

Pekin Zoning Board of Appeals Meeting
111. S. Capitol Street
City Council Chambers 2nd Floor
October 11, 2023
5:00 PM

A meeting of the Pekin Zoning Board of Appeals will be held at Pekin City Hall, 111 South Capitol Street, City of Pekin, Illinois, on the 11th day of October 2023, at 5:00 PM.

Pledge of Allegiance

- I. Roll Call
- II. Agenda Approval
- III. Minutes Approval from September 13, 2023
- IV. City Council Action Report
- V. Applications and Hearings
- VI. Other Items for Consideration and Recommendation
- VII. Informal Discussion
- VIII. Public Input
- IX. Adjourn

Case SU 2023-03

A special use request submitted by Jacob & Jill Flynn for the operation of an Automotive Repair Shop at 300 N. 5th St. Said property is zoned B-3 General Business with legal descriptions of SEC 35 T25N R5W ORIGINAL TOWN LOT 15 BLK 87 SW ¼ with the following PIN# 04-04-35-323-010 and SEC 35 T25N R5W ORIGINAL TOWN LOT 16 BLK 87 SW ¼ with the following PIN# 04-04-35-323-009 in Tazewell County, Illinois.

Other Items for Consideration and Recommendation

An Ordinance to amend Chapter 4 Articles I, II and III Changing Chief Code Enforcement Officer to Chief Building Official

Informal Discussion

Public Input

Adjourn

Nic Maquet
Building & Community Development Director
City of Pekin

Pekin Zoning Board of Appeals
111 S. Capital Street
City Council Chambers 2nd Floor September 13, 2023
5:00 PM

Present: Bill Craig, Daryl Dagit, Chris Deverman, Donald Hild, Kelly Madden, James Ruth and Mary Lanane.

The regular meeting of the Pekin Board of Appeals was called to order and quorum was declared.

Staff present: Nic Maquet (Chief Building Official), Josie Esker (City Engineer), Alina Kramer (Admin Assistant) and Jeff Gaster (Legal Counsel).

The meeting was called to order at 5:00 PM. Motion by Commissioner Craig to approve the agenda and second by Commissioner Deverman. Motion carried unanimously.

Motion by Commissioner Ruth to approve minutes for the July 12, 2023 meeting, second by Commissioner Madden. Motion carried unanimously.

City Council Action report by Nic Maquet:

All July cases were approved.

Case SPR 2023-01(Tabled from May 10, 2023)

A site plan review submitted by Enviro-Safe (Randy & Julie Price) for the Construction of a 12,000 Sq Ft Gymnasium and Community center.at 320, 324, 326, 328 and 330 Court St. Said property is zoned B-2 Central Business District with a legal description of SEC 34 T25N R5W ORIGINAL TOWN E2' OF 4 & W21' OF LOT 5 BLK 46 SE ¼, SEC 34 T25N R5W ORIGINAL TOWN E 29' LOT 5 & W 1/2 LOT 6 BLK 46 SE ¼, SEC 34 T25N R5W ORIGINAL TOWN E 1/2 OF LOT 6 BLK 46 SE ¼, SEC 34 T25N R5W ORIGINAL TOWN W 1/2 LOT 7 BLK 46 SE ¼, with the following PIN: 04-04-34-438-010, 04-04-34-438-011, 04-04-34-438-012, 04-04-34-438-013, 04-04-34-438-014 in Tazewell County, Illinois

Public Hearing 5:04pm

Closed 5:04pm

Commissioner Craig asked Nic Maquet if the fire dept had reviewed the site plan, Nic stated at this time there is nothing for the fire dept to look at. Commissioner Craig also asked for clarification on sprinklers and it is in the site plan along with two exit doors. Don brought up the storm water retention and states that in B2, he cannot find that requirement in the code. Josie Esker, City Engineer, did find in the code (Section 5-7-2-9) and it does state that he would need water retention but we have already approved the structure to be built without retention. Commissioner Ruth asked if this type of facility and its usage would exceed the use of what may have been there in the past and Josie stated that it would.

Motion to approve site plan made by Commissioner Craig, second by Commissioner Dagit. Motion approved 7-0
Motion to adjourn made by Daryl Dagit and seconded by Mary Lanane.

