



PLANNING & ZONING COMMISSION

TO: City of Peoria Planning & Zoning Commission
FROM: Development Review Board (prepared by Kerilyn Weick)
DATE: February 3, 2022
CASE NO: PZ 700-2021

REQUEST: Hold a Public Hearing and forward a recommendation to City Council on the request of Steven Ringenberg and Matthew McCormick to obtain a Special Use in a Class R-4 (Single-Family Residential) District for a Short Term Rental, for the property located at 3226 N California Avenue (Parcel Identification No. 14-28-476-005), Peoria IL (Council District 3)

SUMMARY OF PROPOSAL & REQUESTED WAIVERS

The applicant is requesting to obtain a Special Use for a short term rental at 3226 N California in an existing single family dwelling with two bedrooms. The intended use is to rent the whole house to guests for a period less than 30 consecutive days. Such use is considered a short term rental and requires special use approval.

The proposal is further described as follows:

| Development Item | Applicant Proposal | Applicant Waiver Request & Justification | DRB Comment |
|---------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Use | Whole house short term rental. The dwelling has two bedrooms. | None | Additional dwelling units cannot be added to the single family dwelling. The use and property must comply with the Code of the City of Peoria or codes adopted by reference. This includes, but is not limited to property maintenance, building and fire, public nuisance, noise, and alcoholic beverages. |
| Building & Life Safety | Up to 4 guests in the short term rental. The dwelling has two bedrooms. | N/A | Condition that the use may not exceed the 2018 IRC Residential Group R-3 occupancy of 4 persons. Condition to install fire extinguishers, interconnected smoke alarms, and carbon monoxide detectors. |
| Parking | One off-street parking space in the existing driveway. The applicant proposes to replace the gravel drive with concrete. | None | The site plan identifies 1 off-street parking space in the existing driveway. The driveway could accommodate a second vehicle, however, this space would not be independently maneuverable. On-street parking is also available on N California Ave. Condition that the driveway shall be replaced with an all-weather, durable, and dustless surface such as concrete or asphalt. Gravel is not allowed. |
| Neighborhood 3% Cap on the Number of Special Use Short Term Rentals | The property is not in a defined neighborhood association. | None | The 3% cap allows up to 16 special use Short Term Rentals within a 0.25 mile radius of the subject property. If approved, this would be the first special use short term rental in this area. |

| Development Item | Applicant Proposal | Applicant Waiver Request & Justification | DRB Comment |
|------------------|---------------------------------------------------------------------------------------------------------------|------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| License | Obtain yearly Short Term Rental License and remit the Room Rental Use or Privilege tax to the City of Peoria. | N/A | Compliance is a condition of maintaining the special use. A special use for a Short Term Rental is only valid for the applicant and does not transfer with the property. |

BACKGROUND

Property Characteristics

The subject property is 0.12 acres and is currently developed with a single family dwelling and detached garage. The property fronts N California Avenue. The property is in good standing with code enforcement. The property is in the Class R-4 (Single-Family Residential) District. Surrounding zoning is Class R-4 (Single-Family Residential) District. Surrounding land use is residential.

History

Zoning class has consistently been low density residential.

| Date | Zoning |
|----------------|--------------------------------|
| 1931 - 1958 | A (One Family Dwelling) |
| 1958 - 1963 | A (One Family Dwelling) |
| 1963 - 1990 | R1 (Low-Density Residential) |
| 1990 - Present | R4 (Single-Family Residential) |

DEVELOPMENT REVIEW BOARD ANALYSIS

The DRB examines each application against the appropriate standards found in the Code of the City of Peoria and/or in case law.

