

Antwyne Weeks, applicant and property owner, stated this is their second short term rental and they have all fire safety regulations in compliance.

Commissioner Ghareeb asked if applicant has talked to neighbors about the request.

Mr. Weeks stated they have had no negative feedback and speak with them often.

Chairperson Wiesehan opened the public hearing at 1:15 PM.

Senior Urban Planner Weick read written comment:

- Sarah Rhodes, 313 E Maywood Ave, letter in opposition.

Mr Weeks, stated there is a false assumption that Air BnBs are party houses, they have not had any incidents with parties. Mr. Weeks has security cameras around property and took initiative to get streetlights installed. Mr. Weeks requires ID verification and stated 90% of stays are people coming to help with economic growth to City.

There being no further public testimony, Chairperson Wiesehan closed the Public Hearing 1:24 PM.

Discussion on the Findings of Fact was held.

Motion:

Commissioner Heard made a motion to approve; seconded by Commissioner Grantham.

The motion was approved by roll call vote 6 to 0.

Yes: Wiesehan, Heard, Barry, Martin, Ghareeb, Grantham - 6

Nay: None

PZ 696-2021

Hold a Public Hearing and forward a recommendation to City Council on the request of Marvin Keys of 2018DT South Beloit LLC, on behalf of Morton Community Bank, to obtain a Special Use in a Class C-1 (General Commercial) District for an Adult Use Cannabis Dispensary, for the property located at 4600 N Brandywine Drive (Parcel Identification No. 14-19-403-006), Peoria IL (Council District 4).

Senior Urban Planner, Josh Naven, read the case into the record and summarized the request.

The Development Review Board recommends approval of the request for an adult use cannabis dispensary with the following conditions:

1. Public sidewalks shall be required along the Brandywine frontage. Part of Brandywine Drive in front of this parcel is under the jurisdiction of the State of Illinois. A permit from IDOT may be required for any work in the right-of-way.
2. Pedestrian connections to the public sidewalk shall be provided pursuant to Section 8.1.5.I. of the Unified Development Code.
3. The applicant shall contact CityLink to investigate the possible placement of a Transit Shelter along the Brandywine Drive frontage as Transit Line #14 runs along the site frontage. This condition shall be reviewed in conjunction with any permitting for sidewalks.
4. Bicycle parking shall be installed pursuant to Section 8.1.6. of the Unified Development Code.
5. All parking areas shall adhere to the regulations from Section 8.1. of the Unified Development Code with respect to parking surface and handicapped & general parking striping and signage.
6. A landscaping plan shall be submitted for review of the site for compliance.
7. Refuse containers shall be screened pursuant to Section 13-13 of the City Code.

8. All proposed signs shall adhere to current requirements and shall be reviewed through a separate building permit process.

Chairperson Wiesehan questioned if there is an ordinance regarding dispensary placement near another.

Senior Urban Planner Naven clarified there is no ordinance regarding proximity, all they need is a license and special use.

Commissioner Ghareeb asked if the entire building will be used as dispensary.

Senior Urban Planner Naven clarified the dispensary is in a multi-tenant building.

Commissioner Grantham asked how many jobs the dispensary will create.

Senior Urban Planner Naven stated that is not a submittal requirement.

Marvin Keys, applicant and representative, 2018 S Beloit LLC, stated they expect between 10-15 jobs to be created. The shopping center will be multi-tenant center, the second floor is currently occupied by a law firm. Mr. Keys has talked with the law firm prior to the hearing, and they have no issues with special use. Mr. Keys has reviewed the conditions and has no issues with those and will do all requirements. 2018 S Beloit LLC is already involved in the cannabis industry being partners in 4 existing dispensaries in the state and have had no issues with any of their locations.

Commissioner Martin asked if there will be on site consumption and if the applicant has spoken with any neighbors.

Mr. Keys stated there will be no on site consumption. Mr. Keys stated he spoke with one neighbor who had question if the use there would restrict the use in his property, Mr. Keys told him to check with City.

Commissioner Ghareeb asked if they will comply with city recommendations for sidewalks and pedestrian sections.

Mr. Keys stated yes, they will have to coordinate with IDOT and will conform with any required conditions.

Commissioner Ghareeb asked if this approval would be contingent on approved permit by IDOT and adequate facilities

Senior Urban Planner Naven stated yes that is correct. The City will work with IDOT on their permitting requirements. Additionally, if a childcare facility wants to open adjacent to the dispensary they can since dispensary was there first. DCFS childcare regulations are based on operations on facility but no buffer requirements for other uses.

Community Development Director Dulin stated there might be other license issues on back end for new business located next to dispensary but there's nothing in the City code to stop it.

Commissioner Grantham asked if Mr. Keys has discussed with 4th district councilman.

Mr. Keys stated he spoke with Andre Allen who has no issues and directed him to the correct contact within the City.

Chairperson Wiesehan opened the public hearing at 1:51 PM.

Matt Bousky, neighbor, stated his only concern is if their properties use would be limited being so close to a dispensary. Mr. Bousky asked if anyone knows any restrictions they might be confronted with in order to get a license for a daycare.

Chairperson Wiesehan stated the City has no issues, but the license would come from the State and the Commission doesn't have an answer to question at this point and directed Mr. Bousky to contact a state representative

Senior Urban Planner Naven read written comment:

- Lynn Damm, 4712 N Clarewood Ave, letter in opposition.

There being no further public testimony, Chairperson Wiesehan closed the Public Hearing 1:57 PM.

Motion:

Commissioner Barry made a motion to approve; seconded by Commissioner Heard.

The motion was approved by roll call vote 6 to 0.

Yes: Wiesehan, Grantham, Heard, Barry, Martin, Ghareeb - 6

Nay: None

PZ 700-2021

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).

Senior Urban Planner, Kerilyn Weick, Community Development Department, read the case into the record and summarized the request.

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.

Commissioner Ghareeb asking if replacing the driveway is part of a City regulation.

From: Lynn Damm <ldamm@sbcglobal.net>

Sent: Friday, January 21, 2022 3:35 PM

To: Leah Allison <lallison@peoriagov.org>

Subject: [External]"Public Comment for the February 3, 2022 Meeting"

I Lynn Damm live at 4712 N Clarewood Ave oppose the request for Adult Use Cannabis Dispensary. The reason is we have one just a block way on Glen Ave and we don't need another that close.