

**PZ 1032-2022**

Hold a Public Hearing and forward a recommendation to City Council on the request of Dimitar Atanasov and Keila Sierra to obtain a Special Use in a Class R-1 (Single-Family Residential) District for a Short Term Rental for the property located at 3119 N Knoxville Ave (Parcel Identification NO. 14-28-377-071) and including, for access only, the property located at 3207 N Knoxville Ave (Parcel Identification No. 14-28-377-070 and 14-28-377-048) in a Class R-1 (Single-Family Residential) District and a Class R-3 (Single Family Residential) District, Peoria IL (Council District 2)

Senior Urban Planner Kerilyn Weick, Community Development Department, read the case into the record and summarized the request for short term rental in a single family dwelling. The property has two points of egress, one being on the adjacent property.

The Development Review Board does not support the waiver request to increase the number of adult guests from six to eight.

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

1. Fire extinguishers shall be installed according to the 2018 International Fire Code Chapter 9, Section 906.
2. Interconnected smoke alarms shall be installed according to the 2018 International Fire Code Chapter 9, Section 907.
3. Carbon monoxide detector shall be installed according to the 2018 International Fire Code Chapter 9, Section 915.
4. Additional dwelling units cannot be added to the single family dwelling.
5. Occupancy of the short term rental shall not exceed the standards set forth in the Building and Fire Code of ten (10) guests. Of the maximum occupancy allowed, no more than six (6) adult guests may stay in the dwelling at any given time.
6. 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.
7. An approved Special Use if 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.

Dimitar Atanasov and Keila Sierra, owners and petitioners, were present. Mr. Atanasov explained that this has been their personal property for the last 5 years. Mr. Atanasov provided a description of the use of the property in terms of number of guests, operations, and policies for the anticipated short term rental.

Chairperson Wiesehan asked if the petitioners will be there with guests present.

Mr. Atanasov stated that if there are guests, their family would not be there.

Chairperson Wiesehan opened the public hearing at 2:04 PM.

Ann Winget shared a letter from Mary JacQuin. Ms. JacQuin stated concern over the short term rental because it is a single family area in which the neighbors know each other. Ms. JacQuin stated that the tenants at short term rentals abuse rules.

Ann Winget objected to the short term rental. Ms. Winget expressed concerns over a potential increase in crime, strange cars, speeding, and unfamiliar people. Ms. Winget also expressed concerns over the outdoor pool, movie screen, and outdoor bar at the short term rental because it will encourage renters to host large gatherings.

Ms. Weick read letter of support submitted by Bob Hall. Mr. Hall supports the short term rental because of his experiences with the property owners, stating the property owners have maintained and renovated the property.

Ms. Weick read letter of objection submitted by Amanda Pope. Ms. Pope objected to the short term rental because it will increase traffic on the dead end street. Ms. Pope expressed concern over strange vehicles, access to the property, and the outdoor entertainment encouraging loud noise and parties.

Mr. Atanasov addressed the access to the property and stated that they will encourage guests to use the driveway coming off Knoxville.

Ms. Sierra stated that they have a family-driven interest in the people they bring into their home.

Commissioner Martin asks how they will monitor noise level.

Mr. Atanasov explains that this short term rental will have the same rules as their other short term rentals in the City, including designated quiet hours and prohibiting large gatherings or parties. Mr. Atanasov explained the pool and the property itself both have security/alarm systems to ensure their proper usage in terms of the rules for the short term rental.

With no further public comment, closed the public hearing at 2:17 PM.

Discussion on the Findings of Fact was held.

Motion:

Commissioner Martin made a motion to approve with staff recommendations; seconded by Commissioner Grantham.

The motion was approved by viva voce vote 4-0.

PZ 1037-2022

Hold a Public Hearing and forward a recommendation to City Council on the request of Andrew Scott, of Dykema Gossett PLLC, on behalf of World of Weed Inc. to amend existing Special Use Ordinance Nos. 13,111 and 13,194, as amended, in a Class C-2 (Large Scale Commercial) District to allow for an Adult Use Cannabis Dispensary, for the property located at 3929 W War Memorial Dr and commonly known as the Willow Knolls Shopping Center (Parcel Identification Nos. 13-12-300-018, 13-12-300-020, 13-12-300-021, 13-12-300-022, 13-12-300-024, 13-12-300-030, 13-12-300-031, 13-12-300-032, and 13-12-302-003), Peoria IL (Council District 4)

Urban Planner, Julia Hertaus, Community Development Department, read the case into the record and summarized the request to amend the existing shopping center Special Use to allow for an Adult Use Cannabis Dispensary located in the former Applebee's Restaurant building.

