



Legislation Details (With Text)

File #: 23-009 **Version:** 1 **Name:** SHORT TERM RENTAL 1001 NE Glen Oak Ave
Type: Ordinance **Status:** Adopted
File created: 11/29/2022 **In control:** City Council
On agenda: 1/10/2023 **Final action:** 1/10/2023

Title: Communication from the City Manager and Director of Community Development with a Request to Concur with the Recommendation from the Planning & Zoning Commission and Staff to ADOPT an ORDINANCE Approving a SPECIAL USE in a Class R-3 (Single-Family Residential) District, for a SHORT-TERM RENTAL, for the Property Located at 1001 N.E. GLEN OAK AVENUE (Parcel Identification No. 18-04-278-018), Peoria, IL. (Council District 3)

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD 18030, 2. Ordinance for 1001 NE Glen Oak Ave, 3. Attachment A to Ordinance, 4. Case Packet for PZ 1145-2022, 5. Mtg Mintues for Case PZ 1145-2022

Date	Ver.	Action By	Action	Result
1/10/2023	1	City Council	adopted	Pass

ACTION REQUESTED:

Communication from the City Manager and Director of Community Development with a Request to Concur with the Recommendation from the Planning & Zoning Commission and Staff to ADOPT an ORDINANCE Approving a SPECIAL USE in a Class R-3 (Single-Family Residential) District, for a SHORT-TERM RENTAL, for the Property Located at 1001 N.E. GLEN OAK AVENUE (Parcel Identification No. 18-04-278-018), Peoria, IL. (Council District 3)

BACKGROUND: The applicant and property owner, Gerardo Desarden requests to obtain a special use to use an existing single-family dwelling as a short term rental. The property is owner occupied. The special use would allow for short term rental use while the owner is away. Renting all or part of a dwelling to transient guest(s) for a period less than thirty (30) consecutive days is considered a short term rental.

The dwelling has four bedrooms. The proposal is to allow up to 9 guests, with no more than 6 adults. Off-street parking is provided in the two-stall, detached garage. The driveway could accommodate a third vehicle, however, all spaces would not be independently maneuverable.

The property is in the Glen Oak Flanagan Neighborhood Association. The Unified Development Code stipulates no more than 2 special use short term rentals in this neighborhood. If approved, this would be the first special use Short Term Rental in this neighborhood association.

The Planning & Zoning Commission found that the request, in case number PZ 1145-2022, met the Findings of Fact and voted 4-1 to approve the request, subject to the site plan and 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 nine (9) guests. Of the maximum occupancy allowed, no more than six (6) adult guests may stay in the dwelling unit 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 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.

For detailed information, see the attached case packet and meeting minutes from the Planning & Zoning Commission meeting.

FINANCIAL IMPACT: NA

NEIGHBORHOOD CONCERNS (at the Planning & Zoning Commission Meeting): Two neighbors expressed opposition, citing concerns for the stability of the area, housing affordability, parking constraints, property maintenance, number of guests, and desire for greater communication from the applicant. In response, the owner explained the dwelling is a second residence, a local property management company would be hired, reason for number of guests, and reiterated the off-street parking plan. The property owner said he has spoken with the neighborhood association president.

IMPACT IF APPROVED: The Special Use would be approved subject to the conditions. The property owner would need to obtain a license before operating the short term rental.

IMPACT IF DENIED: The Special use would not be approved and a non owner occupied short term rental use would not be permitted.

ALTERNATIVES: NA

EEO CERTIFICATION NUMBER: NA

WHICH OF THE GOALS IDENTIFIED IN THE COUNCIL'S 2017 - 2032 STRATEGIC PLAN DOES THIS RECOMMENDATION ADVANCE?

1. Grow Peoria

WHICH CRITICAL SUCCESS FACTOR(S) FROM THE COMPREHENSIVE PLAN DOES THIS RECOMMENDATION IMPLEMENT?

1. Reinvest in neighborhoods.

DEPARTMENT: Community Development