Other Items for Consideration and Recommendation

Informal Discussion: None

Adjourn: Meeting closed at 5:15PM

Nic Maquet, Secretary, Pekin Board of Appeals



Nic Maquet
111 S. Capitol Street
Community Development
Pekin, Illinois 61554
Nmaquet@ci.pekin.il.us
(309) 478-5370

City Council Action Report
Meeting Date
MONDAY SEPTEMBER 25, 2023 5:30 PM

The following zoning case that was recommended for approval during the September 13, 2023, Zoning Board of Appeals meeting was presented for approval at the regularly scheduled City Council meeting held on Monday September 25, 2023. The case results are below:

- **Case SPR 2023-01** was Not Approved. City Council did not approve this site plan due to the developer not providing provisions for onsite stormwater detention.



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Zoning Board of Appeals Review Sheet

October 11, 2023

Case SU 2023-03

A special use request submitted by Jacob & Jill Flynn for the operation of an Automotive Repair Shop at 300 N. 5th St. Said property is zoned B-3 General Business with legal descriptions of SEC 35 T25N R5W ORIGINAL TOWN LOT 15 BLK 87 SW ¼ with the following PIN# 04-04-35-323-010 and SEC 35 T25N R5W ORIGINAL TOWN LOT 16 BLK 87 SW ¼ with the following PIN# 04-04-35-323-009 in Tazewell County, Illinois.

SUMMARY

The Property is Zoned B-3 General Business. City code section 4-3-6-5-3-7 requires that all automotive repair businesses located within the B-3 zoning district obtain a special use permit.

Automotive repair business, such as muffler shops, shock absorber replacement shops, tire stores, undercoating shops, and minor engine repair shops, subject to the following conditions:

- a. Access to such use shall be directly to a major or collector street or shall be to a minor street which has direct access to an abutting major or collector street.
- b. Access to and from such use shall not be cause for traffic to utilize residential streets.
- c. Outdoor storage of parts or materials shall be prohibited.
- d. Vehicles awaiting repair shall not be allowed to be stored outside the building for more than 48 hours for each such vehicle awaiting repair.
- e. Areas for off-street parking required for customer use shall not be utilized for the storage of vehicles awaiting repairs.
- f. All vehicle servicing or repair shall be conducted within a building.
- g. Suitable containers shall be provided and utilized for the disposal of used parts, and such containers shall be screened from public view.
- h. A four-foot, six-inch obscuring wall shall be provided and maintained on those property lines adjacent to or abutting a residential district.
- i. A site plan shall be submitted to the Zoning Board of Appeals for its review and approval, prior to issuance of a building permit.



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(309) 478-5370

**Zoning Board of Appeals Review Sheet
October 11, 2023**

Case SU 2023-03

A special use request submitted by Jacob & Jill Flynn for the operation of an Automotive Repair Shop at 300 N. 5th St. Said property is zoned B-3 General Business with legal descriptions of SEC 35 T25N R5W ORIGINAL TOWN LOT 15 BLK 87 SW ¼ with the following PIN# 04-04-35-323-010 and SEC 35 T25N R5W ORIGINAL TOWN LOT 16 BLK 87 SW ¼ with the following PIN# 04-04-35-323-009 in Tazewell County, Illinois.

STAFF NOTES

- Property was recently used as an auto sales and repair shop.
- Property does appear to meet all requirements for use as an automotive repair shop.
- Staff has conducted a preoccupancy inspection of the property and has provided a list of occupancy requirements.
- Staff Recommends Approval.



Tazewell County GIS parcel and map records contained herein are for property tax purposes only. This information has been compiled from the most accurate source data from the public records of Tazewell County. This information must be accepted and used with the understanding that the data was collected primarily for the use and purpose of creating a Property Tax Roll per Illinois Statute. The information contained herein is for reference purposes only and should not be relied upon as a substitute for a site search. Any reliance on the information contained herein is at the user's own risk. The Tazewell County GIS assumes no responsibility for any use of the information contained herein or any loss resulting therefrom. Users of Tazewell County GIS site assume all risk and liability when accessing any third-party site linked to this site. All data is subject to change.