| Standard | Standard Met per DRB Review | DRB Condition Request & Justification |
|-----------------------------------------------------------------|-----------------------------------------------------------|-----------------------------------------------------------------------------------|
| No detriment to public health, safety, or general welfare | Yes | Condition to install fire extinguishers, smoke alarms, carbon monoxide detectors. |
| No injury to other property nor diminishment to property values | Yes | None |
| No impediment to orderly development | Yes | None |
| Provides adequate facilities | Yes | None |
| Ingress/Egress measures designed to minimize traffic congestion | Yes | None |
| If a public use/service, then a public benefit | NA | NA |
| Conforms to all district regulations | No | Condition to replace the driveway with an all-weather, dustless surface. |
| Comprehensive Plan Critical Success Factors | Reinvest in Neighborhoods | Reinvest in the existing dwelling. |
| City Council Strategic Plan Goals | Attractive Neighborhoods with Character; Safe and Livable | Reinvest in the existing dwelling. |

DEVELOPMENT REVIEW BOARD RECOMMENDATION

The Development Review Board recommends approval of the request for a short term rental with the following conditions:

1. The driveway shall be replaced with an all-weather, dustless surface such as asphalt or concrete. Any work in the right-of-way requires a permit from the Public Works Department.
2. Fire extinguishers shall be installed according to the 2018 International Fire Code Chapter 9, Section 906.
3. Interconnected smoke alarms shall be installed according to the 2018 International Fire Code Chapter 9, Section 907.
4. Carbon monoxide detector shall be installed according to the 2018 International Fire Code Chapter 9, Section 915.
5. Additional dwelling units cannot be added to the single family dwelling.
6. Occupancy of the short term rental shall not exceed the standards set forth in the Building and Fire Code of four (4) total persons.
7. The owner shall obtain and maintain a valid Short Term Rental license from the City of Peoria and the owner shall pay Room Rental Use or Privilege tax to the City of Peoria.
8. An approved Special Use is valid for the Applicant only as identified on the special use application submitted to the Planning & Zoning Commission. An approved Special Use shall become null and void upon any change in ownership of the property which results in the removal of all prior applicants. Such change in ownership of the property will require a new special use application and approval.

NOTE: If a City Code Requirement is not listed as a waiver, then it is a required component of the development. The applicant is responsible for meeting all applicable code requirements through all phases of the development.

