

ORDINANCE A

AN ORDINANCE GRANTING A SPECIAL USE FOR A WIRELESS COMMUNICATION FACILITY FOR THE PROPERTY LOCATED AT 2112 N LINN STREET (PARCEL IDENTIFICATION NOS. 14-33-378-019 & 14-33-378-020), PEORIA, IL

WHEREAS, the property herein described is now zoned in a Class R-6 (Multi-Family Residential) District; and

WHEREAS, said Planning and Zoning Commission has been petitioned to grant a Special Use for a wireless communication facility under the provisions of Article 2.9.3 of Appendix C, the Land Development Code of the City of Peoria; and

WHEREAS, said Planning and Zoning Commission held a public hearing on April 7 2016, 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; 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 wireless communication facility is hereby approved for the following described property:

Parent Parcel

ALL THAT PARCEL OF LAND IN PEORIA COUNTY, STATE OF ILLINOIS, AS MORE FULLY DESCRIBED IN DEED DOC #2013022230, ID# 14-33-378-019, BEING KNOWN AND DESIGNATED AS METES AND BOUNDS PROPERTY TRACT 1:

Part of Lot 13 in the Subdivision of the Southwest Quart of Section 33, Township 9 North, Range 8 East of the Fourth Principal Meridian, more particularly bounded and described as follows, to wit: Commencing at the intersection of Linn Street, and Republic Street; running thence South, along the East line of Linn Street, 210 feet; thence East, at right angles and parallel with the South line of Republic Street, 100 feet; thence North, at right angles and parallel with the East line of Linn Street, 210 feet to the South line of Republic Street; thence West, along the South line of Republic Street, 100 feet to the Point of Beginning; situated in PEORIA COUNTY, ILLINOIS.

TRACT 2:

Part of Lot 13 in GILES SUBDIVISION of the Southwest Quarter of Section 33, Township 9 North, Range 8 East of the Fourth Principal Meridian, more particularly described as follows, to-

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wit: Commencing at a cross in the driveway on the South line of Republic Street, 100 feet East of the East line of Linn Street and 19 feet South of the North line of said Lot 13; thence South, 210 feet to a pipe; thence East, 15 feet to a pipe; thence North 62 feet to a pipe; thence North 37 degrees 25 minutes West, a distance of 16.39 feet to a pipe; thence North 135 feet to a pipe in the South line of Republic Street; thence West, 5 feet to the cross at the point of beginning; situated in PEORIA COUNTY, ILLINOIS

Said Ordinance is hereby granted per the Site Plan and elevations (Attachment A) and with the following conditions and waivers:

1. A waiver from the height requirements (45 feet), in the R-6 District, to allow the building and antennas at a height of 65 feet.
2. A waiver for existing conditions to allow the building to remain closer to the front property line than the require 30 foot setback and for the antennas to be added to the building within the required 30 foot setback area.
3. A waiver to allow the proposed fence to be constructed of aluminum with no inclusion of wrought iron.
4. A waiver to allow the landscaping as proposed and to not extend around the entire perimeter of the fence.
5. A waiver to allow existing conditions for parking number.
6. Antennas must be painted to match the color of the existing building.
7. No tower or antenna shall be artificially illuminated unless required by the FAA.
8. Lighting shall not exceed 3 footcandles as measured at the property line and shall be down lit away from residential properties and public streets.
9. Two signs not to exceed 4 sq. ft. must be placed on the site per Zoning Ordinance requirements for wireless communication facilities.
10. The fence must be black aluminum, as shown in the attachments, to compliment the building, and be taller enough to fully screen all equipment, with no portion of the equipment extending beyond the height of the fence.
11. Any gravel placed on the site in association with the equipment area must be contained within the fenced area and therefore not be visible on the site.
12. The landscaped strip must be at least ten (10) feet wide outside the perimeter of the fence surrounding the equipment shelter, additional trees must be added on the north side of the compound, and the fence must fully screen the equipment on all sides.
13. The proposed Wireless Telecommunications Facility shall meet all codes, as required by the Zoning Ordinance.
14. No antennas can be placed on the Linn Street (west) side of the penthouse.
15. All required permits must be obtained by the applicant.
16. A revised site plan that shows striped parking spaces that meet Land Development Code requirements must be provided before permits are issued.
17. The existing dumpster must be relocated to a hard surface, and screened and placed per Land Development Code requirements. A revised site plan is required showing the new dumpster location and proposed screening, and must be reviewed and approved by the Site Plan Review Board.

Section 2. All provisions of Appendix C, the Land Development Code, of the City of Peoria, with respect to the Class R-6 (Multi-family Residential) 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

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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