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AUG 11 2023



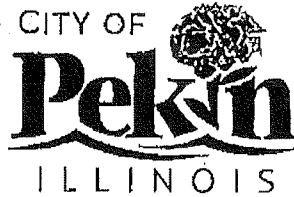
Planning and Zoning Department
111 S. Capitol Street, Pekin, Illinois 61554 -- (309) 477-2300

Board of Appeals Application for Consideration

Type of Request (check one): ☒ A. Special Use (\$85) ☐ B. Residential Variance (\$85) ☐ C. Non-Residential Variance (\$85) ☐ D. Map Amendment/Rezoning (\$75) ☐ E. Annexation (\$75)	Request Property Address or PIN: <u>300 N. 5th St Pekin</u>
	Current Zoning (if known): <u>Commercial</u>
	Proposed Zoning (if rezoning request): <u>Special Use (Automotive mechanic)</u> <u>Shop</u>
	Current Use: <u>Used car sales</u>
	Proposed Use (if different): <u>Automotive mechanic shop</u>

Property Owner Name:	<u>Dick Cook</u>
Mailing Address:	<u>1229 N. Olde Farm Rd. East Peoria</u>
Phone:	<u>309-694-7224</u>
Alternative Phone:	<u>Ø</u>
E-Mail Address:	<u>Tcook@cooktravelandcruise.com</u>

Applicant Name (if different):	<u>Jacob Flynn + Jill Flynn</u>
Mailing Address:	<u>2707 Overhill Dr. Pekin</u>
Phone:	<u>309-840-1081 Jill</u>
Alternative Phone:	<u>309-241-3628 Jacob</u>
E-Mail Address:	<u>jflynn82816@gmail.com</u>



Planning and Zoning Department
111 S. Capitol Street, Pekin, Illinois 61554 - (309) 477-2300

Please summarize your request and explain why it is necessary:

We would like to purchase the property at 300 N. 5th St to open a small automotive repair shop. Jacob Flynn has 15 years experience as a mechanic and would like to open his own business in that building. Aside from the automotive dealerships there are only a few other automotive shops in the city of Pekin and having another one will help the community get their vehicles serviced quicker.

CERTIFICATION BY PROPERTY OWNER

I certify that I am the owner of the property, which is the subject of this request. I certify that all the information contained in this application form or any attachments, documents, or plans submitted herewith are true to the best of my knowledge and belief. If an applicant is signing below, that applicant has received my approval to proceed with this request.

Richard Cook

08/30/23

Owner Signature

Date

CERTIFICATION BY THE APPLICANT (if different)

I certify that all the information contained in this application form or any attachments, documents, or plans submitted herewith are true to the best of my knowledge and belief.

Jacob Flynn
Applicant Signature

8/31/23

Date

ORDINANCE NO. _____

AN ORDINANCE REVISING THE ZONING CODE FOR THE CITY OF PEKIN

WHEREAS, the City of Pekin has previously enacted a zoning code; and

WHEREAS, the existing zoning code designates that certain functions shall be performed by an official referred to as the “Code Enforcement Officer”; and

WHEREAS, the City of Pekin has eliminated the position of “Code Enforcement Officer” and replaced it with a position called “Chief Building Official”; and

WHEREAS, the City Council finds that it is necessary and appropriate to amend the zoning code to replace references to the “Code Enforcement Officer” with references to “Chief Building Official.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEKIN, TAZEWELL COUNTY, ILLINOIS, THAT:

Section 1. The findings and recitations set forth above are adopted and found to be true and correct.

Section 2. Chapter 4, Article I, Division 3, Section 2 of the Pekin City Code is hereby amended as follows (additions indicated by underline, deletions by ~~striketrough~~):

Sec. 4-1-3-2. Additions, insertions, and changes.

The following items are additions, insertions and changes to the International Residential Code for One- and Two-Family Dwellings:

Revisions to the International Residential Code for One- and Two-Family Dwellings

Section	Change
Section R101.1	Insert: City of Pekin Section R-104.0 the first sentence shall read as follows:
Section R-104.1	Authority: The <u>Chief Building Official</u> Code Enforcement Officer of the City of Pekin and the various inspectors under his supervision are hereby authorized and directed to administer and enforce all of the provisions of this code and there is hereby conferred upon them the general powers to do so."
Section R105.2	Work exempt from permit. The following items shall be removed: Under Building - 1,2, 5 & 9; Under Mechanical - 4
Section R108.2	Insert: "Permit fees as set forth in the City Code."
Section R113.4	Insert at end: "shall be guilty of a violation of this Ordinance punishable by a fine of not less than \$100.00 and not more than \$500.00. Upon a second or subsequent violation the fine shall be not less than \$500.00 nor more than \$1,000.00. Each day that a violation continues shall be deemed a separate

