

ORDINANCE NO. 4145

**AN ORDINANCE DESIGNATING THE FOUR CORNERS OVERLAY
DISTRICT AND APPROVING A PLAN WHICH SHALL
APPLY WITHIN THAT DISTRICT**

WHEREAS, the City of East Peoria has proposed the designation of an overlay district to be administered pursuant to a plan in the form attached hereto labeled as “Exhibit A” (hereinafter the “Four Corners Overlay District Plan”); and

WHEREAS, the proposed overlay district (hereinafter referred to as the “Four Corners Overlay District”) is described in the Four Corners Overlay District Plan and lies within the R-4, B-1, B-2, B-3 and M-1 Zoning Districts (the “Affected Districts”); and

WHEREAS, after a public hearing conducted pursuant to duly published notice, the East Peoria Zoning Board of Appeals has heretofore recommended designation of the Four Corners Overlay District and the approval of the Four Corners Overlay District Plan;

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

Section 1. The Four Corners Overlay District as described in the Four Corners Overlay District Plan is hereby designated as an overlay district.

Section 2. The Four Corners Overlay District Plan including the alternative regulations therein set forth shall apply only within the Four Corners Overlay District.

Section 3. Except as specifically modified within the Four Corners Overlay District Plan, the zoning regulations applicable within the Affected Districts along with all other applicable provisions of the City Code shall as from time to time amended continue to apply within the Four Corners Overlay District.

Section 4. This Ordinance is hereby ordered to be published in pamphlet form by the East Peoria City Clerk and said Clerk is ordered to keep at least three (3) copies hereof available for public inspection in the future and in accordance with the Illinois Municipal Code.

Section 5. This Ordinance is in addition to all other ordinances on the subject and shall be construed therewith excepting as to that part in direct conflict with any other ordinance, and in the event of such conflict, the provisions hereof shall govern.

Section 6. This Ordinance shall be in full force and effect from and after its passage, approval and ten (10) day period of publication in the manner provided by law.

PASSED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, IN REGULAR AND PUBLIC SESSION THIS _____ DAY OF _____, 2013.

APPROVED:

Mayor

ATTEST:

City Clerk

EXAMINED AND APPROVED:

Corporation Counsel

EXHIBIT A

**PLAN FOR
EAST PEORIA
FOUR CORNERS
OVERLAY DISTRICT**

**PLAN FOR THE EAST PEORIA FOUR CORNERS
OVERLAY DISTRICT**

I.

**DESCRIPTION OF THEME AND PURPOSE OF THE EAST PEORIA
FOUR CORNERS OVERLAY DISTRICT.**

The East Peoria Four Corners Overlay District (the “Four Corners Overlay District”) consists of the property legally described at “Attachment 1” and shown on the map at “Attachment 2”, both of which are appended hereto and incorporated herein by reference. The Four Corners Overlay District established pursuant to this plan (the “Plan”) is intended not only to attract commercial, office and governmental facilities housed in modern retail and office buildings, some with residential facilities, but also to encourage a pedestrian friendly urban. Achieving the various goals established by this Plan will require the modification of some regulations typically applicable under the City’s Zoning Ordinance.

II.

**MODIFICATIONS TO ZONING REGULATIONS APPLICABLE
WITHIN THE FOUR CORNERS OVERLAY DISTRICT**

Certain standards and regulations which are generally applicable in the R-4 Multiple-Family Dwelling District, the Business Zoning Districts (B-1, B-2, B-3) and the M-1 Manufacturing District, limited along with other more generally applicable provisions of the Zoning Code are modified within the Four Corners Overlay District, but only to the extent hereinafter set forth:

1. **RESIDENTIAL USES.** The Zoning Code at sections 5-8-6, 5-9-2, 5-9-3, 5-9-4 and 5-10-2 all impose various limits on residential uses in the R-4, B-1, B-2, B-3 and M-1 zoning districts. In order to encourage a broader range of residential uses, the following alternate regulations shall apply within the Four Corners Overlay District.

a. Residential dwelling units may be established as a permitted use within the Four Corners Overlay District, but only under the following conditions:

(1) such dwelling units are on the second, third or fourth floor of a structure where the first floor is devoted to a retail or office use lawfully established within the Four Corners Overlay District; and

(2) the structure containing such dwelling units does not exceed four stories in height; and

(3) dwelling units shall not be located on the same floor of a building as non-residential uses. No dwelling unit on a floor containing only residential uses may be converted to a non residential use unless all dwelling units on such floor are simultaneously converted to code compliant non-residential uses. No space on a floor containing any non-residential use may be converted into a dwelling unit unless all space on that floor is simultaneously converted into code compliant dwelling units.

