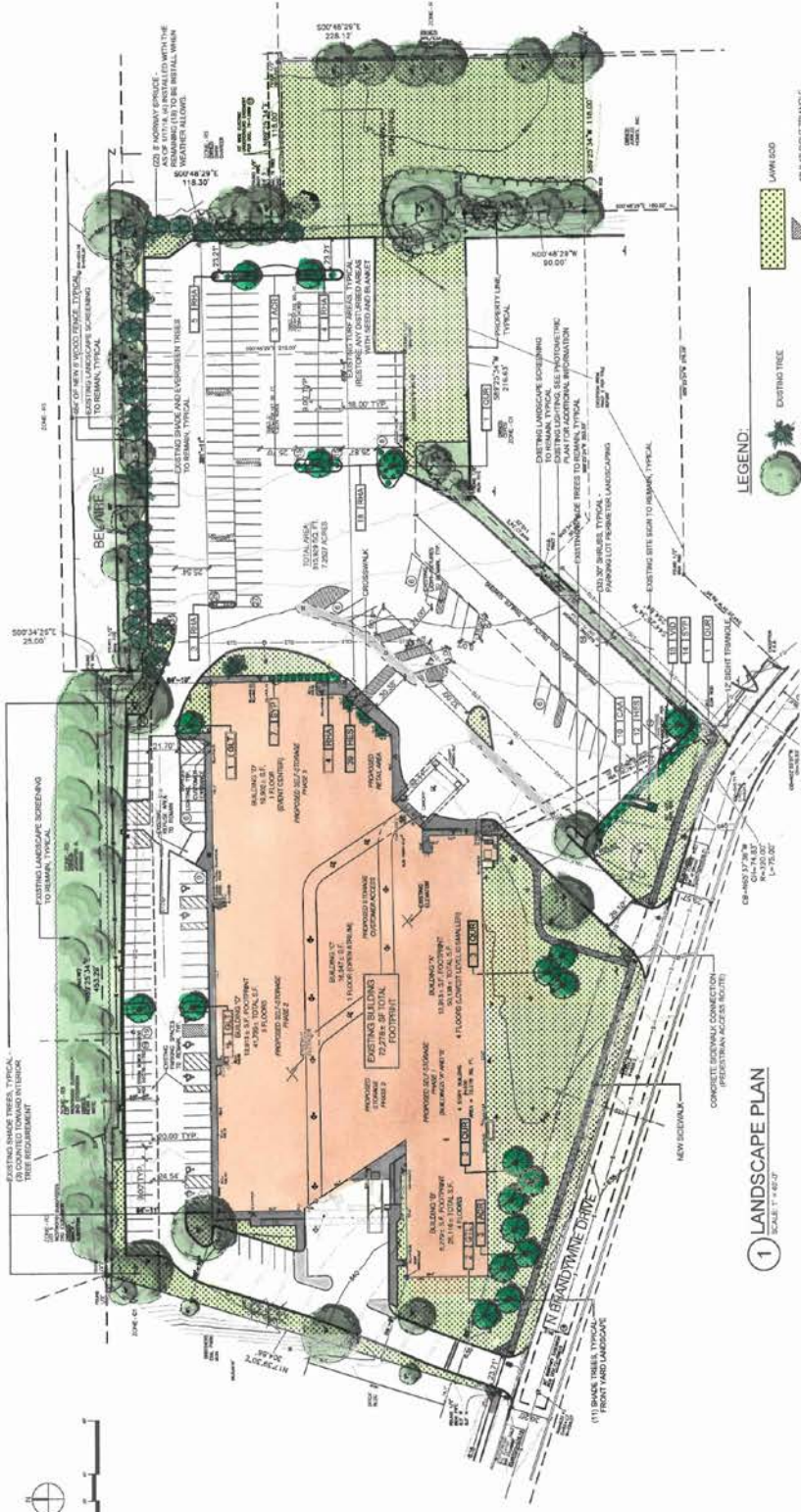
ATTEST:

City Clerk

EXAMINED AND APPROVED:

Corporation Counsel





1 LANDSCAPE PLAN
SCALE 1" = 40'-0"