	offense." In place of "shall be subject to penalties as prescribed by law."
Section R114.2	Insert at end: "shall be subject to penalties as follows, first violation: "\$100.00; second violation "\$500.00; and upon a third or subsequent violation, the fine shall be not less than \$300.00 nor more than \$500.00. Each day that a violation continues shall be deemed a separate offense." In place of "shall be subject to penalties as prescribed by law."
Section R310.4	Delete: "are permitted to be placed"
Section R310.4	Insert: "shall be placed"
Section R313.2	Delete.
Section R313.2.1	Delete.
Section R402.1	Delete.
Section R402.1.1	Delete.
Figure R403.1 (2)	Delete.
Figure R403.1 (3)	Delete.
Section R403.2	Delete.
Section R404.2	Delete.
Section R404.2.1	Delete.
Section R404.2.2	Delete.
Section R404.2.3	Delete.
Table R404.2.3	Delete.
Section R404.2.4	Delete.
Section R404.2.5	Delete.
Section R404.2.6	Delete.
Section R405.2	Delete.
Section R405.2.1	Delete.
Section R405.2.2	Delete.
Section R405.2.3	Delete.
Section R406.3	Delete.
Section R406.3.1	Delete.
Section R406.3.2	Delete.
Section R406.3.3	Delete.
Section R406.3.4	Delete.
Section R602.4	Insert: "Interior load-bearing walls that contain plumbing piping, flues or ducts shall be constructed of a minimum of two-inch by six-inch lumber."
Section R602.5	Insert: "Interior non-load-bearing walls that contain plumbing piping, flues or ducts shall be constructed of a minimum of two-inch by six-inch lumber."
Section R806.3	Insert: "Insulation baffles. Where eave vents are provided, insulation baffles shall be installed between the rafters at the eaves to maintain air flow from the soffit vents."

Chapters 11—22, 24—32, 34—41 and 43	Delete.
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Section 3. Chapter 4, Article I, Division 5, Section 2 of the Pekin City Code is hereby amended as follows (additions indicated by underline, deletions by ~~strike through~~):

Sec. 4-1-5-2. Additions, insertions and changes.

The following items are the additions, insertions and changes to the International Mechanical Code:

Revisions to the International Mechanical Code

Section	Change
Section 101.1	Insert: "City of Pekin."
Section 106.2	Delete: Work exempt from permit. The following items shall be removed: #4
Section 106.5.2	Insert: "The fees for all mechanical work as set forth in the City Code"
Section 106.6 shall read as follows:	
Section 106.6	Insert: Licenses: Any person, authorized agent or contractor who desires to erect, install, enlarge, alter, repair, remove, convert or replace a mechanical system, the installation of which is regulated by this Code, or to cause such work to be done, shall first obtain a license as described herein.
Section 106.6.1	Application and Examination for License: No person shall be granted an HVAC contractor license unless he meets the following minimum requirements:
	A. He shall make application for the license on a form to be provided by the HVAC Inspector and shall provide such information and pay a fee as set forth in the City Code, to administer the examination.
	B. He shall complete a written test provided by the HVAC Inspector and approved by the <u>Chief Building Official Code Enforcement Officer</u> and shall obtain a passing score as established by the HVAC Inspector and <u>Chief Building Official Code Enforcement Officer</u> .
	C. He shall warrant to the City of Pekin and to each of his customers that all heating, ventilation, air conditioning and air filtration equipment, appliances and systems installed or maintained by him or his agents or employees will be done in such manner as to meet the minimum requirements of the Code.
	D. He shall deposit with the application for an HVAC license proof of liability insurance coverage with policy limits of not less than \$100,000.00 to \$300,000.00, which said liability insurance policy shall be so endorsed as to indemnify and