- b. Other residential facilities of any nature may be established within the Four Corners Overlay District as a special use in accordance with the procedures prescribed by the Zoning Code.

2. **FRONT, SIDE, AND REAR YARD SETBACKS AND LOT COVERAGE.** The Zoning Code at Sections 5-8-6, 5-9-2, 5-9-3, 5-9-4 and 5-10-2 all impose various setback requirements, minimum side yard requirements and coverage limitations. The standards established in the aforesaid section are modified within the Four Corners Overlay District, but only to the following extent:

- a. Buildings fronting on East Washington Street may be constructed with no front, side or rear yard setbacks.
- b. Buildings fronting on East Washington Street between the railroad tracks and Cole Creek viaduct may cover up to 100% of the lot upon which such buildings are located.

3. **WIDTH OF SIDEWALKS.** Sidewalks on East Washington Street between the railroad tracks and Cole Creek viaduct shall have a width of 15 feet where feasible. All other sidewalks in the Four Corners Overlay District shall have a minimum width of six feet.

4. **PROJECTING AWNINGS AND CANOPIES.** The Zoning Code does not authorize decorative awnings and canopies which project into the public right of way. With respect to buildings fronting on East Washington Street, decorative awnings and canopies for buildings placed on or near the front property line may project across the front property line into the public right of way subject to the following limitations:

- a. No such awning or canopy may project beyond the perpendicular plane established by the centerline of the adjoining sidewalk.
- b. Any such awning or canopy and the associated framing system shall be designed to resist deterioration due to weathering, to withstand applicable wind and snow loads and to prevent nesting or roosting by birds.
- c. No portion of any awning or canopy including the underside thereof shall have unfinished framing or fasteners.

5. **SIDEWALK DINING.** Any restaurant fronting on East Washington Street or lying within 105 feet of the nearest right of way of East Washington Street may place tables and chairs on the sidewalk immediately adjoining the front of any portion of a building occupied by such restaurant subject to the following conditions:

- a. Only tables, chairs and other personal property which facilitates outdoor dining may be placed on the adjoining sidewalk.
- b. Any dining facilities placed on a sidewalk shall be located between the centerline of the sidewalk running generally parallel with the front of the adjoining building and the front of the adjoining building.
- c. The proprietor of the restaurant may erect movable fences or other similar movable barriers having a height of not more than three feet surrounding the authorized dining area for the purpose of discouraging passing pedestrians from walking through the outdoor

dining area. Any such fence or barrier shall have openings which provide convenient access to any doorways located within the adjoining building.

d. All such outdoor dining areas shall be maintained in a clean and sanitary condition with unconsumed food removed promptly after the departure of the patrons to whom such food was served. The proprietor shall be responsible for the prompt removal of any litter or debris generated by or located within the outdoor dining area.

e. All tables, chairs, fences and similar items placed on a sidewalk shall be composed of corrosion resistant materials which are maintained in an attractive condition.

f. Sidewalk Dining facilities shall be established and maintained in accordance with a site plan approved by the Zoning Administrator of the City.

6. **SCREENING AND LANDSCAPING.** 5-4-11 of the City Code establishes screening and landscaping requirements which are applicable within the City. For buildings fronting on East Washington Street, the screening and landscaping requirements imposed by 5-4-11 as modified by this Plan shall be adjusted with respect to any such buildings with reduced or nonexistent front, side and/or rear yards as authorized by Section 2 of this Plan or to accommodate such buildings which cover all or substantially all of the zoning lot on which the building is located. The Zoning Administrator shall during the process of reviewing the site plan for development of any zoning lot fronting on East Washington Street have the authority to proportionately reduce screening and landscaping requirements to the extent necessary to accommodate a structure with reduced front or side yard setbacks or substantial lot coverage.