The Development Review Board recommends approval of the request for an Adult Use Cannabis Dispensary with the following conditions:

1. Repair and restripe parking lot for regular and handicap parking spaces including required handicap space signs and install four (4) bicycle parking spaces all per Section 8.1 of the Unified Development Code (UDC).
2. Ground, wall, and rooftop mounted mechanical and utility equipment must be screened from view of the public right-of-way.
3. Provide a revised landscape plan to include a continuous hedge, a decorative masonry wall, or any combination thereof along the perimeter of the parking area along War Memorial Dr.
4. All signs will comply with Section 8.3 of the UDC approved through a separate sign permit application.
5. Exterior lighting will comply with Section 8.5 of the UDC.

MARY L. JACQUIN
3227 N. KNOXVILLE
PEORIA, IL 61604

FOR YOUR CONSIDERATION:

I am very CONCERNED ABOUT THE PROPOSED SHORT-TERM RENTAL REQUEST FOR PROPERTIES 3119 N. KNOXVILLE AND 3207 N. KNOXVILLE.

THIS IS A SINGLE FAMILY AREA WHERE NEIGHBORS KNOW AND OFTEN DEPEND ON ONE ANOTHER. SHORT TERM RENTERS OFTEN ABUSE THE INTENT OF THEIR SHORT AGREEMENTS.

I HAVE SEEN PARTIES THROWN IN MY AREA IN RENTALS. THEY HAVE BEEN LOUD AND UNCARING.

STRANGERS BRINGING STRANGERS INTO AN AREA OF STABLE SENIOR CITIZENS AND YOUNG FAMILIES.

I HAVE WITNESSED THE DESTRUCTION OF PROPERTY OF MY NEIGHBORS AND HAVE HAD A CAR STOLEN FROM MY DRIVEWAY.

THIS IS A NEIGHBORHOOD BORDERING A HIGH CRIME AREA. I CANNOT HELP BUT PROTEST THIS PROPOSAL

Mary Lou Jacquin
MARY LOU JACQUIN



Kerilyn Weick

From: Robert Hall <robert.hall@mhtlaw.com>
Sent: Friday, August 26, 2022 10:29 PM
To: Kerilyn Weick
Subject: [External]Planning & Zoning Commission --- Case No. 1032-2022

Kerilyn:

I am told, and the agenda for the meeting of the Planning & Zoning Commission indicates, that an application has been filed in the above referenced case for property located at 3119 N. Knoxville. That application appears to seek approval for that property for short term rentals which would permit use of the property for occupancies such as those for Airbnb and VRBO. My wife, Susie, and I live at 111 Ellington Dr. which is a few hundred feet north of (and across the street from) this subject property. More specifically, we live at the northeast corner of Knoxville and Ellington Dr.

We support the application. Our support is based upon the past experience of the owners in their renovating the property and keeping it well maintained with this purpose in mind. This use, in our view, also adds something that, frankly, our neighborhood can use. There are instances when, with visitors in town, our own houses cannot reasonably accommodate those guests. The availability of this additional closely located resource for visitors can significantly help out in those situations. We know of no objections of others in our neighborhood to the application for the proposed use.

Bob Hall



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Kerilyn Weick

From: Amanda Pope <Amanda@galleryhomesusa.com>
Sent: Wednesday, August 31, 2022 8:25 AM
To: Kerilyn Weick
Subject: [External]Re: [External]Public hearing tomorrow for short-term rental petition - 3119 N. Knoxville, Peoria

Importance: High

Thank you, Kerilyn. Please see below....

I live on Linnhill Court, adjacent to the property in question. We already have several rentals in this area, including a short-term rental on Linnhill and a short-term rental immediately behind Linnhill on Knoxville (across from the property in question). There is a private drive off of Linnhill to access that short-term rental and the property in question.

This already causes increased traffic. Linnhill is a Court, a dead-end street. That is part of the appeal of this street. There should not be much traffic through here. There are strange vehicles coming and going regularly due to the existing short-term rental behind Linnhill (along with the owners of the property in question using the private drive). Incoming new guests regularly miss the private drive then slowly drive through the neighborhood trying to find out where they're supposed to go. Overflow parking bleeds out onto Linnhill, as well. This is unsettling for myself and the neighbors of Linnhill. Additionally, the property in question has a pool and outdoor entertainment space which sometimes results in noisy outdoor parties. I anticipate that being a promoted feature and use of guests if the home does become a short-term rental.

We are a small Court and virtually all of the neighbors know one another, creating a sense of community. We look out for one another. The increase in traffic and strangers in the neighborhood that we already experience causes suspicion and safety concerns. The addition of another short-term rental, when we already have two in the area along with other rentals, will only enhance that. I hope for the sake of all the Linnhill residents, this petition is declined. Thank you for your consideration.

Thanks-

Amanda Pope, Broker
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www.galleryhomesusa.com



From: Kerilyn Weick <kweick@peoriagov.org>
Sent: Wednesday, August 31, 2022 8:04 AM