	save harmless the City from the result of any acts of the registered contractor by virtue of the HVAC license issued to said contractor by the City. In addition thereto, there shall be deposited with the application for an HVAC license, a license or permit bond signed by two or more sureties or by a responsible surety company, to be approved by the <u>Chief Building Official</u> Code Enforcement Officer , in the sum of \$10,000.00 conditioned to indemnify and save harmless the City from the result of the licensed contractor not complying with the laws and ordinances, including all amendments thereto, pertaining to the certificate of registration and regulating the business of HVAC contractor.
	E. A license granted shall be effective for a period of one year beginning on January first and shall be renewed the first of each year. Any applicant applying after June 30 will be charged at one half the annual rate for the balance of that year. Annual License Fee: \$100.00 per year.
Section 106.6.2	Partnerships and Corporations: An HVAC contractor license may be issued only to an individual person. In the case of partnerships or corporations, licenses shall be required of one of the partners or officers of the corporation, as the case may be.
Section 106.6.3	Reciprocal License Agreements: The <u>Chief Building Official</u> Code Enforcement Officer may enter into reciprocal licensing agreements with other cities or licensing authorities whenever the requirements in those jurisdictions for similar licensing are equal to or higher than those of the City.
Section 107.7 shall read as follows:	
Section 107.7	Annual Inspections: The owner or operator, as the case may be, of each unit of fuel-burning equipment, regardless of whether or not an operating certificate has been previously been issued, shall submit each unit of equipment for inspection by the Department of Inspection Services once each year to ascertain whether or not such equipment is being operated within the provisions of this Code, except that no annual inspection shall be required of furnaces or other fuel-burning equipment or devices installed to heat dwellings using less than 360,000 BTU output. The annual inspection shall not preclude other inspections by the Fire Department of the City of Pekin or the Department of Inspection Services as may be necessary to ensure public health and safety.
	Annual inspection fee shall be as set forth in the City Code.
	Where more than one apparatus is located in the same building, the fee for the first apparatus shall be at the full fee, and the others shall be at half the full fee.

	If at the time of any inspection it is found that the equipment is in such condition that it cannot be operated in compliance with this Code, the Building Official shall cause written notice to be given to the owner, agent, occupant, manager or lessee or any such premises or equipment, setting forth wherein this Code is being violated, and also setting forth the recommendations for correcting such violation and the time, not exceeding 30 days, in which to bring the apparatus into compliance within the time specified, the HVAC inspector, with the approval of the <u>Chief Building Official</u> Code Enforcement Officer, may order operation of the apparatus stopped and sealed from further operation until the apparatus meets the provision of the Code. In any event, whenever the health or safety of any of the public are substantially and imminently endangered by noncompliance with this Code, the HVAC inspector, with the approval of the <u>Chief Building Official</u> Code Enforcement Officer, shall order operation of the apparatus stopped and shall seal the apparatus until compliance is achieved.
Section 108.4 shall read as follows:	
Section 108.4	Insert: Violation Penalties: Any person who shall violate a provision of this Code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical equipment or systems in violation of an approved construction document or directive of the Code Official, or of a permit or certificate issued under the provisions of this Code, shall be guilty of a violation of this Ordinance, punishable by a fine of not less than \$250.00 nor more than \$750.00; and on a second violation by a fine of not less than \$500.00 nor more than \$1,000.00. With a second violation, the permit for the job will be pulled and the person in violation will have his City issued license suspended. Each day that a violation continues shall be deemed a separate offense.
Section 108.5 shall read as follows:	
Section 108.5	Insert: Stop Work Orders: Upon notice from the Code Official that mechanical work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state conditions under which work is authorized to resume. Where an emergency exists, the Code Official shall not be required to give written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that

	person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$500.00 or more than \$1,000.00.
Section 201.3	Delete. "All references to the International Plumbing Code and replace with the Illinois Plumbing Code, most current edition."
Section 301.10	Delete: "NFPA 70"
Section 301.10	Insert: "National Electric Code, most current edition."
Section 301.11	Delete: "International Plumbing Code"
Section 301.11	Insert: "Illinois State Plumbing Code, most current edition"

Section 4. Chapter 4, Article I, Division 10, Section 4 of the Pekin City Code is hereby amended as follows (additions indicated by underline, deletions by ~~striketrough~~):

Sec. 4-1-10-4. Right of entry.

The approved cross-connection control device inspector shall have the right to enter at any reasonable time any property served by a connection to the public water supply or distribution system of the Illinois-American Water Company, or its successor, for the purpose of verifying the presence of cross-connections, and that the Plumbing Inspector for the City, or his authorized agent, shall have the right to enter at any reasonable time any property served by a connection to the public water supply or distribution system of the Illinois-American Water Company, or its successor, for the purpose of verifying information submitted by the customer regarding the required cross-connection control inspection. On demand, the owner, lessees or occupants of any property so served shall furnish to the Plumbing Inspector for the City, or his authorized agent, any information which he may request regarding the piping system or systems or water use on such property. The refusal of such information, when demanded, shall, within the discretion of the Chief Building Official ~~Code Enforcement Officer~~ or Plumbing Inspector for the City, or their authorized agent, be deemed evidence of the presence of improper connections as provided in this Division.

Section 5. Chapter 4, Article 2, Division 2, Section 6 of the Pekin City Code is hereby amended as follows (additions indicated by underline, deletions by ~~striketrough~~):

Sec. 4-2-2-6. Final plat.