7. **MODIFICATIONS TO LANDSCAPING POINT SYSTEM.** In order to encourage the establishment of sustainable and cost effective landscaping within the Four Corners Overlay District, the City encourages the use of native or adaptive plants. In order to encourage a pedestrian friendly environment, the City also encourages the use of on site outdoor furnishings, art and other related appurtenances. Within the Four Corners Overlay District, the screening and landscaping requirements established at Section 5-4-11 of the Zoning Code are modified as follows:

a. Landscape Point System for Plants. Plants listed in the “Recommended Native / Adapted Plant Species List” hereinafter set forth will be given additional points over non-native species as listed in the table below. Native Species and certain non-native flowering perennials and grasses shall be assigned the following point values under section 5-4-11:

Plant Classification	Base Value
Shade Tree (Native Species List)	24 points
Intermediate Tree (Native Species List)	16 points
Evergreen and Deciduous Shrubs (Native Species List)	4 points
Flowering Perennials and Grasses (Non-Native Species)	1 point per 25 Sq. Ft.*
Flowering Perennials and Grasses (Native Species)	1 point per 10 Sq. Ft.*

*To qualify for points based on square footage, perennials and grasses must be spaced at no more than ½ of the maximum spread as published in a reputable

Nursery Catalog.

b. Landscape Point System for On Site Outdoor Furnishings. Subject to the limitations herein set forth, on site outdoor furnishings are eligible for points that can be applied toward the site landscape point requirements. The values applicable to specific furnishings are listed in the table below:

Furnishing Type	Base Value
Chair (Single)	8 points
Chairs (Set of 2)	16 points
Table w/ Chairs	20 points
Bench	16 points

(1) On site outdoor furnishings are not intended to replace plant material, but rather to compliment site landscaping. Points achieved from such furnishings may be used to replace a maximum of 20% of the landscape points required for each site area (i.e. 20% of Parking Lot Requirements and/or 20% of Front Yard Requirements.)

(2) On site outdoor furnishings, fountains, sculpture, hardscape plazas and other amenities not listed in the above table may be awarded points at the discretion of the Zoning Administrator and shall be determined on a case by case basis.

c. Front Yard Landscaping. The number of points required for landscaping of front yards shall be based on the overall length of the lot frontage as measured in feet along the property line divided by one and one half (1-1/2). For example, if the front yard lot frontage of a zoning lot is one hundred and sixty-five (165) feet in length, then the landscaping must generate one hundred and ten (110) points.

Requirements for zoning lots with a front yard of reduced size as authorized by this plan will be modified on a case by case basis.

d. Parking Lot Landscaping. The number of points required for parking lot landscaping shall be equal to one and one-half (1-1/2) times the required number of parking spaces.

(1) The minimum unpaved area for planting all types of trees within parking lots shall not be less than one hundred and sixty (160) square feet per tree. Shade trees and intermediate trees shall not be planted in any area with a width of less than seven (7) feet (back of curb to back of curb). Evergreen trees shall not be planted in an area with a width of less than twelve (12) feet. Shrubs shall not be planted in areas with a width of less than four (4) feet. Measurements are back-of-curb to back-of-curb. The locations of parking lot landscaping will be subject to review and approval by the zoning administrator.

e. Minimum Landscaping Requirements.

- (1) Not less than twenty-five (25) percent of the points required for landscaping of front yards and parking lots shall be achieved by utilizing plants from the shrub classification.
- (2) Not less than twenty-five (25) percent of the points required for landscaping of front yards and parking lots shall be achieved by utilizing plants from the tree classification.
- (3) Not less than (25) percent of the points required for landscaping of front yards and parking lots shall be achieved by utilizing plants from the Perennials and/or Grasses classification.

f. Recommended Native / Adapted Species List. Only plantings from this list are eligible for “Native Plant Points”. Additional native plant materials not on this list may or may not be eligible for “Native Plant” points. Determination of eligibility will be based on the specific plants suitability for use in a case by case basis as determined by the Zoning Administrator. Preference will be given to species that are drought tolerant and winter hardy for this region.

The goal of this species list is to encourage the congruency of the plant palette throughout the Four Corners Overlay District. Additionally, the use of native adapted plantings is intended to reduce maintenance and provide healthier plant material. Use of propagated cultivars of the species below is encouraged to provide the best quality plant material.

Shade Trees/Intermediate Trees:

- American Hornbeam (*Carpinus caroliniana*)
- American Plum (*Prunus americana*)
- Bald Cypress (*Taxodium distichum*)
- Black Tupelo (*Nyssa sylvatica*)
- Birch species
- Cockspur Hawthorn (*Crataegus mollis*)
- Downy Serviceberry (*Amelanchier arborea*)
- Shadblow Serviceberry (*Amelanchier canadensis*)
- Eastern Redbud (*Cercis canadensis*)
- Eastern White Pine (*Pinus strobus*)
- Hackberry (*Celtis occidentalis*)
- Honeylocust (*Gleditsia tricanthos* var. *inermis*)
- Hophornbeam (*Ostrya virginiana*)
- Juniperus virginiana (Red Cedar)
- Linden (*Tilia americana*)
- Kentucky Coffee Tree* (*Gymnocladus dioica*)
- Maple species
- Oak species
- Ohio Buckeye* (*Aesculus glabra*)
- Witchhazel (*Hamamelis virginiana*)
- *Male plants only (non-fruiting)

