

**AN ORDINANCE AMENDING AN EXISTING SPECIAL USE, ORDINANCE NUMBER 16,406, FOR A WIRELESS COMMUNICATION TOWER FACILITY IN A CLASS R-3 (SINGLE-FAMILY RESIDENTIAL) DISTRICT, FOR THE PROPERTY COMMONLY KNOWN AS SPRINGDALE CEMETERY AND LOCATED AT 3014 N PROSPECT ROAD (PARCEL IDENTIFICATION NOS. 14-34-200-006, 14-34-132-002, 14-27-476-001, 14-35-101-001), PEORIA, ILLINOIS.**

WHEREAS, the property herein described is now zoned in a Class R-3 (Single-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 August 5, 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:

**Parcel 1 (PIN 14-34-200-006)**

NW 1/4 SEC 34-9N-8E 154.811 AC ALL THAT PT NW 1/4 SEC 34 LYING E OF PROSPECT RD & N OF C/L WILLCOX AVE (EXC TRACT AS DESC PER DOC 99-06054 (132-002)); ALSO NE 1/4 SEC 34 (EXC BEG CEN SEC 34: TH N 627' E 434' SE 771.77' W 884' TO POB; ALSO EXC TRACT AS DESC PER DOC 99-06054 (132-002))

**Parcel 2 (PIN 14-34-132-002)**

NW 1/4 & NE 1/4 SEC 34-9N-8E 1.769 AC COMG NW COR NE 1/4 SEC 34 TH E 39.33' TO POB: TH E 66.12' S 476.44' W 251.95' NE ALG E LN PROSPECT RD 251.95', 101.49' & 395.05' TO POB

**Parcel 3 (PIN 14-27-476-001)**

SE 1/4 SEC 27-9-8E 47.6358 AC (92-22857) BEG SE COR SEC 27: TH N 1594.1' W 1302.75' S 1594' E

1302.75' TO POB (EXC RTE #150 & WILSON AVE ROW'S; AL SO EXC ADDN'L RTE #1 ROW AS DESC PER DOC #96-23968)

**Parcel 4 (PIN 14-35-101-001**

PLAT OF NW 1/4 SEC 35-9-8E LOTS 6-7; ALSO BLK 1 LAKE VIEW EXT'D

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

1. A waiver to allow the proposed equipment shelter to be comprised of material other than that required by the Zoning Ordinance.
2. A waiver to allow the proposed 8 foot tall fence to be vinyl.
3. A waiver to allow space for only one collocator.
4. A waiver from the landscape requirements, due to the existing vegetative barrier.
5. Tower must be a stealth design (flag pole) as proposed.
6. Lighting must comply with the requirements of Appendix C, Section 6.6.9.A.No tower or antenna shall be artificially illuminated unless required by the FAA. Lighting shall not exceed 1/2 footcandle as measured at the property line and shall be down lit away from residential properties and public streets.
7. Two signs not to exceed 4 sq. ft. must be placed on the site per Zoning Ordinance requirements for wireless communication facilities.
8. Any gravel placed on the site in association with the equipment area must be contained within the fenced area and not visible on the site.

Section 2. All provisions of Appendix C, the Land Development Code, of the City of Peoria, with respect to the Class R-3 (Single-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 according to law.

PASSED BY THE CITY COUNCIL OF THE CITY OF PEORIA, ILLINOIS THIS

\_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

APPROVED:

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Mayor

ATTEST:

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City Clerk

EXAMINED AND APPROVED:

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Corporation Counsel