The procedure for preparation and review of a final plat shall be as follows:

- (1) *Final plat filing.* Two permanent copies (either linen or Mylar no heavier than four mils); seven paper prints and one computer media (CD or floppy disk) in AutoCAD drawing or ArcInfo shapefile format of the final plat shall be filed by the developer with the City Clerk and shall deposit with the City Clerk such sum of money as the Governing Body may require, as shall be set by resolution of the Governing Body, to provide for the expense of inspection of lands and review of the final plat. The City Clerk shall forward a print of the final plat to the City Engineer and the Chief Building Official ~~Code Enforcement Officer~~.
- (2) *Contents of final plat.* The final plat shall contain the following information:

- a. *Description.*
 - 1. Name of proposed subdivision.
 - 2. Minimum scale (one inch to 100 feet), north arrow and date of preparation.
 - 3. Correct legal description of property involved.
 - b. *Existing conditions.*
 - 1. Total acreage of subdivision.
 - 2. The location of all present property lines, pertinent section lines and streets that are to remain the same within the area being subdivided.
 - c. *Proposed conditions.*
 - 1. Location, width and names of all proposed streets and walkways.
 - 2. All dimensions, linear (to the nearest one-hundredth of a foot) and angular (to the nearest second of arc), necessary for locating the boundaries of the subdivision, lots, streets, easements and other areas for public or private use.
 - 3. Location of all survey monuments and their descriptions.
 - 4. Layout and scale dimensions of all lots, including minimum front setback lines and lot numbering.
 - 5. Show all sections lines and corners within or abutting the subdivision.
 - d. *Additional information.*
 - 1. Street jog offset dimensions at intersecting streets where the centerline offset is less than 125 feet.
 - 2. Name and widths of adjoining streets.
 - 3. Radii, arcs or central angle, points of tangency and central angles for all curvilinear streets and radii for rounded corners; to include the location of PT and PC points from the nearest lot line.
- (3) *Certificates.*

- a. The following certificates shall appear on all plats within the jurisdiction of the City:
 - 1. "Declaration of ownership and dedication," being a statement by the proprietors and spouses, if any, or a duly authorized attorney, of the ownership of the land being subdivided, an acknowledgement of the correctness of the plat in accomplishing the uses and purposes of the proprietor, and dedicating the streets and utility easements, if any, to the public. The wording of this declaration and dedication shall be substantially as follows:

State of Illinois

County of Tazewell (or Peoria)

Declaration and dedication of _____ subdivision to the City of Pekin, Tazewell County and Peoria County, Illinois

_____, does hereby certify that he is the proprietor of the land shown on the accompanying plat, and does hereby certify that he has caused the survey and subdivision thereof to be made as shown on the accompanying plat and to be known as _____ in the City of Pekin, Tazewell County and Peoria County, Illinois, and acknowledges said survey to be correct to the best of his knowledge and belief, and he hereby dedicates the streets and utility easements shown on said Plat to the public use forever. Easements, as shown by dashed lines and marked utility easements on said plat, are hereby reserved for the use of all public utility companies to install, lay, construct, operate, maintain, renew and/or remove underground water mains, sewer pipes, gas pipelines, electric and telephone cables or conduits with all necessary aboveground transformer and service pedestal installations, with the further right to install and maintain overhead electric and telephone pole and wire-line installations with all necessary braces, guy wires, anchors and other appliances for the purpose of serving the subdivision and adjoining properties with water, sewer, gas, electric and telephone service, including the right to use the streets where necessary and to overhang or bury across all lots service wires, pipeline and/or cables to serve adjacent lots, together with the right to enter upon the lots at all times to install, operate and maintain said utility facilities and to trim or remove any trees, shrubs or saplings that interfere or threaten to interfere with said utility facilities.

No permanent buildings or trees shall be placed on said easements, but said easements may be used for gardens, shrubs, landscaping and other purposes that do not interfere with the use of said easements for public utility purposes.

Dated at Pekin, Illinois, this _____ day of _____, A.D. _____

(The signatures above are to be duly attested on the plat by a notary public.)

2. Certificate of a registered Illinois land surveyor, attesting to the accuracy of the survey and the correct location of all monuments shown and all applicable requirements of Illinois Statutes.
3. Certificate of County Clerk:
State of Illinois
County of Tazewell (or Peoria)

I, _____, County Clerk of the aforesaid county, do hereby certify that I have this day examined the tax records of the property shown on the attached plat, and find no delinquent general taxes, unpaid current general taxes, nor delinquent special assessments against the tract of land shown on said plat.

