

**AN ORDINANCE ADOPTING A SPECIAL USE, IN A CLASS WM (WEST MAIN STREET) FORM DISTRICT FOR WAIVERS RELATED TO SIGNS, FOR THE PROPERTY COMMONLY KNOWN AS JIMMY JOHN'S AND LOCATED AT 1113 AND 1121 W MAIN STREET (PARCEL IDENTIFICATION NUMBERS 18-05-406-012 AND 18-05-406-012-013), PEORIA, IL**

WHEREAS, the property herein described is now zoned in a Class WM (West Main Street) Form District; and

WHEREAS, said Planning & Zoning Commission has been petitioned to approve a Special Use for Waivers in a Form District as directed by Section 2.9 of Appendix C, the Land Development Code of the City of Peoria; and

WHEREAS, said Planning & Zoning Commission held a public hearing on December 3, 2015, with respect to said petition, 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.

WHEREAS, said Planning & Zoning Commission has submitted its report of said public hearing and the City Council finds that to permit such special 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 Special Use for waivers related to signs is hereby approved for the following described property:

1121 W Main Street Legal Description - A PINKNEY'S SUB SE 1/4 SEC 5-8N-8E LOTS 11-12 & W 27' LOT 13 BLK 6 (EXC MAIN ST ROW AS DESC PER DOC 99-09605)  
Parcel Identification No. 18-05-406-012

1113 W Main Street Legal Description - A PINKNEY'S SUB SE 1/4 SEC 5-8-8E E 23' LOT 13 BLK 6  
Parcel Identification No. 18-05-406-012-013

Said Ordinance is hereby approved per the submitted Sign Plan (Attachment A), and with the following waivers and conditions:

- 1) Waiver from Appendix C, Section Article 6.6.8.E.2.e to allow sign letters up to 30 inches in height placed on the awning.
- 2) Waiver from Appendix C, Section 6.6.8.E1b & c to allow individually cut reverse channel letters.
- 3) Waiver from Appendix C, Section 6.6.8.D.1.G to allow the existing freestanding sign to remain on the site.

- 4) Waiver to allow the sign on the awning to be constructed to meet Jimmy John's corporate standards (this was intended to allow a raceway with logo sign without reverse lit/halo lit illumination).
- 5) Apart of the waivers noted above, the sign placed on the awning must adhere to the Form District requirements for wall signs as outlined in Appendix C, Section 6.6.8.E.
- 6) The freestanding sign and associated sign structure must be maintained in good condition.
- 7) Parking spaces must be striped a minimum of 8.5 in width by 18.5 feet in length.
- 8) Parking area must be maintained as an evenly paved surface.
- 9) Any proposed lighting must meet the requirements of Appendix C, Article 6.6.9.
- 10) Mechanical equipment, utilities, and refuse areas shall be placed behind and away from any required building line, not be stored or located within any street-space, and shall be screened from view from the street-space.

Section 2. All provisions of Appendix C, the Land Development Code of the City of Peoria, with respect to the Class WM (West Main Street) Form 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 \_\_\_\_\_, 2016.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

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

EXAMINED AND APPROVED:

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