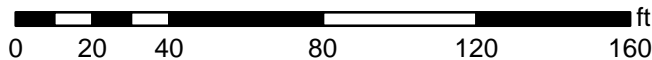
ATTACHMENTS

1. Surrounding Zoning
2. Aerial Image
3. Site Plan
4. Applicant's Description of the Use
5. Photos – Existing Conditions

3226 N California Ave - 2019 Aerial



1 inch = 50 feet

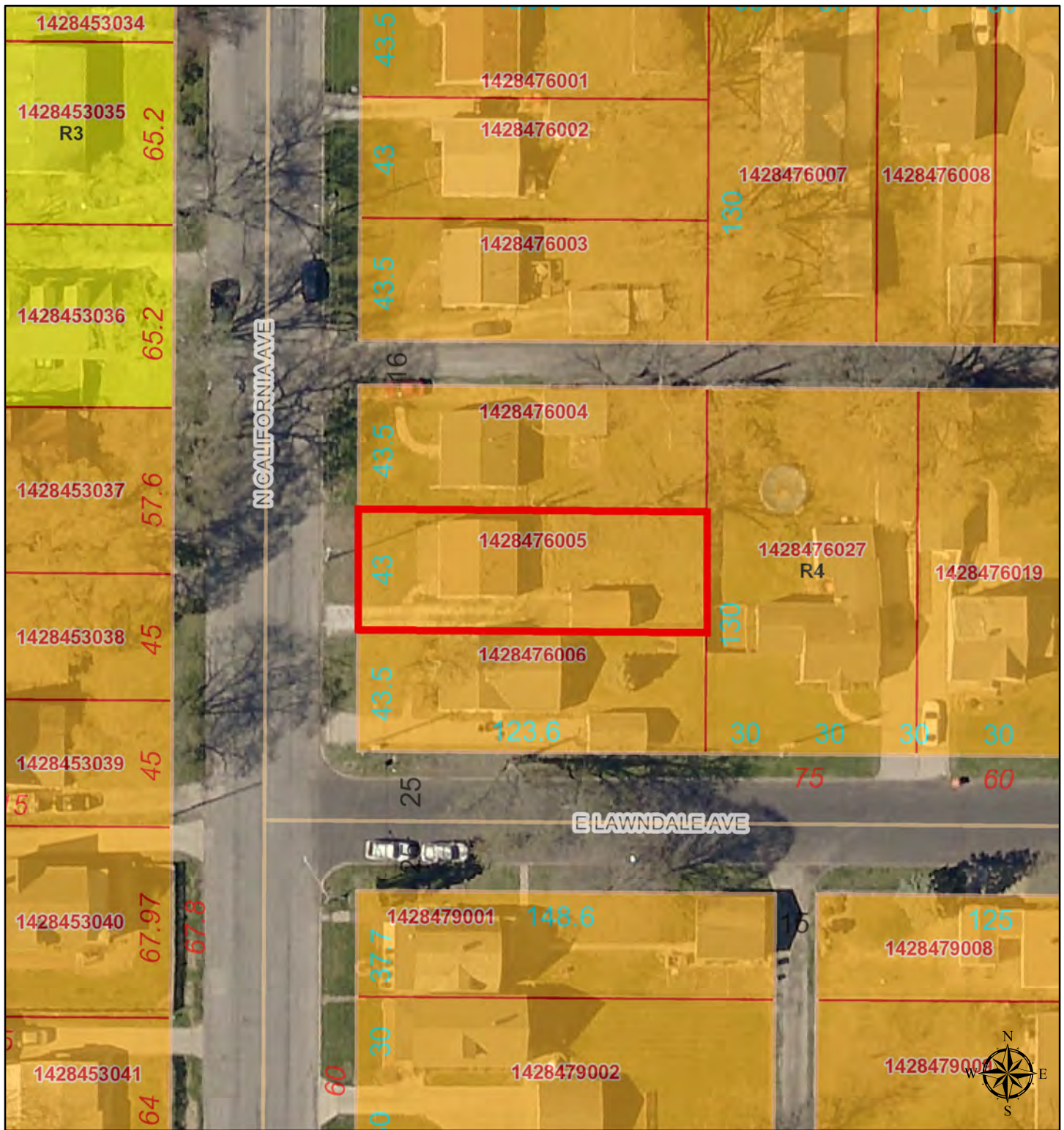


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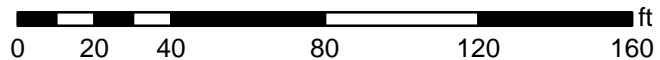
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3226 N California Ave - 2019 Aerial + Zoning