Given under my hand and seal of said County, this _____ day of _____, A.D. _____.

County Clerk	
Deputy Clerk	

4. Following the signature of previously mentioned certificates, the developer shall take the final plat to the Tazewell County or Peoria County Recorder's Office for recording.
- b. The following certificate shall appear on all plats of subdivisions located within the City limits of Pekin:

State of Illinois

County of Tazewell (or Peoria)

I hereby certify that by Resolution No. _____ adopted by the City Council of the City of Pekin, Tazewell County and Peoria County, Illinois, at its regular meeting held on the _____ day of _____, A.D. _____, the above plat of _____ subdivision was approved and the streets and easements shown thereon were accepted.

City Clerk	
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- c. The following certificate shall appear on all plats of subdivisions lying outside of the City limits of Pekin and within 1½ miles of the corporate limits thereof:

State of Illinois

County of Tazewell (or Peoria)

I hereby certify that the above preliminary plat lying within 1½ miles of the City of Pekin of _____ meets with all requirements.

City of Pekin	
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(4) *Final plat review.*

- a. No final plat review will be performed until as-built drawings detailing final locations of developer installed underground utilities (e.g., water, sanitary sewers, and storm sewers) are submitted to the City.
- b. The final plat shall be reviewed by the City Engineer, and the Chief Building Official ~~Code Enforcement Officer~~ as to compliance with the approved preliminary plat, plans for utilities and other improvements and the other requirements of this Article.
- c. The City Engineer, and the Chief Building Official ~~Code Enforcement Officer~~ shall notify the City Clerk of their recommendations for either approval or rejection of the final plat. The City Clerk shall report the recommendations to the Governing Body.
- d. When a person submitting a plat of subdivision or resubdivision for final approval has supplied all drawings, maps and other documents required by the Municipal ordinances to be furnished in support thereof, and if all such material meets the Municipal requirements, the corporate authorities shall approve the proposed plat within 60 days from the date of filing the last required documents or other paper or with 60 days from the date of filing application for final approval of the plat, whichever date is later. The applicant and the corporate authorities may mutually agree to extend the 60-day period.
- e. Upon the approval of the final plat by the Governing Body, three prints of the final plat shall be forwarded: one to the City Clerk; one to the Zoning Board of Appeals; and one to the Building Inspections Division. The original copies shall be forwarded to the City Clerk for distribution to appropriate agencies.
- f. Upon receipt of the final plat from the Governing Body, the Building Inspections Division shall cause the final plat to be recorded in the form approved by the Governing Body.

Section 6. Chapter 4, Article 3, Division 8, Section 14 of the Pekin City Code is hereby amended as follows (additions indicated by underline, deletions by ~~striketrough~~):

Sec. 4-3-8-14. Site plan review (all districts).

- (a) *Application.* The Building Inspector shall require that all applications for building permits shall be accompanied by plans and specifications, including a site plan, as provided for in Section 4-3-2-1-4.
- (b) *Submission.* A site plan shall be submitted to the Zoning Board of Appeals for approval of:
 - (1) Any use or development for which the submission of a site plan is required by any provision of this Article.
 - (2) Any development, except single-family and two-family residential, for which off-street parking areas are provided as required.
 - (3) Any use in a RM-1, RM-2, RM-3, OS-1, B-1, B-2, B-3, I-1 or I-2 District lying contiguous to or across a street from a single-family residential district.

- (4) Any use, except single- or two-family residential, which lies contiguous to a major thoroughfare or collector street.
- (5) All residentially related uses permitted in single-family districts, such as, but not limited to, churches, schools and public facilities.
- (6) Building additions or accessory buildings shall not require Zoning Board of Appeals review unless off-street parking in addition to that already provided on the site is required.
- (7) All site plans for other than RM uses as required to be reviewed in Subsections (b)(1) through (4) of this Section shall be reviewed by the Building Inspections Division and shall not require Zoning Board of Appeals review, unless such use requires review as in a special use or is specifically referred to the Zoning Board of Appeals for review by the Building Inspections Division or the City Council.
- (8) When site plans are submitted to the City indicating a development containing office space, or a business or an industrial use which will not require City of Pekin Zoning Board of Appeals review, and will abut single-family or duplex residential uses, the property owners within 150 feet of the lot or parcel that is proposed to be developed shall receive individual notification of the site plan submittal and of their opportunity to meet with City staff for discussion of the proposed site plan. Such notice shall be by direct mail. Additionally, a non-legal section notice shall be placed in a newspaper of general circulation, a minimum of three days prior to the scheduled meeting date. Upon the submission of such site plan, the owner shall pay a filing and review fee of \$85.00.