Shrubs:

- American Hazelnut (*Corylus americana*)
- Burning Bush (*Euonymus alatus*)

Buttonbush (*Cephalanthus occidentalis*)
Common Juniper (*Juniperus communis*)
Common Ninebark (*Physocarpus opulifolia*)
Common Winterberry (*Ilex verticillata*)
Cornus species
Mock Orange (*Philadelphus pubescens*)
Red Twig Dogwood (*Cornus sericea*)
Rhus species
Shubby Cinquefoil (*Potentilla fruticosa*/*Dasiphora fruticosa*)
Silky Dogwood (*Cornus amomum*)
Viburnum species
Virginia Sweetspire (*Itea virginiana*)

Flowering Perennials:

Aster species
Baptisia species
Bee Balm (*Mondarda didyma*)
Blazing Star (*Liatris spicata*)
Bluestar (*Amsonia tabernaemontana*)
Butterfly Weed (*Asclepias tuberosa*)
Coreopsis species
Dwarf Bush Honeysuckle (*Diervilla lonicera*)
Echinacea species
Iris species
Joe-Pye Weed (*Eupatorium* sp)
Cardinal Flower (*Lobelia cardinalis*)
Leucanthemum species
Gayfeather (*Liatris spicata*)
Lirope species
Phlox species
Rudbeckia species
Russian Sage (*Pervoskia atriplicifolia*)
Sage (*Salvia nemorosa*)
Sedum species

Grasses:

Feather Reed Grass (*Calamagrostis acutiflora*)
Carex Species
Northern Sea Oats (*Chasmanthium latifolium*)
Blue Fescue (*Fesuca glauca*)
Bloodgrass (*Impeata cylidrica*)
Miscanthus species
Panicum species
Pennisetum species
Big Bluestem (*Andropogon gerardii*)
Little Bluestem (*Schizachyrium scoparium*)
Indian Grass (*Sorghastrum nutans*)
Prairie Dropseed (*Sporobolus heterolepis*)

8. **PARKING REGULATIONS.** Title 5, Chapter 7 of the Zoning Code regulates the number and placement of off street parking facilities. With respect to parcels fronting on East

Washington Street, on street parking, as well as public lot, spaces located immediately adjacent to the zoning lot occupied by such building may be counted for purposes of determining compliance with minimum parking requirements for non-residential uses established on such parcels. All parking requirements for retail uses in the Four Corners shall be 4 spaces per 1,000 square feet of building space. Commercial uses fronting on East Washington or lying within 105 feet of the nearest right of way of East Washington Street shall not be required to provide off-street parking facilities should their total square footage be less than 10,000 square feet. Dwelling units established as a permitted use on the second, third or fourth floor of a building as authorized by paragraph 1(a) of this plan shall be provided with dedicated on site parking spaces in sufficient number to comply with the requirements of the Zoning Code. All other uses shall comply with the parking requirements imposed by the Zoning Code.

9. **ACCOMODATION OF BICYCLES.** Bicycle racks capable of accommodating two bicycles for each 300 lineal feet of building frontage shall be provided, located and properly maintained in convenient proximity to all commercial facilities. Owners and occupants of individual commercial facilities having less than 300 lineal feet of building frontage may work cooperatively with other similarly situated owners and occupants to provide the required density of bicycle racks. In lieu of this standard, owners and occupants may provide bicycle racks in accordance with standards established by the U.S. Green Building Councils *Leadership in Energy and Environmental Design* ("LEED") Program.

10. **ACCOMODATION OF ELECTRIC VEHICLES.** The placement of charging stations for electrically powered vehicles shall be considered.

11. **ENERGY EFFICIENCY AND ENVIRONMENTAL DESIGN ENCOURAGED.** Efforts and projects that further the goals of energy efficiency and environmental design are encouraged. Reasonable modifications, adjustments or waivers of the standards set forth in this Plan and in the Zoning Code shall be considered if necessary to meet standards established by the LEED Program or the *Energy Star* Program.

12. **BUILDING FACADES.** Facades of all buildings in the district are encouraged to use high-quality materials when rehabilitation occurs. These materials include stone, masonry and glazing. Metal façade materials are highly discouraged.