1 inch = 50 feet

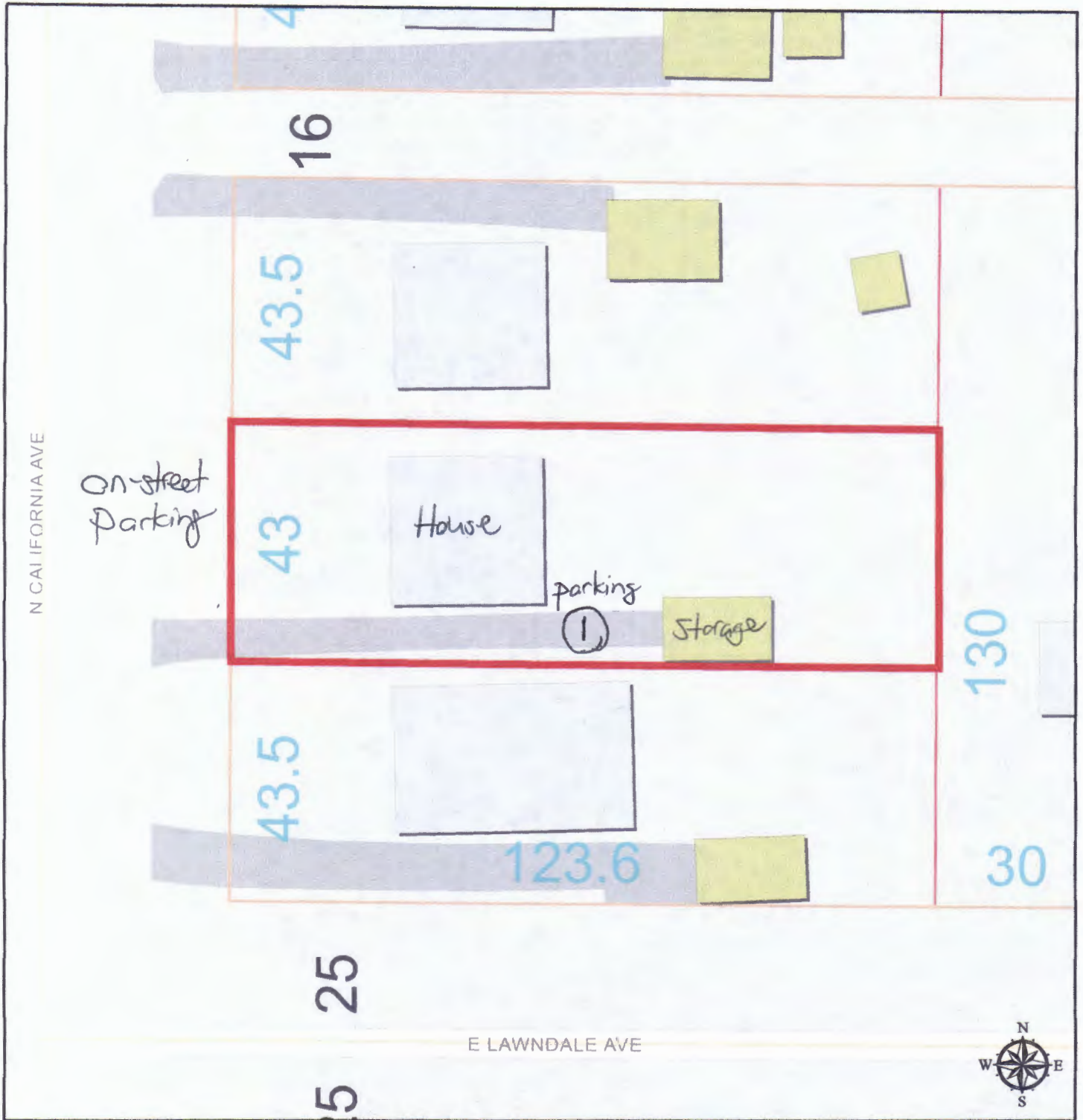


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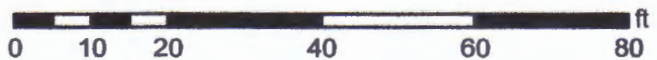
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JLR



1 inch = 25 feet



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3226 N. California, Peoria, 61603.

The property is a 676 square foot 2 bedroom, 1 bath, no basement single family dwelling. There is a 240 square foot 1 car garage located on the property that people will not have access to. We plan on having a maximum of 4 guests at this property at any time. The bedroom sizes are as follows

Bedroom #1 is 113 square feet the dimensions are 9'9" wide by 11'7" long.

Bedroom #2 is 110 square feet the dimensions are 9'9" wide by 11'3" long.

There is parking on the driveway which is 7'6" wide by 75' long. There is also on street parking allowed in front of the property.

The property has previously been rented and managed as a long term rental by myself and my partner. Our tenant has vacated the property and we would like to utilize this property as a short term rental. Our policies will follow the rules, regulations, and laws set forth by the city of Peoria regarding short term rentals.