The appropriate City staff, as well as at least one City Councilmember, shall then meet with all interested property owners in the affected area or community at large, in order to discuss the proposed development and review the site plan. The minutes of the meeting shall be recorded and copies to the City Clerk, the City Manager, the Mayor and all City Councilmembers.

- (b) *Review.* Every site plan submitted to the Zoning Board of Appeals shall be in accordance with the requirements of this Article. No site plan shall be approved until same has been reviewed by the Building Inspections Division and by the Fire Department. Review of site plans by the Fire Department shall include such recommendations with regard to building spacing as may be required by the Building Code relative to fire-resistant construction. Such review by the Building Inspections Division and Fire Department shall be made prior to submitting such plans to the Zoning Board of Appeals.
- (c) *Required information.* In addition to the information required for the City staff checklist, the following information shall be included on the site plan:
 - (1) A scale of not less than one inch equals 50 feet if the subject property is less than three acres and one inch equals 100 feet if three acres or more.
 - (2) Date, north point and scale.
 - (3) The dimensions of all lot and property lines, showing the relationship of the subject property to abutting properties.
 - (4) The location of all existing and proposed structures on the subject property and all structures within 100 feet of the subject property.

- (5) The location of all existing and proposed drives and parking areas.
 - (6) The location and right-of-way widths of all abutting streets and alleys.
 - (7) The names, addresses, and phone numbers of the architect, planner, designer, engineer or person responsible for the preparation of the site plan.
- (d) *Consideration.* In the process of reviewing the site plan, the Zoning Board of Appeals, Building Inspections Division, Fire Department and Public Works Department will consider:
- (1) The location and design of driveways providing vehicular ingress to and egress from the site in relation to streets giving access to the site and in relation to pedestrian traffic.
 - (2) The traffic circulation features within the site and location of automobile parking areas and may make such requirements with respect to any matters as will assure:
 - a. Safety and convenience of both vehicular and pedestrian traffic both within the site and in relation to access streets.
 - b. Satisfactory and harmonious relationships between the development on the site and the existing and prospective development of contiguous land and adjacent neighborhoods.
 - (3) The Zoning Board of Appeals, Building Inspections Division, Fire Department, and Public Works Department, may further require landscaping, fences and walls in pursuance of these objectives and same shall be provided and maintained as a condition of the establishment and the continued maintenance of any use to which they are appurtenant.
 - (4) In those instances wherein the Zoning Board of Appeals, Building Inspections Division, Fire Department and Public Works Department find that an excessive number of ingress and/or egress points may occur with relation to major streets or any thoroughfares, thereby diminishing the carrying capacity of the thoroughfare, the Zoning Board of Appeals may recommend marginal access drives. For a narrow frontage which will require a single outlet, the Zoning Board of Appeals may recommend that money or suitable bond be placed in escrow with the City so as to provide for a marginal service drive equal in length to the frontage of the property involved. Occupancy permits shall not be issued until the improvement is physically provided or monies or suitable bond have been deposited with the Chief Building Official ~~Code Enforcement Officer~~ for such improvement.

Section 3. This Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED AND APPROVED at the regular meeting of the City Council of the City of Pekin, this _____ day of _____, 20____; and upon roll call the vote was as follows:

AYES:

NAYS:

ABSENT:

ABSTAINING:

APPROVED this _____ day of _____, 20____

Mayor

ATTEST:

City Clerk

CERTIFICATE

THE UNDERSIGNED CERTIFIES THAT SHE IS THE CITY CLERK FOR THE CITY OF PEKIN, ILLINOIS, AND THAT THE CITY COUNCIL AT A REGULARLY CONSTITUTED MEETING OF SAID CITY COUNCIL OF THE CITY OF PEKIN ON THE _____ DAY OF _____, 20____ ADOPTED ORDINANCE NO. _____ A TRUE AND CORRECT COPY OF WHICH IS CONTAINED IN THIS PAMPHLET

GIVEN UNDER MY HAND AND SEAL THIS _____ DAY OF _____, 20____.

(SEAL)

CITY CLERK