13. **SIGNAGE.**

a. No flashing, animated, or glaring signs will be permitted with exceptions to be approved by City on a case-by-case basis. Identification signs will be placed on the face of the building or ground-mounted. Sign copy on the building shall be permitted on both front and rear elevations.

b. Except as otherwise approved by the Design Review Committee, building-mounted signs shall not project above the roof line of the building. Only open-lettering and/or a single logo will be permitted at a size that is appropriate to the scale of the building; however, each letter will not exceed a maximum height of three (3) feet. "Open-lettering" refers to individual letters that are mounted to the building, and NOT lettering that is mounted to any type of back panel, strip, bars or other elements that connect the letters together. Letters shall be manufactured as one of the following:

- (1) Opaque, solid metal with metallic and/or painted finishes.
- (2) Translucent faces to be captured within metal sides that encase internal lighting mechanisms; the shape or configuration of the light sources shall NOT be discernible through the translucent face; faces shall be captured in continuous (minimal) extrusions without exposed fasteners; metal sides shall have a metallic or painted finish.
- (3) Glass tube neon signs.

c. Building-mounted signs shall be mounted directly onto a building surface, or may be “peg-mounted” to project a consistent distance away from the face of a building. If internally illuminated and peg-mounted, all wiring is to be extended from the interior of the building. No raceways are permitted - they are to run straight from the rear of each sign component into the face of the building, without bends or curves. Wiring shall NOT extend between sign components (letters and/or logos).

d. Blade signage is allowed as a secondary signage opportunity for storefronts. The blade sign shall be attached to the storefront construction and shall not attach to the base building construction. Blade signs shall be proprietary in design and construction. Flat panels with painted or vinyl graphics are not allowed. Decorative elements such as iron brackets or three-dimensional panels are encouraged to be used. All blade signs shall have clearance of no less than 8'-0" above the finished exterior concrete walkway and not greater than six (6) square feet in area. Blade signs shall either be self-illuminating or shall employ surface-mounted bracket lighting.

e. Signage that is not permitted are those which are not professional in appearance; signs made from die-cut vinyl, gold or silver leaf and paint; formed plastic or injection molded plastic signs; tag lines; cloth, paper, cardboard and similar stickers/decals around or on surfaces of the storefront without prior written approval of City.

f. Multi-tenant signage will be permitted in design review committee approved locations when businesses are located within the same general block or area. These signs shall not be larger than 150 square feet in size and only promote those businesses within that area as determined by the City. The signs may also be backlit or digital but cannot flash or be distracting to the driving public.

ATTACHMENT 1

LEGAL DESCRIPTION OF FOUR CORNERS OVERLAY DISTRICT

A part of the East Half of Section 32 and the West Half of Section 33 in Fondulac Township situated in Tazewell County, Illinois, more particularly described as follows:

Commencing at the intersection of the southwesterly boundary of Farm Creek and the southeasterly boundary of the right of way of the TP&W Railroad and the point of beginning of the tract to be described; thence generally in a southwesterly direction along the southeasterly boundary of the right of way of the TP&W Railroad to its intersection with the northerly right of way line of Illinois Routes 8, 29 and 116; thence generally in an easterly direction to the most westerly corner of Lot 3 in Pfeifer's 2nd Addition; thence in a southeasterly direction along the southwesterly line of said Lot 3 in Pfeifer's 2nd Addition to the most southerly corner of said Lot 3 in Pfeifer's 2nd Addition; thence in a northeasterly direction along the southeasterly boundaries of Lots 1, 2 and 3 in said Pfeifer's 2nd Addition to the most easterly corner of Lot 1 in said Pfeifer's 2nd Addition located on the southeasterly right of way line of Johnson Avenue; thence generally in a southeasterly direction along the southwesterly right of way line of Johnson Avenue to its intersection with the extended southeasterly right of way line of Almiron Street; thence in a northeasterly direction along the southeasterly right of way line of Almiron Street to its intersection with the southwesterly right of way line of Everett Street; thence generally in a southeasterly and easterly direction along the southwesterly and southerly right of way line of Everett Street to its intersection with the westerly right of way line of Cole Street; thence continuing generally in an easterly direction along the extended southerly right of way line of Everett Street to its intersection with the westerly boundary of Cole Creek; thence generally in a northerly direction along the westerly boundary line of Cole Creek to its intersection with the southwesterly boundary of Farm Creek; thence generally in a northwesterly direction along the southwesterly boundary of Farm Creek to the point of beginning of the tract being described.

