

ORDINANCE 2019-29

APPROVAL AND ISSUANCE OF A "SPECIAL USE" PERMIT TO SCHULTZ WILBERT VAULT, PETITIONER, TO ALLOW FOR THE OPERATION OF A CREMATORY AT PROPERTY COMMONLY KNOWN AS 404 NORTH BLOOMINGTON STREET, COUNTIES OF LASALLE AND LIVINGSTON, STREATOR, ILLINOIS.

WHEREAS, George Schultz, Schultz Wilbert Vault has filed a petition seeking issuance of "special use" permit to allow for operation of a crematory under the provisions of Section 17.32.100, Class 15.00, Use 15.200 of the City's Zoning Title at property zoned C-3 General Commercial and legally described as:

SUBD SEC 25-31-3 & 26-31-3 on N by W D 650-471 in the City of Streator, County of LaSalle,

PIN 33-26-421-003

and commonly known as 404 North Bloomington Street, Streator, Illinois (the "Subject Property")

WHEREAS, a public hearing on said petition was held on October 8, 2019 by the Plan Commission of the City of Streator, pursuant to a notice of public hearing published in a newspaper of general circulation on September 21, 2019 as required by law; and

WHEREAS, said public hearing was held over until the Plan Commission's meeting on November 12, 2019 so that a code amendment allowing for a crematory in a C-3 zoning district could be considered; and

WHEREAS, at the November 12, 2019 meeting the Plan Commission did recommend an amendment to the City Zoning Code to allow for the operation of a crematory in a C-3 "General Commercial" Zoning District pursuant to a Special Use Permit; and

WHEREAS, the Plan Commission of the City of Streator has considered all evidence, both written and oral, and recommended that the City Council approve and grant the requested special use permit; and

WHEREAS, the City Council of the City of Streator has considered the findings and recommendation of the Plan Commission and the facts and circumstances concerning the Petition, and the City Council has determined that it is appropriate to grant the special use permit as provided in this Ordinance.

NOW, THEREFORE, be it ordained by the City Council of the City of Streator, LaSalle and Livingston Counties, Illinois, as follows herein.

Section 1: The following findings of the Plan Commission at their November 12, 2019 are true:

1. That the establishment, maintenance, or operation of the use or combination of uses will not be detrimental to or endanger the public health, safety, comfort, morals, or general welfare of the residents of the City;
2. That the proposed use will not diminish the use or enjoyment of other property in the vicinity for those uses or combination of uses which are permitted by this zoning title;
3. That the establishment of the proposed use will not impede the normal and orderly development and improvement of the surrounding properties for uses or combination of uses otherwise permitted in the zoning district.
4. That the proposed use will not diminish property values in the vicinity;
5. That adequate measures already exist or will be taken to provide ingress and egress to the proposed use in a manner that minimizes traffic congestion in public streets;
6. That the proposed use will be consistent with the character of the City;
7. That the proposed use will not materially affect a known historical or cultural resource;

8. That the design of the proposed use considers its relationship to the surrounding area and minimizes adverse effects, including visual impacts of the proposed use on adjacent property;
9. That the design of the proposed use promotes a safe and comfortable pedestrian environment;
10. That the proposed use has included adequate consideration consistent with these standards for buffers, landscaping, fencing, lighting, building materials, public open space, and other improvements associated with the proposed use; and
11. That the off-site impacts of the proposed use such as vehicular traffic, noise, hours of operations, etc., have been shown to be compatible with the surrounding area.

Section 2: RECITALS. The City Council hereby finds the recitals contained in the preambles are true and correct and incorporate them into this Ordinance by this reference.

Section 2: SPECIAL USE PERMIT GRANTED. The petition filed by George Schultz, Schultz Wilbert Vault, requesting issuance of a "special use" permit to allow for operation of a crematory under the provisions of Section 17.32.100, Class 15.00, Use 15.200 of the City's Zoning Title at property zoned C-3 General Commercial and legally described as:

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and commonly known as 404 North Bloomington Street, Streator, Illinois is granted. subject to the following conditions imposed by the City Council.

Section 3: SEVERABILITY. Each section, paragraph, sentence, clause and provision of this Ordinance is separable and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this ordinance nor any part thereof, other than that part affected by such decision.

Section 4: EFFECTIVE DATE AND PUBLICATION. This Ordinance shall in full force and effect from and after its passage and approval and publication as required by law.

Passed by the City Council of the City of Streator, LaSalle and Livingston Counties, Illinois at a regular meeting thereof on **November 20, 2019** and approved by me as Mayor on the same day.

APPROVED:



Jimmie D. Lansford, Mayor

	Yes	No	Abstain	Absent
Mayor Jimmie D. Lansford	√			
Councilwoman Tara Bedei	√			
Councilman Ed Brozak	√			
Councilman Brian Crouch	√			
Councilman Joe Scarbeary	√			

ATTESTED:

Patricia L. Henderson, City Clerk

Prepared by Patricia L. Henderson, City Clerk, Streator, Illinois
Return after recording to:
Streator City Clerk
Streator City Hall
204 S. Bloomington Street
Streator, IL 61364
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