

AN ORDINANCE GRANTING A SPECIAL USE FOR A PLACE OF WORSHIP (BUDDHIST TEMPLE), IN A CLASS R-6 (MULTI-FAMILY RESIDENTIAL) DISTRICT FOR THE PROPERTY LOCATED AT 839 W MOSS AVENUE (PARCEL IDENTIFICATION NUMBER 18-05-482-015 & 18-05-482-018), PEORIA, ILLINOIS.

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 place of worship (Buddhist Temple) 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 November 5, 2015, 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 place of worship (Buddhist Temple) is hereby approved for the following described property:

LOTS 9 THROUGH 16 OF SCHOOL INSPECTOR'S ADDITION, A SUBDIVISION OF PART OF THE SE ¼ OF SECTION 5; LOT 16 AND PARTS OF LOTS 18 AND 19 OF MOSS ADDITION, RANGE 2, A SUBDIVISION OF PART OF THE SE ¼ OF SECTION 5; AND A PART OF THE SE ¼ OF SECTION 5; ALL IN TOWNSHIP 8 NORTH, RANGE 8 EAST OF THE 4TH P.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF LOT 5, BLOCK 5, OF ANTIS ADDITION, A SUBDIVISION OF PART OF THE SE ¼ OF SAID SECTION 5 AS THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED; THENCE SOUTH ALONG THE WEST ROW LINE OF ORANGE STREET, A DISTANCE OF 96 FEET TO THE NORTHEAST CORNER OF SAID LOT 19 OF SAID MOSS ADDITION, RANGE 2; THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY LINE OF SAID LOT 19, A DISTANCE OF 41.08 FEET TO A POINT 7.1 FEET NORTHEASTERLY OF THE NORTHWEST CORNER OF SAID LOT 19; THENCE IN A SOUTHEASTERLY DIRECTION, A DISTANCE OF 95 FEET, MORE OR LESS, TO A POINT ON THE NORTHEASTERLY LINE OF SAID LOT 18, 55.4 FEET NORTHWESTERLY OF THE SOUTHEAST CORNER OF SAID LOT 18 AS MEASURED ALONG

THE NORTHEASTERLY LINE OF SAID LOT 18; THENCE IN A SOUTHEASTERLY DIRECTION, A DISTANCE OF 56 FEET, MORE OR LESS, TO A POINT ON THE NORTHWESTERLY ROW LINE OF MOSS AVENUE 3.25 FEET SOUTHWESTERLY OF THE SOUTHEAST CORNER OF SAID LOT 18; THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY ROW LINE OF MOSS AVENUE, A DISTANCE OF 262.53 FEET TO THE NORTHEASTERLY ROW LINE OF GARFIELD AVENUE; THENCE NORTHWESTERLY ALONG THE NORTHEASTERLY ROW LINE OF GARFIELD AVENUE, A DISTANCE OF 203 FEET TO A POINT ON THE EASTERLY ROW LINE OF GARFIELD AVENUE; THENCE NORTHERLY ALONG THE EASTERLY ROW LINE OF GARFIELD AVENUE, A DISTANCE OF 181.2 FEET TO THE NORTHWEST CORNER OF SAID LOT 14 OF SAID SCHOOL INSPECTOR'S ADDITION; THENCE EASTERLY ALONG THE NORTH LINE OF SAID SCHOOL INSPECTOR'S ADDITION, A DISTANCE OF 316 FEET TO THE POINT OF BEGINNING, SITUATE, LYING AND BEING IN THE COUNTY OF PEORIA AND STATE OF ILLINOIS.

PIN: 18-05-482-018 AND 18-05-482-015

COMMONLY KNOWN AS; 839 WEST MOSS AVENUE, PEORIA, IL 61604

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

- 1) A waiver to allow the existing fence to remain for 3 years from the date of this approval, with portions located in the front yard and to fill in the gaps in the fence to match the existing chain link material.
- 2) A waiver to allow existing conditions for all landscaping.
- 3) A waiver to allow a statue of Buddha with a maximum height of 20 feet.
- 4) All mechanical equipment, utilities, and refuse areas must be screened per Appendix C, Article 8.2.15.
- 5) Any proposed signs require a separate application. Freestanding sign may not exceed 5 feet in height and 20 square feet in area.
- 6) Any alterations or improvements for the portion of the property that falls within the Moss-High Local Historic District will require a Certificate of Appropriateness, as required by Chapter 16 of the City Code; the Historic Preservation Ordinance.
- 7) Lighting may not exceed ½ footcandle as measured at the property line.
- 8) Parking surface must be maintained as an evenly paved surface and regular parking spaces must be striped a minimum of 8.5 feet in width by 18.5 feet in length.
- 9) Any paving or resurfacing of the parking lot shall be completed by a contractor who is licensed and bonded with the City of Peoria.
- 10) Disabled parking spaces must be striped with an 11' parking area and a 5' aisle on the right hand side, or alternatively, with an 8' parking area and 8' aisle. Accessible spaces shall be signed with an R7-8 sign and an R7-101 \$350 fine plate.
- 11) Parking in the lot must be arranged to allow access for fire department apparatus.
- 12) Gaps in the existing chain link fence can be filled in to match the existing fence, with the understanding that the entire fence will be removed within 3 years from the date of this approval. Property owner has the option to install a new fence of better quality material that meets Land Development Code requirements.

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 according to law.

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

_____ DAY OF _____, 2015.

APPROVED:

Mayor

ATTEST:

City Clerk

EXAMINED AND APPROVED:

Corporation Counsel